United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, TUESDAY, JULY 29, 1997 No. 109

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mrs. EMERSON].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 29, 1997.

I hereby designate the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member except the majority leader, the minority leader, or the minority whip limited to not to exceed 5 minutes, but in no event shall continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Minnesota [Mr. GUTKNECHT] for 5 minutes.

WHAT A DIFFERENCE 4 YEARS MAKES

Mr. GUTKNECHT. Madam Speaker, what a difference 4 years has made. If we look back just 4 years ago, this Congress, under the leadership of the other team, was debating the largest tax increase in American history. They were attempting to dismantle the greatest health care system the world has ever known. Welfare reform was being ignored, and the Medicare trust fund was moving toward bankruptcy and was being ignored as well. The Congressional Budget Office was predicting $200 billion deficits for as far as the eye could see. What a difference 4 years has made.

Now, we have actually reformed the welfare system, and as a net result, there are 1.3 million American families who were on the welfare rolls who are now on payrolls. I have often said that the real benefit of the welfare reform system that we passed in this Congress 2 years ago was not that it will save money, but it will save people, it will save families, and it will save children from one more generation of dependency and despair.

What a difference 4 years has made. We now have agricultural reform so that farmers are starting to farm for the market rather than for the Government. What a difference 4 years has made as it relates to taxes and spending. As I say, 4 years ago the Congressional Budget Office was telling us that we would have $200 billion deficits for as far as the eye could see, and today, I am happy to report, as a result of some tough negotiations and work with this President, we are on the verge of passing the first balanced budget since I was in high school.

That is great news for the American people; it is great news for our future. We are reducing the rate of growth in Federal spending by half. Some of us would say that Federal spending will still be going up too much under this balanced budget agreement, but the good news is, we are balancing the budget, we are keeping our promises, and we are doing what the American people have asked the Congress to do for so long.

What a difference 4 years has made. As I said earlier, 4 years ago they were debating the largest tax increase in American history. Now we are going to debate a significant amount of tax relief for working families, and they will begin to notice that next year. Everyone who has an income of less than $110,000 and has children is going to get tax relief, the per child tax credit. It will only be $400 next year, but then it goes to $500. That is real money for real families that will make a real difference in their lives, and it is about allowing them to keep more of what they earn so that they can spend and save it as they see fit.

There is real tax relief for small business people and farmers as well. As a matter of fact, perhaps the biggest benefactors of the program that was agreed to last night by the White House and congressional leaders will be small business people and farmers. And I represent an awful lot of farmers back in my district in southeastern Minnesota. For example, they will see real capital gains tax relief, over a 30-percent cut over the next 5 years. Small business people and farmers understand what capital gains are all about, because so many of them live poor and die rich.

Speaking of death, as a matter of fact, this is one other area where I am very happy with the agreement that was reached between the White House and the Congress. The exemption on death taxes will be increased immediately for small business people and farmers, from $600,000 to $1,300,000 per person, so that a couple, that husband and wife who are working the family farm, it is going to mean that they can pass that farm along to their kids, and that is great news for the American people as well.

One of the other things that I have worked on for many years that is good news in this tax package that has been agreed to is that we will finally have 100 percent deductibility for health care expenses for small business people and farmers. That is great news. In fact, that may be one of the most important health care reforms this Congress has passed in a long time.

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But as we look at all of the things that are in this tax package, I think it is good news for the American people, and I think we will have set the stage for long-term economic growth.

As we look at some of the other elements that are in this package, if parents have kids that are going to college, and I speak now as a baby boomer, and I have one in college, and one just finished high school and will be going to vocational school next year, and I have one in high school. When we look at educational expenses particularly baby boomer families are having right now, there is over 31 billion dollars' worth of tax relief for those families. That is great news. We are going to make it easier for those families to send those kids on to higher education.

So as we look at this package, there are lots of things in there that I think all sides can take credit for. We are going to expand the availability of health care for kids. The Kid Care Program, $24 billion will be committed to that program over the next 5 years. We want to say to all children that they ought to have the right to get the health care that they deserve.

So this is good news for the American people. It is good news for American families, and it demonstrates what a difference 4 years has made.

PRESIDENT ALIYEV'S HUMAN RIGHTS ABUSES SHOULD NOT BE IGNORED

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

Mr. PALLONE. Madam Speaker, today the President of the Republic of Azerbaijan arrives in Washington, and during his official visit to our Nation's capital, the President of this former Soviet republic will be honored at the White House and will brief Members on Capitol Hill.

Madam Speaker, as an article in this Sunday's Washington Post noted, ''The visiting head of state who will have lunch with President Clinton this week and stay at Blair House as an honored guest has an unusual background: A former general in the KGB security forces who was dismissed from the Politburo for alleged corruption a decade ago.'' As the article goes on to point out, Azerbaijan, this former Soviet republic on the Caspian Sea has been ''propelled into the forefront of U.S. interests by oil and geography.''

That is what this is really all about, oil interests. While our State Department has cited serious abuses of human rights in Mr. Aliyev's regime, it is clear that human rights are a secondary interest. His country's territory happens to be sitting on some of the world's major oil reserves. U.S. oil companies are interested in exploiting this resource, so apparently we just look the other way about Mr. Aliyev's unsavory regime, wine and dine him in Washington, and let him stay as an honored guest at Blair House at the American taxpayers' expense.

On the eve of Mr. Aliyev's visit, I want to inform our colleagues about the type of leader this man is. President Aliyev has a long record of human rights violations dating back to his four decades as an official of the Soviet KGB. During the 1960's, he orchestrated the depopulation of Armenians from their homes in Nakhichevan. As the Communist Party leader of Azerbaijan during the 1970's, he violently suppressed all nationalists and democratic dissent. His ardent support for the Soviet invasion of Afghanistan earned him a seat on the Soviet Politburo under Leonid Brezhnev, where he served until removed by Mikhail Gorbachev in 1987 for having engaged in widespread corruption. Since his return to power through a military coup in 1993, President Aliyev has suppressed democracy and committed widespread violations of human rights, which have been documented by the State Department.

Madam Speaker, as I mentioned, I believe that the effort to try to sanitize Mr. Aliyev's regime has everything to do with oil interests. I have nothing against the extraction of Caspian Sea oil reserves, but the question that we must confront this week is, what price do we pay to curry favor with the Azerbaijani Government? Must we court this most undemocratic leader on his terms? And what price do we pay for being so generous to President Aliyev?

The result of this policy of appeasement, Madam Speaker and my colleagues, is the continued oppression of the people of Azerbaijan and the continued threats to the people of Mr. Aliyev's neighbors, Armenia and Nagorno Karabagh.

I would hope that this visit would offer an opportunity for our President and our administration to express American concerns about the lack of democracy and basic rights and freedom in Azerbaijan. I would especially hope the message could be sent to President Aliyev in no uncertain terms that Azerbaijan should immediately lift its blockades of Armenia and Nagorno Karabagh.

Finally, I would hope that President Clinton would stress to President Aliyev American support for a freely negotiated settlement of the Nagorno Karabagh conflict that recognizes the self-determination within secure borders of the people of Nagorno Karabagh.

I am circulating a letter along with my colleague, the gentleman from Illinois [Mr. PORTER] to President Clinton expressing our concerns about the visit of President Aliyev, and I hope that we can make something positive come out of this visit by President Aliyev.

Also this evening, Madam Speaker, I will be participating in a demonstration across from the Willard Hotel here in Washington to protest Mr. Aliyev's visit. The demonstration is being organized by the Armenian National Committee of America with the support of the Armenian Assembly of America and the entire Armenian community. There will be other demonstrations coinciding with President Aliyev's visit. I urge Members to support and participate in these demonstrations.

Although President Aliyev is probably not familiar with the right to free assembly and free expression, he should know that this is how we do things in a democracy. He must not mistake the red carpet treatment he is getting in official Washington as a signal of approval by the American people for his policies of aggression toward his neighbors and oppression of his own people.

Unfortunately, Madam Speaker, I am afraid that the direction in which United States policy is headed in the Caucasus region does not bode well for the outcome that we seek. The United States is in a unique position to be able to bring about a fair settlement of the Nagorno Karabagh situation and to help promote the long-term security and economic development of the region, but that is not the way things are going. The United States, along with France and Russia, is the cochair of the Minsk Group, and I believe that we should maintain our neutrality while exerting strong leadership to bring the parties together.

I am working with my colleagues to bring an official from the administration, the State Department, to come up to the Hill to bring us up to date on the status of negotiations in Nagorno, and for us to impress upon them the importance we attach to protecting the self-determination of the people of Karabagh.

Madam Speaker, Azerbaijan has some pretty powerful allies in its corner, including former top administration officials from both parties. We have to fight to make sure that the concerns of the people of Nagorno Karabagh are met here in the Congress and here in Washington.

I am working with my colleagues to bring an official from the administration, the State Department, to come up to the Hill to bring us up to date on the status of negotiations and for us to impress upon them the importance we attach to protecting the self-determination of the people of Karabagh.

You know, Mr. Speaker, Azerbaijan has some pretty powerful allies in its corner, including former top administration officials from both parties. This was documented in a recent front-page story in the Washington Post. This effort, this big-money influence, is being driven by oil money—the Caspian Sea basin off Azerbaijan has some of the richest oil reserves in the world, and many U.S. oil companies are interested in getting into this region.

But, Mr. Speaker, the big problem that many of us have is that the oil companies, and the former top U.S. Government officials working for those interests, are essentially lobbying for U.S. foreign policy to ignore the unacceptable behavior of Azerbaijan in order to curry favor with the regime and gain access to the oil reserves.

I'm also concerned that the visit to Washington by President Aliyev, at this critical stage in the Karabagh negotiations, threatens to harm the peace process by undermining confidence in the role of the United States as an impartial mediator. Section 907 is a provision of the Freedom Support Act of 1992 which prohibits direct U.S. Government Aid to Azerbaijan because of the Azeri blockade of Ameria and Nagorno Karabagh. The administration's advocacy against Section 907, further reinforces the Azerbaijani perception that the United States, since the most recent OSCE summit in Lisbon, has tilted toward Azerbaijan.

The visit by President Aliyev could serve to encourage Azerbaijan to further harden its negotiating stance. This encouragement is particularly dangerous given President Aliyev's pattern of unacceptable behavior, including his use of oil as a weapon against Armenia and Nagorno Karabagh, his blockades of Armenia and Nagorno Karabagh, his rapidly expanding military capabilities, his threats of force and intimidation tactics, and his refusal to negotiate directly with the democratically elected representatives of Nagorno Karabagh.

Mr. Speaker, I urge my colleagues in joining Mr. PORTER and me in letting President Clinton know of our concerns about his upcoming meeting with President Aliyev and to push our State Department toward a fair solution to the very difficult Nagorno Karabagh conflict.

EXCITING TAX CUTS FOR AMERICANS

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

Mr. SOLOMON. Madam Speaker, what a difference 4 years makes. Four years ago, this Congress was raising taxes on the American people, they were increasing spending, they were bankrupting Medicare, they were trying to socialize medicine, and they were expanding welfare. What a difference 4 years makes.

What is going to happen in the next 2 days is so exciting, because in the next 2 days we are going to cut taxes for every single working American in this country. What a difference 4 years makes. We will cut spending; we will get a handle on many of these entitlement programs that have been running rampant; we will save Medicare from bankruptcy; and, more than that, Madam Speaker, we will stay on that glide path to a balanced budget, which is going to mean there is going to be a country, this United States, for my children and my five grandchildren, six grandchildren, excuse me, we just had another one, and that is what is so exciting about it, because we have been able to come together with the White House, with the Senate, and with this body and do what the American people finally want us to do. I am just so excited, I can hardly stand it. Let us get on to it. In the next 48 hours, we are going to do exactly what I have just outlined.

DEMOCRATS STAND FIRM FOR FAIR TAX TREATMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, it is particularly appropriate to have the gentlewoman from Missouri [Mrs. EMERSON] this morning presiding over these Chambers, because I believe that this tax bill reflects those individuals of goodwill who have worked so very hard to ensure that America's working women realize tax relief.

Let me just simply talk about credit. This is not about who did what, but as long as we are in the credit column, let me emphasize where the work was really done.

I am proud of this tax relief plan because it goes to the core of what America stands for: Our children. As the chairperson of the Congressional Children's Caucus, I can assure my colleagues of the hard work that the Democrats persisted on to ensure that $24 billion, $24 billion, a plan that was not in the initial Republican offering of tax relief, will now be given for children who are uninsured, $24 billion.

Actually, we do not even know how many dollars will be saved by providing children who are uninsured some $10 million plus with preventative care for working families who do not have the option of insuring their children through their work. Madam Speaker, $24 billion.

Then there is a story that I think needs to be told, and that is one that I am not going to hide. There is no actual evidence whatsoever that showed that the Republican plan was going to give any consideration to families making under $50,000 a year, none whatsoever, none, absolutely none, until the Democrats persisted time after time after time after time.

I am gratified that when the Republicans started with their 3.9 million families, resulting in 5.5 million that were going to get the $500 a year tax credit, Democrats again, time after time after time, in negotiations and on the floor of the House, refused to compromise. What do we have now? Coverage of 8.7 families and 13 million children will receive the benefit of the $500 a year tax credit. I do not know about my colleagues, but that is one thing that we are not going to step away from.

Is this a balanced tax plan? It has its ups and downs, but it does respond to working men and women, the schoolteacher, the bus driver, the rookie police officer, many of the folk who are not able to get to the U.S. Congress and even sit in these august bodies or even sit in the gallery and watch as we debate this issue, individuals who may not have had a vacation in the last 10 years or 5 years, individuals who did not get benefits from their work, but they paid payroll taxes. And that was the accusation that was being made by our Republican friends, that they were on welfare because they did not pay tax or they got the earned income tax credit, which we all know they had to pay for.

I am proud of what the Democrats have done in this now tax relief, that is truly one that responds to all Americans.

Welfare to work? Yes, we passed the welfare bill. I happen to have voted for one that had more meaning than what we ultimately passed. Right now in our cities, we are seeing people cut off with nowhere to go, but we insisted, as Democrats, to provide $3 billion for a real welfare-to-work program, a program that would be governed by our cities and also the Department of Labor who believes in increasing and encouraging work. This will give real meaning to welfare to work, moving young mothers and young families that heretofore did not have training into training and provide them with jobs.

What is the sense of moving people off of welfare when companies around the Nation will not hire them because they have no work experience or they have had no training? Democrats who have been down in the trenches with these individuals who represent these urban centers and rural communities understand and sympathize with what it is like to be someone who needs something. I am very gratified that it was the Democrats who stood here and fought to ensure that we had the kind of plan that we could stand up and be proud of.

Let me say this for those who have small family farms and small businesses, many of whom spoke to me in my district. There is nothing I am going to be ashamed about there as well, because Democrats forced the $1.1 billion, forced it to occur in a sooner period of time in terms of relief for estate and small business farmers in order to ensure that they were included in the loop.

Yes, there are capital gains taxes, and I am going to be watching to see how that drives the economy, because in fact the 1993 budget bill and tax bill is the one that made this economy what it was, and that was under a President that was a Democrat and a Congress that was Democrat. We are thriving in this economy right now today because of the 1993 vote that all Democrats took who are here in this U.S. Congress.

We have many things to still fix: Disproportionate share in the State of Texas, where we have to pay for our Medicaid as opposed to other States. We must work on that across the board. But I can assure my colleagues that this tax bill is what it is because Democrats stayed in the fight and we will continue to fight to make sure that this is a tax bill for working Americans.

HEATED DEBATE CONTINUES ON NAFTA

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

Mr. BROWN of Ohio. Madam Speaker, as the President prepares to ask Congress for fast track negotiating authority, heated debate continues on the economic effects of the North American Free Trade Agreement. There is no debate, however, on the serious threat that NAFTA poses to food safety in the United States.

In an effort to increase trade with Mexico, NAFTA limits border inspections of food, it allows Mexican trucks to enter the United States with limited inspection. As a result, NAFTA is directly responsible for a significant increase in imports of contaminated foods into the United States.

These lax inspection procedures contributed to a sharp increase in food imports from Mexico. Imports of Mexican fruit have increased 45 percent, and vegetable imports have increased 31 percent. More than 70 percent of these imports are carried into the United States by truck.

As the General Accounting Office recently documented, these trucks, many of which have been identified as dangerous themselves, pass through the border uninspected, bringing increasing amounts of food tainted with diseases and unhealthy pesticides. In fact, the GAO found that over 99 percent of Mexican trucks coming into the United States were never inspected, and of those that were inspected, almost half of them were found to be unsafe.

We were alarmed earlier this year when 179 Michigan schoolchildren contracted hepatitis after eating tainted Mexican strawberries. In order to prevent similar incidents in the future, the United States should, first, renegotiate the provisions in NAFTA which relate to border inspections and food safety and ensure that any future requests for fast track authority include strong food safety protections; second, increase the funding for border inspections or, alternatively, limit the increasing rate of food imports to ensure the safety of our food supply in this country so what happened in Michigan does not happen in other States across the country; and third, begin an aggressive program to label all foodstuffs, including fresh and frozen fruits, vegetables, and meats with their country of origin.

We must work with the President to address these serious deficiencies in our trade policy and to ensure that these same mistakes are not made in the future. Let us get off the fast track for unsafe foods. The health of our families is too important to go fast. Let us slow down on negotiating fast track. Let us slow down and craft trade agreements that contain meaningful food safety protections.

Again, remember these numbers: More than 99 percent of trucks that come into the United States from Mexico have never been inspected. Of those that are inspected, almost half of them have been found to be unsafe, and only about 1 percent of food that is coming into the United States, fruits and vegetables, frozen and fresh, are inspected. That is what is so important as we debate fast track authority in September for the coming year. It is important that we include those food safety elements in the fast track agreement.

BIPARTISAN AGREEMENT ON TAX RELIEF FOR AMERICANS

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

Mr. GANSKE. Madam Speaker, Congressmen and women from both sides of the aisle are just getting the details on the balance-the-budget plan and the tax cut plan that has been agreed to by the congressional leadership and the administration. The details look good, and I am happy to see this morning that we are getting bipartisan support for this tax cut bill and for this spending bill.

There will be a lot of important things in this bill for the average citizen in this country. One of the details I heard about last night was that we will move up the deductibility of our health insurance for the self-employed to 100 percent. I do not have the details to tell over what period of time, whether that will be immediate or not, but I know that this is part of the budget.

As a physician, I have been very much concerned about making health care more affordable for the average citizen, and by making 100 percent of one's premium deductible will help people afford health insurance. This will put an awful lot of people back on to health insurance that are not on it now.

One of the other issues that is in the tax bill that affects people in my district, where I have a large farming community, is that they will be able to income-average over 3 years. People who farm know that some years they have good years and some years they have bad years, but over a period of time is how one sets aside funds for one's retirement, one's pension. By being able to income-average over 3 years, one will be able to smooth out those bumps and those lows, and I think it will be a good thing for farm communities and farmers.

When we look at children's health, we are adding a lot more dollars into that to enable people to pick up health insurance for their children. There will be a number of ways for flexibility for people and States to implement that additional funding.

People say, well, look, why did we not come to this agreement earlier? Part of the reason is that a decision had to be made on where to find the funding. Part of that additional funding comes from an increased tax on tobacco. I favor that. As a physician, I have treated people who smoke who have had lung cancer and throat cancer, mouth cancer. It also increases heart disease. Tobacco is not good for our health; everyone recognizes that. An increase of 10 cents per pack will get some additional moneys back into the health system, and to help people afford health insurance I think is the right way to go.

When we look back over the last 4 years, we have had some immense battles here on the floor, but today and last night, as the administration, as Congress have come together on a bipartisan agreement, I think we are getting past that, we are getting on with the Nation's business. We are going to help save Medicare, we are going to provide tax cuts for working families, we are going to save Medicare for our senior citizens, and I think we are going to balance the budget.

Let us keep our fingers crossed that the economy goes well over the next 5 or 6 years. But by moving toward a balanced budget, we are going to help ensure that the economy does well, and by freeing up capital with capital gains, we are going to increase jobs and help the economy grow.

Madam Speaker, I think that we have made a lot of progress. I think we will see the rhetoric lowered on this floor, and I think the vast majority of people from the House and the Senate are going to support this piece of legislation, and I am very happy to be a Member of Congress today.

NAFTA HAS FAILED THE ENVIRONMENTAL TEST

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

Mr. FILNER. Madam Speaker, I rise today to join my colleagues in a discussion of NAFTA, the North American Free Trade Agreement, because it is of significant importance, not only to our country, but to my district in particular.

NAFTA's rationales of the global economy, world trade and environment, are really local issues for those of us, as I do, that live along the United States-Mexico border. I represent part of the city of San Diego; I represent a good part of the California-Mexican border; and I will tell my colleagues that from our observation on the scene, NAFTA has failed the environmental test. NAFTA has failed the environmental test.

The region that I represent includes Tijuana, the fastest growing city in Mexico, thanks to NAFTA and the Maquiladora program. In Tijuana, over 100,000 people work at approximately 1,000 of these plants that we call maquiladoras. Most of them are United States-owned. These factories range

from low-tech to very-high-tech. They produce televisions and VCR's, electric components and metals, automotive parts, textiles, and furniture. The four largest manufacturing sectors exist in Tijuana, and these are also the largest users of toxic chemicals.

Having such a large number of industries in a relatively small area poses a real threat to residents not only in Mexico but on the United States side of the border as well. NAFTA supporters promised that industrial growth would occur throughout Mexico, but in fact the majority of growth continues to be concentrated along our border.

In 1993, before NAFTA was passed, I had the opportunity to tour Tijuana, along with several of my congressional colleagues. We visited abandoned lead smelters, new industrial parks, and nearby residential areas. We witnessed the very poor environmental health conditions that existed at that time. Many of us, including myself, fought hard to ensure that NAFTA included detailed strategies to improve the environmental and labor conditions faced by people who lived along the border region.

However, despite the side agreements and the mechanisms which were promised to solve these issues, the situation has simply not improved. Industry continues to grow in areas with little or no infrastructure to support the environmental health and safety needs of the working people and the residents in these areas.

Just a few weeks ago, Madam Speaker, there was a tremendous hazardous waste fire in Tijuana, an unfortunate example of the many environmental hazards which NAFTA did not address. That fire, at a United States-owned plant called Pacific Treatment, which is a transfer station for hazardous industrial waste, ignited a mixture of chemical substances. Firebombs exploded over the neighboring residential areas and factories adjacent to what we call the Otay Mesa Industrial Park. Not only did the Pacific Treatment facility lack the necessary emergency systems, such as sprinklers, but the entire industrial park, filled with manufacturing and chemical storage plants, contained not one fire hydrant.

This industrial park is located only a few miles south of the United States-Mexico border. Over 200 tons of hazardous waste burned in the blaze, including organic solvent such as toluene, acetone, paint dust, and xylene, just to name a few. The blaze released a dark cloud of toxic fumes that blew directly in the residential neighborhood less than 300 yards away.

Nearby residents complained of strong odors during the fire, and in the days that followed, they reported headaches, vomiting, eye and skin irritation. We all know that exposure to the chemicals released can lead to long-term health repercussions ranging from reproductive problems to damage of internal organs and the nervous system.

The Tijuana Emergency Response Team was also put at risk by their dire shortage of equipment and inadequate preparation. They arrived on the scene with only 44 breathing apparatuses for 200 fire fighters. As a result, 50 firefighters suffered from smoke inhalation and 5 were hospitalized.

No one should be surprised by this calamity. We are only lucky it was not worse. There are many changes that we need to make to protect both the United States and Mexican sides of the border. NAFTA must be revisited to address these environmental issues. NAFTA should not be expanded without first making sure that adequate infrastructure is in place to handle the resulting industrial growth. NAFTA's environmental side agreements should be brought back to the table and amended to include such items as, No. 1, that the United States and Mexico must create a truly effective system to track hazardous materials and waste from beginning to end, providing freedom of access to both countries' data.

Madam Speaker, I include for the RECORD my remaining recommendations and look forward to a further discussion of the issues of NAFTA. NAFTA has failed the environmental test.

The United States and Mexico must create a truly effective system to track hazardous materials and waste from beginning to end, providing freedom of access to both countries' data so that industry is more accountable and people are aware of the hazardous materials in their neighborhoods; the current HAZTRAKS system fails to meet these requirements.

We must also create a binational emergency response system so when disasters such as the pacific Treatment fire occur, the impact of dangerous chemicals can be mitigated.

The binational efforts currently in place, such as the Border XXI Program, have had no real impact on the border region. Let's not continue to just study the problems, but instead let's take action. The money currently spent on Border XXI studies and conferences should be spent on cleaning up known contaminated sites and preventing new disasters.

Mr. Speaker, the environmental, health and safety problems that existed before NAFTA have not gone away. In fact, many of the conditions we witnessed three years ago have worsened. More people are at risk, more people are suffering the effects of industrialization without an adequate infrastructure. That is why we must not expand NAFTA. We must solve the very real health and safety problems that exist along the United States-Mexico border before we consider expansion of this trade policy.

NAFTA IS COSTING AMERICA TOO MUCH

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

Mr. KUCINICH. Madam Speaker, the news from the latest assessment of NAFTA's effects is bad. They reported bad news for northern Ohio, where I represent the west side of the city of Cleveland and the surrounding suburbs. The story there is repeated around the country's auto-dependent regions.

The latest report reveals that United States exports to Mexico are inconsequential. Mexico is not the consumer market the NAFTA cheerleaders promised that it would be. Mexico has been increasingly an export platform for vehicles sold in the United States. United States auto imports from Mexico are more than 10 times the value of United States exports to Mexico. The United States auto trade deficit has grown since NAFTA by about 400 percent, $14.6 billion from $3.6 billion.

The report is silent about jobs lost to Mexico. The report's authors claim that they can only estimate the number of jobs gained in the United States through exports but they cannot estimate the number of jobs lost due to increased imports. Well, that defies common sense. The Department of Labor's own figures of jobs lost due to NAFTA estimate over 120,000 jobs lost. Respectable academic estimates of jobs lost due to NAFTA put the number of jobs lost at about 420,000. The report can estimate only 90,000 to 160,000 jobs supported by NAFTA-associated exports to Mexico.

What the assessment did not say is how NAFTA has affected the American worker and the American way of life. The bad news is that NAFTA has cost the American people jobs, it has cost American families their stability, NAFTA has cost American people their homes, NAFTA has cost people health care benefits, and NAFTA has cost American parents an ability to help provide a college education for their children.

The report does not address the fact that NAFTA has made a big impact on the American workplace. NAFTA has strengthened employers' hands to take back wages and to crush collective bargaining in the United States. According to a Cornell University researcher, manufacturing and transportation firms have threatened to close the plant 62 percent of the time workers are either trying to form a union or trying to negotiate a new contract once they have a union.

Let me give a case in point. NTN Brower in Macomb, IL, used threats to scare workers. The company circulated a leaflet with the headline: ''With the UAW, your jobs may go south for more than the winter.'' Now, against a map of the United States, a large arrow pointed south to Mexico, and it reads: ''There are Mexicans willing to do your jobs for $3 to $4 an hour. Free trade treaty allows'' this. This is right from the literature that was passed out in the plant.

Let me give another case in point: ITT Automotive in Michigan, where the company parked 13 flatbed trailers loaded with shrink-wrapped production equipment in front of the plant for the

duration of a union organizing drive. The trucks had these large signs posted which said, ''Mexico Transfer Job.''

So it is clear that people are making threats against workers ever time workers try to claim their rights.

The report makes no mention of health hazards or food hazards of the transporter trucking problem. NAFTA opened the floodgates to tainted food from Mexico. U.S. border inspectors are absolutely overwhelmed. Fewer than 1 percent of the 3.3 million trucks entering the United States each year are inspected. In about 6 weeks, Madam Speaker, this Congress will be deciding whether to spread NAFTA's poor performance over the entire hemisphere.

This is the meaning of the fast track vote. What we know about NAFTA's first 3 years does not justify spreading it throughout the hemisphere. As recently as March 18, 1997, a top official at the U.S. Trade Representative's Office said in a debate with me on national television that they could back up job growth estimates with specific companies, specific cities and towns where the growth has occurred, but they have not.

I think supporters of NAFTA should go back to the drawing board and report accurately and fully the effects of NAFTA. Congress should not give the President special fast track authority to expand NAFTA. We should look for ways to protect the American worker, protect American jobs, and assure that our economy will have the ability to prepare America for the new century.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 38 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. PRYCE of Ohio) at 10 a.m.

PRAYER

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

We know, O God, that the lives of people are filled with all the emotions of the human heart, from the joy and gladness of love and peace to the disappointments and frustrations that cloud the day and trouble the soul. Yet, O gracious God, whatever our mood or whatever our situation in life, You are constant in Your grace and faithful in Your promises. For these gifts and all the confidence You bring to us and to all people, we offer these words of thanksgiving and gratitude. In Your name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SALMON led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2203. An act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2203) ''An Act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOMENICI, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. CRAIG, Mr. STEVENS, Mr. REID, Mr. BYRD, Mr. HOLLINGS, Mrs. MURRAY, Mr. KOHL, and Mr. DORGAN, to be the conferees on the part of the Senate.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes from each side.

LANDMARK OCCASION

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

Mr. GIBBONS. Madam Speaker, this is the dawn of good news for the hard-working taxpaying Americans.

Madam Speaker, I rise today to commend the budget team, the negotiators from both sides of the aisle, both Democrat and Republican, for reaching a tentative budget agreement. As is the case with all compromise, the negotiated tax package does not contain everything or every provision that I would like. It does, however, contain many provisions that will dramatically improve the lives of hard-working men and women throughout this country.

Starting next year, the death tax exemption will jump to 1.3 million for small businesses and family farms, making it easier for parents to pass the family business onto their children. Most importantly, Madam Speaker, this budget agreement exemplifies the Republican message that working men and women in America should be allowed to keep more of their hard-earned money to spend as they see fit. This is a landmark occasion, and I urge my colleagues to support it, the tax relief bill tomorrow, when it comes to the floor.

DEMOCRATS CAN BE PROUD

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

Mr. PALLONE. Madam Speaker, I am proud of the role the Democrats took in this budget deal to guarantee that working families got their fair share of the tax cuts. While the Republicans were fighting for Wall Street, the capital gains or estate tax breaks, Democrats were fighting for Main Street, the education and child tax credits. We wanted to make sure that the education and child tax credits went to all working Americans, including those with incomes less than $30,000, who the Republicans wanted to cut out of the child tax credit.

Democrats also fought the battle and won to provide health insurance to the majority of the Nation's 10 million uninsured children. President Clinton wisely insisted on an increase in the tobacco tax to provide a larger amount, $24 million to insure kids; and Democrats in the House, including our health care task force, pushed to close loopholes so the money could not be siphoned away for other purposes and would provide an adequate benefit package.

Madam Speaker, we still have to look at the details before we crow too much, but the general outlines of the agreement show that Democrats can be proud of their fight to stand up for the interests of working families.

COACH RON POLK

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

Mr. PICKERING. Madam Speaker, I rise today to take notice of a very special man, Coach Ron Polk. He served as the head baseball coach at Mississippi State University for 20 years, where he led his Bulldogs to the college world series five times.

Coach Polk has compiled an incredible record at Mississippi State with a record 888 wins. Last February, he became only the 16th coach in college baseball history to reach the 1,000 win pinnacle.

He has been selected as the National Coach of the Year on two separate occasions and coached the U.S. Olympic

baseball team three times. Coach Polk has taught and coached 18 all-Americans and 98 players who have gone on to the ranks of professional baseball.

In addition, tonight he is serving as the honorary coach of the Republican congressional baseball team. We hope to have one more victory for his record tonight. He arrived last night just in time for the budget deal to be reached, and we hope that that is a good omen that, as he comes to town, we do good things in Congress for the American people and hopefully we will win one for him tonight.

It is with great honor that I recognize his achievements. The king of college baseball, he has served Mississippi State and college baseball with great distinction.

HOUSE DEMOCRATS FOUGHT FOR WORKING FAMILIES

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

Mr. ALLEN. Madam Speaker, what a difference a few weeks can make. The tentative agreement to balance the budget and cut taxes sure is different, and better, than the Republican proposals we voted on last month.

Even last week the other side was describing hard-working, low-income Americans as receiving welfare if they got a $500 per child tax credit to offset their payroll taxes.

House Democrats fought to ensure that they were covered. This is a victory for those working families.

House Democrats fought for some new initiatives to cover some of the 10.5 million children in this country who do not have health insurance. This agreement has $24 billion for children's health care. This is a victory for them.

Tax credits for education, support for families, cutting capital gains taxes for home sellers and investors, this is a victory for fairness and the American people.

We still need to see the revenue projections to be sure that this agreement is fiscally sound, but it is much fairer than the Republican proposals this House passed in June. This is a victory for all of us.

USE OF GOATS AT MILLS COLLEGE

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

Mr. BALLENGER. Madam Speaker, the Teamsters Union recently accused Mills College in Oakland, CA, of violating its union contract by hiring 500 goats to clear brush from college property rather than using unionized maintenance workers. According to press accounts, in filing a grievance against the school, the local Teamster boss suggested that the college should require the 500 goats to become union members.

Madam Speaker, I do not want to make the Teamsters a scapegoat in this saga, but we know how John Sweeney, the ultimate union boss in Washington, plans to make good on his promise to increase union membership through renewed emphasis on organizing. By golly, if you cannot convince real live human beings to join your local neighborhood union, let us sign up some farm animals.

Madam Speaker, I would caution, however, that this scheme might have its share of problems. For one, the Supreme Court's Beck decision says that workers have the right to object to the payment of union dues not used for collective bargaining purposes. No matter how this caper finally gets resolved, Madam Speaker, I wish to urge Mills College to stand their ground and not let the Teamsters get their goats.

CHARLIE TRIE

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

Mr. TRAFICANT. Madam Speaker, if you thought John Huang was something, get a load of Charlie Trie. This Little Rock restaurant owner, who has suddenly mysteriously disappeared, did not mess around. Charlie Trie went right to the Bank of China; $1 million was wired from the Bank of China, directly to Charlie Trie's bank account that happened to end up in the Democrat National Committee.

Let us tell it like it is. When money from the Bank of China ends up in a Presidential campaign, it is not about fundraising anymore, Madam Speaker, it is destroying our national security. Truth is, when it comes to power politics, Chinese money literally grows on trees. Beam me up, Madam Speaker. There should be more investigation into this Chinese money business.

REPUBLICANS STICK BY THEIR GUNS

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

Mr. SCARBOROUGH. Madam Speaker, 4 years ago the Democrats in this Congress passed the largest tax hike in U.S. history. They told us that tax relief for middle-class Americans was out of the question. That is why every Republican voted against their budget.

Three years ago, Democrats opposed the balanced budget amendment and the balanced budget in 7 years. They said it would wreck the economy. Yet our budget is going to balance in the next few years. Two years ago, Democrats spent millions and millions of dollars attacking the Republicans for trying to save Medicare. Keep it alive for another generation. Today, they signed onto our plan to save Medicare. We will not even spend a cent against them demagoguing.

This past year, we were told time and time again by liberals that tax cuts were out of the question. Well, we stuck by our guns and because of it the American people will have the first tax relief plan in 18 years.

Madam Speaker, I am proud we stuck by our guns, I am glad we stuck with our fight. I am glad that the American people will be the beneficiaries of the Republican Party standing up for what is best for them.

BEN HOGAN

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

Mr. FROST. Madam Speaker, today Fort Worth, TX, says goodbye to one of its own, golf legend Ben Hogan. As a youngster growing up in Forth Worth in the 1950's, I realized Ben Hogan was something special. He was spoken about with reverence in our city.

Only later, when I tried with little success to play golf, did I realize how very special he was.

One of the greatest golfers to ever play the game, Ben Hogan began his career as a caddie at the Glen Garden Country Club in Forth Worth when he was 11 years old. When he was 16, his mother urged him to do something more productive with his life.

Ben, displaying the determination that would characterize his play later, responded by saying, Mama, some day I am going to be the greatest golfer in the world. Ben Hogan won nine major tournaments and in 1953 won the U.S. Open, the Masters, and the British Open in the same year, something no other golfer has ever done. All told, he won 63 tournaments and displayed a quiet dedication and grace that were the envy of everyone who ever played the game.

Now the starter at the Celestial Golf Club has called Ben Hogan to the first tee for his next round. I expect that Ben will master that course as well.

AMERICAN PEOPLE ARE THE TRUE WINNERS

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

Mr. SALMON. Madam Speaker, what a pleasure it is to be here today. This year has been a very emotional roller coaster for me. I have had my highs and lows. I have been called irreverent. I have been called a rebel. I have been called an agitator. I had an epiphany along the way just a few days ago. As bad as things seem to get sometimes and as slow as things really change, it could have been worse.

I could have been here when the other party was in charge. I could have been here when deficits were spiraling. I could have been here when tax cuts not only would never even make it out of committee, they would never even see the light of day.

Today, we are passing a substantial tax cut, something that the Democrats

have chided and fought against for years and years and years because they believe in government. We believe in people.

Today, the American people are the true winners. In spite of the fact that change still does not come fast enough, here we are. And there is a major change in Washington. Government is shrinking and the American people are truly the victors.

BUSINESS AS USUAL

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

Mr. DEFAZIO. Madam Speaker, we have got the great bipartisan budget deal, a balanced budget with generous tax cuts. If it seems too good to be true, do you know what? It is.

This is not a new day in Washington, DC. This is business as usual. Cutting up a fat hog, made wildly optimistic assumptions about the economy and revenues, cut social programs a little. Do not take a penny out of the Pentagon and give a host of generous tax cuts slanted toward the most wealthy in America and the largest corporations. A deal written behind closed doors announced last night; no written copies available to Members of Congress, nothing available for review, but it will be voted on tomorrow night, just to be certain that no one knows the details before the details leak out and it begins to stink like the Potomac in August.

□ 1015

TRIBUTE TO HAP BAKER

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

Mr. BARTLETT of Maryland. Madam Speaker, yesterday in Carroll County, MD, we laid to rest a great American, Hap Baker. Hap was the inventor of the guidance system for the Patriot missile. He was proud of that. But he was probably proudest of this little button which he was never without for the past several years: ''Politically incorrect, and proud of it.''

Hap felt that he was politically incorrect because he had an undying commitment to the great principles of limited government and individual rights set forth in the Constitution. Hap was aghast that a profligate Congress passes law after law and never questions the constitutional authority. He was particularly supportive of second amendment rights.

But first and foremost, he was a conservationist. Hap understood that even in a perfect world, the Lord asked Adam and Eve to dress and keep the garden, and Hap wanted to help. We miss you Hap, and we will not forget you and what you stood for: ''Politically incorrect, and proud of it.'' God bless.

BALANCED BUDGET AND TAX AGREEMENT

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

Mr. ROEMER. Madam Speaker, I rise in strong support of the bipartisan balanced budget and tax agreement. This proposal achieves two long-sought-after objectives. One, it will balance the budget in a fair and equitable manner. And, second, it creates new programs for children's health, education, and modest tax relief for hard-working Americans.

Now, with this recently-agreed-to budget proposal, we have $24 billion for children, we have tax relief for small farmers, small businesses and, yes, low-income people at $25,000 a year; we have educational help for people in college.

Madam Speaker, this permanently rejects the tax-and-spend label on Democrats. And, yes, it will continue to say the Democrats come up with new ideas that work effectively for hard-working people in America.

AMERICAN PEOPLE ARE WINNERS IN BALANCED BUDGET AGREEMENT

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

Mr. BOEHNER. Madam Speaker, and my colleagues, it is really going to happen, the first balanced budget in a generation, the first tax cut from Washington in 16 years, and a program to strengthen and preserve Medicare.

Members from both sides of the political aisle worked together; the White House worked with us honestly to bring about these achievements. So there are a lot of people going to be claiming credit today and a lot of people claiming who the winners really are. The real winners in this agreement are the American people, the American people who sent us here to do their bidding and to do their work.

Over the last 2½ years, it has not just been this balanced budget and this tax cut and this preservation of Medicare that we have accomplished, it has been welfare reform, a generation of politicians trying to come to grips with this issue, illegal immigration reform, health care reform, elimination of over 300 Federal Government programs, saving over $50 billion.

This Congress continues to do what the American people are demanding, a smaller, less costly, less intrusive government here in Washington, moving power back home so Americans can make more decisions about their own lives.

IN SUPPORT OF BALANCED BUDGET AGREEMENT

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

Ms. STABENOW. Madam Speaker, it is my pleasure today to rise in support of the balanced budget agreement that we will be voting on later this week.

Before I entered the House in January, we had a Congress that was shutting the Government down, not once but twice. We now have new faces. We now have the President's leadership in bringing together people on both sides to create a bipartisan agreement. This is an agreement that when it first came before the House I could not support because it very much gave relief to those at the top, hoping that those at the middle somehow would receive it through trickle-down economics.

But what we have now is very different. The efforts, the hard work of the last few weeks have made a tremendous difference. We now see middle-class families, small businesses, family-owned farms receiving the kind of relief that we have been fighting for. Education is now a top priority; children's health care for families that work but do not have insurance.

This is a dramatically different proposal than the one that passed a few weeks ago. The hard work paid off. The folks that have been communicating their concerns for middle-class America have made a difference.

OVERSEAS PRIVATE INVESTMENT CORPORATION

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

Mr. ROYCE. Madam Speaker, the Overseas Private Investment Corporation, known as OPIC, provides loans and insurance to corporations operating overseas and at below-market cost. It is a subsidy. OPIC competes with private banks and insurers, only OPIC operates outside of the market, with the full faith and credit of the American taxpayer behind it. The American taxpayers are at risk.

The Royce-Andrews-Kasich amendment, which will come up on Thursday, is a modest proposal. It calls for spending no more than $20.8 million on this program. We are asking that OPIC live within the administrative expenses budgeted for it in 1994, when its current authorization level was established.

In this time of corporate downsizing and shrinking budgets, is it really so much to keep OPIC's budget from growing by $12 million, or 50 percent? I do not think so. I urge my colleagues to vote ''yes'' for this amendment on Thursday.

IN SUPPORT OF ROYCE-ANDREWS-KASICH AMENDMENT

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

Mr. JACKSON of Illinois. Madam Speaker, I rise today in support of the Royce-Andrews-Kasich amendment, which is a bipartisan amendment that

reduces the administrative appropriation for the Overseas Private Investment Corporation, OPIC, from $32 million to $20.8 million. OPIC uses taxpayer money to provide direct loans and risk insurance to Fortune 500 companies, who in turn are firing American workers.

One year ago, Congress and the President put an end to the six-decade floor beneath the aid to families with dependent children, or AFDC, a minimus program justified on the basis of simple humanity and basic morality, yet the corporations want to continue their AFDC program, Aid For Dependent Corporations. With their record profits and management salary and benefits, they have no such humanitarian or moral claim. The cost to American taxpayers and workers cannot be justified.

With the destabilizing effects of corporate downsizing on American workers and their families, we should not be providing incentives for America's corporate giants to invest abroad, taking advantage of low wage cost, lower standards, and often exploitative working conditions of Third World countries rather than reinvesting and creating jobs at home. We need to raise the developing country standards, not lower our own in an ever-increasing global economy.

PERSONAL EXPLANATION

Mr. JENKINS. Mr. Speaker, on June 24, on rollcall 311, I am recorded as not voting. I recall vividly being in the Chamber. It was on the agricultural appropriations bill. I feel that I voted but I was inadvertently not recorded on that vote. Had I been recorded on that vote, I would have voted ''aye.''

PROVIDING FOR CONSIDERATION OF H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 198 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 198

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule XI, clause 7 of rule XXI, or section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. COBLE). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 198 is an open rule, as is customary for appropriations measures. The rule provides for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives points of order against consideration of the bill for failing to comply with 2(L)(6) of rule XI, the 3-day requirement for availability of the report. The rule also waives points of order against consideration of the bill for failure to comply with clause 7 of rule XXI, the 3-day requirement for availability of printed hearings on appropriations bills. Given the schedule we had have before us and the bipartisan manner with which this bill has been brought forward to the House, I think these waivers are entirely reasonable and fair.

In addition, this rule waives points of order under section 306 of the Budget Act of 1974, which prohibits consideration of bills containing matters within the jurisdiction of the Committee on the Budget. In the Committee on Rules we heard no objection from the Committee on the Budget on this point, so I do not believe this caused anybody any trouble either.

In addition, Mr. Speaker, the rule waives points of order against provisions in the bill which do not comply with clause 2 of rule XXI, prohibiting unauthorized appropriations and legislation on general appropriations bills, as well as clause 6 of rule XXI, prohibiting transfers of unobligated balances. Again, I wish to advise my colleagues that these waivers have been reviewed by the authorizing committee and we have heard no objection to them.

Mr. Speaker, as we have done frequently in the recent past to bring greater awareness to the membership of potential amendments, the rule grants priority in recognition of those Members who have caused their amendments to be preprinted in the CONGRESSIONAL RECORD.

The rule also provides that the Chairman of the Committee of the Whole may postpone votes on any amendment and that the chairman may reduce voting time on postponed questions to 5 minutes, provided that the voting time on the first in a series of questions is not less than 15 minutes, usual procedure. This is a useful time management tool, one that may be especially welcome during these last hectic days as we seek to conclude the historic budget agreement before the August work period.

Lastly, Mr. Speaker, the rule provides for one motion to recommit, with our without instructions.

That sounds like a fairly complicated rule, but actually it is a fairly straightforward open rule for appropriations that has gone through all the proper process. I believe it has been done in a bipartisan spirit.

I wish to commend the gentleman from Florida [Mr. YOUNG], the subcommittee chairman, and the gentleman from Pennsylvania [Mr. MURTHA], the ranking member, for the extraordinary work they have done in crafting this bill. We sometimes resort to large adjectives and hyperbole in describing work here. In this case, I definitely mean it. This is a very good work product, and an awful lot of hard work has been put into it.

These are lean budget times, as we as know. It is even more difficult to make tough choices about national security under such circumstances. When we find ourselves in occasions such as we have today, we find sometimes tensions and breakdown in communications. Things go wrong. But to the credit of both men, the gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA], that has not happened, and instead we have a bipartisan bill, as we should with something so important as our national security.

On a personal note, as chairman of the Permanent Select Committee on Intelligence, which authorizes programs within this appropriations subcommittee's jurisdiction, I am most grateful for the level of cooperation, attention, and support we have from the appropriators.

□ 1030

The system of congressional oversight does work. It has worked very well in this area, and I am very proud of our effort.

Mr. Speaker, none of us wants to consider the possibility of threats to our

national security, the risks we face overseas, along our borders, and even here at home that seem to come from an ever increasing variety of threats. But in fact, I would say many Americans, especially the younger generations where there is no firsthand experience with war, seem willing to succumb to sort of a wishful thinking that the world is actually a safe place. This is dangerous and wrong. The world is not a safe place. While the type of threat has changed and the face of the enemy certainly looks different, we must never forget there are organizations, governments, and individuals who actively wish us harm.

Just in a short attention span, if we will focus on the tragedy of Pan Am 103 and take it through the bombing of Khobar Towers and think of all that has happened in between, and we will understand, whether it is civilian or military, whether here or there, there are threats to America and American interests and there are casualties and there are tragedies and victims, and we must pay attention. We must remain vigilant and protect ourselves against threats.

The spending bill before us makes the tough choices to live within the balanced budget agreement, while ensuring that crucial defense programs like missile defense are properly funded, and other programs that are not so spectacular.

Frankly, this bill lays out a challenge to the administration to reverse dangerous trends of below adequate spending in some areas. This bill also provides unquestionable support to our troops, most of the men and women doing the hard work of peace at home and overseas every day on our behalf.

We must never allow our budgetary concerns to tempt us to cut corners when it comes to troop readiness or ensuring our fighting forces have the equipment they need, when they need it, and where they need it.

Lastly, this bill makes an important statement about our missions in Bosnia. We are all so proud of the work the American troops have done in that very difficult and uncertain environment, no matter how we feel about the policy questions. But we do not want their mission to be extended indefinitely, and so this bill includes language to enforce a June 30, 1998, deadline.

To those who think it fashionable or politically useful to cut defense, may I suggest a visit to our troops in Bosnia? I think that Members' minds would be changed. May I suggest a review of the action in Desert Storm, of the work that was done by our military? May I suggest a trip to visit the remains of Khobar Towers, if one thinks it is not dangerous work?

Mr. Speaker, this is a good bill. It is a fair rule. I urge my colleagues to support both.

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

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this open rule on H.R. 2266, the Department of Defense appropriation for fiscal year 1998.

The appropriations in H.R. 2266 provide for our Nation's security and for our defense. Thus, they are critical to ensuring that the United States remains the world's leader. The funds recommended in this bill closely track the authorization levels passed by the House and reflect the major policy decisions which were decided in that legislation.

While the funding levels in this bill do fail to keep pace with inflation, they reflect the reality of budgetary restraints and, consequently, the dollar figures in this bill are those that reflect the overall spending levels agreed upon by both the President and the Congress.

Mr. Speaker, the cold war may be over, but we do not enjoy a peacetime that allows our military forces to stand down. Instead, they are being called upon to perform both military and peacekeeping roles all around the world. The soldiers, sailors, airmen, and marines who serve our country are being stretched to the limit, but they are up to the task and their performance under these trying circumstances should make us all very proud.

Mr. Speaker, longer rotations and longer family separations and more work with fewer people is taking a toll on our men and women in uniform and their families. I commend the committee for putting our troops first by providing for the pay raise recommended by the President, improved housing and for quality of life initiatives. The Congress has an obligation to these men and women who serve us, and I hope the continuing commitment to those improvements will be a top priority for both the authorizing committee and the appropriating committee.

Mr. Speaker, the rule provides for waivers of points of orders against the consideration of the bill for failure to comply with clause 2 of rule XXI. This waiver is necessary, of course, because the authorization bill has not yet been signed into law. But as every Member knows, the House has done its work and has passed the authorization, and the provisions of this appropriation closely track that bill.

This is especially true with reference to the major policy decisions and acquisitions in the authorization. I am pleased that the committee has provided funding for the B–2 stealth bomber at the level agreed to by the House in the authorization bill, at a level which will allow those parts of the production line, which had been shut down, to start. The B–2 will continue to serve the Air Force well into the next century and, by providing adequate funding for advance procurement, the Congress will ensure that production of this effective weapons system continues in future years.

In addition, Mr. Speaker, the bill provides $81 million for advanced procurement of the F–22, the fighter of the 21st century, as well as funding for acquisition of seven V–22 tiltrotor aircraft. Important components in the ability of the particular marines and special forces to deliver combat troops safely and effectively. The bill rightfully concentrates on important operations and maintenance accounts, but also looks toward the future by funding important research and development programs.

A combination of quality of life initiatives, procurement, operations and maintenance, along with research into the future of our military needs, makes this an excellent bill in light of the cutbacks required by our need to balance the Federal budget.

Mr. Speaker, this is a fair rule. It allows any Member to contest the spending levels recommended in the bill, but it does not permit the consideration of legislative issues which have already been decided by the House in the authorization bill.

I commend this rule and the bill to my colleagues.

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

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Glens Falls, NY [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank my good friend, the gentleman from Sanibel, FL, Mr. PORTER GOSS, the manager of this rule, for yielding me this time, and as the gentleman from Florida and the gentleman from Texas [Mr. FROST], have adequately described the rules of debate, I will not get into that except to say that, obviously, it is a fair and open rule.

On the bill itself, Mr. Speaker, let me just again congratulate the chairman, the gentleman from Florida, Mr. BILL YOUNG, and the ranking member, the gentleman from Pennsylvania [Mr. MURTHA], and the entire Committee on Appropriations and their staffs, for once again putting together an excellent piece of legislation under very, very difficult circumstances.

The defense appropriation bill, along with the companion authorization bill, probably is the most important thing we do around here, Mr. Speaker. It is absolutely imperative that this bill contain adequate funding for all of the military personnel in all branches of service who are right now out in the field standing vigilant on behalf of the American Government and the American people.

It is imperative that this bill contain enough quality of life incentives to retain and recruit the best people we can for our military. It is imperative this bill contain enough funding for operations and maintenance, so that our troops can be as highly trained as possible in case they are called into battle. It is imperative this bill contain adequate funding for weapons procurement and for research and development so that our troops can fight and defend themselves with only the very best

equipment and technology that money can buy.

Mr. Speaker, to the best extent possible, I think this bill does all of that, considering the funds that are available. At $248 billion, the bill adds over $4 billion to President Clinton's wholly inadequate request. The bill adds $3.9 billion to the President's request for procurement, which is so important, and $770 million for research and development over and above what the President had asked for.

These accounts contain adequate funding for the weapon systems of tomorrow, some of which were mentioned a minute ago, such as the F–22 stealth fighter, the B–2 bomber, the Marine Corps V–22 troop carrier, and the next generation of aircraft carriers and submarines.

These accounts also contain funding to bring us one step closer to developing and deploying defenses against ballistic missiles, something for which, and I guarantee my colleagues, we will all be grateful for some day.

This bill contains a 2.8-percent pay raise for our soldiers and adds a significant funding increase for barracks, for family housing, and for child care centers, keeping in mind, Mr. Speaker, that when I served in the military, some 45 years ago, most of us were single. Today, most of them are married and we need adequate barracks, adequate family housing and child care centers in order to continue to attract a real cross section of America. That is so terribly important, especially in an all-volunteer military such as we have.

Despite all of these excellent provisions in this bill, let me go on the record right now to say that we continue to provide inadequate, yes, inadequate funds for this Nation's defenses. This bill will represent the 13th straight year of inflation adjusted cuts to the defense budget. No other account in the Federal budget has been cut so much. Weapons procurement, which has been cut by nearly 70 percent since 1985 alone, remains at least $14 billion below where the Joint Chiefs of Staff said we need to be in order to retain our technology advantage over potential adversaries.

Our military is vastly smaller and older than just 6 years ago during Desert Storm. Most experts agree today that such a mission would simply be impossible to undertake. Keep in mind, for instance, in 1991 we had 18 Army divisions and used 7 of them in Desert Storm. Eighteen Army divisions, seven used in Desert Storm. Today, we have only 10 divisions, not 18, and we are heading toward 9. Now, think about that, my fellow colleagues.

As former Secretary of Defense William Perry said, we are already at the minimum force structure level that we need in order to retain our role as a global power. Think about that.

Of course, this is not the fault of the Committee on Appropriations. As I said before, they have operated under severe constraints, and they have done one tremendous job with the dollars that they have had available to them. Those constraints are the balanced budget resolution this Congress has passed and, more importantly, the repeated unwillingness of this administration to pay adequate attention to our Nation's defenses.

Despite his State of the Union pledge a number of years ago, President Clinton continues to cut national defense funding in his budgets that he presents to this body and has fought our defense increases tooth and nail. If we had not persevered, think where we would be today.

Mr. Speaker, that is a scandal, but it is one we can overcome by voting for this rule and for this bill today and then working together to find additional moneys for the No. 1 constitutional duty of this House. And if my colleagues read the Constitution, that constitutional duty is providing for a national defense for all Americans. That is the reason we formed this republic of States, 200 some years ago. And to do that, it is imperative that we give our young men and women the very best.

Some people, Mr. Speaker, would criticize the military. They would criticize serving in the military. But it is one of the most honorable careers that anyone could ever pursue. Anyone. Today, when our young men and women go in our all-volunteer military, first of all they come from a cross section of America. They are the finest. They are young men and women looking for a career. And when they serve, whether it is for 3 years or 5 years or 20 years, they learn a trade but, more importantly, they learn things like the words ''pride'' and ''patriotism'' and ''volunteerism'' and ''community.'' They learn how not to use drugs.

Did my colleagues know that back in the early 1980's that 25 percent of the military personnel were admittedly using some kind of illegal drugs. And because of drug testing that was implemented by this Congress, a bill that I introduced and Ronald Reagan's Executive order, that through random drug testing of every single buck private all the way up to every general and admiral, that the use of drugs in our military today has dropped 82 percent, and now less than 4 percent are using drugs? If we could only do that with the rest of America, we would solve this drug problem.

Yes, they do learn words like ''pride'' and ''patriotism,'' and they learn words like ''discipline'' and how terribly important that is. Many of them come from broken homes, where they do not have a father and a mother, and they do not have a mother that is there during the daytime to help teach them some discipline. Today, they learn words like ''courtesy'' and ''respect,'' and they even get a little ''religion.''

Mr. Speaker, serving in the all-volunteer military today is an honorable and respectable career, and that is why we must do everything we can to give these young men the very best if we are going to put them in harm's way someday. And that is why this particular budget is so important here today and why I again just take off my hat to the chairman, the gentleman from Florida, and to the ranking member, the gentleman from Pennsylvania, and their entire committee and staff for the great work they have done in putting this together.

Mr. Speaker, I commend them, and I urge support of this rule and the bill that will follow it.

□ 1045

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Ohio [Ms. PRYCE], a member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Florida [Mr. GOSS] for yielding me this time, and I rise in strong support of this open rule.

Providing for the national defense is one of the few Federal duties that is very, very clearly defined in our Constitution. As such, we have the responsibility to ensure that the men and women of our Armed Forces have the training and resources that they need to defend our Nation from the global threats that still remain.

Make no mistake about it, Mr. Speaker. Despite the end of the cold war, there are many threats still out there that require the United States to be vigilant and ready for conflict in the sad event it should arise.

The bill which this open rule makes in order is a sound effort to put balance back into our defense priorities. I commend the chairman and the ranking minority member of the Subcommittee on National Security of the Committee on Appropriations for crafting a bill that addresses the many competing challenges facing our military establishment in a very responsible manner.

As in the past, this bill focuses on enhancing quality of life, especially for military families, addressing shortfalls in readiness and training, modernizing our fighting force, and downsizing our Armed Forces overall. And it does so while staying true to the bipartisan goal of balancing the Federal budget.

Most importantly, H.R. 2266 puts the troops first and recognizes that the heart and soul of our defense is the all-volunteer army. By providing the funding for improved military housing, child development centers and even programs like breast cancer detection and treatment, this bill respects the hard work and sacrifices made by our military personnel and attempts to give them the quality of life and standard of living that they deserve.

Mr. Speaker, the safety and prosperity of the American people depend on safeguarding our national security in a changing world. We simply cannot afford to let the gains we have made for freedom and democracy be jeopardized by any insufficient defense strategy. Under this open rule we will have full

and fair debate on preparing our military for the next century. I would urge a yes vote on both measures.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. I would simply say that I believe this is No. 8 of the appropriations bills. We have cleared seven in the House. This is the eighth. The Committee on Rules has cleared 2 others, which will make 10. I think there are three left. We are chugging along on schedule doing the work of America. I urge our colleagues to support this rule.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 198 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2266.

□ 1049

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA] each will control 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume. We are pleased to bring before the committee today what I think is an outstanding bipartisan national defense appropriations bill. The security of our Nation and the protection of our troops and those who serve in uniform should be nonpolitical. It should be bipartisan. This bill reflects that.

This is a bipartisan bill. It was put together with the strong cooperation of the gentleman from Pennsylvania [Mr. MURTHA], the ranking member on the subcommittee, and all of the members of the subcommittee and the staff who worked with us. We have presented a bill that is reflective of the needs of the military, reflective of the various threats that exist and potential threats that exist in the world, and it has been done in a very bipartisan fashion.

This bill today, Mr. Chairman, is within the constraints and the agreements on the part of the President, on the part of the House, and on the part of the Senate as we dealt with our budget agreement.

We are basically in agreement with the authorizing bills as passed by the House, from the Committee on National Security and also the Permanent Select Committee on Intelligence, both of which committees we appropriate for their authorization.

This bill includes some $4.4 billion over the request of the President but, as I said, with the budget agreement that he has agreed to, that obviously is acceptable. This bill goes directly to the heart of our national security requirements. About 70 percent of the money appropriated in this bill goes for the personnel and the operations and maintenance of the force, salaries, allowances, housing, medical care, et cetera, et cetera. We have increased the medical allowances because there was a shortfall. The administration recognized that and asked for an increase; we provided that.

We have made some very specific recommendations and changes in the bureaucracy in the Pentagon, and as we work toward making the Pentagon a triangle, we have been able to reduce funding for civilian consultants, funding for the civilian bureaucracy, and have reduced funding for military bureaucracy where it was duplicative and, in the opinion of the members of the subcommittee, was really not necessary.

Mr. Chairman, all in all, we bring to this House an excellent bill. I think we can move it through here quickly. The authorizing bill from the Committee on National Security received a very large vote. The authorizing bill for Intelligence was passed by this House with a voice vote, and we expect that we should be able to move this bill quickly as well, because it pretty much tracks the contents of those two authorizing bills.

Mr. Chairman, I include the following tabular material:

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army	20,633,998,000	20,492,257,000	20,445,381,000	-188,617,000	-46,876,000
Military Personnel, Navy	16,986,976,000	16,501,118,000	16,504,911,000	-482,065,000	+3,793,000
Military Personnel, Marine Corps	6,111,728,000	6,147,599,000	6,141,635,000	+29,907,000	-5,964,000
Military Personnel, Air Force	17,069,490,000	17,154,556,000	17,044,874,000	-24,616,000	-109,682,000
Reserve Personnel, Army	2,073,479,000	2,024,446,000	2,045,615,000	-27,864,000	+21,169,000
Reserve Personnel, Navy	1,405,606,000	1,375,401,000	1,377,249,000	-28,357,000	+1,848,000
Reserve Personnel, Marine Corps	388,643,000	381,070,000	391,953,000	+3,310,000	+10,883,000
Reserve Personnel, Air Force	783,697,000	814,936,000	814,772,000	+31,075,000	-164,000
National Guard Personnel, Army	3,266,393,000	3,200,667,000	3,245,387,000	-21,006,000	+44,720,000
National Guard Personnel, Air Force	1,296,490,000	1,319,712,000	1,331,417,000	+34,927,000	+11,705,000
Total, title I, Military Personnel	70,016,500,000	69,411,762,000	69,343,194,000	-673,306,000	-68,568,000
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	17,519,340,000	17,049,484,000	17,078,218,000	-441,122,000	+28,734,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	.....	.....
Operation and Maintenance, Navy	20,061,961,000	21,508,130,000	21,779,365,000	+1,717,404,000	+271,235,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	.....	.....
Operation and Maintenance, Marine Corps	2,254,119,000	2,301,345,000	2,598,032,000	+343,913,000	+296,687,000
Operation and Maintenance, Air Force	17,263,193,000	18,817,785,000	18,740,167,000	+1,476,974,000	-77,618,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	.....	.....
Operation and Maintenance, Defense-Wide	10,044,200,000	10,390,938,000	10,066,956,000	+22,756,000	-323,982,000
Operation and Maintenance, Army Reserve	1,119,436,000	1,192,891,000	1,207,891,000	+88,455,000	+15,000,000
Operation and Maintenance, Navy Reserve	886,027,000	834,711,000	924,711,000	+38,684,000	+90,000,000
Operation and Maintenance, Marine Corps Reserve	109,667,000	110,366,000	119,266,000	+9,599,000	+8,900,000
Operation and Maintenance, Air Force Reserve	1,496,553,000	1,624,420,000	1,635,250,000	+138,697,000	+10,830,000
Operation and Maintenance, Army National Guard	2,254,477,000	2,258,932,000	2,313,632,000	+59,155,000	+54,700,000
Operation and Maintenance, Air National Guard	2,716,379,000	2,991,219,000	2,995,719,000	+279,340,000	+4,500,000
Overseas Contingency Operations Transfer Fund	1,140,157,000	1,467,500,000	1,855,400,000	+715,243,000	+387,900,000
United States Court of Appeals for the Armed Forces	6,797,000	6,952,000	6,952,000	+155,000	.....
Environmental Restoration, Army	339,109,000	377,337,000	377,337,000	+38,228,000	.....
Environmental Restoration, Navy	287,788,000	277,500,000	277,500,000	-10,288,000	.....
Environmental Restoration, Air Force	394,010,000	378,900,000	378,900,000	-15,110,000	.....
Environmental Restoration, Defense-Wide	36,722,000	27,900,000	27,900,000	-8,822,000	.....
Environmental Restoration, Formerly Used Defense Sites	256,387,000	202,300,000	202,300,000	-54,087,000	.....
Overseas Humanitarian, Disaster, and Civic Aid	49,000,000	80,130,000	55,557,000	+6,557,000	-24,573,000
Former Soviet Union Threat Reduction	327,900,000	382,200,000	284,700,000	-43,200,000	-97,500,000
Quality of Life Enhancements, Defense	600,000,000	.....	.....	-600,000,000	.....
Total, title II, Operation and maintenance	79,163,222,000	82,280,940,000	82,925,753,000	+3,762,531,000	+644,813,000
(By transfer)	(150,000,000)	(150,000,000)	(150,000,000)	.....	.....
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army	1,348,434,000	1,029,459,000	1,541,217,000	+192,783,000	+511,758,000
(By transfer - National Defense Stockpile)	.....	(133,000,000)	.....	.....	(-133,000,000)
Missile Procurement, Army	1,041,867,000	1,178,151,000	771,942,000	-269,925,000	-406,209,000
Procurement of Weapons and Tracked Combat Vehicles, Army	1,470,286,000	1,065,707,000	1,332,907,000	-137,379,000	+267,200,000
Procurement of Ammunition, Army	1,127,149,000	890,902,000	1,062,802,000	-64,347,000	+171,900,000
Other Procurement, Army	3,172,485,000	2,455,030,000	2,502,886,000	-669,599,000	+47,856,000
Aircraft Procurement, Navy	7,027,010,000	5,951,965,000	6,753,465,000	-273,545,000	+801,500,000
(By transfer - National Defense Stockpile)	.....	(134,000,000)	.....	.....	(-134,000,000)
Weapons Procurement, Navy	1,389,913,000	1,136,293,000	1,175,393,000	-214,520,000	+39,100,000
Procurement of Ammunition, Navy and Marine Corps	289,695,000	336,797,000	423,797,000	+134,102,000	+87,000,000
Shipbuilding and Conversion, Navy	5,613,665,000	7,438,158,000	7,628,158,000	+2,014,493,000	+190,000,000
Other Procurement, Navy	3,067,944,000	2,825,500,000	3,084,485,000	+16,541,000	+258,985,000
Procurement, Marine Corps	569,073,000	374,306,000	491,198,000	-77,875,000	+116,892,000
Aircraft Procurement, Air Force	6,404,980,000	5,684,847,000	6,386,479,000	-18,501,000	+701,632,000
(By transfer - National Defense Stockpile)	.....	(133,000,000)	.....	.....	(-133,000,000)
Missile Procurement, Air Force	2,297,145,000	2,557,741,000	2,320,741,000	+23,596,000	-237,000,000
Procurement of Ammunition, Air Force	293,153,000	403,984,000	414,884,000	+121,731,000	+10,900,000
Other Procurement, Air Force	5,944,680,000	6,561,253,000	6,588,939,000	+644,259,000	+27,686,000
Procurement, Defense-Wide	1,978,005,000	1,695,085,000	2,186,669,000	+208,664,000	+491,584,000
National Guard and Reserve Equipment	780,000,000	.....	850,000,000	+70,000,000	+850,000,000
Total, title III, Procurement	43,815,484,000	41,585,178,000	45,515,962,000	+1,700,478,000	+3,930,784,000
(By transfer)	.....	(400,000,000)	.....	.....	(-400,000,000)
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army	5,062,763,000	4,510,843,000	4,686,427,000	-376,336,000	+175,584,000
Research, Development, Test and Evaluation, Navy	8,208,946,000	7,611,022,000	7,907,837,000	-301,109,000	+296,815,000
Research, Development, Test and Evaluation, Air Force	14,499,606,000	14,451,379,000	14,315,456,000	-184,150,000	-135,923,000
Research, Development, Test and Evaluation, Defense-Wide	9,362,800,000	9,069,680,000	9,494,337,000	+131,537,000	+424,657,000
Developmental Test and Evaluation, Defense	282,038,000	268,183,000	268,183,000	-13,855,000	.....
Operational Test and Evaluation, Defense	24,968,000	23,384,000	32,684,000	+7,716,000	+9,300,000
Total, title IV, Research, Development, Test and Evaluation	37,441,121,000	35,934,491,000	36,704,924,000	-736,197,000	+770,433,000

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)—Continued

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
DBOF/Defense Working Capital Funds	947,900,000	33,400,000	971,952,000	+24,052,000	+938,552,000
Military Commissary Fund, Defense		938,552,000			-938,552,000
National Defense Sealift Fund:					
Ready Reserve Force	266,000,000	302,000,000	302,000,000	+36,000,000	
Acquisition	1,162,002,000	889,426,000	897,926,000	-264,076,000	+8,500,000
Total	1,428,002,000	1,191,426,000	1,199,926,000	-228,076,000	+8,500,000
Total, title V, Revolving and Management Funds	2,375,902,000	2,163,378,000	2,171,878,000	-204,024,000	+8,500,000
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance	9,937,838,000	10,027,582,000	10,035,682,000	+97,844,000	+8,100,000
Procurement	269,470,000	274,068,000	274,068,000	+4,598,000	
Total, Defense Health Program	10,207,308,000	10,301,650,000	10,309,750,000	+102,442,000	+8,100,000
Chemical Agents & Munitions Destruction, Defense: 1/					
Operation and maintenance	478,947,000	472,200,000	472,200,000	-6,747,000	
Procurement	191,200,000	82,200,000	67,200,000	-124,000,000	-15,000,000
Research, development, test, and evaluation	88,300,000	66,300,000	56,300,000	-32,000,000	-10,000,000
Total, Chemical Agents	758,447,000	620,700,000	595,700,000	-162,747,000	-25,000,000
Drug Interdiction and Counter-Drug Activities, Defense	807,800,000	652,582,000	713,082,000	-94,718,000	+60,500,000
Office of the Inspector General	139,157,000	138,380,000	142,980,000	+3,823,000	+4,600,000
Total, title VI, Other Department of Defense Programs	11,912,712,000	11,713,312,000	11,761,512,000	-151,200,000	+48,200,000
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	196,400,000	196,900,000	196,900,000	+500,000	
Intelligence Community Management Account	129,164,000	122,580,000	125,580,000	-3,584,000	+3,000,000
Transfer to Dept of Justice	(27,000,000)	(27,000,000)	(27,000,000)		
Payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund	10,000,000	10,000,000	10,000,000		
National Security Education Trust Fund	5,100,000	2,000,000	2,000,000	-3,100,000	
Total, title VII, Related agencies	340,664,000	331,480,000	334,480,000	-6,184,000	+3,000,000
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (sec. 8005)	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)		(-500,000,000)
Disposal & lease of DOD real property (sec. 8037)	26,565,000	64,000,000	64,000,000	+37,435,000	
Overseas Military Fac Investment Recovery (sec. 8041)	1,000,000	30,000,000	30,000,000	+29,000,000	
National Science Center, Army (sec. 8048)	120,000			-120,000	
Export loan guarantee PGM	1,000,000	1,000,000		-1,000,000	-1,000,000
Rescissions (sec. 8055)	-137,108,000		-160,100,000	-22,992,000	-160,100,000
Coast Guard transfer	300,000,000			-300,000,000	
Excess funded carryover	-150,000,000			+150,000,000	
RDT&E general reduction	-680,552,000			+680,552,000	
Air Force DBOF pass through	-194,500,000			+194,500,000	
FFRDC's/consultants (sec. 8031)	-154,572,000		-141,300,000	+13,272,000	-141,300,000
Weapons of Mass Destruction	100,000,000			-100,000,000	
Anti-terrorism, counter-terrorism, and security enhancement activities:					
Emergency funding, FY 1997	230,680,000			-230,680,000	
General reduction	-230,680,000			+230,680,000	
RDT&E, Def-Wide dual-use program	100,000,000	2,000,000	2,000,000	-98,000,000	
Fisher Houses (sec. 8088)		1,000,000	1,000,000	+1,000,000	
Travel Cards (sec. 8089)		5,000,000	5,000,000	+5,000,000	
Warranties (sec. 8095)			-50,000,000	-50,000,000	-50,000,000
Excess Inventory (sec. 8093)			-100,000,000	-100,000,000	-100,000,000
Shared Cleanup Costs (sec. 8094)			-73,000,000	-73,000,000	-73,000,000
Total, title VIII	-788,047,000	103,000,000	-422,400,000	+365,647,000	-525,400,000
Effect of P.L. 105-18:					
Rescissions, FY93 - FY96	-464,102,000			+464,102,000	
Rescissions, FY 1997	-1,270,050,000			+1,270,050,000	
Emergency funding	1,846,200,000			-1,846,200,000	
Non-emergency funding	76,800,000			-76,800,000	
Net total effect of P.L. 105-18	188,848,000			-188,848,000	
Grand total	244,466,406,000	243,523,541,000	248,335,303,000	+3,868,897,000	+4,811,762,000
(By transfer)	(177,000,000)	(577,000,000)	(177,000,000)		(-400,000,000)

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)—Continued

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
BUDGET SCOREKEEPING ADJUSTMENTS					
Adjustment for unapprop'd balance transfer (Stockpile)	150,000,000	550,000,000	150,000,000	.....	-400,000,000
Stockpile collections (unappropriated)	-150,000,000	-150,000,000	-150,000,000	.....	.....
Emergency funding for anti-terrorism (sec. 8137)	-230,680,000	.....	.....	+230,680,000	.....
ICMA transfer to Dept of Justice	(27,000,000)	.....	.....	(-27,000,000)	.....
Emergency funding (P.L. 105-18)	-1,846,000,000	.....	.....	+1,846,000,000	.....
Total adjustments	-2,076,680,000	400,000,000	.....	+2,076,680,000	-400,000,000
Total, Department of Defense:					
Bill total	244,466,406,000	243,523,541,000	248,335,303,000	+3,868,897,000	+4,811,762,000
Scorekeeping adjustments	-2,076,680,000	400,000,000	.....	+2,076,680,000	-400,000,000
Grand total	242,389,726,000	243,923,541,000	248,335,303,000	+5,945,577,000	+4,411,762,000
RECAPITULATION					
Title I - Military Personnel	70,016,500,000	69,411,762,000	69,343,194,000	-673,306,000	-68,568,000
Title II - Operation and Maintenance	79,163,222,000	82,280,940,000	82,925,753,000	+3,762,531,000	+644,813,000
(By transfer)	(150,000,000)	(150,000,000)	(150,000,000)	.....	.....
Title III - Procurement	43,815,484,000	41,585,178,000	45,515,962,000	+1,700,478,000	+3,930,784,000
(By transfer)	.....	(400,000,000)	.....	.....	(-400,000,000)
Title IV - Research, Development, Test and Evaluation	37,441,121,000	35,934,491,000	36,704,924,000	-736,197,000	+770,433,000
Title V - Revolving and Management Funds	2,375,902,000	2,163,378,000	2,171,878,000	-204,024,000	+8,500,000
Title VI - Other Department of Defense Programs	11,912,712,000	11,713,312,000	11,761,512,000	-151,200,000	+48,200,000
Title VII - Related agencies	340,664,000	331,480,000	334,480,000	-6,184,000	+3,000,000
Title VIII - General provisions	-788,047,000	103,000,000	-422,400,000	+365,647,000	-525,400,000
(Additional transfer authority)	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)	.....	(-500,000,000)
Net effect of P.L. 105-18	188,848,000	.....	.....	-188,848,000	.....
Total, Department of Defense	244,466,406,000	243,523,541,000	248,335,303,000	+3,868,897,000	+4,811,762,000
Scorekeeping adjustments	-2,076,680,000	400,000,000	.....	+2,076,680,000	-400,000,000
Grand total	242,389,726,000	243,923,541,000	248,335,303,000	+5,945,577,000	+4,411,762,000

1/ Included in Budget under Procurement title.

2/ FY 1998 budget request reflects a budget amendment to cover a shortfall in the DHP, as follows: Military Personnel -$62,000,000; O&M -$199,000,000 and Defense Health Program +$261,000,000.

3/ FY 1997 enacted reflects new budget authority of $1,923,000,000 and rescissions of $1,734,152,000, as enacted in P.L. 105-18.

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

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

Mr. Chairman, this is a bipartisan bill. We did not have a vote in subcommittee, a few votes in full committee, but the results of this bill are very closely aligned to the authorization bill which also, as I understand it, was a bipartisan bill, as it should be. Our defense of this Nation should be bipartisan.

A couple of things that we concentrated on. Quality of life is always something that we work on, trying to make sure that the medical care of the dependents of the families is taken care of. We try to stress extra things that the services have not thought of or do not think they have enough money for.

One of the things we have stressed is chemical and biological attack and the fact that we are vulnerable to that in this Nation and we need to set up a system. We have suggested to the Defense Department they use the National Guard for this system, so that if anything like that were to happen, a terrorist attack using either of these weapons, the National Guard would be prepared to respond to that. Right now we have responses by local government, we have responses by one team of Marines, but it is not nearly enough to really respond to the ultimate problem.

Overall, we feel we do not have enough money for defense. Procurement has come down from $120 to $40 billion and it has been a very, very delicate balance to make sure we modernize the forces, we keep the readiness up, we increase the O&M. The Senate has taken money out of O&M. We have increased O&M. We hope we will be able to convince them that readiness is absolutely essential. The quality of our forces is the best I have ever seen. We continue to visit them. But when we start cutting back, when we start having a heavy tempo of operations as we do, we have to get the money from someplace.

The Bosnia operation has hurt us as far as the amount of money goes for modernization. It has also hurt us in some of the problems we have had in the recruit depots. At the recruit depots, at some of them they have less training time, they have less supervisors, they have less people to do the training. Consequently, we are going to run into a substantial problem. We hope that the services have changed that. We hope that the Army in particular has addressed that and that in the end this problem will go away.

Mr. Chairman, I join the gentleman in saying that this is a bipartisan bill and look forward to passing the bill and addressing the amendments.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I rise in strong support of the bill and urge my colleagues as they did on the authorization bill to defeat any amendment to strike out funding for the B–2.

During that debate during the authorization bill, we were told repeatedly by the Defense Department that there was no money in the out years for funding for anything in the procurement area. I want my colleagues to know that the staff of the committee, working with me, found an account, $20 billion in DOD modernization reserve. This money was characterized by the Comptroller as a bishop's fund for the new Secretary of Defense to fund things that would come out of the Quadrennial Defense Review.

Mr. Chairman, in the Quadrennial Defense Review, they did not obligate all of this money. There is still a substantial amount of money, $13 billion of the $20 billion that has not been committed. I would urge my colleagues today that that $13 billion is just about the exact amount of money that we need to go ahead and procure additional B–2 bombers.

For those people who got up here and said over and over again that this is a zero sum game, it is a zero sum game, plus $20 billion in funding in the out years. I want my colleagues to be aware of this. We are going to have a spirited debate later on the B–2, but there is $20 billion out there.

I would also point out that in the past, Congress, this very Congress has insisted that certain things be done in the name of national defense. Our subcommittee forced the Pentagon to build 27 additional F–117's. The F–117 stealth aircraft were the centerpiece of the success in the war in the gulf. Stealth worked and smart weapons worked. We saved American lives.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKS. Mr. Chairman, I ask the gentleman for 1 additional minute.

Mr. MURTHA. I may have to change my vote on the B–2.

Mr. DICKS. Mr. Chairman, I ask the gentleman for 30 seconds.

Mr. Chairman, will the gentleman from Florida yield me a minute?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURTHA. I yield the gentleman 30 additional seconds.

Mr. DICKS. Mr. Chairman, the F–117 was the star weapon in the gulf war and it was Congress that insisted that we buy it. The gentleman from Pennsylvania and the gentleman from Florida were the two principal proponents of that amendment. We also added money for sealift at the urging of the gentleman from Pennsylvania [Mr. MURTHA], then chairman. That turned out to be absolutely crucial.

Under the Constitution of the United States, the ultimate responsibility for defense rests with the Congress. That is why today I think we again need to stand up, tell the Pentagon they are wrong, look at the modernization reserve, and keep the money in for the B–2.

Mr. MURTHA. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY] who wishes that I would have had to yield more time to the gentleman so I could have changed my vote on the B–2.

Mr. OBEY. Mr. Chairman, I rise to express dissenting views to those which apparently generally prevail in this House on this legislation.

□ 1100

We are about to vote on the largest appropriations bill that comes before us this year. We will do it in very little time, with very little debate and with very little protest, if you please, about what I consider to be some of the misguided efforts of this Congress in dealing with military budget.

Mr. Chairman, I would simply point out that I heard during the discussion on the rule that there was alarm because there had been a number of years during which we have had a significant real reduction in the military budget. I would point out that is because we have had a significant reduction in the military threats facing this country. The fact is that since the collapse of the Soviet empire we have had about an 80-percent drop in Russian military spending. We have not seen a concurrent reduction in our own military spending to nearly that degree over that same period of time.

I would also say that there have been a number of warnings that we are in effect, by what we are buying in the military budget, that we are again getting ready to fight the last war and not getting ready to fight the kind of war we could be facing in the future. Everyone who has studied the military budget knows that we are buying far too many high cost weapon systems in order to fit into the overall budget ceilings which we are being asked to comply with over the next 5 years under the budget agreement. No one who studies the military budget can come away without an understanding that we are going to have to stop the purchase of one and probably two expensive military weapon systems if we want to be able to maintain the level of readiness that will be needed over the coming years and, if we want to, at the same time, actually live within the budgets that are being set by these agreements that are being trumpeted around this town over the last couple of months and, in fact, couple of days.

I will be offering two amendments today, one to eliminate the funding for additional B–2's that the Congress has decided that the Government ought to purchase despite the fact that over 20 studies through the years have indicated that we do not need those weapons and, in fact, that we even had the Defense Department itself conclude

that it would be counterproductive in terms of maximizing the use of our defense dollars.

I will also be offering an amendment which precludes the sale of the F–22 abroad so that we do not get into the ludicrous position of selling our most sophisticated military technology around the world and then using that as an excuse to build yet more sophisticated planes in the future.

Mr. MURTHA. Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to compliment, in addition to the gentleman from Pennsylvania [Mr. MURTHA], the members of our subcommittee, the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON], who is chairman of the full committee, because while there have been some differences, we have been able to deal with these in a very, very responsible and mature way, and I appreciate the leadership of the chairman of the full committee and ranking member, who have cooperated with us.

With that, Mr. Chairman, I would just like to say this is a good bill. There will be several amendments that we will agree to, others that we will have to oppose, but all and all it is a good bill. It provides, within the budget limits, it provides the best that we can for the members of the military, and we are getting a lot for the dollar.

Mr. FORBES. Mr. Chairman, I rise in support of H.R. 2266 the Department of Defense Appropriations Act for Fiscal Year 1998, and I applaud the hard work of Members on both sides of the aisle who crafted a truly bipartisan agreement that strengthens our Armed Forces at home and abroad. But, I was disappointed to see that the Department of Defense's peer-reviewed breast cancer research program was funded at only $125 million. Whereas the Senate wisely chose to fund this program at $175 million for fiscal year 1998.

Mr. Speaker, breast cancer remains the most common cancer in women. Last year, close to 200,000 women were diagnosed with breast cancer and nearly 50,000 died of the disease. Women continue to face a 1 in 8 chance of developing breast cancer during their lifetimes. Thankfully the breast cancer death rate for U.S. women has fallen about 5 percent in recent years, dropping from 27.5 per 100,000 women in 1989 to 25.9 in 1993. Officials with the National Cancer Institute attribute the drop, in part, to a rapid increase in mammography and public awareness of the disease. But, research remains our most valuable and indispensable instrument in combating this devastating disease.

There is no better argument in favor of more research than my own district on eastern Long Island. Suffolk County, Long Island, which ranks fourth in breast cancer mortality rates among the 116 largest counties in the United States. This extremely high rate of incidence of breast cancer has prompted the establishment of the Long Island Breast Cancer Study Project, a 5 year effort to identify the possible environmental factors that can contribute to the development of breast cancer.

Over the past several years, number of significant research advances have been made regarding the basic biology of breast cancer that offer a glimmer of hope to women and their families. These advances are enabling researchers to better focus on areas that hold future promise for research. The Department of Defense's peer-reviewed program has become renowned for its innovative and efficient use of resources. Over 90 percent of program funds go directly to research grants. This program is critical and deserves increased funding. I urge my colleagues in the House to adopt the Senate's funding level of $175 million so that the Department of Defense can continue its vital work in fighting breast cancer. Mr. Speaker, too many of our mothers, daughters, and sisters have been afflicted with this destructive disease. We must do more. Thank you.

Mr. UNDERWOOD. Mr. Chairman, I want to commend Chairman YOUNG and Congressman MURTHA for their considerable work on the Department of Defense Appropriations. The bill before the House today appropriates $248.3 billion for defense programs. In this process we have taken several positive steps, but we have also neglected our responsibilities at times.

As many of my colleagues know, I am a supporter of the Ballistic Missile Defense program. I am encouraged by the $3.7 billion provided to the Ballistic Missile Defense Organization. Though an unlikely target, my island, Guam, is an American community among other nations. We must strive to establish a program that protects all American communities should a country develop the capabilities and possess the will to pose a missile threat to the United States. We must endeavor to develop a system and deploy it in conjunction with the capabilities of any potential adversary. Now is the time to ensure these programs are headed in the direction to ensure our safety.

Mr. Chairman, this bill also rectifies a failure to provide proper health care for our military members. This House has seen the need to ensure quality health care and the impact this has on the quality of life for our service members by appropriating $10.3 billion for the Defense Health Program. In addition, Mr. Chairman this bill takes major steps to ensure we equip our service members with the best and most advanced weaponry and equipment. One item of concern to me was the Marine Corps need for the V–22 Osprey. The increase in funding for the V–22 will provide a valuable tool to the Marine Corps and I am encouraged that my colleagues have supported this effort. Mr. Chairman, this bill takes several positive steps, but everything is not beneficial.

Mr. Chairman, I am disappointed by the Department of Defense's handling of appropriations for the Department of Defense Education Activity. These appropriations support the Department of Defense Overseas Schools and Domestic Dependent Elementary and Secondary Schools. This bill recommends an increase of $4 million over the budget request and an increase of $20 million to be applied to the backlog of real property maintenance. Let me explain to my colleagues why there are problems with how the DOD Education Activity handles its funds. As some of my colleagues may know, the Department of Defense has taken on an initiative to open DOD schools on Guam. This may be the first time domestic schools were established not in a combined effort with the local community but in complete disregard for the local community. To highlight this effort, in February of this year the DOD comptroller, the person that is crucial to the budget development, testified before the House Appropriations Committee, Subcommittee on Military Construction that no DOD schools would be established in Guam. Yet, the Defense Department swiftly moved to establish schools and to accomplish this reprogrammed funds. As I was briefed yesterday, funds were reprogrammed from within the DOD Education Activity and from other operations and maintenance accounts. What we have done by giving a blanket increase in funding is allowed DOD to disregard the proper appropriations process. I hope these reprogramming efforts do not result in a lack of funding for those schools that are established and were reflected in the budget process.

Mr. NETHERCUTT. Mr. Chairman, I rise as a member of the House Appropriations Subcommittee on National Security to express my strong support for H.R. 2266, the fiscal year 1998 Defense appropriations bill.

As my colleagues have mentioned, this bill adds $4.4 billion to the President's original request for fiscal year 1998, although the Secretary of Defense and the services subsequently informed Congress of several shortfalls which require funding above the President's budget. I am pleased that Congress insisted upon, and President Clinton now supports, an increase in the defense budget for fiscal year 1998. The President's original request severely underfunded a number of key defense priorities, including health care and modernization, and additional funding has helped the Appropriations Committee correct those shortfalls.

H.R. 2266 also includes several provisions which promote greater efficiency and reforms in the way the Department of Defense operates and spends public funds. According to the nonprofit defense reform group Business Executives for National Security, between 60 and 70 percent of the defense budget is consumed by support personnel and infrastructure, such as logistics, maintenance, and travel supervision, while only 30 to 40 percent goes to fund actual combat forces. H.R. 2266 addresses this problem by reducing expenditures for personnel and operations to reflect over $500 million in savings from increased outsourcing, privatization, and other reforms. For example, this bill saves $50 million in taxpayer dollars because the Department of Defense will no longer be required to purchase warranties for new weapons unless it makes sense to do so.

I am also glad this bill improves on the administration's request for military research and procurement, which is essential if America is going to remain a world leader in the next century. H.R. 2266 increases funding for defense modernization by $4.7 billion over the President's budget. Let me mention a few ways these funds will be used to prepare our forces for warfare in the next century:

First, this bill will accelerate research and development on theater and national missile defense systems. Our troops and citizens are currently virtually defenseless against ballistic missile attack, including missiles armed with nuclear, biological, or chemical warheads. During the gulf war, Iraqi Scud's demonstrated the military and political danger of this vulnerability, yet we are still behind in our efforts to provide our troops with effective missile defense. H.R. 2266 addresses this problem.

Let me single out one specific missile defense program I strongly support: the airborne laser. This program, which is actually in the Air Force budget, would load a high powered laser into a Boeing 747, which would patrol near enemy territory and shoot down enemy missiles immediately after their launch, which means that any noxious payloads on those missiles would fall back on enemy territory. Gen. Thomas Moorman, the Undersecretary of the Air Force, has described this project as ''the most revolutionary weapon in the DOD budget today'', and I am proud to support it.

Second, H.R. 2266 provides over $100 million to improve the DOD's ability to defend against chemical and biological attack with better technology, equipment, and training. Chemical and biological weapons are a primary new threat to American forces and the American people. They are relatively inexpensive and easy to build, so terrorists and less advanced nations view these horrible weapons as a means to compensate for the conventional superiority of American forces.

I also want to express my support for a provision suggested by my colleague from Washington State, Congressman DICKS, which would require the Department of Defense to report on alternatives to current theater combat simulations. The Department of Defense is still using combat models which were developed decades ago to simulate warfare between huge land armies fighting in Europe. These models are inappropriate for the kind of conflict U.S. forces have seen in the 1990's and will see in the next century, yet they are used to choose the shape of U.S. military forces and to evaluate revolutionary weapons systems. These models fail to adequately consider the innovations of aircraft stealth and precision munitions, or the selective bombing tactics used by the Air Force to render Iraqi forces in the gulf war ineffective.

Revising the DOD's theater combat simulation tools will not only improve the ability of the DOD to incorporate advanced weaponry and tactics into defense planning. Better models will help the United States plan for unconventional challenges which face future U.S. forces, such as chemical and biological weapons, attacks on defense and civilian computer networks, cruise and ballistic missile attacks, and competition for control of space.

Finally, I am glad that the National Security Subcommittee provided for a $274 million shortfall in military health care funding. Thousands of military families and retirees in my district rely upon military health care facilities and the TRICARE network, and this drastic cut in health care in the President's budget would have significantly reduced access to health care in eastern Washington. I support the additional committee funding for health care to make up this shortfall and keep faith with this Nation's military retirees and military families.

One of the health care provisions with which I was personally involved is a research program to look at innovative diabetes detection, prevention, and care techniques. Diabetes affects over 16 million Americans, including thousands of military beneficiaries. Many of the health consequences and costs of diabetes can be avoided through effective diabetes screening and early treatment. A project reflecting these goals was described in testimony presented to the House National Security Appropriations Subcommittee, which would conduct a two-region experiment in conjunction with the Veterans Administration. I look forward to seeing this project go forward and benefit the military families and retirees who are at risk from this disease.

I encourage all Members of the House to support this legislation. H.R. 2266 includes funding for important military priorities, promotes increased efficiency at the Department of Defense, and provides health care to military beneficiaries.

Ms. LOFGREN. Mr. Chairman, I want to inform the House that the ranking member of the subcommittee, Mr. MURTHA has informed me that the Appropriations Committee has reviewed allegations with respect to the Navy and the low-bid awardee of a contract to provide cockpit video recording systems for the F/A–18, and that the committee has found the Navy's conduct and the performance of the contractor to comply with all applicable laws and regulations. This should put this issue to rest.

Mr. BROWN of California. Mr. Chairman, during consideration of the bill, H.R. 2266, the Defense appropriations bill, the House adopted an amendment that would eliminate the participation of the Defense Department in a valuable program of international scientific cooperation, the Man and the Biosphere program.

This amendment was not about money. Indeed, the Air Force participation has been voluntary and they have usually provided only about $50,000 each year. This amendment would bar them from participating in this interagency program and that money would simply be spent elsewhere. The cost of offering and debating this amendment is likely far greater than anything the taxpayer would see in savings.

This amendment is about policy, however—a very bad policy. This amendment says that Congress believes that there is no link between environmental stewardship and national security. It says that we intend that the Federal agencies should withdraw from any international leadership role in demonstrating how sustainable development and economic growth can be made compatible.

One need only look at emerging political strife in countries such as Nigeria to see the direct relationship between the environment and the ability of Third World nations to work toward democracy. For this reason, the State Department has begun to make environmental concerns an integral piece of our foreign policy and national security strategy. This amendment would negate that progress.

There have been a great many arguments made against the Man and the Biosphere program over the past several months. Opponents have characterized it as a U.N. plot to take over our sovereign lands, that it degrades property values, and that the executive branch lacks legal authority to carry out this program. All of these arguments are based on severe distortions of fact.

What is true, and a matter I have personally sought to address, is that the Congress has never enacted organic legislation that spells out exactly what the Man and the Biosphere program should do and what it should not do. Unfortunately, my bill, H.R. 1801, has not been brought to the floor and there is no indication that it will be.

This is not unusual, however, most of the programs Congress appropriates money for lack such a statutory basis. It is unreasonable to assert that the Congress should enact an organic bill for each program in the Federal Government. The sheer cost and complexity of this would be staggering.

Earlier this year, the House narrowly voted to eliminate this program in the Interior appropriations bill. Fortunately, the other body had explicitly rejected the House position. I hope it will continue to do so for other bills containing this limitation.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2266

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $20,445,381,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $16,504,911,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities,

permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $6,141,635,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,044,874,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $2,045,615,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,377,249,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $391,953,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $814,772,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $3,245,387,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,331,417,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $11,437,000, can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; $17,078,218,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds appropriated in this paragraph, not less than $300,000,000 shall be made available only for conventional ammunition care and maintenance.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $4,011,000, can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; $21,779,365,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds appropriated in this paragraph, $406,666,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $2,598,032,000: *Provided,* That of the funds appropriated in this paragraph, $216,787,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $8,362,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; $18,740,167,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $10,066,956,000, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $28,850,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided,* That of the funds appropriated in this paragraph, $36,899,000 shall not be obligated or expended until authorized by law.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer amendment No. 1 which was preprinted.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. DEFAZIO:

Page 9, line 19, insert after the dollar amount the following: ''(reduced by $15,000,000)''.

Page 32, line 25, insert after the dollar amount the following: ''(increased by $15,000,000)''.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Florida. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. YOUNG of Florida. Mr. Chairman, we had expected that this was amendment No. 3.

Mr. DEFAZIO. Mr. Chairman, I called it 1 when I handed it to them. It is the $15 million one, which is for the cooperative research program, VA cooperative research.

The CHAIRMAN. The Chair will state that this is amendment No. 3 as printed in the RECORD.

The gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I shall not use the entire time.

Every year since 1987, the VA medical and prosthetics research appropriation has been supplemented by funds transferred to the VA under a cooperative agreement between the DOD and the Department of Veterans Affairs. The DOD–VA cooperative medical research program supports vital research covering a broad spectrum of health,

science, and medical research focusing on conditions that impact both active duty and veterans. Among the programs funded are posttraumatic stress disorder research, cardiovascular fitness, combat casualty care, bone healing replacement, skin repair, vascular repair, spinal cord injury. This is an excellent program. I know times are tough, but I believe that we should be able to find the funds within the budget to fund this program at the modest level of $15 million.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

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

Mr. MURTHA. Mr. Chairman, we have no problem on this side with the amendment.

Mr. YOUNG of Florida. Mr. Chairman, would the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would like to point out to the gentleman that we have funded this program in the past, and one reason we did not include it in the bill for this year was the fact that the other body did include it, and we expect that it will be a conference item. But we do support the program, and we are prepared to accept the amendment.

Mr. DEFAZIO. Mr. Chairman, I just wanted to be absolutely certain that we get the funding into this program, it did not get lost in conference. I appreciate the support of the gentleman from Florida and the gentleman from Pennsylvania.

The CHAIRMAN. Does any other Member wish to speak on the amendment?

If not, the question is on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO].

The amendment was agreed to.

The CHAIRMAN. Are their there other amendments to this portion of the bill?

AMENDMENT NO. 7 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. SANDERS:

Page 9, line 19, insert after the dollar amount the following: ''(increased by $2,000,000)''.

Page 32, line 11, insert after the dollar amount the following: ''(reduced by $2,000,000)''.

Mr. SANDERS. Mr. Chairman, the amendment that I am bringing forth is a very simple amendment. It is a chance for Members in the House to support their National Guard to increase funding for an educational program that represents just the kind of policy initiatives we need for young people in this country.

Mr. Chairman, this amendment, which is endorsed by the National Guard Association of the United States, will increase funding by $2 million for the National Guard star based program, bringing the program up to the President's request of $4 million. The star based public outreach program is administered by the National Guard and targets youth in grades 4 through 6, it is the fourth, fifth, and sixth grades, to learn, hands on, with Guard pilots and technicians about math, science, and technology and to stay off of drugs.

Mr. Chairman, the star based program, my amendment brings funding for the National Guard star based program up to the $4 million requested by the President. This is, I think, exactly what we want to do in our communities. We talk a whole lot about asking kids to stay off of drugs. What this program does is have people from the National Guard interact with young people, explain to them the planes in the air work for certain reasons and get young kids excited in math and science, and the studies that have been done on the results of this program are excellent. More and more kids have an interest in math, they have an interest in science. It is a wonderful program for the National Guard, and it has been very successful.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Vermont.

Mr. YOUNG of Florida. Mr. Chairman, offering the same explanation that I did on the previous amendment, we are happy to accept this amendment.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Florida very much and I thank the gentleman from Pennsylvania very much.

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

The CHAIRMAN. Is there further discussion on this amendment?

If not, the question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The amendment was agreed to.

Mr. BRADY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Florida [Mr. YOUNG].

As the gentleman was aware, the Senate-passed defense authorization bill for fiscal year 1998 recommends $5 million for the Secretary of Defense to conduct a pilot program to determine if hydrocarbon fuels can be tagged for analysis and identification.

Mr. YOUNG of Florida. Mr. Chairman will the gentleman yield?

Mr. BRADY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would respond to his question by saying that is my understanding.

Mr. BRADY. Mr. Chairman, it is anticipated that this program will deter theft, aid in the investigation of fuel theft and aid in determining the source of surface and underground pollution and locations where the Department of Defense and civilian companies maintain separate fuel storage facilities.

Mr. Chairman, I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would say the gentleman is correct in his description of this program.

Mr. BRADY. Mr. Chairman, it is also my understanding that this pilot program could also be funded through title II of the pending bill in the operation and maintenance defense-wide account.

Mr. YOUNG of Florida. Mr. Chairman, again if the gentleman will yield, I would say that he is correct on the likely source of funding for this pilot program.

Mr. BRADY. Mr. Chairman, I look forward to learning the results of this pilot program and thank the gentleman from Florida for his leadership and assistance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,207,891,000: *Provided*, That of the funds appropriated in this paragraph, $5,000,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $924,711,000: *Provided*, That of the funds appropriated in this paragraph, $75,000,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $119,266,000: *Provided*, That of the funds appropriated in this paragraph, $8,900,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,635,250,000: *Provided*, That of the funds appropriated in this paragraph, $6,130,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and

related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $2,313,632,000: *Provided,* That of the funds appropriated in this paragraph, $47,200,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; $2,995,719,000: *Provided,* That of the funds appropriated in this paragraph, $9,750,000 shall not be obligated or expended until authorized by law.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses directly relating to Overseas Contingency Operations by United States military forces; $1,855,400,000: *Provided,* That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, and working capital funds: *Provided further,* That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act: *Provided further,* That of the funds appropriated in this paragraph, $387,900,000 shall not be obligated or expended until authorized by law.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces; $6,952,000, of which not to exceed $5,000 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $377,337,000, to remain available until transferred: *Provided,* That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $277,500,000, to remain available until transferred: *Provided,* That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $378,900,000, to remain available until transferred: *Provided,* That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Defense, $27,900,000, to remain available until transferred: *Provided,* That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $202,300,000, to remain available until transferred: *Provided,* That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code); $55,557,000, to remain available until September 30, 1999: *Provided,* That of the funds appropriated in this paragraph, $5,557,000 shall not be obligated or expended until authorized by law.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components, and weapons technology and expertise; $284,700,000, to remain available until September 30, 2000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,541,217,000, to remain available for obligation until September 30, 2000: *Provided,* That of the $309,231,000 appropriated in this paragraph for the procurement of UH–60 helicopters, $253,231,000 shall be available only for the procurement of 26 such aircraft to be provided to the Army National Guard and $56,000,000 shall be available only for the procurement of four such aircraft to be reconfigured as CH–60 helicopters and provided to the Navy Reserve: *Provided further,* That of the funds appropriated in this paragraph, $5,953,000 shall not be obligated or expended until authorized by law.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment

and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $771,942,000, to remain available for obligation until September 30, 2000.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,332,907,000, to remain available for obligation until September 30, 2000.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,062,802,000, to remain available for obligation until September 30, 2000.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $2,502,886,000, to remain available for obligation until September 30, 2000.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $6,753,465,000, to remain available for obligation until September 30, 2000: *Provided,* That of the funds appropriated in this paragraph, $580,515,000 shall not be obligated or expended until authorized by law.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $1,175,393,000, to remain available for obligation until September 30, 2000.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $423,797,000, to remain available for obligation until September 30, 2000.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $7,628,158,000, to remain available for obligation until September 30, 2002: *Provided,* That additional obligations may be incurred after September 30, 2002, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further,* That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further,* That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards: *Provided further,* That none of the funds in this paragraph for advance procurement for the overhaul of CVN–69 may be obligated unless the overhaul includes installation of cooperative engagement capability and the ship self-defense system: *Provided further,* That none of the funds in this paragraph for production of DDG–51 destroyers may be obligated unless at least four of the twelve ships in the multiyear contract for fiscal years 1997 to 2001 are to be delivered to the Government with cooperative engagement capability and theater ballistic missile defense capability installed when the ships are commissioned.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 194 passenger motor vehicles for replacement only; and the purchase of one vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $275,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $3,084,485,000, to remain available for obligation until September 30, 2000: *Provided,* That of the funds appropriated in this paragraph, $11,053,000 shall not be obligated or expended until authorized by law.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 40 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; $491,198,000, to remain available for obligation until September 30, 2000: *Provided,* That of the funds appropriated in this paragraph, $48,391,000 shall not be obligated or expended until authorized by law.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $6,386,479,000 to remain available for obligation until September 30, 2000: *Provided,* That of the amounts provided under this heading, $20,000,000 is available only to initiate phase II of the Department of Defense plan to acquire and install upgraded navigation and safety equipment for passenger and troop carrying aircraft.

□ 1115

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 27, line 23, after the dollar amount, insert the following: ''(reduced by $331,000,000)''.

Page 31, line 2, after the dollar amount, insert the following: ''(increased by $105,000,000)''.

Page 35, line 18, after the dollar amount, insert the following: ''(increased by $12,000,000)''.

Page 35, line 19, after the dollar amount, insert the following: ''(increased by $12,000,000)''.

Mr. OBEY. Mr. Chairman, I am offering this amendment on behalf of myself and a number of other Members, including the gentleman from California [Mr. DELLUMS]. I know there are other Members who will be speaking on it as well. This amendment essentially cuts 331 million from the bill to prevent the production of 9 B–2's that the Pentagon has not even asked for. It would reduce the deficit by $214 million. It would add $105 million for the air National Guard KC–135 reengining and it would add $12 million for Army breast cancer research. It would also remove a major veto threat to this bill and we would wind up spending less money.

What I am trying to do is to remove a $27 billion fiscal time bomb which is tucked into this bill. I want to simply point out that the cost of these B–2 bombers by the time they are fully purchased, by the time they are fully equipped, will drive the rest of the defense budget into a squeeze which I do not believe thoughtful Members will want to see it experience.

To put this in perspective, this is a bomber which has been turned down by some 20 different studies. Five different times the proponents of proceeding with the B–2 have asked for studies to try to object to the fact that four different Secretaries of Defense have tried to limit the number of B–2's that we are buying to 20. Each time the studies wound up saying that the decisions made by the Secretaries of Defense were the correct decisions and that we should not be proceeding to build more than the number of bombers asked for by the Pentagon.

To put this in perspective, just 2 years ago the cost of one of these B–2 bombers was expected to be about $1.2 billion. That is enough to pay the undergraduate tuition for every single student at the University of Wisconsin for the next 11 years. Yet the Congress is being asked to buy 9 additional B–2's that the Pentagon does not want, that the President does not want, and that the Defense Department has indicated would cause a veto.

I want to read from the statement of administration policy. It says: ''Overall, for the reasons stated below, the Secretary of Defense would join the President's other senior advisors in recommending that the President veto the bill if it were presented to him in its current form.''

It goes on to say about the B–2: ''The administration firmly opposes the $331 million increase to the President's request for B–2 production.'' And it goes on to say that ''this life cycle cost of over $20 billion would weaken the ability of the Air Force to acquire other urgently needed weapons systems and that these resources should be allocated to higher priority requirements.''

Now, what I am trying to do today is to remove that veto threat.

I would also like to read from Secretary Cohen's QDI report which says as follows: ''The B–2 would not provide the full range of war fighting and shaping capabilities offered by the forces it would replace * * *. It goes on to say the B–2 ''did not provide the same weaponry delivery capacity per day as the forces that would have to be retired to pay for the B–2's.'' And then it concludes by saying there ''would be a loss in war fighting capability during the decade or more between when the outgoing forces were retired and all the B–2's were delivered.''

It seems to me that indicates that we ought to not proceed to make this very expensive purchase.

Instead what we are trying to do is to use a good portion of this for deficit reduction and then to provide some funding so that we can increase the reengining of KC–135's for the Air National Guard which are crucial to our refueling procedures around the world. Basically we have a number of older planes with very low-flying hours which are in very good shape. We can reengine those planes, use them for refueling operations and save a good amount of money, over $105 million in the process.

Third, we would add $12 million to the Army breast cancer research and treatment program, bringing that up above the level provided in the bill. That program has recently received a very good evaluation when it has been peer reviewed.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, I would simply say that what is at issue here is not whether we ought to have a strong defense or not. It is not whether we ought to provide our troops with the best equipment money can buy or not. Obviously we need a strong defense and obviously we need to provide the best weaponry that money can buy for our troops. The question is, do we really need to buy nine additional bombers that the Pentagon is saying we do not need, the Secretary of Defense is saying we do not need, especially when we have other higher priority items in the military budget. I think the answer to that question is no. I think we ought to heed those some 20 studies that have been conducted on this matter. This amendment is supported on a bipartisan basis and I would urge the House to adopt it.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word, and I rise to oppose the amendment.

Mr. Chairman, I appreciate the chairman yielding. I rise reluctantly to oppose the position of the ranking member of the full committee, for I understand how carefully he has reviewed this matter. But frankly, just a couple of years ago I had taken a position that was not dissimilar. I was responding to the administration's direction that perhaps we could get by with two squadrons, that is, 20 B–2's. In spite of the fact that the trend around the Congress was to say to DOD that we were going to begin to withdraw our troops from the world, close foreign bases and have most of our military assets located in to the continental United States.

Then during the midst of the campaign when candidate Bob Dole was going to southern California just the day before he arrived at a location, Pico Rivera, where many of these employees who deal with the B–2 work, the President announced that he was going to support the 21st B–2. That is, I gathered he was supporting the third squadron or at least moving in that direction. Recognizing that if we are going to be withdrawing troop force around the world and still need, as the leader of the free world, to project force, that indeed we had to have enough assets available to be able to deliver force with great strength at long distance and at relatively low cost. Such a force, for example, would be quickly available to stop a rogue nation that was going to cross its neighbor's boarders and strike it heavily. Our B–2 force could be present quickly and then give us time to get personnel, ships and other assets into the region.

There is little doubt that a third squadron is very necessary if we are going to play that sort of role in this hopefully growing more peaceful world. The B–2 is fundamental to America's continued leadership as we recognize that fewer of our overall assets are going to be available for national defense.

There is little doubt that we are on the right track to develop a third squadron. It will save us money over time. But probably most importantly Mr. Chairman, it is a fundamental asset in all of our desire to maintain peace and freedom in the world. I strongly oppose the gentleman's amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to commend the gentleman from California, who has been one of our most steadfast supporters on the B–2 over the years. I want to point out to my colleagues in the House that there was a very positive statement in the Quadrennial Defense Review which said that in the halt phase, when you are trying to stop the enemy from coming in, like Saddam was coming into Kuwait, that there is nothing that the United States military possesses that can do what the B–2 bomber will be able to do once we get the smart conventional submunitions on it like sensor fused weapon.

Going back to the gulf war, Iran did assimilation against Saddam's division

moving south and with a small number of B–2 bombers, with sensor fused weapon, they destroyed 46 percent of the mechanized vehicles in that division and rendered it destroyed in the field.

That is an incredible new capability. We have never had that capability before to stop a mechanized division once it is under way.

I believe that this bomber is absolutely essential to our national security. I believe that this is one of the greatest mistakes ever made by a country in its history in not funding something that will give us an asymmetrical advantage over every conceivable adversary. Because a stealth bomber with these smart weapons can attack a nation's capital, all of its industrial facilities, all of its military at the same time, if you have enough of these bombers. That is the problem. Twenty-one simply does not do the job.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman, the gentleman makes several very important points. As we conventionalize the B–2, there is little doubt that it provides an asset that indeed allows America to extend its force very cheaply relative to other assets that are available to us. Indeed if America is going to defend freedom from our continental base, indeed if we are going to continue to close down bases around the world, there is little doubt that we need to be able to strike quickly and safely, deliver force that will stop a would-be aggressor.

□ 1130

It is very fundamental to the policy presently in place, and I strongly support procuring nine additional B–2's.

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

Mr. Chairman, we are gathered here in this Chamber on a very historic opportunity, an historic day, to balance the Federal budget, to bring about some fiscal sanity in this Nation, to tell the American taxpayers we are finally, after many decades, becoming more responsible with their money.

Not a day goes by that we do not open the newspaper and see a story of more fraud, waste, and abuse in our Federal Government. Medicare: Report indicates $24 billion in wasteful fraudulent spending—$23 billion.

A report the other day, commissioned by the Air Force, indicates that several of our current fleet are rusting away, are dangerous planes to fly.

Today, I rise to support the gentleman from Wisconsin [Mr. OBEY] and the gentleman from California [Mr. DELLUMS] in their effort to cut the B–2 bomber, cut $331 million from the bill to start production of nine more B–2's.

Let us tell the whole story. They indicate it will cost $27 billion to continue to build this plane, not $331 million. That is the start-up price. That is to get a foot in the door. That is to keep the production line going.

I commend the gentleman from Wisconsin because he did something today that I am very much in support of: reducing the deficit by $214 million, using the cuts to reduce the deficit. Fiscal sanity. Changing priorities. Finding a way to make ends meet.

How can we, in good conscience, let this opportunity go by us? We can balance the budget, but we can do more. The economy is going in our direction. We are reducing spending in so many areas. We are increasing revenues. But, my fellow colleagues, the deficit still hovers at $5.3 trillion.

By the year 2002, when we finally balance, maybe before, we will be $6 trillion in debt. In spending on interest alone on the deficit, $285 billion going out of the coffers of the American taxpayers into the pockets of the bond holders, not doing anything for society, not rebuilding infrastructure, not making a difference in our inner cities, not improving education for our children—$285 billion on spending for interest alone.

It is like paying a 30-year mortgage and never touching the principal. At the end of 30 years we still owe the same amount we did when we bought the house.

My fellow colleagues, it is a simple analogy. We have plenty of B–2 bombers. The Pentagon says the current fleet of 21 B–2 bombers is sufficient to meet the two war scenario, the ability to fight and win two wars at the same time.

The massive Deep-Attack Weapons Mix Study conducted by the Pentagon concluded that it would not be more cost effective to buy B–2 bombers. Republican appointee Defense Secretary Cohen, appointed by the President, a member of my party from Maine, does not want any more B–2 bombers. I have to trust the Secretary of Defense in making judgments and determinations.

The Pentagon has told us they do not want any more B–2 bombers. Military generals have told us they do not want any more B–2 bombers. But we sit here with the Nation's checkbook and say we will have our will in this House, we will insist on buying more B–2 bombers. We do not care what the experts tell us, we will waste taxpayers' dollars to please some defense contractors. It is time to stop that kind of wasteful spending.

Again, the Congressional Budget Office, the one CBO that we held up as the model of efficiency and accuracy when we debated the tax measures, the CBO projects that to build and operate nine additional B–2 bombers over the next 20 years could cost over $27 billion—$27 billion.

Mr. Chairman, I urge my colleagues to come to this floor prepared to make a sacrifice for the American taxpayers today, to support the Obey amendment to strike the B–2 bomber, to save $331 million today, $27 billion over the life of this project, to reduce the deficit by $214 million, add $105 million for the Air National Guard KC–135 re-engining and add $12 million for Army breast cancer research, one of the most accurate groups that has been working on detecting breast cancer and curing breast cancer, the Army breast cancer research program. It also removes a major veto threat the President has indicated.

I am not concerned about veto threats. The President makes them on almost every bill. But on this one I particularly agree with him. I agree with him because I think he is making a good point on saving the fiscal sanity of this Nation. And, again, I have supported, as a Member of Congress from Florida, most defense spending on new weapon systems. This one has to go. Eliminate it and support the Obey amendment.

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

Mr. Chairman, I want to commend the chairman, the gentleman from Florida [Mr. YOUNG], and the ranking member, the gentleman from Pennsylvania [Mr. MURTHA], for an excellent bill. Over the years I think they have given us better bills than many times what we have supported.

I, for one, want to thank them for the language that assures the inspector general to conduct random audits on these so-called micro purchases of foreign-made goods, and also for the language that deals with reciprocity when foreign countries do not allow our companies to bid on their products; that this would in fact rescind the blanket waiver of the Buy American Act. That language makes a lot of sense in this bill.

I rise today because in the past I have voted to slow down defense building. But we just did not slow down defense building, we have really whacked away at the defense budget. I would just like to say that probably our major role here is to protect our national security, in Congress. We cannot protect the national security of our great Nation with a neighborhood crime watch.

Defense is expensive, and B–2 is a weapon of strength. Ronald Reagan once made a statement that made a lot of sense to me. He said you always negotiate from a position of strength. B–2 is absolute stone cold strength.

Without talking about Captain O'Grady, without talking about a great need, it, in fact, boggles my mind that we continue to discuss B–2 with its great stealth strength opportunities for us. If we cannot see it, we cannot hear it, it cannot be detected by radar, and we should not talk about it, how will they know how many we really have? But the greatest weapon of all war is the weapon of deterrence, and the greatest weapon of strength we now have in our arsenal is the B–2.

I am standing today supporting this bill, and I would also like to add that I believe we have cut too far and we are beginning to weaken, weaken long-term national security interests through our zeal to what many call

this cutting back on this bloated budget. I believe we are underfunded for defense now and, intelligently, we should move the program forward.

We should stand here, Mr. Chairman, and support B–2. B–2 is strength. We have always negotiated from a position of strength, and we should always be prepared to protect our national security from that position of strength.

Mr. Chairman, I appreciate the chairman and the ranking member including those Buy American issues, those reciprocity issues, those micro purchase issues, foreign-made goods, addressing them intelligently in this bill.

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

Mr. Chairman, I would be remiss if I did not congratulate the chairman, the gentleman from Florida, {Mr. BILL YOUNG]. I have been serving on this Subcommittee on National Security of the Committee on Appropriations for a long, long while, and he has conducted this markup in the committee in a way that is absolutely exemplary. He has shown a side that very few of us can say that we have exhibited here, his compassion for research, cancer research, bone marrow, head injuries; and the ranking minority member, the gentleman from Pennsylvania [Mr. JACK MURTHA].

This has just been a joy to work with this committee this year because of the fairness of it, and I just want to congratulate the gentleman from Florida on bringing to the floor today a bill that I believe is responsible and deserves the overall support of every Member of this House, and for the staff who have worked very closely with us on some very critical issues.

Again, Mr. Chairman, I want to thank him for his work on this bill and for his leadership that has brought us here to the House floor today, and I would recommend an ''aye'' vote on the entire bill.

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

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Wisconsin, [Mr. OBEY] to strike $331 million to begin advance procurement for nine additional B–2 bombers.

Now, I have listened to the debate thus far and, first, let me establish hopefully some bona fides in this debate. I am now completing my 27th year in the House of Representatives, nearly 25 of them serving on what in the past had been referred to as the House Armed Services Committee, and now the House Committee on National Security, authorizing committee, where we debate these matters substantively on the basis of policy. In that regard, I would like to say that while this is the appropriations bill, this is indeed the appropriate opportunity for us to end this madness.

Now, first of all, Mr. Chairman, how many times have we in this country heard of the ultimate weapon? How many times has this Nation been in search of the ultimate weapon to prevent war? And the ultimate weapon, I would suggest, does not root itself in some technology built in some particular State in some particular district, deriving billions of dollars in that area. That is not our greatest strength. That is not the ultimate weapon.

Our ultimate weapon is our capacity to use our minds to deter war, as we sit around a table to negotiate nonviolently and politically and diplomatically how we will live with each other. Our future is not vested in some B–2 bomber. That is absurd, ludicrous and ridiculous, and we need to abandon that mentality that in some way the future of our children and our children's children is locked in some technology built by some manufacturer that ultimately will derive billions of dollars to do it.

Now, what is the bottom line, Mr. Chairman? The bottom line is that this is not about B–2's. I underscore, it is not about B–2's. We have B–2s. We have 21 of them. Where on Earth do we need to fly more than 21 B–2's?

Mr. Chairman, I would remind my colleagues that when President Bush went to war in the Persian Gulf, he told the American people he was moving against the fourth largest army in the world. Within a matter of hours, we had conquered airspace and conquered these people. We never used one B–2.

Where, Mr. Chairman? The Soviets have reduced their military budget by 80 percent, as the gentleman from Wisconsin [Mr. OBEY] already pointed out. If we are going to do battle with China, it will be economics, it will not be firing missiles at each other. I would like to think we have moved beyond that bizarre and absurd set of ideas. We have 21 of these planes. That is more than enough.

Now, one of my colleagues said that when the President funded the 21st plane that meant we were starting down the road toward the third squadron. I would suggest, at a bare minimum, that that is hyperbole.

How did we get to the 21st plane? Mr. Chairman, we had a prototype B–2 plane. A prototype. The first prototype B–2, hand built. It was not operational. A decision was made, rightly or wrongly, to take several hundred million dollars to make that 21st prototype nonoperational plane operational. Nothing was said that we will take this plane and move down the road toward 30 of them.

Now, if Members want to argue that, they are arguing that from self-interest, a little bit disingenuous, because it was never stated and never said. This is not about B–2's. We have them. It is about what the Congressional Budget Office refers to as a $27 billion, not million, $27 billion program.

□ 1145

It is $13.6 billion of it that is in procurement; $13.2 billion of it in operation, maintenance equipment, et cetera, $26.8 billion.

The Comptroller, Office of the Pentagon determines it as close to $21 billion. In the letter that talks about vetoing this bill, if the B–2 is in it, they refer it as a $20 billion expenditure.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 5 additional minutes.)

Mr. DELLUMS. So this is not about B–2. We have them. It is about an extraordinary amount of money.

Now, as I said, the CBO costed out at $27 billion to build nine. The Comptroller, $21 billion. Let us look at the budget. Mr. Chairman, if you will recall, the budget resolution that we are about to agree to, all the newspaper headlines, great deal, balanced budget is now being addressed. In that balanced budget, there was $17.5 billion of additional money for the Department of Defense over and above the President's request during the 5 years of this so-called balanced budget, $17.5 billion.

Now, the unbudgeted Quadrennial Defense Review has already claimed the $17.5 billion and will claim the entire portion of it. My distinguished colleague, the gentleman from Washington [Mr. DICKS], earlier in the context of the debate on the rule, pointed out that there was some $20 billion slush fund, referred to as the weapon procurement reserve fund, that they could magically take this $13.6 billion out of that fund to fund this additional B–2.

But they say nothing about where they are going to get the 13.2 down the road. But let us talk about the 13.6. This was an item placed in the 5-year defense plan that would not appear in the budget next year because what this fund was established to do was to look at the problems of underfunding in the weapon procurement account that would come about as a result of the Quadrennial Defense Review.

Now let us look at how they are going to spend this money. Listen up, people. The V–22. How many people in this Chamber have been telling the marines, we are committed to the V–22? Part of this money goes to fund the V–22. How many people?

The second item, the Army 21 force program, how many officers have said to the Army, we agree with you on the force 21 program. Part of this money is to defund that. Full funding for the national missile defense. How many times have we paraded into these Chambers to discuss national missile defense? It was part of the Contract With America. Numerous discussions and debate about funding the national missile defense.

The administration came before our committee and said that we are between $2 billion and $3 billion underfunded minimally in our national missile defense program. Part of that

money is going to come out of this program. They even, in response to a question of mine, ''Will the program be fully funded if we give you the $2.7 or $2.8 billion?'' They said, ''maybe not.'' So they made some additional play for those who have frightened the American people about national missile defense, where do you think the funding is going to come in that program? Right out of this fund that you are getting ready to get committed to spend for nine additional B–2's.

For those who think that we ought to be demilitarizing these chemical weapons, how many millions of American people live around these weapons around the country that we ought to be demilitarizing because they are dangerous? That program will be fully funded as a result of taking money out of this reserve fund. So this is no slush fund.

Medical programs. For those who believe that weapons of mass destruction and the proliferation of weapons of mass destruction is one of the most dangerous issues that we confront, and we know that is the case, anyone who is diligently about their job in the Congress of the United States knows that proliferation of weapons of mass destruction and terrorism are the two major issues confronting us today, that program will be funded out of this account.

Let us move forward. What are the trade-offs? Mr. Chairman, what are the trade-offs? I did mention on numerous occasions that, in the context of a balanced budget, the world has changed. This is not some magical fund. I would like to think that I have spoken to that and prepared to speak to it even further. But let us talk about the reality that the gentleman from Florida [Mr. FOLEY] spoke of.

This is a balanced budget environment. And when we have a balanced budget and we are talking about $13.6 billion in that 5 years, ultimately $27 billion but $13.6 billion in the 5 years, and we are pushing that money in the budget, we have got to push something out of the budget. So what are the trade-offs?

The B–2 proponents recommending trading off tack air, F–22, FA–18 and the joint strike fighter.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, under our reservation, I would like to point out to my very distinguished friend that we have made these arguments time after time after time after time, and the business of the House is being delayed now.

There are other Members who want to speak. And I am not going to object, but I think we all ought to pay attention to the fact that the gentleman has already used 10 minutes now. He controlled considerable time when we had this debate on the authorization bill, where he is the ranking member. And I just think that we really ought to be considering a time limitation, because nothing new is being said. We are rehashing the same arguments over and over again. And while I will not object to this additional request for time, I would put the Members on notice that I will object to other Members who would ask for additional time over and above their 5 minutes.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. Further reserving the right to object, I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I think we have to be fair here now in terms of the time. I would hope that my colleague is going to let the other side at least have a chance to have the time, at least myself, the same amount of time that the gentleman from California [Mr. DELLUMS] had, because he had made a lot of accusations here today, some of which are true, and I would like a chance to rebut them.

Mr. YOUNG of Florida. Mr. Chairman, my suggestion is, and it is something that I suggested earlier, that we set a specific amount of time, have it managed and controlled by the proponents and the opponents, so we can get to the end of this debate sometime today.

Mr. DICKS. Mr. Chairman, the proponents had time to go here for 10 minutes, a lot more time than the opponents thus far. So I would like us to balance it out before we go to a time agreement, if the gentleman would possibly agree to that.

Mr. YOUNG of Florida. Mr. Chairman, let me ask the author of the amendment if he would be interested in discussing a possible time limitation with the time managed?

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say that we are being asked to spend about $300 billion. And it seems to me that this is not out of line to spend approximately half an hour listening to the arguments against the expenditure of the item under review on this amendment.

I would simply say that I know that the manager of this bill would like to see the House finish this bill with very little debate, but the fact is this is an appropriation bill, the Congress is exercising the power of the purse. We may make one decision on an authorization bill when real dollars are not in hand, but when we are on an appropriation bill, this is when we actually get to see what the trade offs are.

It seems to me that it is not too much to expect. I mean, as far as I know, there are only about four speakers against this. They are going to win the amendment. But it seems to me that we have a right to have a reasonable amount of time to make the arguments against it.

The gentleman from California [Mr. DELLUMS] is only the ranking member on the authorizing committee. He only knows more about this than probably anyone else on the floor. And given the fact that we have spent hours and hours on the legislative appropriations bill and other appropriation bills, I see no harm in spending less time on this bill in the end than we would have spent on virtually every other appropriations bill.

Mr. YOUNG of Florida. I do not know. So I assume the gentleman's answer is negative on limiting time?

Mr. OBEY. If the gentleman will yield, I know of only one other speaker on our side of the aisle.

Mr. YOUNG of Florida. Mr. Chairman, I will not object to this time extension. But I think we need to make sure that both sides get fair treatment on time. And we want to say again, under our reservation, we have debated this over and over and over again. And the gentleman from California [Mr. DELLUMS] has spent at least half an hour himself during the last debate. And the gentleman is correct, he is very knowledgeable on the issues. Although he is wrong most of the time, he is very knowledgeable on these national defense issues.

Mr. Chairman, I may suggest this time limitation depending on how this plays out.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

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

Mr. DELLUMS. Mr. Chairman, first of all, I appreciate the gentleman's gratuitous shot.

Second, one point on which I agree with the gentleman, we ought to all be paying attention. I have been in this Congress where we debated for days on emotional amendments, $5 million amendments, $1 million amendments. Here is an amendment that has a $27 billion tail, and suddenly we do not have time to deal with it.

That is why I am getting paid. We ought to be debating these issues, rightly or wrongly. We talk out here about America being a place where different points of view clash with each other. I believe in the integrity of the process. We may have different politics. I accept your politics, and I accept my colleague's. That is how we got elected to be here. But one place where we ought to be all coming together is that the process ought to have integrity and we ought to be able to slow this train down to be able to debate.

The gentleman from Wisconsin [Mr. OBEY] pointed out, this is a multi-hundred-billion-dollar deal. So we want to rush it through for convenience because it is a nice and neat package?

And then we will run home to our town meetings and talk about how diligent we are as we carry out our fiduciary responsibilities. How obscene.

We need to slow this process down and debate each other, talk with these issues. I am prepared to debate. Five studies most recently did not make a case for the B–2. Five studies, all independent most recently. The B–1 bomber can fly as far as the B–2. We have gone through all of that.

The gentleman talks about crisis responsibility. Listen to this: This weapons system, these additional nine B–2's are going to be so important? Do my colleagues know how long it would take us to build nine B–2's to get them into the inventory? Ten years.

So my colleagues make this frightening, scary case to the American people, but they do not tell them it is going to take 10 years. So if this is such an important insurance policy, this is going to save so many people, then what do we do over the 10-year period? Do we pray?

Let us not be so disingenuous. Additional B–2's are going to take 10 years. Here is a plane in search of a problem. We have 21 of them. B–1's can reach any place in the globe without being locked out for want of a forward base. And look, we have 95 of them. Some of the 95 B–1 bombers are so brand new that the tires have maybe only hit the ground once or twice.

We spent $20 billion, $20.5 billion building 100 B–1 bombers. And all of a sudden, we do not want to talk about the B–1. That is the stealthiest plane in the inventory. Nobody wants to talk about them. We talk about the B–52 and the B–2, as if the B–1 is not there. My colleagues have argued and made the case and we bought 100 of them. We have 95 of them. It is not the platform, it is the weapon. It is not the platform, it is the weapon. We put smart weapons on a B–1, smart weapons on 21 B–2's. We do not need to buy additional expensive platforms that will cost each platform in excess of a billion dollars.

How many children can we educate for over $1 billion? How many people can we save for over $1 billion? What can we do with $27 billion? It staggers the imagination to talk about the brilliance and genius and compassion of what we can do with $27 billion. But, no, we want to sink it into nine B–2 bombers, as if that is God's gift to the planet. Bizarre and extreme.

Finally, some people say we need to build nine more B–2's, Mr. Chairman, because we must reserve the industrial base. An absurd notion. There is no such thing as a bomber industrial base. The people that built the B–2 did not build the B–1. The people that built the B–1 did not build the B–52. The people that built the B–52 did not build the bomber before that. All we have to do is be able to build a plane and we can build a bomber.

So what is all this about? This is about jobs. This is a restart, not an industrial base preservation. Air Force sources have estimated that the production capability for the B–2 is no more than 30 percent today. Only 16 percent of the personnel, 16 percent of the personnel, required to produce nine B–2's are currently on the program. This is according to contractor data.

□ 1200

Finally, many vendors and suppliers began exiting this program in 1992. They are gone, they have left the place. This is to reassemble.

If we want to generate jobs in America, how many jobs could we generate with $27 billion? Incredible. Absolutely extraordinary, Mr. Chairman. But we do not do it with nine more B–2's. I ask my colleagues to support this amendment, oppose nine additional B–2's. It is the rational, sane, and fiduciary thing to do.

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

Mr. Chairman, I served on the Committee on National Security my first three terms here and served with the gentleman from California [Mr. DELLUMS]. He is an honorable man. We disagree on issues, but he has always been fair and he debates well. That is not my issue.

The issue is how I see it on why we need not only the B–2 but the defense structure that we have. I do not expect to change the opponents' minds by my 5 minutes. But I would like to express to them why I feel that it is important and at least have them have that understanding.

First of all, I think it is fair to say, why did we order the B–2 in the first place? Was there a perceived mission for it? Did the Air Force want the airplane? The answer is yes.

Second, is there still today a perceived mission for the B–2 and the B–1? The answer is yes. And is there one in the future? I also say yes. I will be specific in just a moment. I think if we take a look at what the threat is today in the areas that we could have gone into, whether it is Desert Storm, whether it is North Korea, whether it is different areas, without having to cost the additional expense of massing forces, when Saddam Hussein rattles his ugly sword and makes a strike, can we do that effectively and save billions of dollars by using a B–2 strike instead of having to mass all of our forces and then back away if nothing happens? The answer is yes.

Second, if we do not build the B–2 today, then what? The cost of then-year dollars, the R&D dollars out into the future is so expensive to build a new airplane and to invest in a new airplane, it would cost much more.

Russia today, I would say to my friend, not tomorrow, is building today a first strike nuclear site under the Ural Mountains the size of inside the beltway in Washington D.C. Why, when they already have one to the northeast? A nuclear threat to the United States, supposedly an ally. Anyone who would think Russia is our ally or China is our ally is mistaken, in my opinion.

Second, let us look at what the real threat is to our aviators who are going to be asked to fly in those particular airplanes. I have some charts. These are the nations where fighters are proliferated. These airplanes right here, the SU–27, the SU–35, and the SU–37. Let us take a scenario of taking a Strike Eagle, an F–15 Strike Eagle. By the way, the Air Force has not bought a new fighter in 25 years, while the development of all of these countries are advancing their procurement and their R&D. They have advanced farther than we have, in stealth and in missile technology and airframe.

If we take a Strike Eagle or an F–14D, two of our best fighters, and match them up with an SU–27, an SU–35, or a –37 that has a big radar, their radar sees those airplanes first. They have big giant radars. They are very fast. They are very maneuverable. The AA–12 missile gets there faster and further than our AMRAAM. Our guys are going to die. That is why we need the F–22.

Let us take a F–22 that they do not see as well because it is more stealthy, or the B–2. We get inside that envelope, we get first shot, and the bad guys are going to die first. These are the countries that have those airplanes.

Let us take an F–22 flying with a B–2 or a B–1. This bad guy over here is going to tell exactly where our fighters are because that B–2 is going to tell him it is a big aluminum fog in the sky and he is going to see it, he is going to know where we are. Again, our pilots are going to die, not the bad guys. If we take the B–2 with an F–22, he gets in unobserved, can get to the target, can knock it out or the B–2 can get in there by himself and save billions of dollars.

These again are the countries that have the missiles, the AA–12. I have flown most of these airplanes. If Members want to talk about the maneuverability, go to the Paris Air Show and look at the SU–37 and take a look at the vector thrust. They are better than our fighters, the B–2's and the threat of the bombers are better than ours, and we need to know.

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

COUNTRIES WITH ADVANCED AAM IN 2005

AMRAAM, MICA, AA–12

Russia	Netherlands	Denmark
Belgium	Sweden	Taiwan
France	UK	Finland
Malaysia	China	Japan
Spain	Israel	South Korea
Turkey	Norway	U.A.E.
Germany	Switzerland	

COUNTRIES WITH ADVANCED SAM'S IN 2005

Patriot, SA–10, or SA–12 SAM's by 2005

Azerbaijan	Kuwait	Netherlands
Belarus	Italy	Japan[1]
China[1]	Iran	Saudi Arabia
Cyprus	Russia[1]	Serbia
Czech Republic	Ukraine[1]	South Korea
Kazakhstan	Germany[1]	Syria[1]
Bulgaria	Israel	Turkmenistan
India	Moldova	

[1]Countries projected to have more than one type.
Source: Jane's, Aviation Week, DMS Market Intel.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Obey amendment.

Mr. Chairman, let me just give a little perspective on this. First of all, the gentleman from California says that nobody supports this. I do not quite agree with that. We have seven former Secretaries of Defense, Melvin Laird, Jim Schlesinger, Donald Rumsfeld, Harold Brown, Caspar Weinberger, Frank Carlucci, and Dick Cheney, who wrote the President a letter on January 4, 1995. In that letter they said this:

The B–2 was originally conceived to be the Nation's next generation bomber, and it remains the most cost effective means of rapidly projecting force over great distances. Its range will enable it to reach any point on earth within hours after launch while being deployed at only 3 secure bases around the world. Its payload and array of munitions will permit it to destroy numerous time sensitive targets in a single sortie and, perhaps most importantly, its low observable characteristics will allow it to reach intended targets without fear of interception. The logic of continuing low rate production of the B–2 thus is both fiscal and operational. It is already apparent that the end of the Cold War was neither the end of history nor the end of danger. We hope it will also not be the end of the B–2. We urge you to consider the purchase of more such aircraft while the options still exist.

Mr. Chairman, what bothers me about the administration's program is this: They want to invest $300 billion for TAC air and zero for bombers. That just does not make any sense. The B–2 was just used in terms of operational testing using GATS/GAM, and they can hit targets day, night, all weather, without lasers, from 41,000 feet. That is a remarkable capability.

In the future when we get the smart submunitions like sensor-fused weapon, GATOR mine, et cetera, combined effects munition, I believe we will have the potential for conventional deterrence. I want to explain that. I think frankly nuclear weapons are only good for nuclear deterrence. We saw Saddam Hussein come south. We had 18 Trident submarines. He still came south. But if we have a bomber that can go a third of the way around the world with one aerial refueling and can be utilized immediately to stop the enemy from coming into, say, Kuwait, that is conventional deterrence. President Bush could have deployed the B–2's to Diego Garcia, they could have been operational immediately.

What does that mean? It means that we stop the enemy from achieving his objectives. That is what the halt phase is all about. If we can do that, then we could have saved the taxpayers the $10 billion it cost us to move 500,000 troops out to the gulf and we could have saved the $60 billion that we spent, we and our allies, on funding the war in the gulf. And the B–2, to purchase these additional nine airplanes will be somewhere between $11 billion and $13 billion. I think it is a wise, prudent investment.

The gentleman from California makes the strongest argument about why we should do it now. He says that if we do now, it is going to take 10 years to build these aircraft. You just do not go out and immediately get additional B–2's. It takes a long time to do a new bomber R&D program and it is very, very expensive.

So we want to buy the right number of planes while the line is still open, and the line is still open in southern California. Sometimes the gentleman makes it sound like it is in Bremerton, WA, but it is not. It is in southern California. That is why I think that we ought to do it now. We can get the planes for less money, they will be less expensive and I think it is the right thing to do.

The gentleman also talks like the war in the gulf was a slam dunk. The war in the gulf was not a slam dunk. The gentleman from Pennsylvania [Mr. MURTHA] is sitting here, our ranking member. He saw an errant Scud missile kill a number of his constituents. Had they had accurate Scud missiles in the gulf, our 500,000 American troops would have been vulnerable. They would have been vulnerable to attack either by chemical, biological weapons, nuclear weapons; they could have been destroyed in the field.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 5 additional minutes.)

Mr. DICKS. Mr. Chairman, the reason they could have been destroyed in the field is because of those Scuds. With the F–22 and the B–2, we finally will have a capability using Link-16 from space, from our satellites, to immediately target those Scud launchers. We will be able to go after them and we will be able to destroy them. We still need to do theater missile defense. That is the other critical component in order to protect our troops in the field.

I think this new revolution in stealth gives us an advantage. Why is 21 the wrong number? Twenty-one is the wrong number because in the early going, in that first 2 weeks of any war, it is sortie rate, it is how fast we can take that bomber, fly it in, drop those 16 smart bombs or those smart submunitions on the enemy and fly back out.

With 21 we simply cannot generate enough sorties to take advantage of the capability, and utilize the potential of this stealthy, long-range bomber with smart inexpensive weapons. So getting up to a higher level gives us more capability. We would be able to commit 20 to a major regional contingency; we would have 10 in reserve for a second major regional contingency.

I want to say something else. This Congress should never be ashamed to stand up to the Pentagon and say they are wrong. We did it on the F–117's. The gentleman says the B–2's were not there. General Hoerner said if they had been there, and it was because they were not ready to be deployed yet, if they had been there, he would have used them just as he used the 117's.

We had 27 additional 117's because this Congress had the guts to stand up and do what was right for the country. Under the Constitution of the United States that is our responsibility, not to just take what they give us. We have stood up to them before. We made them buy additional Sealift. They would not have had any roll-on/roll-off ships to go to the gulf if it had not been for Congress and this committee. That is why we have to from time to time stand up and do what is right for the security of this country.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. CUNNINGHAM. Let me even add to that point. When I worked in the Pentagon, the Navy never ordered A–6's. They prayed that Congress would add them just to keep the line on so we could perpetuate it. Members can talk to General Fogleman or the Air Force generals, they pray that we will add this.

Yes, there are budgetary constraints. They asked for the B–2 in the first place because it had a mission. With the White House and other constraints cutting defense, there are limited dollars. But they want the B–2 for the mission because they know it is applicable and it is going to save pilots' lives.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California, the distinguished chairman of the Subcommittee on Military Procurement of the Committee on National Security.

□ 1215

Mr. HUNTER. Mr. Chairman, I think the point that we need to be able to have a large inventory of long-range aircraft is very, very essential in this debate. In 1962, we had 81 major overseas air bases that we could fly short-range aircraft out of. That 81 major overseas air base inventory is now down to 14.

Just a couple of weeks ago, the Japanese diplomats were hedging on whether they would allow us to use Japanese air bases for a second Korea contingency. Now if we overlay that fact, the shrinking bases overseas, with the fact that we are going to spend $350 billion on short-range aircraft, and the administration zeroing B–2 has not a dime for long-range aircraft, it does not make any sense. We have got to have the ability to strike from the United States.

And last, I would say to my colleague I thought the most dramatic speech in the debate, the lengthy debate we had in the authorization process, was when SAM JOHNSON, POW in Hanoi, looked out through the Hanoi Hilton and saw three B–52's in Operation Linebacker. That is when we struck the North Vietnamese in 11 days and brought them to the negotiating table; he watched three

B–52's destroyed, blown up in midair. Those are the planes that the administration is going to rely on for the next 40 years. According to their plan, they are going to use aircraft that were vulnerable 30 years ago.

So we have to ask the question what is the alternative. There is not an alternative to the B–2.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, I will not request any additional time, and I wanted to say to my colleague from California, both colleagues from California, this last statement is the most important one. What we really have here is a wonderful opportunity to save American lives in the future.

Again the gentleman from California makes the case when he says it was easy with air power in the gulf to defeat the enemy once we stopped them, but Saddam stopped himself. What if he had not stopped? We need a capability to stop him which the B–2 will give us because it can react and go anywhere in the world without having to have escort aircraft.

But when it gets right down to it, when those marines came in and the RPV's were there and the guys came running out to surrender to our RPV's, what it meant was they had been bombed into oblivion because we had total control of the air and we had the right bombers. The B–2's give us greater accuracy, they give us greater capability. It is a much more lethal bomber than the B–52 and the B–1 because it can operate by itself.

And so my point is what this is really about is saving American lives in the future, and that is why this is so important, and that is why this Congress cannot fold under pressure from a Pentagon that simply wants to take care of the services. We need some real thinking about the future. We need to take advantage of our technological advantage—the B–2 represents that advantage.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. CUNNINGHAM. Small point: The gentleman from Texas, Mr. SAM JOHNSON, saw three B–52's blow up. Those were shot down by SA–2 Fansong radar in an old technology, post-Korean vintage. Today they have got SA–3 surface-to-air missile, all the way through about 19, and the advanced technology. We were successful in Desert Storm with the 117 because we could go over downtown Baghdad and not be seen. That is what the B–2 brings to this, instead of the loss of lives, much more efficiency, not only the cost of training pilots, but aircraft and our effectiveness in combat, and that is what we call national security.

Mr. DICKS. I thank the gentleman for his contribution.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was actually in my office listening to this debate, and it took me back to the research project I did when I was first in Congress about 2 years ago and then the request for briefing after briefing on all the technology, all the smart weapons, we might say, and I learned to admire many of my colleagues who had worked so hard to make sure that those smart weapons were there, smart weapons like the B–2, and the B–2 being one that does not risk as many American lives, gets in, gets the job done.

But then I got to the point of finding out how many are enough, and I have listened to the debate, and I think the important thing for me was I looked back to the original debate over how many B–2's would be enough from the beginning. It was 10, then it was 20. We have now 21 in some level of construction, not all of them done, most of them not ready for flight, and we are already starting to say we need 9 more. I have been told they are needed because we want to keep some of the construction on, and these will be the ones we begin in 2002.

As I look at the priorities before us, it has been real hard for me because I have since the early 1980's, unlike some of my colleagues arguing for this amendment, I have been a hawk; I am very strong, very strong pro defense. I was a Democrat turned Republican over the peace through strength movement in the early 1980's, came in because of Ronald Reagan. And so when I looked at this I thought is America going to be stronger, safer? Are we going to be able to save more American lives if we have 9 on top of the 21?

My briefings did not show me that we needed another nine; very hard when I stand here with people I admire so much who have fought so strong for a national defense, but I have to respectfully disagree.

When it comes to priorities and balancing the budget, I believe we have to have a strong America, but we have to balance the budget. I believe that this amendment simply says that some of the money, a very small amount, $50 million, will be there for breast cancer research in the military department.

In looking at this particular program as someone that does not necessarily believe just because we give somebody money they are going to do something good with it, I found it is the most effective, the most efficient, good for the military families, and this is somewhere else I go. I believe that good strong military medical, good strong research for America, all ties together. It does not have to be more bombers.

So with that I would conclude and just say I support this amendment because I just have to respectfully disagree. I believe right now we are on the verge of discovering more about breast cancer and cancer, and the research has been sorely underfunded. This could save lives immediately, not maybe after 2002; and by the way, it takes a long time to develop those planes. We are way into 2010 before we start talking about anything being used. If we had a war, it is many, many years before we would use them if we ever needed them, but breast cancer is killing people right now.

So with that, I would ask Members to support this amendment and support a strong national defense.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all time remaining in the discussion on this amendment be limited to 20 minutes, 10 minutes to be controlled by the gentleman from Wisconsin [Mr. OBEY] and 10 minutes to be controlled by myself.

The CHAIRMAN. Does the gentleman include all amendments thereto?

Mr. YOUNG of Florida. Including any amendments thereto.

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

Mr. SANDERS. Reserving the right to object, Mr. Chairman, if I might, I would just ask the gentleman from Wisconsin [Mr. OBEY] if he thinks that is enough time to accommodate this side to make their presentations.

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

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

Mr. OBEY. Mr. Chairman, I think it is enough time. I mean we cannot give everyone who wants to speak 5 minutes, but we can give them a good amount of time to speak. I think it is adequate. I only know of two people who want to speak on our side.

Mr. SANDERS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. YOUNG] and the gentleman from Wisconsin [Mr. OBEY] each will control 10 minutes.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, as I understand the amendment, the gentleman takes some of the money out of this account and makes it available for breast cancer research. I was just wondering does that prohibit other kinds of cancer research, in the case of prostate cancer research, and does the bill allow for that?

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

Mr. MILLER of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would point out the bill already contains a small appropriation for prostate cancer research as well, and I would certainly have no objection if in conference this is reallocated so we can provide additional funding for both breast cancer research and prostate research.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman, and I rise in strong support of the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I want to start by thanking the distinguished chairman of the subcommittee and thank him for the way he has conducted this debate.

Mr. Chairman, let me issue my dissent, my objection, to what I think is one of the cruelest tradeoffs that can ever been offered on the House floor, and it has been offered here, and that is the idea that if we do not build B–2's, somehow we are going to spend the money on a lot of happy areas like breast cancer research and other attractive areas that all of us, as Members of Congress, want to fund. That is a tradeoff of guns for butter.

As my colleagues know, I am reminded, when I visit my aunt and uncle's house in Fort Worth, TX; there is a picture on the mantle, and that picture is one of my second cousins who was killed in Korea, Son Stillwell. He was killed in Korea, one of some 50,000 KIA there in a war that we were not prepared to fight because a previous Congress, a Congress after World War II, did not want to spend the money for a strong national defense, and we had all the same answers that have been given here today as to why we do not need a robust B–2 force.

Things are going well. No enemy on the horizon. In those days we said we have a nuclear weapon, we will never see another military take us on, certainly the North Koreans and the Chinese would not take us on.

If my colleagues read the then Secretary of Defense's testimony a few months before the North Koreans invaded, we had all of the happy talk about a smaller downsized force; only Omar Bradley had the guts to come before Congress and say, ''We can't win a major war.''

Mr. Chairman, as my colleagues know, we do not serve our people well, all those people who are interested in breast cancer research, and a good life and educational opportunities, unless we defend them.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

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

Mr. DICKS. Mr. Chairman, just in case somebody does not think there is money in this bill, there is $125 million in this bill for breast cancer research already.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his point, and it is a good point. We have taken care of many of these other areas that have been discussed that have been offered up as an attractive alternative to having some bomber power.

But as my colleagues know, General Fogleman is going out. One of his sins in Washington, DC, I think, was being extremely candid. I asked him in a hearing whether the B–2 was valuable because the word coming from the other side, from the political side, of the administration was we do not want B–2's, and being good soldiers, all of our chiefs then go down the line, they sit in front of us at the dais, and they stand behind the administration's political position on any particular weapon system. And he said this. He said:

''I didn't say the B–2 wasn't valuable. The B–2 is extremely valuable, especially in the halt phase of a war, that you stop the enemy before you have a lot of casualties, before you send home a lot of your people in body bags.''

And then he hesitated, and he said:

''In fact it is valuable in all phases of the war.''

And I said, ''General Fogleman, would it save American lives to have a robust B–2 force?''

And he said, ''Yes.''

So the point is there is not a body of military opinion over there that says this is not a valuable system. It is a valuable system. We need to support this important program.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont [Mr. SANDERS].

□ 1230

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

Mr. Chairman, I would urge the Members of Congress to take a hard look at reality, at what really is going on in this country. Do we want the United States to have the strongest military in the world? I think we do. Do we already have that capability? Have we already, along with our other NATO allies, greatly, greatly, many times overspent all of our potential enemies? And the answer is yes.

I ask my friends who are opposing the Obey-Dellums amendment to think about priorities. If they want the strongest military in the world, OK; but are they happy with the fact that we have by far the highest rate of childhood poverty in the industrialized world? Is that something that Members of this Congress should be proud of? Should we be talking about spending over a period of years $27 billion more for B–2 bombers, and then telling millions of kids who are ill-fed, ill-housed, ill-educated, that in this great Nation we do not have the resources to help them, but we can build B–2 bombers? My answer is, no, those are absurd priorities.

There are people here who day after day talk about the national debt and our deficit. They say we have to cut back on Medicare and Medicaid and education. Let me tell them, spending $27 billion for B–2 bombers also runs up the national debt. That is real money.

Recently we have been talking about major cutbacks in Medicare, $115 billion. There are some who say we should charge low-income senior citizens $5 for every home health care visit, which can amount to some $700 a year for a low-income senior citizen trying to get by on $9,000 a year. People say, yes, that is what we have to do to balance the budget. Then the next thing, they come back and say, oh, yes, but we can spend $27 billion for B–2 bombers. I think those are very false priorities.

Let us talk about job creation. All of us want job creation in America. Do Members know how we can do it? We can do it by putting more money into school construction. We can do it by building roads and bridges and protecting our infrastructure, which is falling apart all over America. We can do this by educating more people.

When we talk about national priorities, let us understand, there are millions of middle-class families who today cannot afford to send their kids to college. What we are saying to those people is no, we do not have enough money to make sure that your kids can go to college so they can make it into the middle class, but yes, no problem, over a period of time we can build nine more B–2 bombers that the Pentagon says they do not want, for a cost of $27 billion.

Mr. Chairman, I would urge my colleagues to understand that we are playing with a zero-sum game. We just cannot print more and more money. Let us get our priorities straight. Let us support the Dellums-Obey amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Chairman, I want to thank the chairman for yielding time to me, and thank him for the good work he has done on bringing this bill to the floor and on this ongoing debate that we constantly have on the B–2 bomber.

I have not yet heard the other side, those in opposition, who are so strong in their opposition to this plane, what they figure we would use if we did not have this plane. I know there has been some talk of possibly another kind of bomber somewhere down the road, but there has been, what, $15 billion, $20 billion spent on R&D on this plane. I cannot see anyone here in this body that would begin to propose $15 billion to $20 billion R&D to build a new aircraft. This is the cheapest plane we could buy at this time.

This is the only plane that has a production line, even though it is now being closed up, that does have a production line, one that the manpower is there, the technology is there; and we are in the process of taking this apart, wasting all of that money that was spent. I think that is something that really, it would be wonderful if we could look into the future and say no, we will never need another long-range bomber. We need to stand up and defend this plane to defend our service people.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank my colleague for yielding time to me.

First, Mr. Chairman, let me say this: This has not been a debate. This is a very complex issue. It takes some time to lay the basis of the foundation of the arguments on either side. But once we spend enough time laying down the basis of our respective positions, allowing us to clash and debate with each other, someone jumps up and says we spent too much time. This has not been a debate. We end up with a triumph of process over substance. I think that is tragic. These are dark days in the Congress when we cannot engage each other in constructive and important debate.

Mr. Chairman, with the time that I have remaining, let me just make a few rebuttal arguments. First, I would like to remind my colleagues, we are building 21 of these planes. It is not zero. We are building 21 of these planes. For anyone to attempt to suggest to the American people that there is great magic in going from 21 to 30 is bizarre in the extreme, particularly when that step takes us $27 billion down the road.

Do we have an inventory of bombers? Yes, sir. We have 95 B–1's, extraordinarily well equipped. In fact, they can take more of these precision-guided smart weapons than even the B–2 can, plus 21 B–2's, plus additional upgraded B–52 bombers. So we have a major bomber force out there. Where are we going to fly them? Who are we flying them against?

We talk as if we have zero. We are the greatest superpower standing. Our military budget equals the military budget of every other Nation on the face of the Earth combined. When we put our allies into that equation, America and its friends outspend the rest of the world 4 to 1. That is reality.

Mr. Chairman, another point. Former Secretary of Defense William Perry, the father of the B–2 bomber, opposed additional B–2's because he knew what we were giving up in order to purchase more B–2's. Former Secretary of Defense Cheney was the one that struck the deal on 20.

The next point, people keep walking up to the microphone saying, we have had this debate over and over. It was supposed to be over at 20. This gentleman did not start the debate. It is the people who represent the contractors who want to keep bringing this weapon system forward. The administration is not asking for it, the Joint Chiefs are not asking for it. Nobody is asking for it except the contractors and a few Members of Congress; so few willing to spend so much money, Mr. Chairman.

Finally, I would ask my colleagues to approach this matter with a degree of fiduciary responsibility that is required by the moment. This is a balanced budget environment. This is a zero-sum game. You cannot create money out here. If you push this program in, you are going to push something out. You are going to hurt some people. I urge my colleagues to support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. DICKS].

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate the gentleman yielding to me. I would just like to respond by way of comment to the question of the gentleman from California [Mr. DELLUMS].

I, too, thought the question was over at 20, and then just before the election the President asked for the 21st. I thought he was getting a new understanding that a third squadron might be helpful, so it seems to me we ought to revisit this issue. I appreciate my colleague raising the question.

Mr. DICKS. Mr. Chairman, let me say this: This debate on the B–2 has been a long, difficult debate. I can understand my colleagues who think it is going to hurt something. But my view of this is that of everything we are doing at the Pentagon today, not one other weapons system has the potential capability to deter war as does the B–2. Take this platform that is stealthy, that can go one-third of the way around the world and stop the enemy from achieving their objectives, and that is a remarkable capability.

What are the weapons we are going to use on this? J-DAMS at $13,000. If we do not have the B–2's, then we have to use the B–52's with standoff cruise missiles that cost $1.2 million per weapon—16 times $13,000 is $208,000, versus $1.2 million. You get 16 weapons on a B–2 for the cost of one-sixth of one cruise missile. It is ridiculous. This will save us money over time. And you can fly in over the target and knock out 16 separate targets in one sortie. In World War II, it took 3,000 sorties in order to be able to achieve that objective.

This is a revolution in technology. What it gives us is an asymmetrical capability to stop the enemy before they achieve their objective. What does that mean? It saves American lives. It saves American lives.

Unfortunately, Mr. Chairman, I say to my friend, the gentleman from California, I supported the B–1, but the B–1 is not stealthy. It has to have escort aircraft. It cannot go out the first day without being vulnerable to being shot down, just as the B–52's will be shot down. That is why we have to have some number of long-range stealthy bombers to stop aggression, whether it is North Korea, whether it is Iran, whether it is Iraq, whether it is something in China. We do not know what the future holds, but every time we have been weak before, we have gotten ourselves into trouble. Here is a capability that gives us an advantage that no other country possesses.

Yet, we are going to walk away from it and say well, we have enough. We do not have enough. Every expert who has looked at this, all independent studies, Rand, Jasper Welch, all say 40 to 60 is the right number. We are saying 30 is all we can afford at this point. I urge the House to reject this amendment. This is a great moment for us to stand up and set our defense priorities for the future.

Mr. OBEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, let me simply say, in response to the last comment, keep in mind this is a weapon which is a cold war weapon. It was designed originally to drop nuclear weapons upon the enemy. There is a substantial question about whether or not, when it is converted to conventional use and you have to use it on repeated missions, whether or not the stealth capability of this weapon can be retained under those kinds of battle conditions. I think people need to remember that.

Second, let me simply summarize, this weapon is not being driven on the merits, in my view, it is contractor-driven. We have had a lot of comments about the necessity to make the right decision militarily for the country. Does anybody on this floor believe that the existing Secretary of Defense, an honorable Republican from the Senate, does anyone believe that he is not going to try to make the decisions which he believes will save the most American lives and meet the greatest defense needs of the United States? I do not know of anybody who believes that about him.

I simply want to read what his own summary said on this weapon: ''First, the B–2 would not provide the full range of warfighting and shaping capabilities offered by the forces it would replace''. It then goes on to say, ''For example, missions such as air superiority, reconnaissance, and forward presence would suffer. Second, the additional B–2s did not provide the same weapons delivery capacity per day as the forces that would have to be retired to pay for the B–2s.''

It then concludes by saying, ''* * * existing forces would have to be retired immediately to pay for the additional B–2s. Even then, the savings from retiring the forces are not enough to offset the large up-front investment for the B–2s * * * and there would be a loss in warfighting capability during the decade or more between when the outgoing forces were retired and all the B–2s were delivered.''

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I think that is pretty clear. What we are simply asking Members to do is to save the $331 million in this bill for nine planes which the Pentagon does not want because it wants other greater defense capability. By doing that, we avoid making a down payment on a $27 billion expenditure that we cannot afford and instead we use that $331 million, we use two-thirds of it to cut the deficit. We use 12 million of it to increase breast cancer research in the Pentagon medical operation, and we use $105 million of it to strengthen the

tanker capability of our Armed Forces which, as everyone knows, needs upgrading. That is what we do with the money.

This amendment strengthens, not weakens, the defense of the country. It follows the recommendations of the Pentagon itself. It helps avoid a veto, which the Pentagon has indicated they will recommend if this amendment does not pass.

If Members are interested in the best possible defense for the country and the best use of taxpayer dollars at the same time, they will vote for this amendment.

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

Mr. Chairman, several questions have been raised that really have not been answered. The question about how many B–2's does the Pentagon want or did the Pentagon want, I remind my colleagues that in the beginning of the B–2 program, the Defense Department wanted 132 B–2's. When funding was obviously difficult, they reduced it to 75. And funding was even more difficult, they reduced it to 20. And as my colleague from California pointed out, when it became politically advantageous, the 20 went up to 21.

So the Department of Defense has been all over the board on how many B–2's they wanted. The Congress is of the opinion as we voted on the armed services authorization bill last month, that there should be nine additional B–2's to make it a three squadron force.

Where would the money go? The amendment would take this money from the B–2 line and put it into KC–135 reengining. In that account we are already $152 million over the budget. The breast cancer program that most all of us support, the administration has never asked for it in the defense appropriations bill, but we have for years have funded it, and this year this bill is $125 million over what the President's budget was. That was a big zero.

The gentleman from Vermont [Mr. SANDERS] talked about how we outspend everybody else in the world, and there is a lot of reason for that. One reason is we are an all-volunteer force. We do not have a draft. We do not require that people serve in the military of the United States. We believe that those who do volunteer and that those who do serve should have a decent quality of life, that they should not have to live in hovels, that they should not have to live on food stamps. So we include in this bill a pay raise. We include in this bill additional money to repair barracks. We include in this bill additional money for medical care for those who serve in the military and their families.

In fact about 70 percent of the money appropriated in this bill goes for those types of items, not to buy airplanes or ships or guns or tanks but to take care of our troops.

Then, Mr. Chairman, if I were Saddam Hussein or a would-be Saddam Hussein, a would-be dictator and I saw that the United States has something as effective and powerful as a B–2, I would be very careful before I agitated or did something to bring the wrath of the United States against me.

It is difficult to prove a negative. But because of the effectiveness of the B–2 and the deterrent value that it brings to our force, how many wars, how many battles will we not have to fight?

It is hard to tell. But if we just did not have to fight one battle because we had something like the B–2, how many American lives would we save?

That is what we are talking about, accomplishing the mission and saving the lives of the Americans who do it.

Mr. DELAY. Mr. Chairman, I rise in opposition of this amendment.

It is no surprise that some Members would oppose a defense program that actually works to defend this Nation.

Some Members simply believe that our defense needs are secondary to social spending.

I disagree.

I believe that the highest value this Federal Government has is defending our people against external threats.

Some Members believe that those threats to our Nation's survival are in permanent decline.

This is wishful thinking.

We live in an age when dictators are alive and well. They are busy stockpiling nuclear, biological, and chemical weapons.

We must prepare to defend ourselves against these very real threats, and the B–2 has proven time and again to be a potent and effective defensive weapon.

The notion that the B–2 is needlessly extravagant is simply wrong. The Air Force has estimated that a B–2 with two crewmembers could conduct an attack normally involving 75 tactical aircraft and 147 crewmembers.

The procurement and life-cycle costs of 75 tactical aircraft approaches $7.5 billion. The comparable cost for one B–2 is $1.1 billion.

Clearly, the B–2 provides us with the best opportunity to protect U.S. interests at the lowest cost and with the best possible technology.

I hope that my colleagues will make the right choice tonight.

A vote against keeping the B–2 line open and operational is shortsighted and we simply cannot afford to make such ill-considered, shortsighted choices.

I urge a "no" vote on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. 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 198, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $2,320,741,000, to remain available for obligation until September 30, 2000.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $414,884,000, to remain available for obligation until September 30, 2000.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 196 passenger motor vehicles for replacement only; the purchase of 1 vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $232,340 per vehicle; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $6,588,939,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph $14,843,000 shall not be obligated or expended until authorized by law.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 381 passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $2,186,669,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, $349,680,000 shall not be obligated or expended until authorized by law.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other

weapons, and other procurement for the reserve components of the Armed Forces; $850,000,000, to remain available for obligation until September 30, 2000: *Provided*, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component: *Provided further*, That of the funds appropriated in this paragraph, $154,895,000 shall not be obligated or expended until authorized by law.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $4,686,427,000, to remain available for obligation until September 30, 1999.

Mr. HAYWORTH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I claim this time for purposes of entering into a colloquy with the distinguished chairman, the gentleman from Florida, of the Subcommittee on National Defense.

I would like to bring the DRAGONFLY program to the gentleman's attention. The DRAGONFLY program will demonstrate the revolutionary flight potential of the canard rotor/wing or CRW high speed vertical takeoff and landing concept and to assess and validate CRW's characteristics and capabilities using unmanned aircraft technology.

Details on this revolutionary program came to my attention too late to be included in the defense appropriations bill now under consideration. I understand that the Defense Department plans to pursue this technology. However, due to budgetary constraints, funds could not be included in this year's budget request.

Mr. Chairman, I respectfully request that the gentleman's subcommittee consider the funding requirements for the DRAGONFLY program during conference on the defense bill.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would say to the gentleman that I agree that the DRAGONFLY technology appears promising and that the committee will consider the gentleman's request during the conference and address this issue during that time.

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman for his consideration and assistance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $7,907,837,000, to remain available for obligation until September 30, 1999: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $14,315,456,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds made available in this paragraph, $4,000,000 shall be only for development of coal-derived jet fuel technologies.

AMENDMENT NO. 5 OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows.

Amendment No. 5 offered by Mr. NADLER:

Page 32, line 11, after the dollar amount, insert the following: ''(reduced by $420,000,000)''.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided and controlled by the gentleman from New York [Mr. NADLER] and myself.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. NADLER] and the gentleman from Florida [Mr. YOUNG], each will control 15 minutes.

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

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

Mr. Chairman, I am offering an amendment to reduce the appropriation for the F–22 fighter plane program in an effort to demonstrate our concern over the continued cost growth for this program. This year the Air Force is requesting $2 billion for research and development of the F–22. Last year the Air Force estimated that the 1998 cost would be $1.65 billion, the amount set by my amendment. This amendment is a modest reduction in funding, not a cancellation of the costly F–22 program.

Many Members of Congress have expressed support for the F–22 program. I for one oppose it. But if we are going to spend tens of billions of dollars on it, if we are going to spend $27 billion on it, we had better make sure the money is properly spent. Senator COATS of Indiana has recognized this and championed a similar amendment to this in the Senate defense authorization bill. This amendment therefore should enjoy at least some bipartisan support in both Houses.

The F–22 is one of three different types of tactical aircraft being developed for future deployment. The estimated total program cost of the three tactical air programs in the President's budget, the F–22, the F/A–18E/F and the Joint Strike Fighter will be well over $350 billion.

The Committee on National Security reports that, quote: ''the long-term costs associated with DOD's modernization plan are staggering.'' At a time of fiscal restraint, developing three planes concurrently, three tactical airplanes at the same time seems duplicative and wasteful. While we are asking taxpayers to make sacrifices, we must be vigilant in our duty to guard against unnecessary spending. These dollars could be used to greater benefit.

We heard some of the better uses to which they could be put in the debate on the previous amendment. The F–22 program has been plagued by cost overruns and poor project management. Both the Air Force and the cost analysis and improvement group in DOD estimated increased cost for F–22 production above and beyond what was previously authorized. In testimony prior to the National Defense Act for Fiscal Year 1997, the Air Force informed the Senate Committee on Armed Services restructuring the program had been costly in the past and had resulted in future cost escalations.

This program is a poster child for Defense Department waste. We cannot allow these costs to keep creeping upward unchecked.

This year's request for a funding increase is based in part on the cancellation of four preproduction vehicles, foregoing production of 54 operational aircraft and transferring those funds into the engineering and manufacturing development account. So this transfer of funds means the number of planes produced will be decreased while the costs will continue to increase.

The Air Force therefore appears to be asking to do less with more rather than the opposite of what we usually hear that we ought to require government departments to do.

According to the GAO, the F–15E, which the F–22 is designed to replace, will continue to be the premier tactical aircraft in the world at least until 2010. Events in the Persian Gulf suggest that current tactical aircraft are more than able to counter any likely threat to United States forces. The U.S. may need one new fighter program for the years after 2010 but not three at the same time. We must reduce this program now and make it very clear that defense contractors will not be rewarded for high costs.

It is time we looked at our defense programs with a little more scrutiny. We must not simply rubber stamp a bloated defense budget that includes billions of dollars in excessive funding simply because we fundamentally believe, as we all do, in providing for a strong defense.

We must have the moral strength to reduce funding for defense projects even if they are built in Marietta, GA, and other reasons represented by powerful Members of the House. To ignore

these cost overruns and do nothing would be a gross disservice to the American people. To increase funding under such circumstances for an expensive program with a poor record of financial restraint would be an extreme case of protecting special interests at the expense of hard-working taxpayers.

It is a disservice to the American people that year after year we refuse to open the size and scope of our defense budget. I urge my colleagues to join me in fighting to keep costs under control even if those costs appear in a defense bill. The Defense Department should not be immune from our normal cost-paring efforts.

Again, this amendment will simply reduce the R&D for this development of this fighter plane to the amount that the Air Force requested a year ago that they would request for this year. Again, in the situation in which we develop three tactical aircraft at the same time, I think this is a very modest request, a very modest amendment, and I urge my colleagues to support this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM], who is from the Vietnam era, an aviation ace who has flown against these aircraft, who has had them fly against him. He has been shot at and he shot them down. I think he is an expert on this subject.

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

I understand part of the gentleman's amendment, that when we have a lot of different programs that we have to buy, then there is limited dollars. But I would also tell the gentleman that that has been created not artificially but by this very body. When we keep cutting defense, procurement, about 70 percent, when we have additional BRACC rounds and that takes, base closing rounds and that takes additional dollars, when we increase the operations tempo higher, higher than during the Vietnam conflict, which wears out our equipment, then we cannot put the money in research and development. We want to take money and advance the procurement for a carrier, which would save $600 million. But if we take money out of that carrier from, say, the F–22, we take it from any of the other programs, then those costs go up.

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So, eventually, we override the costs and we cannot even buy smart.

Those that are proponents of reducing defense, and they have that right, I disagree with that. But those that do, cost us not only national security but we cannot even buy smart because we cannot buy and keep a line open. We have to shut down a line, and we have to open it. We have to lay off workers and bring them back on. That is very costly.

But I want to talk tactically. These are some of the aircraft that the F–22 would have to go out and fight. I have flown most of what we have in the United States inventory and most of what the Soviets have. I can tell my colleagues their capabilities. I can tell my colleagues about their radars, their missiles, their maneuverability, what their electronic warfare equipment is, all the different tactical applications.

The F–22 will have a much different mission, say, than the FA–18EF. It will be more of a hunter-killer, flying with four to eight aircraft protecting B–2's, or actually on what we call a Mig cap, going in prior to going into a target and sweeping the area and having blue water and fleet air defense, as well as air superiority. As General Fogleman says, we need air dominance. We had air superiority in Desert Storm.

But as we go in, I would ask my colleagues to take a look at the reasons that we need these airplanes. The F–22, a lot of it is for the same reason that we needed the B–2. The F–22 is one of the new stealthy airplanes that we have to go in against a target and that the enemy, all those fighters that I showed my colleagues previously, do not know that they are there.

When we close in on a fighter and he does not know we are there, we get first shot, he does not. Right now, most of those airplanes on that other chart have missiles that will go farther than ours, they go faster and they detect us first. With the F–22, they do not detect us. It allows our shorter range missile to get inside so that we can fire and launch and leave, and now our guys are going to live. That is the value of the F–22.

Now, it is an Air Force airplane. I flew in the Navy. Why would I support an Air Force airplane? Because it is part of national security and it is part of the defense of this country. In this humble Member's opinion it is an aircraft that we need.

I agree there are not enough dollars to go around, and we could buy other programs, but when we take from one to give to the other, then the additional costs go up and that is not effective.

I would say to my friend that in this other chart, the aircraft of tomorrow are here today, only the United States does not have them. I am alive today because I had better training than the enemy. I am alive today because the airplane, the F–4 Phantom in Vietnam was better than the Mig-21. The missiles I had, the Sparrow and the Sidewinder, were better than the Aphid and the Apex, but that is no longer true.

This is the research and development. And I will be happy to take my colleagues up on the fourth floor where we can talk about the secure programs, the black programs that exist in this airplane, that are star wars technology that none of the other airplanes have and none of the other countries have. This will be an airplane for the future. This is an airplane that will mean the difference between life and death for our aviators, our men and women.

Mr. NADLER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I rise in support of the gentleman's amendment, and let me explain why.

I do not think there are many Members of this House who are more greatly respected than the gentleman from California [Mr. CUNNINGHAM]. I think he is respected both as a legislator and for his past service to this country in his military capacity, and because he is a genuinely nice person to know. But I want to say, nonetheless, that I think on the merits this amendment has the better of the argument.

I make that statement for this reason. The Pentagon is going to be buying three new tactical aircraft. One of them is the F–22. We are supposed to purchase them to replace the F–15. The F–15 is probably the finest fighter the United States has ever known. We have over 700 of them. The problem with this is that the cost of the F–22 has apparently been escalating by about 20 percent, if we take a look at the latest information, and that means it is going to cost about $85 billion to buy 438 of these babies.

Now, the Congress hires the GAO, the General Accounting Office, to try to give us the best possible advice about how we ought to spend our money to get the biggest bang for it. And what they indicate is that the F–15, which is the plane that the F–22 is designed to replace, will last us at least until the year 2015.

They indicate, therefore, that they believe the purchase of the F–22, which is in this bill, is at least 7 years premature. They think there will be at least a 7-year overlap between the use of the F–22 and the F–15. So they, therefore, suggest that we slow down the purchase of the F–22's so that we do not run up the cost of this program any more than is necessary. I think that is the correct thing to do.

I would also point out that people say, ''Well, we have a huge threat that we have to respond to.'' They do not point out that many of the countries that possess the planes that we are worried about are countries such as France, which the last time I looked was our ally. They do not point out that the Rand Corp. says this about the threat to the United States: ''The air power forces of the former Soviet Union are fragmented and their recovery would take many years. The air fleets fielded by other potential adversaries are small and aging.''

Another Rand study concludes that China will retire about half of its fighters and tac aircraft within the next 10 years and that they cannot afford to replace them. And if we ask the Defense Department, they will tell us that they believe that there will be few purchases of high performance fighter aircraft by any potential U.S. adversaries any time soon.

So I think the gentleman's amendment is a perfectly reasonable one. We all know we are going to have this plane some day, and it will, by all accounts, be a magnificent airplane. But the fact is we have competing needs in this defense budget and, once again, I tell my colleagues that this budget contains nothing but false promises if it continues to pretend that it can live under the existing 5-year budget ceilings that are established for it and still buy all of the new weapon systems, including tactical aircraft, which people are hoping to buy.

There just is not going to be enough room in that bag to buy everything that we are scheduled to buy. Sooner or later we will have to make a decision about which purchases we are going to eliminate, or else admit that the 5-year budget ceilings that are talked about in this new budget agreement are nothing but a public lie.

Now, that is the hard choice of it, and the sooner Congress faces up to it, the better off we will all be, and that is why I think the gentleman is correct in pursuing his amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Chairman, first of all, I want to rise in opposition to the Nadler amendment. As I understand it, we would be cutting $420 million out of the F–22 procurement.

Now, what this would do would be to slow down this program.

Mr. NADLER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, I would advise the gentleman it is $420 million for the R&D, not procurement.

Mr. DICKS. Excuse me, Mr. Chairman, reclaiming my time, $420 million from the R&D account, not the procurement account. I wish we were in procurement, but we are not there yet. We are still in R&D.

What that will do is to slow down this program rather substantially. I think this is a program that has already been stretched out to such an extent that one has to be concerned about how much money we are going to spend on R&D to get this program into procurement.

Now, the F–22 is the Air Force's No. 1 priority. Now, anyone who listened to the earlier debate, I might have a different set of priorities for the Air Force, but they believe that the F–22, the air superiority fighter, is absolutely essential for the United States to be able, as we did in the Gulf war, to be able to gain air superiority once a war starts.

Of course, this is the airplane that will be involved in coming in, attacking other aircraft, attacking surface-to-air missiles, Scud launchers, and it will be very, very important in the early going in order to gain air superiority and to be able to cap the enemy so that they cannot get their aircraft off the ground.

Once we do that, then we can bring in all the nonstealthy assets that we currently possess, like the F–15's, the F–16's, the F–18's, et cetera. But it is the enabler. That is why stealth is so important, not just for bombers but also for our fighter aircraft. So I believe that this is one of the two or three most important programs we are involved in.

I think if we put together the F–22's and the B–2's, we get a tremendous synergism with an airplane that can give us air superiority and another one that can take advantage of that, to go in and knock out a variety of enemy targets and to ultimately allow us to win the war in such a way that we save American lives.

So I would argue strongly against slowing down the F–22, and that is what this amendment will do by cutting back R&D funding. I would assume it would slow it down for at least 1 year, maybe even more. It would have a devastating effect on the program itself.

Every time Congress gets up and does this, we adjust these programs, then the money is cut back, and then the contractors have to go back and readjust their entire schedule for developing the plane. So I feel very strongly that this program has already been interrupted and we should not do it again with this amendment.

Mr. Chairman, I urge a ''no'' vote on the Nadler amendment.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would like to simply take this minute to say that I agree with one point the gentleman has just made. I think it is a mistake for us to stretch out the purchase time for every large weapon system that we buy because it does raise the per unit cost.

But if we agree with that, then we have to face up to the choice that we have to cut out one or more of these weapon systems. And that is why, it seems to me, that the Congress is making a grave mistake if we do not eliminate one of the three tac air systems which the Pentagon is supposed to buy under this bill.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

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

Mr. DICKS. Mr. Chairman, I would say to the gentleman that one area we did not look at, that was not looked at in the Quadrennial Defense Review, is our nuclear weapons. I would argue we could make a reduction ourselves in nuclear weapons and use that money to fund these conventional programs which are usable.

I am a believer that nuclear weapons are there for deterrence and only deterrence, and we really do not get a hell of a lot of military capability out of them.

Mr. OBEY. Mr. Chairman, I do not argue with that, but unless we are willing to cut the number of systems we buy, then the only choice we have is to pursue what the gentleman is pursuing.

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from New York [Mr. NADLER] has 4 minutes remaining, and the gentleman from Florida [Mr. YOUNG] has 7 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas [Ms. GRANGER].

Ms. GRANGER. Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentleman from New York. The F–22 will be the Air Force's air superiority fighter for the first part of the 21st century. The Air Force needs the F–22 as soon as possible.

Right now the Air Force relies on the F–15 to fly its air superiority missions. The F–15 has served our Nation well and has been critical to ensuring that no American ground troop has been killed by enemy aircraft in over 40 years. But the F–15 is aging. Much of its technology was developed back in the 1970's and even the 1960's.

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Though it was far superior than anything in the world when it was introduced, the rest of the world has slowly but surely caught up with the F–15. We still might have an edge in air superiority, but it is a slight edge at best.

The effect of the adoption of the amendment of the gentleman from New York [Mr. NADLER] would be to continue to rely on this old technology for years to come and to just get by. We would keep on flying the aging F–15 and hope that the world does not completely catch up with us before we unleash the F–22 fighter wings.

Mr. Chairman, we cannot afford to compromise our national security interests, as well as the safety and security of the brave men and women who serve our country, by just getting by. Proponents of cutting the F–22 argue that the world is a safe place and that we face no imminent dangers that justify immediate production of the F–22. But one of the main reasons that we face no dangers today, and I stress today, is that any potential enemies recognize the superiority of American technology and fighting strength.

But the longer we delay incorporating 21st century technology into our military, the more we invite potential foes to take the chance that they can match us in battle. Investing in technology like the F–22 Raptor today will, therefore, save us in the long run. War will be much less likely to occur if our enemies and potential enemies understand that engaging our military in battle is a guaranteed losing proposition.

The costs of war, even the cost of a brief and successful war like Desert

Storm, are much greater than the cost of peace. But more important than the ultimate economic savings we will reap from preventing wars with investing in the F–22 are the lives of fighting men and women that will be saved. By preventing as many conflicts as possible and then by thoroughly dominating those few in which we might have to engage, the F–22 Raptor will minimize harm to our troops in the field. The mothers and fathers of our men and women in uniform will be able to sleep better at night knowing that their children are less likely to be in harm's way.

Mr. Chairman, the F–22 is needed, and it is needed without any additional delay in production.

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

Mr. Chairman, a number of arguments are made against this amendment. The argument is made by the gentleman from California, who we all respect, is that we have to have air superiority, which we all agree with, and that if we do not have the F–22, we will not have air superiority, and that American fighters in some future war, therefore, will, God forbid, die from lack of the superiority in the technical equipment.

The argument ignores two facts. First, we heard the gentleman from Wisconsin [Mr. OBEY] refer to the Rand Commission reports. The Rand Commission says the air fleets of potential adversaries are small and aging. They are not coming up with new technology fighters. We do not see the Russians doing the research and spending the money to produce the next generation of fighters. The Chinese Air Force is going to be retired and not replaced because they are not doing it either.

So with whom are we competing for this great new technology? The French, our allies? The Defense Department says they see few high performance aircraft any time soon anywhere else in the world, other than perhaps in France, our allies.

Second, we are not opposing the F–22. We are saying stretch out the time before the procurement, do not reduce the procurement time, stretch out the time before the procurement so that there is not a 7-year overlap with the F–15. We will have the aircraft when we need it. But we do not need three separate tactical aircraft programs at the same time.

Finally, let me say, again the gentleman from Wisconsin [Mr. OBEY] alluded to this, in this 5-year budget agreement that everyone is talking about today, we have Defense Department caps for each year. We are not going to be able to maintain them if we keep buying every weapon on system, if we need more B–2's, if we need three new tactical aircraft systems.

So what are we doing? We are penny pinching in operations and training and personnel, when we ought to be spending more money, instead of procuring large numbers of new weapons systems which we cannot possibly afford in the future and which we do not need. Some of them we need. But we have to make choices. Governing is about making choices.

This amendment is about making a choice, about reducing the cost overruns in this program, and hopefully giving us time to reconsider whether we need three tactical aircraft programs as a follow-on to the F–15, which, last time I looked, was one aircraft.

So I urge the adoption of this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time, and I rise in opposition to the Nadler amendment. I understand that it is well-intentioned. Even though the program has already been slowed down with the agreement of the Congress, it is the No. 1 priority for the United States Air Force.

The phrase ''air superiority'' has been used during this debate several times. Let me tell you what air superiority is. Air superiority is the ability of our pilots flying our airplanes to go into the war zone and to deny access to the air by the enemy planes, either to shoot them down or, as we did in Desert Storm, to scare them so that they run when they see our airplanes.

The other part of air superiority is the soldier on the ground. The soldier on the ground, when he looks up, he wants to see an American airplane in control of the sky, he wants to know that the airplane up there is not going to drop a bomb or some kind of munition on him. That is why air superiority is so important.

The F–22 will guarantee us air superiority and control of the skies in the world as we know it today. But as the gentleman from California [Mr. CUNNINGHAM] pointed out earlier, many other countries are building new and outstanding technology aircraft. We have got to be able to keep up with that.

In the year 2015, a date that has been mentioned when the F–22 might be fully capable, fully operational, the F–15, which is a tremendous airplane, will be 45 years old. My 10-year-old son has told me repeatedly that he wants to be a fighter pilot. Well, if that should happen and he cannot fly the F–22 until the year 2015, he can be flying a 45-year-old airplane. I do not want that to happen, and I do not want anybody else that is going to be flying a combat aircraft to have to fly a 40-year-old airplane.

It is just not right because it takes away his advantage, it takes away his edge over the enemy. All of us pray to God that we never have to send another pilot to war or another soldier to a ground war. But unfortunately that may not be the case. But we have got to go with the best equipment, the best technology, the best training that we possibly can so that our soldiers in the air, on the ground, our sailors on the sea, under the sea have the best training, the best equipment, the best technology possible so that they can, No. 1, accomplish their mission, Mr. Chairman, but No. 2, give themselves some protection while they are at it.

That is what this F–22 will do. It will help accomplish the mission and give our pilots protection and the ability to come home in their airplane, rather than come home as a POW or come home in a body bag. That is why this investment is a good investment and we ought to deny this amendment and allow the F–22 program to continue.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. NADLER].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment; $9,494,337,000, to remain available for obligation until September 30, 1999: *Provided*, That not less than $444,898,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program: *Provided further*, That funds appropriated for the Dual-Use Applications Program under section 5803 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (Public Law 104–208), shall remain available for obligation until September 30, 1998.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $268,183,000, to remain available for obligation until September 30, 1999.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $32,684,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, $9,300,000 shall not be obligated or expended until authorized by law.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds; $971,952,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve

Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); $1,199,926,000, to remain available until expended: *Provided,* That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all ship-board services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further,* That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further,* That the Secretary of the military department responsible for such procurement may waive these restrictions on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further,* That of the funds appropriated in this paragraph, $18,300,000 shall not be obligated or expended until authorized by law.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; $10,309,750,000, of which $10,035,682,000 shall be for Operation and maintenance, of which not to exceed three percent shall remain available until September 30, 1999, and of which $274,068,000, to remain available for obligation until September 30, 2000, shall be for Procurement: *Provided,* That of the funds appropriated in this paragraph, $55,300,000 shall not be obligated or expended until authorized by law.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $595,700,000, of which $472,200,000 shall be for Operation and maintenance, $67,200,000 shall be for Procurement to remain available until September 30, 2000, and $56,300,000 shall be for Research, development, test and evaluation to remain available until September 30, 1999.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $713,082,000: *Provided,* That funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further,* That of the funds appropriated in this paragraph, $51,411,000 shall not be obligated or expended until authorized by law.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $142,980,000, of which $141,180,000 shall be for Operation and maintenance, of which not to exceed $600,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $1,800,000, to remain available until September 30, 2000, shall be for Procurement: *Provided,* That of the funds appropriated in this paragraph, $4,600,000 shall not be obligated or expended until authorized by law.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $196,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account; $125,580,000, of which $39,011,000 for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 1999: *Provided,* That of the funds appropriated under this heading, $27,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, $1,500,000 for Procurement shall remain available until September 30, 2000, and $3,000,000 for Research, development, test and evaluation shall remain available until September 30, 1999.

PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law; $10,000,000, to remain available until expended.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102–183, $2,000,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided,* That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further,* That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further,* That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided,* That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided,* That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further,* That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further,* That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided,* That transfers may be made between such funds: *Provided further,* That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase

the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. (a) None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least thirty days in advance of the proposed contract award: *Provided,* That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further,* That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further,* That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further,* That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

Family of Medium Tactical Vehicles.

(b) None of the funds provided in this Act and hereafter may be used to submit to Congress (or to any committee of Congress) a request for authority to enter into a contract covered by those provisions of subsection (a) that precede the first proviso of that subsection unless—

(1) such request is made as part of the submission of the President's Budget for the United States Government for any fiscal year and is set forth in the Appendix to that budget as part of proposed legislative language for appropriations bills for the next fiscal year; or

(2) such request is formally submitted by the President as a budget amendment; or

(3) the Secretary of Defense makes such request in writing to the congressional defense committees.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided,* That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further,* That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 1998, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 1999 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1999 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1999.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided,* That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further,* That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8013. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 3015(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided,* That in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further,* That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided,* That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further,* That this subsection applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8014. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8015. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided,* That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further,* That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further,* That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8016. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided,* That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8017. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the

United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8018. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided,* That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further,* That the Department of Defense's budget submission for fiscal year 1999 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further,* That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further,* That each such Executive Agreement with a NATO member host nation shall be reported to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

SEC. 8020. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8021. No more than $500,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8022. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 10101 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under sections 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his or her State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8023. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8024. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8025. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8027. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase ''qualified nonprofit agency for the blind or other severely handicapped'' means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46–48).

SEC. 8028. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8029. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided,* That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8030. Of the funds made available in this Act, not less than $27,200,000 shall be available for the Civil Air Patrol, of which $22,702,000 shall be available for Operation and maintenance.

SEC. 8031. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) LIMITATION ON COMPENSATION.—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, may be compensated for his or her services as a member of such entity, or as a paid consultant, except under the same conditions, and to the same extent, as members of the Defense Science Board: *Provided,* That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 1998 may be used by a defense FFRDC, through a fee or other payment mechanism, for charitable contributions, for construction of new buildings, for payment of cost sharing for projects funded by government grants, or for absorption of contract overruns.

(d) Notwithstanding any other provision of law, the Secretary of Defense shall reduce the total amounts appropriated in titles II, III, and IV of this Act by $55,000,000: *Provided,* That the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by $55,000,000 to reflect savings from the use of defense FFRDCs by the Department.

(e) Within 60 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report presenting the specific amounts of staff years of technical effort to be allocated by the department for each defense FFRDC during fiscal year 1998: *Provided,* That, after the submission of the report required by this subsection, the department may not reallocate more than five percent of an FFRDC's staff years among other defense FFRDCs until 30 days after a detailed justification for any such reallocation is submitted to the congressional defense committees.

(f) The Secretary of Defense shall, with the submission of the department's fiscal year 1999 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

(g) The total amounts appropriated to or for the use of the department in title II of this Act are hereby further reduced by $86,300,000 to reflect savings from the decreased use of non-FFRDC consulting services by the department.

(h) No part of the reductions contained in subsections (d) and (g) of this section may be applied against any budget activity, activity group, subactivity group, line item, program element, program, project, subproject or activity which does not fund defense FFRDC activities or non-FFRDC consulting services within each appropriation account.

(i) Not later than 90 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report listing the specific funding reductions allocated to each category listed in subsection (h) above pursuant to this section.

SEC. 8032. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided,* That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further,* That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further,* That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8033. For the purposes of this Act, the term ''congressional defense committees'' means the National Security Committee of the House of Representatives, the Armed Services Committee of the Senate, the subcommittee on Defense of the Committee on Appropriations of the Senate, and the subcommittee on National Security of the Committee on Appropriations of the House of Representatives.

SEC. 8034. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided,* That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further,* That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8035. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1998. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8036. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8037. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8038. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided,* That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further,* That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8039. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8040. Notwithstanding any other provision of law, funds available for ''Drug Interdiction and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

SEC. 8041. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8042. Of the funds appropriated or otherwise made available by this Act, not more than $119,200,000 shall be available for payment of the operating costs of NATO Headquarters: *Provided,* That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8043. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $100,000.

SEC. 8044. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Working Capital Funds if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1999 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1999 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1999 procurement appropriation and not in the Supply Management Activity Group or any other area or category of the Defense Working Capital Funds.

SEC. 8045. None of the funds provided in this Act and hereafter shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided,* That this prohibition shall not apply to safety modifications: *Provided further,* That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8046. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1999.

SEC. 8047. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8048. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986, and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8049. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8050. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in

America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8051. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8052. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency, or to increase the number of personnel assigned to a field operating agency of a headquarters activity; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the Department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8053. Notwithstanding section 303 of Public Law 96–487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 2667(f), for commercial, industrial or other purposes.

SEC. 8054. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1998, the Department of Defense shall require that not less than 20 percent of the total of United States military students at each war college shall be from military departments other than the hosting military department: *Provided,* That each military department will recognize the attendance at a sister military department war college as the equivalent of attendance at its own war college for promotion and advancement of personnel.

(RESCISSIONS)

SEC. 8055. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

''Aircraft Procurement, Army, 1997/1999'', $10,000,000;

''Procurement of Ammunition, Army, 1997/1999'', $5,000,000;

''Other Procurement, Army, 1997/1999'', $46,000,000;

''Aircraft Procurement, Navy, 1997/1999'', $24,000,000;

''Other Procurement, Navy, 1997/1999'', $2,200,000;

''Aircraft Procurement, Air Force, 1997/1999'', $27,000,000;

''Shipbuilding and Conversion, Navy, 1996/2000'', $35,600,000;

''Other Procurement, Navy, 1996/1998'', $3,300,000;

''Research, Development, Test and Evaluation, Army, 1997/1998'', $7,000,000.

SEC. 8056. None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $250,000 per year.

SEC. 8057. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8058. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8059. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided,* That during the performance of such duty, the members of the National Guard shall be under State command and control: *Provided further,* That such duty shall be treated as full-time National Guard duty for purposes of sections 12602 (a)(2) and (b)(2) of title 10, United States Code.

SEC. 8060. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: *Provided,* That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8061. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1997 level: *Provided,* That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8062. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,218,000,000.

SEC. 8063. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8064. Appropriations available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8065. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided,* That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8066. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa: *Provided,* That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8067. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8068. Notwithstanding any other provision of law, the Naval shipyards of the

United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8069. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: *Provided,* That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8070. During the current fiscal year, the Army shall use the former George Air Force Base as the airhead for the National Training Center at Fort Irwin: *Provided,* That none of the funds in this Act shall be obligated or expended to transport Army personnel into Edwards Air Force Base for training rotations at the National Training Center.

SEC. 8071. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8072. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8073. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8074. None of the funds provided in title II of this Act for ''Former Soviet Union Threat Reduction'' may be obligated or expended to finance housing for any individual who was a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

SEC. 8075. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior year, and the one percent limitation shall apply to the total amount of the appropriation.

SEC. 8076. Notwithstanding 31 U.S.C. 1552(a), not more than $14,000,000 appropriated under the heading ''Aircraft Procurement, Air Force'' in Public Law 102–396 which was available and obligated for the B–2 Aircraft Program shall remain available for expenditure and for adjusting obligations for such Program until September 30, 2003.

SEC. 8077. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided,* That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further,* That the total amount charged to a current appropriation under this section may not exceed an amount equal to one percent of the total appropriation for that account.

(TRANSFER OF FUNDS)

SEC. 8078. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided,* That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further,* That the amounts shall be transferred between the following appropriations in the amount specified:

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1989/2000'':

SSN–688 attack submarine program, $3,000,000;

DDG–51 destroyer program, $1,500,000;

LHD–1 amphibious assault ship program, $8,000,000;

T–AO fleet oiler program, $3,453,000;

AOE combat support ship program, $3,600,000;

For craft, outfitting, and post delivery, $2,019,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1989/2000'':

SSN–21 attack submarine program, $21,572,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1991/2001'':

DDG–51 destroyer program, $1,060,000;

LHD–1 amphibious assault ship program, $1,600,000;

LSD–41 cargo variant ship program, $2,666,000;

AOE combat support ship program, $7,307,000;

For craft, outfitting, and post delivery, $12,000,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1991/2001'':

SSN–21 attack submarine program, $24,633,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LHD–1 amphibious assault ship program, $5,592,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

SSN–21 attack submarine program, $5,592,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1994/1998'':

LHD–1 amphibious assault ship program, $400,000;

DDG–51 destroyer program, $1,054,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/1999'':

For craft, outfitting, and post delivery, conversions, and first destination transportation, $715,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LHD–1 amphibious assault ship program, $17,513,000;

For craft, outfitting, and post delivery, conversions, and first destination transportation, $878,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1997/2001'':

For craft, outfitting, and post delivery, conversions, and first destination transportation, $3,600,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1997/2001'':

DDG–51 destroyer program, $24,160,000;

From:

Under the heading, ''Aircraft Procurement, Air Force, 1997/1999'', $73,531,000;

To:

Under the heading, ''Research, Development, Test and Evaluation, Air Force, 1997/1998'', $73,531,000.

SEC. 8079. The Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees by February 1, 1998 a detailed report identifying, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity, any activity for which the fiscal year 1999 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 1998.

SEC. 8080. (a). None of the funds available to the Department of Defense under this Act may be obligated or expended to reimburse a defense contractor for restructuring costs associated with a business combination of the defense contractor that occurs after the date of enactment of this Act unless—

(1) the auditable savings for the Department of Defense resulting from the restructuring will exceed the costs allowed by a factor of at least two to one, or

(2) the savings for the Department of Defense resulting from the restructuring will exceed the costs allowed and the Secretary of Defense determines that the business combination will result in the preservation of a critical capability that might otherwise be lost to the Department, and

(3) the report required by Section 818(e) of Public Law 103–337 to be submitted to Congress in 1997 is submitted.

(b) Not later than April 1, 1998, the Comptroller General shall, in consultation with the Inspector General of the Department of Defense, the Secretary of Defense, and the Secretary of Labor, submit to Congress a report which shall include the following:

(1) an analysis and breakdown of the restructuring costs paid by or submitted to the Department of Defense to companies involved in business combinations since 1993;

(2) an analysis of the specific costs associated with workforce reductions;

(3) an analysis of the services provided to the workers affected by business combinations;

(4) an analysis of the effectiveness of the restructuring costs used to assist laid off workers in gaining employment;

(5) in accordance with section 818 of Public Law 103–337, an analysis of the savings reached from the business combination relative to the restructuring costs paid by the Department of Defense.

(c) The report should set forth recommendations to make this program more effective for workers affected by business combinations and more efficient in terms of the use of Federal dollars.

SEC. 8081. Funds appropriated in title II of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided,* That for the purpose of this section, supervision and administration costs includes all in-house Government cost.

SEC. 8082. (a) The Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement to fully recover the costs for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray all costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8083. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided,* That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further,* That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8084. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure without fiscal year limitation: Funds obligated by the Army for contract number DAK F 40–92–H–5001 from funds made available in the Department of Defense Appropriations Act, 1992 (Public Law 102–172) under the heading ''Operation and Maintenance, Army''.

SEC. 8085. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure without fiscal year limitation: Funds obligated by the Economic Development Administration for EDA Project No. 04–49–04095 from funds made available in the Department of Defense Appropriations Act, 1994 (Public Law 103–189).

SEC. 8086. None of the funds provided by this Act may be used to pay costs of instruction for an Air Force officer for enrollment commencing during the 1998–1999 academic year in a postgraduate degree program at a civilian educational institution if—

(1) the degree program to be pursued by that officer is offered by the Air Force Institute of Technology (or was offered by that institute during the 1996–1997 academic year);

(2) the officer is qualified for enrollment at the Air Force Institute of Technology in that degree program; and

(3) the number of students commencing that degree program at the Air Force Institute of Technology during the first semester of the 1998–1999 academic year is less than the number of students commencing that degree program for the first semester of the 1996–1997 academic year.

SEC. 8087. Of the funds provided in this Act under the heading, ''Environmental Restoration, Air Force'', $10,400,000 shall be deposited into the Foreign Military Sales Trust Fund to the credit of the Canadian Government pursuant to the exchange of notes between the Governments of the United States and Canada concerning environmental cleanup at former United States' military installations in Canada.

SEC. 8088. During the current fiscal year, the amounts which are necessary for the operation and maintenance of the Fisher Houses administered by the Departments of the Army, the Navy, and the Air Force are hereby appropriated, to be derived from amounts which are available in the applicable Fisher House trust fund established under 10 U.S.C. 2221 for the Fisher Houses of each such department.

SEC. 8089. During the current fiscal year, refunds attributable to the use of the Government travel card by military personnel and civilian employees of the Department of Defense may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received.

SEC. 8090. During the current fiscal year, not more than a total of $60,000,000 in withdrawal credits may be made by the Marine Corps Supply Management activity group of the Navy Working Capital Fund, Department of Defense Working Capital Funds, to the credit of current applicable appropriations of a Department of Defense activity in connection with the acquisition of critical low density repairables that are capitalized into the Navy Working Capital Fund.

SEC. 8091. Notwithstanding 31 U.S.C. 3902, during the current fiscal year interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8092. At the time the President submits his budget for fiscal year 1999, the Department of Defense shall transmit to the congressional defense committees a budget justification document for the active and reserve Military Personnel accounts, to be known as the ''M–1'', which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel in any budget request, or amended budget request, for fiscal year 1999.

SEC. 8093. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $100,000,000 to reflect savings due to excess inventory, to be distributed as follows: ''Operation and Maintenance, Army'', $15,000,000; and ''Operation and Maintenance, Navy'', $85,000,000.

SEC. 8094. The amount otherwise provided in this Act for ''Environmental Restoration, Army'' is hereby reduced by $73,000,000, to reflect funds carried by the Army as a result of shared cleanup costs.

SEC. 8095. Notwithstanding any other provision in this Act, the total amount appropriated in title III of this Act is hereby reduced by $50,000,000 to reflect savings from repeal of Section 2403 of title 10, United States Code.

SEC. 8096. None of the funds in this or any other Act may be used by the National Imagery and Mapping Agency for any mapping, charting, and geodesy activities unless contracts for such services are awarded in accordance with the qualifications based selection process in 40 U.S.C. 541 et seq. and 10 U.S.C. 2855: *Provided,* That an exception shall be provided for such services that are critical to national security after a written notification has been submitted by the Deputy Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8097. During the current fiscal year, the Secretary of Defense may award contracts for capital assets having a development or acquisition cost of not less than $100,000 of a Working Capital Fund in advance of the availability of funds in the Working Capital Fund for minor construction, automatic data processing equipment, software, equipment, and other capital improvements.

SEC. 8098. The Secretary of Defense shall submit to the congressional defense committees not later than November 15, 1997 an aviation safety plan outlining an appropriate level of navigational safety upgrades for all Department of Defense aircraft and the associated funding profile to install these upgrades in an expeditious manner.

SEC. 8099. The Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and Senate, not later than April 15, 1998, a report on alternatives for current theater combat simulations: *Provided,* That this report shall be based on a review and evaluation by the Defense Science Board of the adequacy of the current models used by the Department of Defense for theater combat simulations, with particular emphasis on the tactical warfare (TACWAR) model and the ability of that model to adequately measure airpower, stealth, and other asymmetrical United States warfighting advantages, and shall include the recommendations of the Defense Science Board for improvements to current models and modeling techniques.

SEC. 8100. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided,* That this restriction does not apply to end-items used in development and test activities preceding and leading to acceptance for operational use: *Provided further,* That this restriction does not apply to programs funded within the National Foreign Intelligence Program: *Provided further,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8101. The budget of the President for fiscal year 1999 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as ''subactivities'') in the operation and maintenance accounts of the military departments and other appropriation accounts, as may be necessary, to separately identify all costs incurred by the Department of Defense to support the expansion of the North Atlantic Treaty Organization. The budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 1999, and subsequent fiscal years, shall provide complete, detailed estimates for the incremental costs of such expansion.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title VIII, through page 96, line 21, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 96, after line 7, insert the following new sections:

SEC. 8100A. It is the sense of the Congress that all member nations of the North Atlantic Treaty Organization (NATO) should contribute their proportionate share to pay for the costs of the Partnership for Peace program and for any future costs attributable to the expansion of NATO.

SEC. 8100B. None of the funds in this Act may be used to pay for NATO expansion not authorized by law.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, the amendment states that members of NATO should contribute their fair share for any expansion of NATO in Europe. It also states that funds in this bill shall be used for those which are authorized by the Congress. Very straightforward and simple.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania, the distinguished ranking member.

Mr. MURTHA. The chairman and I have discussed this at length, and we will fall on our sword trying to get what the gentleman from Ohio [Mr. TRAFICANT] wants. We will do everything we can to take care of the gentleman from Ohio.

Is that not right, Mr. Chairman?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I would say that we agree completely with what this amendment is trying to accomplish. We do have a little concern about how this language might fit in with the President's signing of the bill. But we do appreciate the gentleman making some changes in the language that were recommended.

With that, we prepared to accept the amendment with the understanding that if we hear from the administration, we may have to come back and see if there would be additional changes that the gentleman might be agreeable to.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from Washington [Mr. DICKS], the distinguished linebacker from the University of Washington.

Mr. DICKS. Mr. Chairman, I want to say to my friend, the gentleman from Ohio [Mr. TRAFICANT], I read his amendment. I think it is a good amendment. We will work hard with him with the administration, and I hope the House will support his amendment.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, in closing out here, we need not have a black sinkhole hole for money going to protect Europe folks. All we say is, let us go by which we authorize. The Congress and people govern. We do not have governance through the White House.

Mr. Chairman, I urge an ''aye'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CLAYTON

Mrs. CLAYTON. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered at this time although it addresses a portion of the bill not yet read for amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mrs. CLAYTON:

Page 100, after line 15, insert the following new section:

SEC. ____. The Secretary of the Army may reimburse a member of the Army who was deployed from the United States to Europe in support of operations in Bosnia and who incurred an out-of-pocket expense for shipment of a personal item to or from Europe during the period beginning on October 1, 1996, and ending on May 30, 1997, if the shipment of that item, if made after May 30, 1997, would have been provided by the Department of the Army through the Temporary Change of Station (TCS) weight allowance under the Joint Travel Regulation, as in effect after that date.

□ 1330

Mrs. CLAYTON. Mr. Chairman, I have spoken both with the ranking minority member and the chairman of the subcommittee, so they are aware what the basis of this amendment is. This is an equity issue. It is a fairness issue. By approving this amendment, we will authorize the Department of the Army to pay for the shipment of personal items which the Department itself has paid for before and which now, after some persuasion, are again providing for.

Mr. MURTHA. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, the gentlewoman came to us with this amendment today. We talked to the staff and we know there has been an injustice here. If the gentlewoman will withdraw her amendment, we will do everything we can to work this thing out in conference.

Mrs. CLAYTON. I do plan to withdraw it because we do have the commitment from both sides to work it out; but if I may proceed, just to give the equity reason for it. I wanted our colleagues to know what this committee will be doing to try to rectify this issue.

This is an issue that was caused because there was an administrative procedure change which meant that we did not reimburse the National Guard or the Army Reserve that went to Bosnia when we had before. So there were a number of individuals, National Guard Members who came to me saying they had no way of getting their moneys back because there was no authority to reimburse them for sending their personal items back home.

What this means: That those men and women serving in our military in Bosnia would have to pay it out of their own pockets unless the committee works this out. I am delighted that the committee sees the value and the equity of ensuring that those who serve us in our Armed Forces are not required to take on an extra burden. In the light of their cooperation, not only the 125 Reservists and National Guardsmen in my district, but some

4,280 throughout the Nation had to pay for it out of their pockets. With this committee correcting this, this will mean that more than 4,000 people will now be able to have these expenses reimbursed and they will not have to assume the obligation of the American people and defending our country out of their pocket. I want to thank both the chairman and the ranking member for providing the leadership.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Mr. POMEROY. Mr. Chairman, I move to strike the last word. I rise to engage the gentleman from Florida [Mr. YOUNG], the chairman of the subcommittee, in a colloquy.

Mr. Chairman, I am deeply concerned about the Pentagon's plan to retire 23 B–52 bombers, roughly 25 percent of the B–52 fleet. In light of the uncertain prospects for Russian ratification of START II and the continuing need for long-range conventional airpower, I believe it would be unwise to make unilateral reductions in the only battle-tested, dual-capable bomber in the U.S. inventory. I would ask the subcommittee chairman if he shares my concerns about the proposed reduction in the B–52 fleet.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. As the gentleman knows, in each of the last 4 years, the subcommittee has supported additional funding to maintain the full fleet of B–52's. But I am sure that he is also aware that the Senate has included additional funds to keep all 94 B–52's in the active inventory. Although the House authorization committee did not authorize this for this fiscal year, the action taken by the Senate is consistent with this subcommittee's recommendation in recent years.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

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

Mr. DICKS. I rise to express my strong support for maintaining the full fleet of 94 B–52's. In the last decade, over $4 billion has been invested to thoroughly modernize the B–52 bomber. The B–52 not only supports the air-leg of the nuclear triad, but it is also a potent conventional weapon able to carry the complete inventory of smart weapons. I assure the gentleman from North Dakota that I will work to see that the necessary funding is provided in conference to keep all 94 B–52's in the active inventory. I have discussed this with the gentleman from Pennsylvania [Mr. MURTHA] as well.

Mr. POMEROY. I thank the gentleman from Florida and I thank the gentleman from Washington. I look forward to working with them as this bill moves into conference.

AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. Pursuant to House Resolution 198, the pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 222, not voting 12, as follows:

[Roll No. 336]

AYES—200

Abercrombie
Allen
Andrews
Baldacci
Ballenger
Barrett (WI)
Barton
Bass
Becerra
Bereuter
Berry
Blagojevich
Blumenauer
Boehlert
Bonior
Boswell
Boucher
Boyd
Brown (OH)
Burr
Camp
Capps
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Coble
Coburn
Combest
Condit
Conyers
Costello
Coyne
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Doyle
Duncan
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Flake
Foley
Ford
Frank (MA)
Franks (NJ)
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Goode
Goodlatte
Goodling
Gordon
Greenwood
Gutierrez
Hall (OH)
Hamilton
Hilliard
Hoekstra
Hooley
Houghton
Jackson (IL)
Johnson (WI)
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klug
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
Latham
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Menendez
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rivers
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schumer
Scott
Sensenbrenner
Serrano
Shays
Shuster
Sisisky
Skaggs
Slaughter
Smith (MI)
Smith, Adam
Smith, Linda
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Sununu
Tanner
Tauscher
Tierney
Towns
Upton
Velazquez
Vento
Wamp
Watt (NC)
Waxman
Weldon (PA)
Weygand
White
Wise
Woolsey
Wynn
Yates

NOES—222

Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barcia
Barr
Barrett (NE)
Bartlett
Bateman
Bentsen
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Borski
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Chambliss
Chenoweth
Christensen
Clyburn
Collins
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dreier
Dunn
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Fazio
Filner
Fowler
Fox
Frelinghuysen
Frost
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goss
Graham
Granger
Green
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Holden
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kelly
Kim
King (NY)
Kingston
Klink
Knollenberg
LaHood
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Maloney (CT)
Manton
Manzullo
Martinez
Matsui
McCollum
McCrery
McDade
McHugh
McIntosh
McIntyre
McKeon
Meek
Metcalf
Mica
Millender-McDonald
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Radanovich
Redmond
Reyes
Riggs
Rodriguez
Rogan
Rogers
Rohrabacher
Royce
Ryun
Salmon
Sanchez
Sandlin
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Sherman
Shimkus
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Traficant
Turner
Visclosky
Walsh
Waters
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—12

Cummings
Dingell
Foglietta
Forbes
Gonzalez
LaTourette
McInnis
Ney
Riley
Schiff
Wexler
Young (AK)

□ 1355

Messrs. BRADY, BONO, PITTS, Ms. WATERS, and Mrs. JOHNSON of Connecticut changed their vote from ''aye'' to ''no.''

Mr. STENHOLM changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GALLEGLY. Mr. Chairman, unfortunately on rollcall 336, I did not

verify the electronic vote. It was my intention to vote ''no'' on the Obey amendment as a strong supporter of the B–2 and I either inadvertently or incorrectly voted ''yes.''

PERSONAL EXPLANATION

Mr. LATOURETTE. Mr. Chairman, I was unfortunately detained for rollcall vote No. 336 to the Department of Defense Appropriations Act. Had I been present I would have voted ''yes''. As my voting record will reflect, I have consistently voted against additional B–2 funding.

I was not present for the vote because I was testifying before the National Capital Memorial Commission in support of my legislation, H.R. 1608, the Pyramid of Remembrance Act. As you know, H.R. 1608 would establish a memorial in the District of Columbia or its surrounding areas for soldiers who died in undeclared military conflicts and training exercises. I am proud to report that the idea for this bill came from high school students at Riverside High School in my district. Since its introduction, the bill has gained bipartisan support in the House of Representatives. I am looking forward to working with the leadership in moving the bill through the legislative process so that the lives of these brave and selfless soldiers are not forgotten.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8102. (a) LIMITATION.—Funds appropriated or otherwise made available for the Department of Defense for any fiscal year may not be obligated for the deployment of any ground elements of the United States Armed Forces in the Republic of Bosnia and Herzegovina after—

(1) June 30, 1998; or

(2) such later date as may be specifically prescribed by law after the date of the enactment of this Act, based upon a request from the President or otherwise as the Congress may determine.

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply to the extent necessary to support (1) a limited number of United States diplomatic facilities in existence on the date of the enactment of this Act, and (2) noncombat military personnel sufficient only to advise the commanders North Atlantic Treaty Organization peacekeeping operations in the Republic of Bosnia and Herzegovina.

(c) CONSTRUCTION OF SECTION.—Nothing in this section shall be deemed to restrict the authority of the President under the Constitution to protect the lives of United States citizens.

(d) LIMITATION ON SUPPORT FOR LAW ENFORCEMENT ACTIVITIES IN BOSNIA.—None of the funds appropriated or otherwise made available to the Department of Defense for any fiscal year may be obligated or expended after the date of the enactment of this Act for the conduct of, or direct support for, law enforcement activities in the Republic of Bosnia and Herzegovina, except for the training of law enforcement personnel or to prevent imminent loss of life.

(e) PRESIDENTIAL REPORT ON POLITICAL AND MILITARY CONDITIONS IN BOSNIA.—(1) Not later than December 15, 1997, the President shall submit to Congress a report on the political and military conditions in the Republic of Bosnia and Herzegovina (hereafter in this subsection referred to as Bosnia-Herzegovina). Of the funds available to the Secretary of Defense for fiscal year 1998 for the operation of United States ground forces in Bosnia-Herzegovina during that fiscal year, no more than 60 percent may be expended before the report is submitted.

(2) The report under paragraph (1) shall include a discussion of the following:

(A) An identification of the specific steps taken by the United States Government to transfer the United States portion of the peacekeeping mission in the Republic of Bosnia and Herzegovina to European allied nations or organizations.

(B) A detailed discussion of the proposed role and involvement of the United States in supporting peacekeeping activities in the Republic of Bosnia and Herzegovina following the withdrawal of United States ground forces from the Republic of Bosnia and Herzegovina pursuant to subsection (a).

(C) A detailed explanation and timetable for carrying out the President's commitment to withdraw all United States ground forces from Bosnia-Herzegovina by the end of June 1998, including the planned date of commencement and completion of the withdrawal.

(D) The date on which the transition from the multinational force known as the Stabilization Force to the planned multinational successor force to be known as the Deterrence Force will occur and how the decision as to that date will impact the estimates of costs associated with the operation of United States ground forces in Bosnia-Herzegovina during fiscal year 1998 as contained in the President's budget for fiscal year 1998.

(E) The military and political considerations that will affect the decision to carry out such a transition.

(F) Any plan to maintain or expand other Bosnia-related operations (such as the operation designated as Operation Deliberate Guard) if tensions in Bosnia-Herzegovina remain sufficient to delay the transition from the Stabilization Force to the Deterrence Force and the estimated cost associated with each such operation.

(G) Whether allied nations participating in the Bosnia mission have similar plans to increase and maintain troop strength or maintain ground forces in Bosnia-Herzegovina and, if so, the identity of each such country and a description of that country's plans.

(3) As used in this subsection, the term ''Stabilization Force'' (referred to as ''SFOR'') means the follow-on force to the Implementation Force (known as ''IFOR'') in the Republic of Bosnia and Herzegovina and other countries in the region, authorized under United Nations Security Council Resolution 1008 (December 12, 1996).

□ 1400

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Department of Defense Appropriations Act, 1998''.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman. I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON:

Page 100, after line 15, insert the following new section.

SEC. 8103. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with a contractor that is subject to the reporting requirement set forth in subsection (d) of section 4212 of title 38, United States Code, but has not submitted the most recent report required by such subsection for 1997 or a subsequent year.

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SOLOMON. Mr. Chairman, I will not take 5 minutes. Discrimination in America is wrong. It goes against everything we stand for as a nation. What is especially ugly is discrimination against disabled veterans, and Vietnam veterans, in particular. Mr. Chairman, we owe these men and women the best of the very best, fair and open consideration for employment.

A couple of years ago we passed a program called Vet 100, which requires contractors to report their hiring practices of veterans, disabled veterans and Vietnam veterans. Since that time, there were 25,000 contractors across this Nation that were either intentionally or unintentionally in noncompliance for this law. After an amendment we passed last year, we brought 8,000 of those contractors, simply because they were made aware of it, into compliance in the program.

We are asking now that this be attached to this particular bill so that it will bring notice to all of the contractors and make them aware so they can again comply with this law, so we can begin to hire these disabled American veterans, along with Vietnam veterans.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the very distinguished gentleman from Florida [Mr. YOUNG], the chairman of the Subcommittee on National Security of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, as the gentleman has stated, last year we did accept this amendment. We thought it would work fine. It has worked partially. I think it is important that we continue this language. The chairman of the Committee on Rules, the very distinguished chairman, has worked with us on writing the language in such a way I think as will be very effective. I am very, very happy to accept this amendment. I think it is something that ought to be done.

Mr. SOLOMON. I certainly thank the gentleman, Mr. Chairman. With him having said that, I am getting a signal from the very distinguished ranking member of the subcommittee, a great former marine.

Mr. Chairman, I ask consideration on my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 100, after line 15, insert the following new section:

SEC. 8103. None of the funds made available in this Act may be used to approve or license the sale of F–22 advanced tactical fighter to any foreign government.

Mr. OBEY. Mr. Chairman, this country is going to spend $85 billion to build

a new generation of fighter aircraft, the F–22, and we are told that the reason we must do that is because we have sold so many of our F–16's around the world, and so many of our F–15's, that we now have to stay ahead of the capability of other countries. So we are told that in order to do that we have to make this large expenditure.

Mr. Chairman, all this amendment says is that if we are going to go ahead and spend that $85 billion, that we ought not to make the same mistake we made in the past. That is why this amendment says that no F–22's can be sold abroad.

The reason I am urging that we adopt this amendment is that the contractor, Lockheed, has already been quoted several times saying that they fully plan to market the F–22 abroad, and the Air Force is also indicating they are looking at foreign sales as a means of reducing the overall cost of the program.

Everything that we know about this plane tells us it is going to be a technological marvel. I would like to know why on Earth we would even consider selling this plane abroad if the purpose of building it in the first place is to react to the fact that we have sold abroad so many sophisticated fighters in the past that we now have to build this new plane in order to stay ahead of the people we have sold it to.

Very simply, all I am saying is that we have to make a choice. We either stand up for America's interest and support this amendment, or stand up for the contractor's interest and oppose it, because this is an argument between those of us who believe that if we are going to spend $85 billion, we ought to keep that technology at home, versus those who say, ''Well, sorry, but we have not learned a thing from the last round. So even though we are being told we have to build this plane because we have sold so many sophisticated aircraft around the world, we are willing to ignore past history and do it all over again.''

So I think the purpose of the amendment is self-evident. I cannot imagine, I cannot imagine any reason for turning down this amendment except that the contractor wants to sell these planes abroad, and has therefore convinced people that we ought to make the same mistake over again.

Anybody who is paid what we are is being paid enough to avoid a stupid mistake like that. I would urge support for the amendment.

Mr. KASICH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is the first I have heard of this amendment. I will probably vote for this amendment. I will tell the Members why. This will really fundamentally fall on a lot of deaf ears in this House, and maybe it will make a few people yawn. I have to tell the Members that I think one of the most serious things that is going on in the world today is the unregulated, the unprecedented level of arms sales that exists in the world today.

I support the F–22 because I think it is absolutely essential that we maintain air superiority in any time of trouble for the United States and our allies. I think the F–22 is essentially the next leap of technology that allows us to maintain air superiority. I, of course, do not share that view on the necessity of the stealth bomber, but I do share that view on tactical aircraft.

But frankly, if we are going to develop a sophisticated tactical aircraft, to develop the next level of sophisticated fighter aircraft designed to give the United States clear air superiority, then to turn around and sell that technology to other countries forces us into the next level of tactical aircraft at great cost.

Look, Republicans and Democrats on both sides of the aisle, do Members not understand what we are doing in the world with the sale of all this sophisticated weaponry, designed to a large degree to preserve assembly lines? What we do is we give enemies weapons with hair-trigger mechanisms that allow each side to have more lethality, to have more power, more quickness, less warning time. Whenever conflicts arise, it denies us the time we want in order to resolve those conflicts without death.

I also would point out that the greatest fear I have for our children in my lifetime is the proliferation of weapons of mass destruction. I worry that some day, at some point, some world leader or some group of terrorists will get their hands on these lethal weapons of mass destruction that can be used without the consideration of loss of flesh and blood of people on any part of this globe. I worry that at some point in our lifetime we will wake up one morning and find out that two brutal enemies have used these weapons against one another.

I do not know whether it is true, the article that was written in one of the magazines several years ago about the almost conflict between India and Pakistan. But I do not want to wake up one morning, having armed these enemies to the teeth with increasingly effective weapons with increased lethality, to find out that somehow we played a role in it. That does not mean we do not need to develop the sophisticated weapons to guarantee the national security of the United States and our allies, but it does mean we need to be careful with this technology.

I wish we would all step back for a second and think about what our policies are on arms sales, what our commitment is to protect those elements that contribute to the weapons of mass destruction, to deny them from individuals in this world who would use them against the cause of order and peace and humanity.

I would urge everybody to march to this floor today and deny the ability of the defense industry to begin to sell this weapon of sophistication that the United States needs. Let us protect that technology. Let us slow down the arms race. Let us do it for our children. Let us not just do it for ourselves, let us also do it for our children.

I would hope that on a bipartisan basis, we could begin to get a handle on this problem of proliferation of weapons and of sky-high arms sales. There are better ways in this world to make money, to make profits, than to allow this seemingly free flow of technology. Let us stand up for national security, but let us also stand up for peace.

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

Mr. Chairman, my original thought was, and the gentleman from Texas Mr. MARTIN FROST was quite concerned about this amendment, but actually when we look at the facts, it really would not have any impact because this is a 1-year bill. Certainly we have to send a message that when we have a technological superiority, it is something we want to look at very closely.

Mr. Chairman, I would, with reservations, accept this amendment, and hope we could work something out in conference.

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

Mr. Chairman, we have talked to the gentleman from Wisconsin [Mr. OBEY] about this. He made several changes that we thought were important to make to this so it applied properly to the bill. Having done that, we have been prepared to accept this amendment, and we are happy to hear from the gentleman from Ohio, but we are prepared to accept the amendment.

From the leadership of the subcommittee, we accept the amendment, Mr. Chairman.

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

Mr. Chairman, I will only speak for a short amount of time. Mr. Chairman, I understand what the gentleman from Wisconsin [Mr. OBEY] is attempting to do here. I would caution him, and I will support the amendment, one of the most troubling times I had in my military career was being outspoken about letting F–14's go to the Shah of Iran.

□ 1415

I made a statement that we were being blackmailed at the time. This was at a time when there was an oil embargo. We remember the long gas lines we had in this country because of the shortage. I said, now, Iran is not Arabic and it is the Arabs that were holding us hostage over oil. Iran is Persian. But yet they will not have to pay for one single one of those F–14's because all they have to do is raise the price of oil by a cent and they get them free.

I said the second point is that as a fighter pilot, I do not want to have to look down the barrels of those F–14's if the shah ever falls. Well, I felt like Billy Mitchell after that happened because we did look down the barrels of those F–14's.

So I understand the intent of the gentleman and support it. But in future language, I would ask the gentleman to be very cautious because there are countries that I have flown with, like South Korea, some of our allies that have F–16s, England, I would not give them to France, personal opinion. They sell arms to every one of our enemies. There are socialists and Communists there now, and I would not give them a dime or any weapons. But there are countries that I think that, if we are flying there in a conflict and some of the NATO countries that would ally, and I do not care if it is a British pilot taking a Mig off my tail or someone else, then I would like that support. But I support the gentleman's amendment and I understand the merit behind it.

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

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

Mr. OBEY. Mr. Chairman, let me thank the gentleman for supporting the amendment and say that I recognize that there are some countries I would not mind providing sophisticated weapons to, but I think we need a policy ahead of time before we build these systems so that we know exactly who is going to get them and that we are assured that they are going to be provided on as limited a basis as possible around the world.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I rise in strong opposition to the Nadler amendment to cut important funding for the F–22 fighter. The F–22 is the Air Force's next generation premier fighter and is intended to replace the aging F–15 fighter which has been in use for nearly 30 years. The next generation aircraft will have both air-to-air and air-to-ground fighter capabilities and will ensure our air superiority in the 21st century.

A cut of the size proposed by this amendment would have a devastating effect on the development and production of the F–22. In fact, the Air Force estimates that a $420 million cut in the program would result in a major program restructure and actually result in an increase of costs in the out years of $7.7 billion because of the restructuring of the current development and production timeline.

Let me close by quoting Gen. Ronald Fogelman, the Chief of Staff of the Air Force:

> The F–22 will continue to ensure our continued dominance of the aerial arena and protect our forces across the entire spectrum of conflict. No United States soldier has been lost to enemy air power on over 40 years, and the F–22 will continue to uphold that record.

I urge my colleagues to oppose this amendment, and support our continued aerial dominance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

UNITED STATES MAN AND THE BIOSPHERE PROGRAM LIMITATION

SEC. 8079. None of the funds appropriated or otherwise made available by this Act may be made available for the United States Man and the Biosphere Program, or related projects.

Mr. COBURN. Mr. Chairman, it is my hope that this will not take any time. The purpose of this amendment just simply to limit DOD funds to not be spent on a totally unauthorized, never approved program from this Congress or any other Congress. We have voted now four times in this body to uphold this policy. This is simply an amendment that would extend that policy to the Department of Defense. It is my understanding the chairman as well as the ranking member have accepted this amendment.

I yield to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I would say that we are very familiar with this issue. We do support the amendment. We hope that it will be agreed to.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, just briefly, 47 of these biosphere reserves were established before the public even knew what was happening. One of these was established in the northern part of the congressional district I represent in the Adirondack Mountains without me or any local government officials ever knowing about it. That was outrageous. These biosphere reserves violate individual property rights, and they give executive branch political appointees the authority to make property decisions in place of these individual landowners or even local zoning ordinances. I think that is outrageous. I am so happy that the gentleman is offering the amendment.

Mr. COBURN. Mr. Chairman, I would ask the body to support the Coburn-Peterson amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KENNEDY of MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: Page 100, after line 15, insert the following new section:

SEC. 8103. (a) None of the funds appropriated or otherwise made available by this Act for the Department of Defense specimen repository described in subsection (b) may be used for any purpose except in accordance with the requirement in paragraph numbered 3 of the covered Department of Defense policy memorandum that specifically provides that permissible uses of specimen samples in the repository are limited to the following purposes:

(1) Identification of human remains.

(2) Internal quality assurance activities to validate processes for collection, maintenance and analysis of samples.

(3) A purpose for which the donor of the sample (or surviving next-of-kin) provides consent.

(4) As compelled by other applicable law in a case in which all of the following conditions are present:

(A) The responsible Department of Defense official has received a proper judicial order or judicial authorization.

(B) The specimen sample is needed for the investigation or prosecution of a crime punishable by one year or more of confinement.

(C) No reasonable alternative means for obtaining a specimen for DNA profile analysis is available.

(D) The use is approved by the Assistant Secretary of Defense (Health Affairs) after consultation with the Department of Defense General Counsel.

(b) The specimen repository referred to in subsection (a) is the repository that was established pursuant to Deputy Secretary of Defense Memorandum 47803, dated December 16, 1991, and designated as the ''Armed Forces Repository of Specimen Samples for the Identification of Remains'' by paragraph numbered 4 in the covered Department of Defense policy memorandum.

(c) For purposes of this section, the covered Department of Defense policy memorandum is the memorandum of the Assistant Secretary of Defense (Health Affairs) for the Secretary of the Army, dated April 2, 1996, issued pursuant to law which states as its subject ''Policy Refinements for the Armed Forces Repository of Specimen Samples for the Identification of Remains''.

Mr. KENNEDY of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise to offer an amendment which simply aligns our funding priorities with the current Department of Defense policies that protect the information in its DNA data bank for soldiers. The Department of Defense operates the Armed Forces repository specimen samples for identification of remains.

This DNA data bank currently holds millions of blood samples for both active and inactive personnel. This pool of genetic data is one of the largest in the entire world. Health, life and disability insurers might soon try to flex some muscle in obtaining sensitive information. Heightened concerns have been raised over the last year about the many ways that people can be discriminated against based on their genetic profile. Soldiers were not free from those same worries regarding blood samples in this DNA data bank.

The Pentagon has always maintained that such information was collected only to identify the remains of soldiers killed in combat. But many of my colleagues may recall that last year two marines were court-martialed for refusing to provide blood samples to the DNA data bank. They were fearful of inadequate privacy protections for the sensitive information being obtained from their DNA. The Pentagon as a result took the proper steps to revise its

policy and instituted several new conditions on the use of DNA in the data bank, including limiting them to identify human remains, investigate crimes, purposes for which the donor and next of kin provide consent, plus an approved use by the Assistant Secretary of Defense and health.

I had spoken to the chairman of the committee, the gentleman from Florida [Mr. YOUNG], as well as to the ranking member. I believe that this amendment will be accepted. But I just would like to mention, the truth is that the current rules and regulations that determine how your DNA data is going to be utilized at the Department of Defense is really at the discretion of the secretary.

I would urge both the chairman as well as the ranking member to take actions, I hope, in the conference to make certain that this does not become an arbitrary policy. This kind of data can be used by private companies or others at the decision of the secretary that could have devastating consequences for any of the soldiers who happen to be ordered to provide those DNA samples.

I would hope that the chairman would be willing to institute a policy where no variation other than the specific purposes which are currently in this year's bill, could be varied without the consent of the Congress of the United States and the signing into law by the President. I think that this is an entirely, it is a new issue, but it is one that is very, very important for the personal privacy of the soldiers that choose to serve this country.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, as the gentleman and I have discussed earlier, we are happy to accept this amendment as we did last year, and the new issue that he raises I think is a legitimate issue. We would be more than happy to address it during the conference.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

Mr. CARDIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to request a colloquy with the gentleman from Florida [Mr. YOUNG] regarding the fate of the Advanced Self Protection Jammer radar system.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I am very happy to address the concerns of the gentleman from Maryland about this program.

Mr. CARDIN. Mr. Chairman, I am concerned that the bill does not include funding for the Advanced Self Protection Jammer which is recognized as the finest self-protection jamming system in production today. Following the 1995 shootdown of the Navy pilot Scott O'Grady in Bosnia, ASPJ were deployed in aircraft in the Bosnian theater to correct the self protection deficiency under which our pilots were operating.

Mr. Chairman, the ASPJ proved to be an effective tactical aircraft countermeasure in the Bosnian theater.

Additional purchases of the system were recently authorized by the Committee on National Security. Shortage of the ASPJ's means that the Navy cannot equip all of its F–14D and F/A–18C/D planes with this system widely demanded by the Navy and Marine Corps pilots. Most of these planes, which will be in the fleet well into the next century, are now vulnerable. The Navy can only equip 72 aircraft with the ASPJ, although it has a requirement for deployment of this system on over 500 F–14D's and F/A–18C/D's. I hope the chairman will consider providing the Navy and Marine Corps with the funds necessary to equip the forward-deployed F–14D and F/A–18C/D squadrons with this system.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will continue to yield, I appreciate the gentleman's concern for the system and its potential benefits for the pilots. The ASPJ is a valuable system. I share the gentleman's concern and will work with my colleagues on the committee and with the Department of Defense on this issue as this bill moves forward.

Mr. CARDIN. Mr. Chairman, I thank the gentleman.

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK.

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

At the end of the bill add the following new section:

SEC. . In the paragraph entitled ''Operation and Maintenance, Defense-Wide,'' after ''$10,066,956,000'' insert ''(increased by $1,000,000) (reduced by $1,000,000).''.

Mrs. MALONEY of New York (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. MALONEY of New York. Mr. Chairman, in 1988, Congress passed and the President signed into law a requirement that the Department of Defense report details of crimes, including rape and sexual assault, committed within their jurisdiction to the Federal Bureau of Investigation.

However, the Department of Defense has failed to comply with this law. That means that there are thousands of crimes committed on base and off base by members of the armed services and others that are never reported to the FBI. I would like, Mr. Chairman, to put in the RECORD a letter from the general counsel of the Department of Defense and other press articles on this which state that they are looking at this, that they would like to proceed forward, but that there is a problem with funding.

My amendment provides $1 million to the Department of Defense so that they could collect and report these statistics. The money comes from the operation and maintenance budget. I hope that my amendment will be considered in the conference report. I thank the gentleman from Florida and the gentleman from Pennsylvania for their support and their commitment to work on this in conference.

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

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, DC, May 27, 1997.

Hon. CAROLYN B. MALONEY,
House of Representatives,
Washington, DC.

DEAR MRS. MALONEY: This further responds to your letter to the Secretary of Defense, dated February 26, 1997. In my interim reply, dated March 11, 1997, I informed you that I had asked the Judge Advocate General of the Army to provide me information on certain cases you mentioned in your letter. I now have this information and am prepared to respond to your questions.

On October 24, 1995, then-Representative Dornan wrote the Secretary of Defense requesting an investigation of allegations made by Mr. Russell Carollo in a series of articles in the Dayton Daily News. After review by the Service Judge Advocates General and my office, I replied to Mr. Dornan on April 23, 1996. Your February 26 letter asks follow-up questions based on my reply to Mr. Dornan. I will address your questions in the same order as I replied to Mr. Dornan's inquiry.

Do many accused sex offenders avoid prosecution or escape criminal punishment? You have asked whether the Department of Defense disputes the validity of the ''hard facts or statistics'' in Mr. Carollo's articles. Mr. Carollo was highly selective in the statistical data he chose to publish. Mr. Carollo's published figures on sex crime complaints included cases where the perpetrators were unknown and involving civilian suspects who were not subject to the jurisdiction of the military justice system. In those cases, it was not possible for a complaint to result in a court-martial conviction. Also, the offense ''titled'' on a complaint form or investigation report is often not the same offense that is formally charged. The decision on what title to use is made by an investigator at an early stage of the investigation. A formal charge, however, is preferred after full investigation and proof analysis by a military prosecutor. A formal charge is only referred to a court-martial after additional legal review, and this review may produce other changes. Even assuming that a court-martial charge reflects the same offense in the complaint, there may be a court-martial conviction for a lesser (but nonetheless serious) crime. For example, an accused may be acquitted of a rape charge, but found guilty of attempted rape or assault with intent to commit rape. Acquittal of a principal charge, but conviction of a lesser one, is a

process that goes on every day in every jurisdiction in the United States, where each element of any charged offense must be proven beyond reasonable doubt.

The military does not prosecute rape charges in ''misdemeanor courts'' or administrative hearings. If a complaint of rape is not prosecuted at a general court-martial, there is a reason and that reason is grounded in the evidence. A case may begin with a rape allegation, but end in another, lesser charge prosecuted at a special court-martial, nonjudicial punishment action, or other administrative action. In another case, the quality of the evidence may persuade military authorities to accept an accused's offer to separate from the Service (with an Under Other Than Honorable Conditions Discharge) rather than face a court-martial. If one of these actions happens, it is because particular circumstances make it appropriate. If a rape charge is supported by sufficient evidence for conviction, that charge is referred to a general court-martial as is fitting for a crime of that seriousness.

In Mr. Carlo's articles and associated correspondence, we have seen many comparisons of the military justice system with the ''civilian judicial system'' that reflect a misunderstanding of both. A monolithic ''civilian judicial system'' does not exist. There are fifty-one such systems in the United States, the Federal system (including the commonwealths and territories) and one for each state. In none of these systems does a complaint of rape automatically result in a trial, conviction, and long prison sentence for the defendant. In each of the civilian systems, just as in the military, prosecutors must make decisions based on the quality of the evidence before them. If a case is prosecuted as a rape, a civilian court must determine guilt based on the evidence before it. In doing so, the court applies a ''beyond reasonable doubt'' standard of proof, just like a court-martial. If there is a conviction for rape, or of a lesser offense, a civilian court then determines a sentence based on the particular circumstances of the crime and the offender, just as a court-martial does.

One significant difference between the military justice system and its civilian counterparts concerns the availability of alternative actions when there is insufficient evidence to prosecute in court. In any civilian jurisdiction, if a prosecutor or grand jury decides not to prosecute, nothing happens to the alleged offender. In the military, if the evidence is insufficient for a court-martial prosecution, commanders still have several options, any of which may result in significant sanction. The use of these options should not be cited as evidence that the military does not take crimes as seriously as in civilian jurisdictions, when these actions are not even available to civilian authorities.

In your February 26 letter, you discussed several Army cases at Fort Carson, Colorado, and Fort Leonard Wood, Missouri. According to information provided by the Judge Advocate General of the Army, much of what you have been told about these cases is incorrect. Moreover, these cases are excellent illustrations of how, in any system, each case must be judged on its own specific facts.

Your letter states that Army investigators at Fort Carson ''found substantial evidence for claims of rape against 13 soldiers in 1995 and 1996,'' yet only two were tried and five others received nonjudicial punishment. According to the Army Judge Advocate General's information, this statement is not accurate. Of the thirteen cases, in one the subject was a civilian, over whom the military had no jurisdiction, and in another the perpetrator was never identified. Of the remaining eleven cases, the State of Colorado assumed jurisdiction of two. In one of these, the State treated it as a domestic violence case. Of the remaining nine, in three cases the alleged victims either recanted their accusations or refused to cooperate after making an initial statement. In one of these, however, a soldier received nonjudicial punishment for consensual sodomy with another soldier's wife, an offense to which he confessed in his statement to investigators. The other two cases resulted in no disciplinary action. Of the remaining six cases, Army prosecutors determined the evidence was insufficient to go forward with trial in three cases, and three cases went to court-martial. Of the three soldiers who were tried, one was acquitted of rape, but convicted of consensual sodomy and indecent acts, and sentenced to hard labor without confinement. Two soldiers were convicted of rape. One of these was sentenced to 28 years. In the other, the accused (First Sergeant David Medeiros) received a sentence of only reduction to staff sergeant (two pay grades).

Of the thirteen Fort Carson cases, the only apparent anomaly is the Medeiros case. I will not speculate as to the reasons for such a light sentence for the crime of rape, as I was not at the trial and do not have detailed knowledge of the evidence. However, you should be aware that the alleged victim in the Medeiros case later recanted her trial testimony and claimed her sex with Medeiros was consensual.

Concerning the Fort Leonard Wood cases, your letter states that the post commander, Major General Ballard, reversed the ''sexual assault'' convictions of three soldiers, substituting administrative discharges. You asked ''[w]hat right did [General] Ballard have to reverse convictions?''

General Ballard had the powers and duties of a general court-martial convening authority, conferred by Congress under several articles of the Uniform Code of Military Justice. As convening authority, General Ballard had ''authority . . . to modify the findings and sentence of a court-martial [as] a matter of command prerogative involving [his] sole discretion. . . .'' Art. 60(c)(1), UCMJ, 10 U.S.C. §860(c)(1). The Judge Advocate General of the Army informs me that General Ballard exercised his discretion in these three cases, after legal advice from his staff judge advocate, to reach what he thought was an appropriate result under unusual circumstances.

The three Fort Leonard Wood cases are connected. None involved ''sexual assault.'' They involved three young soldiers dating, and having consensual sex with, three underage teenage girls. Two of the girls were not living at home, but had taken up with a local ''biker gang.'' In the other case, the girl's mother had introduced her daughter to the soldier in a bar. All the sexual conduct occurred off-post, but the local Missouri prosecutor declined to prosecute. However, the Army prosecuted the soldiers at special courts-martial for ''carnal knowledge,'' that is, consensual sex with a minor. See Art. 120(b), UCMJ, 10 U.S.C. §920(b). Each soldier's court-martial sentenced him to reduction in grade, forfeiture of pay, and restriction to post, but did not impose either confinement or a bad-conduct discharge. General Ballard, using his powers under law as a convening authority, determined the best interests of the Army would be served by approving administrative discharges in lieu of the court-martial convictions. In each case, the soldier received an Under Other Than Honorable Conditions Discharge, which deprives the soldier of entitlement to many benefits administered by the Department of Veterans Affairs. Such a discharge also carries a social stigma.

I also invite your attention to data available from the United States Disciplinary Barracks at Fort Leavenworth, Kansas. The USDB is the central facility for long-term confinement for prisoners from all Services. Of the 1,023 inmates at the USDB, 495 are serving sentences for sex crimes—almost half the prison population and nearly double the next category (homicide, 256 inmates). The Army reports that 1,392 soldiers have been tried by courts-martial for sex crimes since 1991. Of these, 870 have been convicted, with an average confinement sentence of just over 6.5 years. Of these, 253 were convicted of rape, with an average confinement sentence of 12.2 years.

I hope this discussion has shown that statistics and anecdotes do not necessarily tell an accurate story, especially when the statistics are incomplete and the anecdotes are, at best, one-sided or, at worst, wrong. Mr. Carollo's fundamental premise is that the military lets an unacceptably high number of sex offenders off (either completely or with light punishment) out of apathy, investigative incompetence, and/or prosecutorial indifference. As I emphasized in my letter to Mr. Dornan, nothing could be further from the truth. The truth is that military investigators, prosecutors, convening authorities, judges, and court-martial members deal with real cases, in real time, involving real people as accused and alleged victims, Every case is different and every decision must be made on its own merits.

Does the military fail to report many criminal records to the FBI as required by law? In my letter to Mr. Dornan, I acknowledged that the Services' investigative arms had not consistently complied with Department of Defense Inspector General Memorandum 10, dated March 25, 1987, which requires submission of fingerprint cards to the FBI in certain cases. I also described an evaluation of Memorandum 10 compliance by the Inspector General, as mandated by section 555 of the National Defense Authorization Act for Fiscal Year 1996. That evaluation is now complete and the Inspector General's report is available. That study confirmed that the Services have not done well in complying with Memorandum 10.

In November 1996, the Inspector General replaced Memorandum 10 with another memorandum clarifying the Services' reporting requirements. Moreover, the Inspector General intends to replace this memorandum with a Department of Defense instruction. A draft instruction is presently in the coordination process within the Department of Defense. When issued, the instruction will clearly state required actions by Department of Defense law enforcement organizations.

In a related area, you have also asked about the Department's progress providing Uniform Crime Reports (UCR) statistics to the FBI. The UCR is part of the National Incident-Based Crime Reporting System (NIBRS). The Department is now implementing the Defense Incident-Based Reporting System (DIBRS). NIBRS information will be reported by DIBRS along with other information of special significance to the Department of Defense. On October 15, 1996, the Deputy Secretary of Defense signed DoD Directive 7730.47, Defense Incident-Based Reporting System. While many DIBRS issues are still under review, we expect the Services will begin reporting this year and hope to have the system fully on-line by early 1998.

Your letter also states that you ''understand that the military can expunge criminal records from the FBI's database,'' and asks for information about such expungements. The military has no authority to ''expunge'' any record from the FBI database. However, a Military Department can correct an erroneous record and inform the FBI of that correction, causing a corresponding correction in the FBI database.

Department of Justice regulations permit a person, on request and verification of identity, to review his or her information in a Department of Justice criminal history record information system. If a person believes the system contains incorrect or incomplete information, he or she may submit a correction or update. An individual usually applies to the agency that contributed the questioned information. A person may also make a request for correction to the FBI Identification Division, which will forward the request to the concerned agency. If the agency agrees that the record should be corrected, it notifies the FBI and the FBI will make the necessary changes.

Do victims of violent crime continue to be victimized by the military justice system? As I described to Mr. Dornan, the process of a criminal trial in any court is a difficult one, especially for victims and their families. This is particularly true with respect to sex crimes, which often involve intensely personal facts. While no court system intentionally seeks to harm victims, such harm is often a regrettable result. Recognizing this, each Service has a victim assistance program that compares favorably with federal civilian and state programs.

Concerning your suggestion to create an ''ombudsman'' for servicemembers, comment at this time would be premature. As you know, one aspect of the Secretary of Army's pending inquiry into sexual harassment is the mechanism for reporting complaints. When the Army's inquiry is complete, the Department of Defense will review its recommendations for application to all Services.

Is the military's judicial system plagued by sketchy records, secret proceedings, and abuse of discretionary power given commanders? I respectfully disagree with your characterization of my reply to this question from Mr. Dornan as ''terse'' and ''contradict[ing] the facts shown by the Dayton Daily News.'' As I explained to Mr. Dornan, a court-martial is a public trial unless closed for a specific lawful reason (such as to prevent public disclosure of classified information). I also reiterate that military law and Service regulations provide for records of trials. As for records of nonjudicial and administrative proceedings, there continues to be a misunderstanding that I hope I can resolve here.

The Privacy Act of 1974 prohibits disclosure of personnel records except under specified circumstances. This is not military ''secrecy,'' but a law that the Department of Defense, including the Military Departments, is bound to follow just like other federal agencies. Nonjudicial and administrative actions are evidenced in personnel records covered by the Privacy Act and, unless an exception applies, may not be released under the Freedom of Information Act. As required by the Privacy Act, the Services did not disclose information about such actions to Mr. Carollo when he was researching his articles. It appears that Mr. Carollo then characterized these personnel records as ''secret'' as a literary device to imply that something sinister was going on in the military. Unless the Congress amends the Privacy Act to exempt military personnel records, such records may not be released except under the limited circumstances provided in the Privacy Act. As I emphasized in my reply to Mr. Dornan, it is wrong to label these personnel records as ''secret'' and imply that nondisclosure of personnel records is unique to the military.

Did the Navy fail to take appropriate action against personnel involved in the 1992 incident in Sitka, Alaska? In referring to my response to Mr. Dornan, you stated, ''I agree with the DoD's response in that the Navy [sailors] were not punished for their transgressions.'' You then declined further comment because the case was in litigation. I wish to clarify an apparent misunderstanding concerning my response and inform you of recent developments in the Sitka cases.

My reply to Mr. Dornan was not intended as an opinion that the sailors were not properly punished for misconduct. While I provided Mr. Dornan a summary of the incidents at Sitka involving sailors from the USS DUNCAN, I expressly reserved comment on whether the actions taken were justified. That was because there was an ongoing civilian prosecution against two DUNCAN sailors, one of whom was still in the Navy. That prosecution concluded in January 1997, when the Alaska Superior Court dismissed the indictments against both men.

The Sitka cases involved two separate incidents. In the first incident, two underage girls admitted lying to two enlisted sailors that they were over 16, the age of consent for sexual intercourse under both military law and Alaska law. After an investigation, the Alaska state's attorney declined to prosecute the sailors, as did the DUNCAN commanding officer. There has been no further action concerning this incident. The second incident, however, eventually produced state indictments.

As described in my letter to Mr. Dornan, the second incident involved sexual contact with two underage girls by two members of the DUNCAN crew. No intercourse occurred. A commissioned officer, although an ensign (the most junior commissioned officer grade), participated in these acts in the presence of an enlisted sailor. Both men knew the girls were underage. After the incident was reported and investigated, the girls' parents did not want to press charges, and the Alaska state's attorney declined to prosecute. Under the circumstances, the DUNCAN commanding officer determined that disciplining the enlisted sailor was inappropriate because his participation had been encouraged by a commissioned officer. The Navy took action against the ensign that eventually resulted in his separation from the Navy in lieu of trial by court-martial.

Although the ensign's request for separation in lieu of court-martial was approved, it resulted in an Under Other Than Honorable Conditions Discharge. As discussed previously, this character of discharge deprives the recipient of entitlement to any veterans' benefits to which he would otherwise be eligible and carries with it a significant social stigma. For the ensign's transgressions, he lost his job, any possibility of a military career, and present and future entitlements to veterans benefits. He will also endure the lifetime of disgrace associated with an Under Other Than Honorable Conditions Discharge. I am aware of no civilian authority that can impose administrative sanctions of such severity and permanence. I still decline to comment on the appropriateness of these actions, as I was not there and am not in a position to pass judgment on the officers who made these decisions. However, any perception that this ensign escaped punishment is not accurate.

You have concluded from Mr. Carollo's allegations and ''recent military sexual misconduct scandals'' that there is a need to reexamine the military justice system. The only things proven by Mr. Carollo's articles are that sex crime allegations make hard cases and the military justice system adjudicates them one at a time. It is ironic that recent ''scandals'' have been cited as evidence that the military justice system is failing in comparison to the civilian system. To the contrary, these events have proven the worth of the military justice system. Please examine Mr. Carollo's anecdotes and find out how many were cases that civilian authorities declined to prosecute or had no interest in from the start.

In the military justice system, if a particular allegation has resulted in a lesser charge, conviction of a lesser offense, punishment that may seem lenient, or exoneration, that is because someone made a hard decision. The same is true if an allegation has produced a conviction as charged and a severe sentence. In all cases, the decisions are made by those who, under the law, have the power and duty to do so, based on the applicable law and the evidence before them.

I will close by assuring you, as I did Mr. Dornan, that the military justice system is fair and efficient. I reaffirm my rejection of any allegation that service members live and work in a culture that officially condones sex crime or shelters sex offenders. To anyone who is genuinely familiar with the military and the military justice system, that notion is nonsense.

Thank you for your letter. I hope this reply has been helpful in addressing your concerns.

Sincerely,

JUDITH A. MILLER.

ARMY PROBE TO FOCUS ON TOP LEVELS; INQUIRY TO EXAMINE LEADERS' RESPONSIBILITY IN SEXUAL MISCONDUCT

(By Dana Priest, Washington Post Staff Writer)

The Army's civilian leader has ordered a wide-ranging investigation into the chain of command's responsibility in the sexual abuse scandal at Maryland's Aberdeen Proving Ground and into the management of the headquarters for all the Army's training centers.

The inquiry is the first high-level look at the possible role of senior officers in fostering the wrong atmosphere or otherwise contributing to a scandal that has so far mostly involved lower-level, noncommissioned personnel, such as sergeants.

In addition, the Pentagon acknowledged yesterday it does not know how many female service members are victims of sexual violence each year because it does not collect the information, even though Congress passed a law ordering it to do so in 1988.

''The department admits its deficiency,'' Defense Department spokesman Kenneth Bacon said.

Pentagon officials said Army Secretary Togo D. West Jr. plans to announce today that he has asked the Army's inspector general to find out what the commanders at the Aberdeen Proving Ground ordnance training center knew about the alleged incidents of sexual abuse, which include multiple rapes. The probe also will look at whether the commanders contributed to creating an atmosphere that permitted or fostered such misconduct.

West also has asked the inspector general to assess the management of the Training and Doctrine Command, which has control over Aberdeen and other Army training centers.

''It's an order to look top-to-bottom,'' a Pentagon official said.

West could not be reached for comment yesterday.

Asked the day the Aberdeen allegations became public whether the problem involved a few ''bad applies'' or was the result of more systemic problems, Maj. Gen. Robert D. Shadley, commander of Aberdeen, replied, ''I think it's a combination of both.''

Five drill instructors at Aberdeen are alleged to have had improper, and illegal, relationships with female trainees under their charge. Three of the five have been charged with criminal offenses and the other two

have received administrative punishment. Another 15 trainers still are under investigation. The more egregious offenses include assault, rape and threatening to kill or harm the victims if they disclosed the attacks.

Sexual misconduct, including assault by drill instructors, is not a new problem in the Army, but has come to public attention because of the gravity of the Aberdeen charges. The Army made the Aberdeen cases public because it did not want to be accused of a coverup.

Most of the Army's other major training posts report numerous cases of sexual misconduct by drill sergeants, who have near-complete control over their young recruits and trainees.

Holly Hemphill, a Washington attorney and chairwoman of a defense advisory panel on women in the armed services, known as DACOWITS, said Defense Secretary William J. Perry asked the group to visit Army training posts and conduct informal interviews with female soldiers.

Also yesterday, spokesman Bacon said the Defense Department had not complied with a 1988 federal law that required the Pentagon to create a uniform system for reporting all crimes, including sexual crimes, in the military.

Some of the services do not keep centralized statistics on sexual crimes such as rape and indecent assault, according to service officials interviewed recently.

Hemphill said the advisory committee had tried many times to get the services to give it information on sexual violence against female soldiers but ''we kept getting the wrong information.'' She said the services collect statistics on spouse abuse, but not abuse of their female members. ''We recommended in October that the department expand [its database] to include violence against military women. * * * It detracts from productivity and readiness, which is a huge understatement.''

Bacon said one problem was that Congress had not given the department any money to create the new database. Congress, he added yesterday, still had not come up with any new funds ''but basically, after this hadn't been done for awhile, somebody decided that it was time to do [it], and we're in the process of doing that now.'' He said the directive was issued Oct. 15.

The information in the new Defense Incident Base Reporting System also will be shared with the Justice Department. Other federal agencies are under the same mandate to report crime in their ranks to the Justice Department, but many have not complied either, Pentagon officials noted yesterday. The Army also has set up a military-civilian panel to review its efforts to combat sexual harassment.

House Speaker Newt Gingrich (R-Ga.) sent a letter Wednesday telling Rep. Floyd Spence (R-S.C.), chairman of the House National Security Committee, that Congress should monitor closely all the military services' reviews of sexual harassment prevention programs.

Gingrich urged all House members to visit Aberdeen.

A group of congresswomen, mostly Democrats, plans to visit the base in mid-December.

DEFENSE INCIDENT-BASED REPORTING SYSTEM [DIBRS]

Potential Question: What is DIBRS?

The Defense Incident-Based Reporting System (DIBRS) is a data collection system and repository designed to meet the Department's needs for oversight of law enforcement activities. DIBRS collects and reports violations of the Unified Code of Military Justice (UCMJ). It will permit the Department to respond to requests for statistical data on criminal offenses and other high-interest issues including suicide, sudden infant death syndrome, fraternization, and sexual harassment. When finished, DIBRS will provide a standard data system that tracks, criminal incidents from initial allegation to final disposition through the law enforcement, criminal investigation, command action, judicial and corrections phases.

Potential Question: What is DIBRS' relationship to the Uniformed Crime Reporting Act of 1988, the Victims Rights and Restitution Act of 1990, and the Brady Handgun Violence Protection Act of 1994?

Answer: Data requirements for the Uniformed Crime Reporting Act and the Brady Handgun Violence Protection Act are part of DIBRS. These data will be extracted from the DIBRS data based and transmitted to the FBI as required by statute. DIBRS also permits us to monitor and measure compliance with the Victims Rights and Restitution Act.

The Uniformed Crime Reporting Act established the National Incident-Based Reporting System (NIBRS), the national counterpart of DIBRS (see attachment). NIBRS collects and annually reports statistics on crime in the United States. At present only ten states and no federal agencies are fully compliant with the provisions of NIBRS.

Under the Victim Rights and Restitution Act, victims and selected witnesses must be notified of their rights at certain phases of a case from the time of initial contact by law enforcement through the investigation phase, prosecution phase, and if the case results in confinement, of change in confinement status. The confinement authority must advise the victim or witness of an inmate's status, to include length of sentence, anticipated earliest release date, place of confinement, the possibility of transfer, the possibility of parole or clemency, release from confinement, escape, and death.

Under the Brady Handgun Violence Protection Act, the DoD must report to the FBI:

Persons who are under indictment for, or have been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year,

Persons who are fugitives from justice;

Persons who are unlawful users of, or addicted to, any controlled substance;

Persons who have been adjudicated as mental defectives or who have been committed to a mental institution; and,

Persons who have been separated from the Armed Forces with a dishonorable discharge.

Potential Question: Will DIBRS report all instances of Sexual Harassment in the Services?

Answer: DIBRS will report only those incidents of sexual harassment that are reported to DoD law enforcement personnel or adjudicated via the UCMJ. This would include incidents investigated by equal opportunity advisors and subsequently referred for action under the UCMJ. Sexual harassment complaints that are reported to and investigated by equal opportunity advisors and determined to be unfounded would not necessarily be forwarded as DIBRS reportable incidents. This distinction between DIBRS reportable incidents is necessary to protect the identities of both alleged victims and alleged offenders, as well as preserving the integrity of service equal opportunity organizations as alternative means of reporting, investigating, and resolving interpersonal disputes.

Potential Question: How much does DIBRS cost?

Answer: Approximately $30 million. This figure includes Army: $3.9 Million, excluding Judge Advocate; Navy: $11.5 Million; Marine Corps: $5.5 million; and Air Force: $5.1 million.

These figures are still approximate, as we are attempting to accelerate development of this much-needed system into this Fiscal Year.

Potential Question: When does the Department expect to have DIBRS completed?

Answer: DoD Manual 7730.47, which the USD(P&R) signed on November 29, 1996, directed the Air Force to begin reporting within 90 days of that date (March 1, 1997). The Navy and Marines were next at the 270 day point (August 26). The Army had 360 days to achieve compliance. The Defense Manpower Data Center, the DoD repository for DIBRS, has begun working with Air Force and Marine Corps data.

Potential Question: Why did it take so long to develop DIBRS?

Answer: Work on DIBRS began in FY 1994. The Directive for DIBRS was in coordination and revision for over one year. That Directive and its accompanying manual are now signed and implementation is underway. This year, we expect to be the first Federal agency to join the ten states who currently are reporting NIBRS data to the FBI.

Mr. MURTHA. Mr. Chairman, will the gentlewoman yield?

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

Mr. MURTHA. Mr. Chairman, we will work out something that will force the Defense Department to adhere to what we suggested last year and what the gentlewoman is suggesting here. They should come up with figures which are reasonable. We will certainly try to work something out.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

Page 100, after line 15, insert the following new section:

SEC. . None of the funds provided in this Act may be used to transfer any of the Marine Corps helicopters and associated support personnel located at El Toro Marine Corps Base, California, and Tustin Marine Corps Base, California, to Miramar Naval Air Station, California.

Mr. FILNER. Mr. Chairman, this is a bill affecting the national security of the United States. I thank the Chair and the ranking member for all the work on this bill.

I have an amendment which pertains to my home town of San Diego, an amendment which I believe will protect the citizens of my city by preventing the serious negative impacts to their health, safety, and environment associated with the arrival of a Marine Corps helicopter fleet.

Mr. Chairman, the 1995 Base Realignment and Closure Commission, as we call BRACC, specifically eliminated the mention of Miramar Naval Air Station as a receiving base for the helicopters under discussion. That is to

say, this amendment has nothing to do with a BRACC decision. The BRAC Commission realigned Miramar Naval Air Station to Miramar Marine Corps Station, but said nothing about these helicopters. So we are not in this amendment interfering with any BRACC decision.

□ 1430

Miramar Air Station is situated in the middle of a populated area of San Diego, a populated area now scheduled to receive up to 163 of these helicopters, 163 huge 99-foot CH–53 Super Stallions, CH–46 Sea Knight transport helicopters.

Now, I have heard from some folks that such amendments should not micromanage what the Defense Department is doing.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. FILNER. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding to me.

My colleague mentioned that this was not designed to interfere with any base closure recommendation, and I agree with his position. But let me remind the gentleman as well as the House that in the initial base closure go-round where this recommendation was made, the commission actually recommended that the very helicopters the gentleman is talking about leave Orange County and go to 29 Palms, CA, to a marine base where they would welcome these helicopters. Frankly, I cannot understand why they shifted that decision, except maybe some people want to live near the beach.

In the meantime, if the gentleman would consider somewhere along the line amending this a bit to look at 29 Palms, I probably would not be offended.

Mr. FILNER. Mr. Chairman, reclaiming my time, I would be happy with a friendly amendment from the gentleman. I agree with the gentleman there seem to be better places for these helicopters.

I have been asked by several people why I am micromanaging a Defense Department decision. I do not call a decision which affects over 600,000 residents, thousands of businesses, and 154 schools micromanaging. These helicopters will fly at 1,500 feet or below. The potential for loss of civilian life and property is great.

Just recently, Mr. Chairman, in Okinawa, Japan, the Pentagon said to the Japanese, who had concerns about these helicopters in their area, they will build a floating heliport to separate the helicopters from jet fighters, saying it would be extremely difficult to control the traffic of the slower choppers with fixed wing aircraft. It was a safety concern.

If the Pentagon is willing to spend money in Japan to significantly reduce the burdens and threat to the people in Okinawa, why will they not do the same thing for my constituents in San Diego? We are being treated differently, and I do not know for what reason.

These helicopters will discharge 1,600 tons of air pollutants per year. That significantly affects our quality of life but, even more importantly, may bring the city of San Diego into a worse classification in terms of our air quality and, therefore, bring restrictions which will slow our economic growth. We should not allow such environmental impacts to affect our economic growth.

Most of the residents near this Miramar Naval Air Station oppose the relocation of helicopters. They believe the Navy misrepresented the facts in their environmental impact statement. One resident said to me, ''What is going on here? These marine helicopters are noisy, dangerous, polluting weapons of war. They have no business flying over densely populated areas. They are a disaster waiting to happen. The Pentagon's thinking is inexplicable.''

Now, Miramar Naval Air Station is not directly in my own district, but my constituents will be affected by the pollution, by the potential slowing of economic growth because of that pollution and, equally important, I have in my district a naval helicopter station now. We understand that to somehow meet the concerns of the folks who live around the Miramar Naval Air Station, they might want to conduct some of their flight training in my district.

So bringing these helicopters in affects the noise levels of tens of thousands of people, it affects the quality of life, it affects our environment, it affects the safety. This is not a decision that ought to be ratified by this Congress, and my amendment would prevent any funds from being used to transfer those helicopters.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to the gentleman's amendment.

I do not disagree with anything my colleague from California has said. In the very first BRACC, before this was even a concern, this Member sought to try and put fixed-wing aircraft with fixed-wing aircraft at Miramar. It is much more efficient. We lost that fight.

During the second BRACC, when they decided to close El Toro and Hawaii and some other bases and move helicopters, I also opposed helicopters coming to Miramar for some of the same reasons my colleague from California mentioned.

We went through the study of noise, we went through environmental, we went through the Secretary of the Navy. They said no. We went to General Krulak. The Marine Corps said the helicopters are coming. We went to the Secretary of the Navy. They said the helicopters were coming.

My colleague and I even went to the White House to try to get support from then Chief of Staff Leon Panetta, and after an extensive study, the Chief of Staff said the helicopters are coming. The President said the helicopters are coming.

It is my responsibility to my constituents in whose area these helicopters are coming to be truthful and to point out to them when there is, A, merit, which I think there is merit in the gentleman's amendment. But the chance of the amendment getting through is very, very small. It is like telling an MIA family that there are MIA's alive. We get their hopes up and then when it does not happen, it goes down. We have been through this year after year after year.

I would say, Mr. Chairman, I have gone back and asked General Krulak, I have asked Jay Johnson in the Navy, I have asked the Secretary of Defense, and all the way up to the President, and they said that, no, this does interfere with the BRACC decision and that it will not happen.

So instead of getting my constituents all in hopes that they are not coming, I would like to work with my colleague to make sure, first of all, the I–15 corridor that goes up and down, which has Scripts' Ranch and Rancho Bernardo, and a lot of the affected area. The FAA has been very forthcoming, and the administration has helped us with this, which I am very thankful for, but if it is IFR, under instrument flight rules, we have limited the number of flights that go up and down the I–15 corridor. If it goes to the east, over a certain departure, we have actually altered the departure route for that so it does not overfly much of the population.

I cannot tell the gentleman the difficulty it took or takes to change airways, because it affects everything.

The third thing we have done is change the altitudes. They were going to go out a thousand feet. I would also like to work with the chairman. I live out here at the marina, and those helicopters are coming by every morning and every night at 0-dark-hundred in the morning from the White House, and I want them stopped because they are noisy. And those things are about 200 feet over the top of my boat, and it is going to stop.

But I also want to point out that we have also lost, Mr. Chairman, six marines in car accidents that have been forced to travel up and down the corridor. Military construction for the base. And I think the helicopters are coming, I would say to my colleague, and we need to do everything that we can to make sure that, A, the military is welcome; that, B, we do everything we can to appease our citizens in South Bay and my district as well, and to work together on this issue.

But I do not think the amendment will pass and I think the actual potential of it ever making it through is zero. So for that reason I would oppose the gentleman's amendment.

Mr. FILNER. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I appreciate the gentleman's kind words. The gentleman has been fighting this for longer than I, and we have fought together. I would just suggest to the gentleman that with his support we could get it through.

Mr. CUNNINGHAM. Reclaiming my time, Mr. Chairman, I would say that I will support the amendment, but I do not think it will pass. The reason I am hesitant in doing that is because if it gets my constituents' hopes up, I think they will get dashed.

I will support the gentleman's amendment, but I do not think it will pass.

Mr. FILNER. Mr. Chairman, I would hope with the gentleman's support, he can get his side, I will get my side, and we will get it passed.

Mr. PACKARD. Mr. Chairman, I move to strike the last word, and to reluctantly oppose my friend, but very forcefully so.

The claim of the maker of the amendment is that this is not a BRACC issue. It really is a BRACC issue. It was in the BRACC in 1993 to make the transfer, to close El Toro and to transfer the helicopters. This was a fixed wing, and the noise has always been at Miramar. The helicopters replaced fixed wing but the noise will still be there. It will be a different noise, and I understand that, but that is not the real issue.

In 1988 we established the BRACC process specifically to prevent the President and the Congress from meddling in the closing of bases and from politicizing it. We have very, very carefully adhered to that purpose. We do not want to open up the process to where we can make changes in the BRACC.

It is my subcommittee that finances the closing of bases. We just completed voting on my bill that funds the final stage of closing El Toro and transferring the helicopters to Miramar and constructing the facilities to accommodate the transfer. $375 million has been appropriated to close the base and to transfer the helicopters. All but $48 million of it is being spent and has been appropriated.

The $48 million final part is in this year's military construction bill. We voted on that just 3 weeks ago here on the floor of the House. All but 14 Members of the House voted for it, including the maker of this amendment, which had $48 million to complete the transfer of the helicopters to Miramar. The gentleman has already voted on it and voted in favor of it.

Aside from that, let me read carefully the amendment. ''None of the funds provided in this act,'' in this bill before us today. There are no funds in this bill today to transfer the helicopters. So the amendment really has nothing to do with this bill. It will not eliminate, add to, or change the allocation of this bill whatsoever.

So I would suggest that the gentleman withdraw the amendment, because it has absolutely no bearing upon this bill and, to be very honest with my colleagues, as the gentleman from California [Mr. CUNNINGHAM] outlined, it has gone through review after review after review, all the way to the President, and in every case the answer came back exactly the same, no change. No change in the BRACC.

The last thing this Congress ought to do today is open up the chance of changing BRACC, because that is what we established BRACC to do. I had probably half a dozen to a dozen requests to alter the BRACC process in my bill 3 weeks ago. I rejected every one of them. Because the moment we open that door, that is the moment that the whole BRACC process will unravel. And the last thing I want to do is to reject my colleagues in Florida and here and there throughout the country of making a change in BRACC, and then find one right next door to my district and say, well, I tend to agree that we should change that one. Absolutely not.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. PACKARD. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, I agree with the gentleman partially, except that I intentionally put in the language that would allow this to happen. The only problem is that every source we have gone to has said no, it will not happen.

The gentleman is correct, there is no money to make it happen. And we tried every effort, whether it was 29 Palms or whether it was March or what, we thought it was a better avenue. I still do. The language is in there that would allow it, but none of the sources that would allow us to do that at this time will allow it to happen.

Mr. PACKARD. Mr. Chairman, reclaiming my time, I appreciate the gentleman's comments. I urge my colleagues to vote against the amendment, primarily from the standpoint of not the parochial issue but the fact that we do not want to meddle in the BRACC process. That would be a precedent that I think would be unacceptable.

And I strongly urge my colleagues, if this comes to a vote, to vote against it. I would hope that the gentleman would withdraw the amendment.

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

Mr. FILNER. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding to me. I do not want to prolong this debate beyond a couple more minutes. I want to point out to my good friend from California, Mr. PACKARD, here is a copy of the BRACC report. It specifically says, ''and change a previous recommendation that says that these helicopters may be moved to other air stations consistent with operational requirements.''

That is, the BRACC report opens the door to several other alternatives. Those alternatives do exist. We have heard the gentleman from California [Mr. CUNNINGHAM] saying that was his change. My other colleague, the gentleman from California [Mr. LEWIS] has suggested other alternatives, and other communities who are negatively affected by base closures want these helicopters. It is not inconsistent with BRACC.

Mr. PACKARD. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I thank the gentleman from Massachusetts for yielding to me.

The point the gentleman from California [Mr. CUNNINGHAM] brought out, though, was that the very decision of transferring the helicopters, not any other part of the decision of transferring the helicopters to Miramar, was reviewed time and time again by every agency, all the way up to the President, and they all came back with the same decision: The helicopters should go to Miramar.

□ 1445

Mr. FILNER. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. FILNER. I understand that. But this authority has not yet passed on it. Many of those decisions were based on an environmental impact statement, which is being challenged in court right now as being, at the least, dishonest and, at the worst, deliberately misrepresenting the facts in terms of the environmental impacts. So other authorities have ruled. I would like this Congress to rule.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FILNER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 100, after line 15, insert the following new section:

SEC. . The total amount obligated from new budget authority provided in this Act may not exceed $244,415,000,000.

Mr. SHAYS. Mr. Chairman, this is a freeze amendment. This is an amendment that says we are going to spend no more next year than we spent this year on defense. It is a recognition on the part of this Congress that we are slowing the growth of entitlements, we are truly cutting parts of domestic spending, and we are saying that the defense budget, which constitutes basically half of what we vote out and appropriate, should be under the same basic scrutiny.

It is a recognition on the part of this Congress that we need to look at the fact that the cold war has ended and we are waging a different type of warfare. In many cases, it is an economic warfare. In many cases, it is a warfare against terrorism. This amendment is a recognition that we need to look at all our weapon systems and determine that some need to go forward and some need to be discontinued in terms of research and development but not deployment. It is a recognition that this Republican Congress will realize that a freeze is not a cut, as we have said when we have argued against domestic spending. It is a freeze. It is a recognition that we need to look at our defense budget with the same kind of scrutiny and desire that we have looked at other parts of the budget. It is a recognition that, if we are going to get our country's financial house in order, we cannot allow the defense budget to go up.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. FRANK], a cosponsor of this amendment. We have a number of cosponsors, but he is the primary partner.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman from Connecticut [Mr. SHAYS] for yielding.

Let me anticipate one argument. This is not an across-the-board cut. This would, if it passed, have the Subcommittee on Appropriations, in conference, have the authority to allocate where to reduce what they ask for. And if they have trouble fingering places, I will suggest some: Funds for Bosnia; the funds for the expansion of NATO beyond our fair share. Maybe they are even talking about not sending 100 officers over here to help us do our job.

The point is that we are talking about the largest single operational budget in the Federal Government, and we are saying, at a time of great austerity, at a time when we are admittedly cutting back on programs that are of great value in a number of areas, we would ask the Defense Department to participate.

A number of Members here have said that they think we are overextended. We have passed legislation in this House that has said to the administration, cut back, you are overextended here, you do not belong over there.

They will continue to ignore those with absolute impunity until this House does the one thing it can do to restrain excessive interventionism, and that is reduce the funding. We know that from our history. What this bill then says is to Members who think we are excessively engaged here or there, we will trust the appropriations subcommittee. They will tell us with false modesty that this will be a job much too hard for them. But I have more confidence in their ingenuity than that.

Given the mandate from this House to make this relatively small cut to bring it back to a freeze, they would have the option of restraining the administration from entering into or continuing efforts which we do not think they should be in. They could crack down on waste. We could get serious about telling our allies in Europe that it is their turn to pick up some of the tab.

Indeed, if we forced the Europeans to do just a little bit of what they ought to be doing, we could easily afford this cut. This at this point, because we are in a fire wall situation, would not be available for domestic spending. I wish it would. In later years, it might be.

What we are talking about is another $3-plus billion of deficit reduction. I must say, as I look at how that deal is working out, which I do not happen to be a fan of, some of my colleagues who are voting for it may need a little extra deficit reduction, because that deal is going to be a deficit increase for a while.

So those of my colleagues who are planning to vote for the deal and claim credit for getting the deficit down might want to borrow our $3½ billion, because they are going to need it, as I do the arithmetic, in the next year.

But, in any case, it would be a very grave error to continue spending at the level that the committee asked for, increasing spending by a couple percentage points, continuing to fund excessive intervention, continuing to fund the subsidy of our Western European allies. All we do in this amendment is say to the Appropriations Subcommittee we have confidence that you, if you ask for a fair shake for America in the world, can make this small saving at a time when we are in fact putting the crunch to program after program after program.

I thank the gentleman from Connecticut [Mr. SHAYS] for his leadership, and I yield back to him.

Mr. SHAYS. Mr. Chairman, in conclusion, we urge adoption of this freeze amendment to the defense budget.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

I reluctantly oppose my good friend, the gentleman from Connecticut [Mr. SHAYS], because he is such a gentleman and is always so accommodating when there are legislative matters before the House. But I have to respond to some of the comments he made.

He said we cannot allow defense spending to continue to go up. This, Mr. Chairman, is the 13th year in a row that defense investment has gone down. In the last 10 years, the active duty forces have declined by 714,000 uniform personnel. The civilian work force has declined 318,000 personnel. The Guard and Reserve have been reduced by 267,000 uniform personnel.

In constant fiscal year 1998 dollars, the defense budget has declined by $120 billion in the last 10 years. In constant fiscal year 1998 dollars, the procurement budget has declined by $65.7 billion, or 70 percent, in the last 10 years. The budget request for procurement is the lowest since before the Korean war. So this defense budget has not been continuously going up. It has been continuously going down. And we are trying to level it off. This amendment would cut $4 billion out of this bill.

The number in this bill is consistent with the defense numbers agreed to in the budget agreement. It is consistent with the House-passed budget resolution. It is consistent with the House-passed defense and intelligence authorization bills. This amendment, Mr. Chairman, would undermine all of those agreements that have been agreed to by the House.

Besides, this amendment would leave it to the administration or the Pentagon to determine where the cuts would be. I do not think the Members of the Congress want to allow that to happen. We are the ones that are supposed to make these kinds of decisions.

The gentleman has suggested that the defense bill should have the same scrutiny as all other budgets. Let me point out, most of the other budgets have gone up. The defense budget has gone down, as I just said. But if Members will read the report published by this subcommittee, they will learn that we have scrutinized every one of these budgets. We have killed off some of the programs. We have reduced some of the programs. And we have accelerated some of the programs, as the gentleman from Connecticut [Mr. SHAYS] has suggested. So we have done that.

This is a good bill. To cut $4 billion out of this bill, let me tell my colleagues what it would take. This would take it down to the President's budget number, basically. We added $60 million above the President's budget for housing allowances for members of the military. We added medical research and operations increases above the budget request for $370 million, including $125 million for breast cancer research that we talked about so much today. We provided $79 million, a 25-percent increase over last year's level, for the DOD programs dealing with Gulf war illness. We provided $99 million above the budget for combat training programs; $622 million above the budget for Navy and Air Force shortfalls in flying hours and spare parts related to flying hours, training. We provided $925 million above the budget for real property maintenance, including barracks repair and renovation.

We added $184 million above the budget for the Guard and Reserve forces operation and maintenance programs; $473 million above the budget request for depot maintenance. We provided $713 million, $60 million over the President's budget, or nearly 10 percent above the budget request, for DOD counterdrug and drug interdiction programs.

This list goes on and on, Mr. Chairman. Which of those programs do my colleagues want to cut? If the Shays-Frank amendment is agreed to, those will all have to be cut and a whole lot more. I just do not think the Members of this House want to do that.

As we prepared to go to markup, we had requests for adds above the President's budget of $20 billion. By the time we found the duplications and where several requests included the same request, we got it down to about $12 billion above the budget request. The subcommittee worked through this problem, and we bring a bill today that is above the President's budget request but it is in line with our budget resolution, the authorization bills.

We ought to defeat this amendment out of hand because it would make such a slash, a drastic meat ax cut in the defense funding for the next fiscal year. Oppose this amendment.

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

Mr. Chairman, I rise in support of the Frank-Shays amendment. This would make this year's Pentagon spending equal to that of last year's. This year we are accomplishing a very historic task, we are bringing the Federal budget into balance in the next 5 years. But what that means is that we have to now begin to set some sensible budget priorities.

I do not think it is sensible to continue cold war spending priorities. I think we have heard a lot of figures, but maybe I could simplify this by talking about the fact that there are in fact two budgets. One is a discretionary budget. The other is entitlements. I have a picture here of the discretionary budget so that the American people will understand what we are talking about because pictures really are probably easier than all these figures.

What it shows in this picture is that the discretionary budget of this historic agreement, 52 percent goes to the Pentagon and 48 percent of discretionary spending goes to everything else. Well, what does everything else include? Agricultural, commerce, community development, education, energy Federal retirement, health, international, justice, natural resources, science, transportation, and veterans. All those things are funded out of the 48 percent that is left over.

So I would say that these are misplaced priorities. It is time to change the focus of the priorities to reflect on the fact that national security means more than outdated cold war systems, it means providing our children with a quality education.

How wonderful it would be if national security would include access to health care for our families and for everyone a safer place to live and to learn. Now recent reports show that our children, the children of America, are at more risk than their contemporaries in any other industrialized nation in the world.

We are first, however, in military technologies in preparedness, in expenditures. But we are 18th in infant mortality, 17th in low birth weight babies, and we are the last in protecting our children against gun violence. We spend more on the military than do the next eight countries combined.

There are several weapons systems in this appropriations bill that were initiated during the cold war for the purpose of fighting the Soviet Union. If we were to cancel these, we would save over $500 billion.

I would like to quote from an admiral of the U.S. Navy, Adm. Eugene Carroll, retired, who says, ''For 45 years of the Cold War, we were in an arms race with the Soviet Union. Now it appears we are in an arms race with ourselves.''

□ 1500

If we can go home and brag about balancing the budget when all the pain comes from non-Pentagon spending, I think our constituents have something to ask us about. I urge my colleagues, support this sensible amendment. Begin to set our priorities straight.

Mr. LIVINGSTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I am delighted to hear those figures offered by the gentlewoman that just preceded me. I think she might be interested in looking at a chart that I have been carrying around for some time. We all remember the days of Camelot, the days of Jack Kennedy when all was good and peaceful and it never rained except at night. In those days, in the peak of the cold war, the United States spent half, not of the discretionary budget but of its entire budget on the defense of this Nation, because Jack Kennedy thought it was important to protect the American people against the onslaught of the Communist menace. Half of everything we spent is depicted in this lower yellow portion of the discretionary budget. I might add, the nondefense discretionary was roughly a third of that remaining.

In today's chart, which I do not have in front of us, the picture has entirely changed. Defense has dropped from half of the entire budget to roughly one-sixth of the entire budget. Yet the portion of nondefense discretionary stayed effectively the same. It has grown with the budget. The budget has grown from $106 billion to $1.6 trillion today and nondefense discretionary is roughly the same. Entitlements have grown from what was a quarter to about 55, 56 percent of what we spend today, and interest on the debt has grown from a mere 6 percent of the budget back in Jack Kennedy's day to as much as we spend on the defense of this Nation, within $2 billion to $5 billion. We spend as much on interest to service the debt that we have accumulated in the last 25 years as we spend on the defense of this Nation. The fact is the one big declining portion of the budget since Jack Kennedy's day has been defense. Defense has shrunk and everything else has grown astronomically. Since 1985 procurement for new weapons systems has declined between 75 and 80 percent.

This administration has troops deployed to more corners of the world than perhaps any other preceding President, in peacetime. He did not want to pay for them because over the last 2 or 3 budgets he actually asked for between 7 to $12 billion in cuts in the defense budget. We did not do it. We froze the defense budget in real dollars, but the fact was when we count inflation, the budget shrank. Each and every year after inflation, the budget for the Defense Department shrank. In fact it has shrunk consistently since 1985.

I want to commend the gentleman from Florida [Mr. YOUNG], the chairman, and the gentleman from Pennsylvania [Mr. MURTHA] for doing an outstanding job in putting together a bill that makes up for some of the shortfalls proposed by this administration. This bill pays for the Reserve forces pay accounts, makes up for the shortfalls in the Defense Health Program, pays for the Army's successful breast cancer research effort, pays and fully funds the Air Force and Navy flying hour and spare parts shortfalls, pays for the real property maintenance backlogs where we have young troops, young sailors, young marines, young airmen living in barracks that were built in World War II and are in deplorable condition. This bill pays for drug interdiction program, Guard and Reserve equipment, and missile defense program shortfalls.

If we agree to this amendment, the fact is that we would go from what used to be one-half of the full budget, now is one-sixth of the budget, to a significantly smaller portion of the budget and in fact we would leave our troops underfunded and our country underdefended. I think that is an appalling lapse and I just do not think we can do it any more. We have shrunk enough.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

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

Mr. DICKS. Mr. Chairman, I want to associate myself with the gentleman's remarks. The height of the Reagan buildup ended in 1985. We have cut this budget in defense every single year. We have cut it by over $100 billion. I believe that we are now down at a point if we cut it any further, we are going to cause real problems in the military which has been deployed more than any military during the cold war. These numbers are absolutely accurate and defense spending has been cut too far.

Mr. LIVINGSTON. Reclaiming my time, I appreciate the gentleman's comments. The fact is that between uniformed military and defense-related industry personnel, we have shrunk the whole defense establishment of this country by over 1 million people. If any portion of this budget has given since 1962, the defense portion of the budget has paid more than its share. I urge the defeat of this amendment.

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

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

Mr. RAMSTAD. Mr. Chairman, I rise today in strong support of the bipartisan Shays-Klug-Ramstad-Frank-Hinchey-Luther amendment to freeze fiscal year 1998 defense spending at fiscal year 1997 levels.

As we continue our efforts to balance the budget and reduce the Federal debt, each and every Government program, including defense, must be scrutinized for potential savings.

By freezing the defense budget we force the Pentagon to cut wasteful and duplicative programs and to live within their means, like every American family and business must do every day.

This freeze is a modest reduction. In other words, this reduces the defense budget by only 1.7 percent or $4.3 billion.

While I fully understand and strongly support the need for a strong national defense, I believe freezing defense appropriations at last year's level will produce further Pentagon cost savings reforms, without endangering our national security.

Above all, it will show the American people that Congress treats all parts of the Federal budget fairly when it comes to cutting programs, balancing the budget and reducing the deficit.

I strongly urge you to support this amendment.

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

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

Mr. Chairman, I want to congratulate the gentleman from Louisiana who just spoke. He managed to point out to the membership that since John Kennedy became President, we created the Medicare Program.

It is true in 1962 defense was a much higher percentage of the total spending. We had no Medicare Program. But that was not John Kennedy's fault. He wanted one. It is true that we had no environmental spending. So the argument from 1962 in terms of percentages is built on the fact that in 1962 we had no environmental program, we had no Medicare Program, we had no Medicaid Program, and it is true that they have now reduced the total percentage.

But it also has nothing to do with a rational decision about how much to spend. The point of defense spending is to be far stronger than your enemies. One thing has changed even more since 1985 than the defense number and that is the nature of our enemy in the world. No one I know of thought at the time that the Soviet Union and its allies in the Warsaw Pact were not the major focus of our defense spending. There were other enemies, there was North Korea, there was Iran, but the major focus of our defense in every way, shape and form in terms of nuclear and conventional was the Soviet Union and the Warsaw Pact. That has disappeared.

There is no area of government where the objective situation has changed so greatly in our favor. Yes, we do have a potential problem with China. We have Iran and Iraq and Libya. We had those then. So, of course, we have cut spending some since 1985. If what had happened to the Soviet Union between 1985 and now had happened to cancer, we would not have a National Cancer Institute. There has been a total collapse, a disappearance of the major enemy.

The question is, do we need to spend at the current level to be secure against Iraq and Libya, et cetera? The answer seems to me to be clearly no. Of course, we should be the strongest Nation in the world. It is much cheaper to be. The gentleman from Florida, the chairman of the committee, said this is what the budget agreement called for, this is what the authorization called for. The gentleman knows that those are ceilings, not floors. The budget resolution, the authorization, they set ceilings. We are told at the time, this is the ceiling, this is the maximum. The notion that we always must appropriate up to every penny of the authorizing and budget resolutions is clearly one this House rejects.

The gentleman also inaccurately stated that this amendment would give the President the authority to make the changes. Nothing could be clearer. If this amendment were to pass, the bill would go to conference and the conferees would have entire authority to change the spending priorities.

The gentleman says, well, we would have to cut breast cancer, we would have to cut this. No. How about enforcing this House's vote that said we should be withdrawing from Bosnia? This bill funds, and let us be clear about this, this bill funds a full 12 months in Bosnia despite the fact that this House voted that the Bosnia enterprise should end June 30. This bill is inconsistent because it gives the administration the money to keep the troops in Bosnia in July and August and September over the vote of the House.

This bill continues the practice of saying to France and Germany and England and Norway and Italy and Belgium, ''You are objects of our charity.'' The worst example of cultural lag in the history of the world is that the United States taxpayers through this bill will be continuing to subsidize our NATO allies. We have voted several times to say they do not do enough. Their percentage of their spending of their GDP on defense far lags ours.

Yes, defending Western Europe is in our interest, but let me make a statement that I hope is accepted. While defending Western Europe is in our interest, it is at least as much in the interest of the Western Europeans. Let me make it a 50–50 proposition. It is at least as important to Belgium and France and Italy that we defend Belgium and France and Italy as it is to the United States. But we would not know that from looking at the figures or from looking at the appropriations, because while people in those countries have health care, people in those countries have much better unemployment compensation, their American equivalents may find themselves without health care, without unemployment compensation, without other things that we could use because we are subsidizing their defense, because we spend in many cases twice as much of our gross domestic product on defending them.

So I say to the Committee on Appropriations, work a little at it. Tell the administration that we are serious about withdrawing from Bosnia on June 30. We would save a billion or two there. They can do it if they put their minds to it.

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

Mr. Chairman, I did want to mention that it has been my privilege as a member of this subcommittee to sit for endless hours in the hearings of the appropriations subcommittee that handles our national security, and I rise simply to express my deep appreciation to the gentleman from Florida [Mr. YOUNG] and to the gentleman from Pennsylvania [Mr. MURTHA] for the phenomenal job that the two together have done in developing a highly bipartisan product that reflects the broad needs of our country.

To say the least, even though it involves $4 billion or so, an across-the-board cut, the very authors of this amendment know, is the worst way to govern. You do not take a machete and go across the board. You end up in that process by hurting the very people you say you support, the young men and women who live in conditions that are considerably less than we would have them live in, the circumstances that impact the quality of life in terms of housing on the bases that are involved. Across-the-board cuts are the wrong way. Indeed, defense has paid the price over a number of years of shrinking budgets. This indeed is a very, very well-developed, well-balanced bipartisan, almost nonpartisan measure. I commend the committee for its work.

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

Mr. Chairman, I rise in opposition to the amendment presented by the gentleman from Connecticut [Mr. SHAYS]. We have the highest standard of living in the world and have had for generations now not only because we have wonderful people in this country working hard every day but because of our military and because of the strength of our Defense Department. To propose a cut in spending on our military at this time would be a huge mistake. This money does not just provide the necessary weapons we need to maintain our freedom and liberty around the world but it provides money for training, very important training that must go on regardless of whether we are in

peacetime or war. It also provides for the maintenance necessary to keep our planes running and keep the tanks running, keep the trucks going, keep all of those things ready in the event we do have a problem. All of this affects readiness.

The reason that we are at peace right now is because the strength of the military through these processes keeps us at a level where no one wants to mess with us and threaten our quality of life. Quality of life is what I started out talking about a moment ago. In this country regardless of our income bracket, whether we are at the top or bottom, the biggest concern we generally have these days is whether or not we are going to be able to watch the video of our choice this weekend or what clothes we are going to be wearing this Saturday night or whether or not we are going to be able to get a cell phone to use in our car. All of those things are a great, great accomplishment and a great testament to our quality of life in this country because our military allows us to maintain that standard of living. We are also talking about health care for our military troops and for retirees. There are situations in this country right now where retirees cannot get in to see a doctor when necessary because of the funding cuts over the years.

□ 1515

This bill tries to address all of these needs.

It is a crime in this country when a military retiree has to wait 5 weeks to see a doctor. We are talking about people who saved the world in situations like World War II and saved the country. How can we not provide them the funds necessary to see a doctor?

This also includes money for pay raises, very important. We have still too many people serving in the military that are on food stamps, and it is a sad commentary on having that occur in this country in this day and age when our quality of life is so high in the civilian sector.

The other thing that this affects greatly for those who support peacekeeping missions, and I do not, it threatens the ability for our military to serve in peacekeeping missions around the country and for situations like Haiti. Haiti has turned out to be a fiasco. Whether we had a peacekeeping mission there or not, the government is about to fall apart, and we have wasted probably $3 billion in Haiti.

Mr. Chairman, those who support peacekeeping on the other side ought to be able to stand up and say, ''Well, we can't be gutting the military at this time because we need to pay for these peacekeeping missions as well.''

So all of these things make a big difference. To stand up here and say that the military ought to be the first place we ought to look to make cuts are very misguided. Let us enjoy our peacetime. Let us continue to enjoy it providing the military the funds that they need to do the job right not only for this generation, but for generations to come.

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

Mr. Chairman, I am delighted to see other Members here to join this debate. We are talking about the largest single appropriation. It seems to me appropriate that we ought to fully air it.

First of all, I was disappointed my friend from California had to rush off the floor and could not yield to me because he, I do not think, and he is back, good; he did not perhaps read the amendment when he said it is an across-the-board cut. It simply is not. An across-the-board cut, as we all know, means we cut every item by the same percentage. This amendment does not do that, and I am flattered that he apparently thinks the real amendment would be hard to criticize so he criticized a nonexisting amendment. And I would join him in opposing that nonexisting across-the-board amendment, if offered.

This amendment clearly says the total amount obligated cannot exceed X, and if it passes without question it is then within the province of the appropriations subcommittee in conference to comply with it. It would be entirely their choice. The President would have nothing to say. He would get a bill that would have to be this total, but what the components were would be entirely up to them. And so they would not have to cut these other things.

They could, as I have said before, enforce this House's view about Bosnia, and let us be clear we had a large majority that said we want to pull out of Bosnia by June 30. Why then is the Committee on Appropriations fully funding them to stay there for 12 months?

We have had the House say that we are picking up a disproportionate share in Europe. My friend from Massachusetts who yielded to me noted we ought to compare what the average worker gets in health benefits and unemployment compensation and tuition for higher education. In every case they get a better deal than the American because the American gets to pay for Germany's defense and Belgium's defense and France's defense because the percentage that we pay far exceeds theirs, and this appropriations bill funds a continuation of that inequitable pattern.

That is what we are telling the Committee on Appropriations: Instead of all this talk about burden sharing you are the ones who can enforce it because you are the ones who can say to our European allies, ''You will have to pay some more on your own.''

Mr. SHAYS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. Mr. Chairman, I yield now to a man who has been genuine in his consistent interest in reducing the deficit, the author of the amendment, the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, could I just inquire how much time the gentleman is yielding to me?

The CHAIRMAN. The gentleman had 5 minutes, and he has 2½ minutes remaining.

Mr. SHAYS. Mr. Chairman, the gentleman from Massachusetts [Mr. FRANK] has been totally consistent for years on the fact that we need to get our Defense budget in line with the other parts of our budget, and that is why I am more than happy to participate in this bipartisan amendment to have this Congress, this Republican Congress, realize that we have waste, fraud, and abuse, believe it or not, in Defense budget as much as we have it in domestic programs.

We have had hundreds of hearings on the waste and the fraud and the abuse and mismanagement that we see in domestic programs. We have hardly had any hearings on the waste and fraud and abuse that exists in the Defense budget. The gentleman from Massachusetts [Mr. FRANK] and I and the sponsors of this amendment want a strong national defense. We want in fact a stronger national defense than we have now. We do not feel though we can commit to so many programs, spread ourself so thinly and then come back to Congress and say we have to keep spending more.

This is truly a freeze amendment. We are going to be spending about $244.4 billion this year, and we are saying that we should spend about that amount next year. We are not cutting, we are not increasing; we are freezing. It is very disingenuous for people, particularly my own side of the aisle, to start talking about the fact that adjusting for inflation in this amendment is actually a cut and not a freeze. Well, if we say that, then let us be consistent with all the other programs that we say we are not cutting.

Mr. Chairman, I am asking that we treat the Defense budget like we would treat any other budget.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Chairman, to say the gentleman made a very good point. When we find fraud or waste in other programs, our impulse is to cut those programs to penalize them. Where we have found in the intelligence budget, which is part of this appropriation; remember, this includes the intelligence budget, the people who have the disappearing $4 billion that they got to keep. Our approach is when we find a waste in the national security area to give them more money to make up for what they wasted. The incentive for efficiency in this area is zero, the incentive to cut back in overextended interventions is zero, and the incentive this budget gives the administration to make our allies, our wealthy allies, pay a fairer share is also zero. That is what the freeze would accomplish.

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

and I rise in opposition to the amendment, and I just wanted to say before I will yield, and I am going to yield to my distinguished chairman; but before I yield, I just want to say that as my colleagues know, we have always had in this House a bipartisan coalition of Democrats and Republicans who have supported national defense and national security throughout the years.

One of the reasons we won the cold war: Because Congress steadfastly stood behind the administration, whether it is Democrat or Republican, and we continued to fund an adequate program for national security. We have cut that budget by $100 billion since 1985. I think that is too deep. The Chairman of the Joint Chiefs, all the Joint Chiefs, wrote a letter to Perry saying we are $60 billion short. We need to get up to a level of $60 billion a year in procurement. We are well below that still.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Florida [Mr. YOUNG], who has done a great job, he and the gentleman from Pennsylvania [Mr. MURTHA], in bringing this bill to the floor.

Mr. YOUNG of Florida. I just wanted to say, Mr. Chairman, that it is obvious to me that the sponsors of this amendment, as well meaning as they are, have not read our report because in this report we explain how we cut over 200 programs from this bill, which is, by the way, the 13th appropriations bill for national defense, 13th one in a row that is less than the year before in actual purchasing ability. We cut over 200 programs. They are described in this report, and we targeted the Pentagon bureaucracy and their overhead. The QDR recommended certain reductions for next year; we took them for this year, $325 million worth. Other headquarters reductions, we took $149 million; civilian personnel overbudgeting, we took $245 million; for consultants and advisory services, we took $210 million; for defense dual use and commercialization programs, we took $188 million. We stopped certain programs. JASSM; $140 million, we took out of the program. In appropriating budgeting and working capital funds, we took out $111 million; automated data processing programs, excess growth in the programs, we took out $110 million; excess defense supply inventory, we took out $100 million, the Joint Aerostat Program, we could not find anybody that supported it so we terminated it, $93 million; the improper use of RDT&E funding for using RDT&E money for procurement, we stopped that, $71 million we took out; growth in federally financed research centers, $55 million we took out; growth in civilian employee travel, $52 million we took out.

The list goes on and on. We took out a lot of money that we did not think was being spent wisely. We have scrutinized this bill probably better than any other appropriations bill that has been on this floor. We have scrutinized every section of it, and we have come up with a bill that has been agreed to by the authorizers, both intelligence and the House Committee on National Security, a bipartisan coalition of the appropriation subcommittee, the Committee on Appropriations, all of the votes on the House. This is a good bill, and to try to cut it by $4 billion just takes away things that are important to those who serve in our military.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, let me say the gentleman noted that the defense budget had gone up to 385, as I understand it, which I thought was too high then, but he said we have cut it $100 billion. That is what; about a 30-percent cut? I would ask the gentleman from Washington this:

Given the collapse of the Soviet Union and the switch of sides of so many leading nations in the Warsaw Pact to where they are now about to join NATO, would he say there has been at least a 30 percent reduction in the physical threat faced by the United States since 1985?

Mr. DICKS. Regaining my time, I would say this to the gentleman from Massachusetts.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, I would say to the gentleman that what we have in the Soviet Union today is in many respects a more dangerous situation than we faced before.

Mr. FRANK of Massachusetts. Would the gentleman yield, because I want to congratulate him for keeping a straight face?

Mr. DICKS. I cannot yield because I want to finish my statement. I would say that when we look at their nuclear weapons, when we look at the instability in their society, when we look at the organized crime and the Mafia, I worry about the future of Russia, and they still have nuclear weapons, and those nuclear weapons are not pointed at anybody else. We may have them off target for 5 minutes.

All I would say is and then we look at Iran, Iraq, we look at North Korea, look at emerging China, and I would tell the gentleman I think, and if he looks at the program we are trying to fund and sending these kids everywhere in the world, to Haiti, to Bosnia, and to everything else, we are, the military today is more deployed than it has been, and we have cut the money by $100 billion.

Now we cannot have it both ways. We cannot ask these kids to go out there and not adequately train them, adequately equip them, and I think it would be a great mistake to cut this $4 billion out in a meat ax approach here on the floor when we have got people who have always been opposed to defense, who were opposed to it during the cold war.

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

Mr. Chairman, I just wanted to make a couple comments since we are talking about the changes, and I have to say to the gentleman who is a gentleman that I do not reluctantly oppose, I strongly oppose the gentleman's amendment.

But in review of the Department of Defense program on breast cancer research, an advance copy that we received from the Institute of Medicine; now, as the Soviet Union declined, we in the defense subcommittee, the Subcommittee on National Security, tried to change the emphasis in the Defense Department.

□ 1530

We tried to initiate programs which were important to quality of life. One of them was breast cancer. I personally started the breast cancer research program with $35 million several years ago. It must have been 5 years ago. Since that time, we have spent $500 million in breast cancer research. There have been questions on both sides of the aisle whether this was a good program, whether NIH should be handling the program and not the Defense Department.

Here are the conclusions of the National Academy of Sciences:

> The committee concluded that USAMRMC has succeeded in establishing a fair peer review system, a broad-based research portfolio, by stimulating scientists from a wide range of disciplines to participate as applicants, reviewers, and advisors.

We are talking about the cancer program in the Department of Defense.

> The committee commends the Army for developing such a program under the serious time constraints and fluctuations in funding that have characterized the program to date. Moreover, the program fills a unique niche among public and private funding sources for cancer research. It is not duplicative of other programs and is a promising vehicle for forging new ideas and scientific breakthroughs in the Nation's fight against breast cancer. Among the most outstanding features of the program are the flexible approaches for setting priorities annually, the involvement of breast cancer advocates and the consumers in the giant peer review process, and the level of commitment and diligence of the individuals who serve the program in various capacities.

Mr. Chairman, this program started because of women, spouses, dependents in the Defense Department who came to me. I presented the program to the subcommittee. They agreed wholeheartedly something ought to be done. When we first presented it to the Department of the Army, they could not figure out what to do with the money. Finally, they started the program, which has received these rave reviews.

We have started also an ovarian cancer program. We started a program on

ovarian cancer, on prostate cancer. The chairman of the committee, the gentleman from Florida [Mr. BILL YOUNG], started a bone marrow program which has had a phenomenal success in indexing people who have had the possibility of being able to transfer bone marrow from one person to another.

We have tried over the years to expand the programs away from the past and to take care of quality of life, because the tempo of operations has been so high and because we know quality of life is so important. We have troops that have spent three or four Christmases away from home. We have troops that have to get out of the service because the families have been left alone so much. We have a real recruitment problem. We have tried to put money in those resources.

Mr. Chairman, there is no question in my mind, the cuts that have been made in defense have been so severe with the tempo of operations that we are talking about, that we are having a real problem with attracting the kind of people we want into the service.

A couple of years ago I reported to the committee that I did not have the number of people applying to the academies that I had had in the past. As a matter of fact, we had to have a couple hundred. Now it is down to 40 or 50. That is disappointing and discouraging. I realize the economy is in competition. I recognize the fact that many, many people can make more money on the outside but are not willing to make the sacrifices. The quality of the troops is absolutely essential to the success of the military and the success of these deployments.

I would hope the Members of Congress would oppose this amendment to cut 1 percent, or $4 billion, out of the defense budget. I would hope they would have confidence that we have already passed a distribution which we do not think is enough but which we are abiding by, and that they will support the committee in our transition, in moving away.

We cut procurement from $120 to $40 billion over the last few years. We have a problem in modernization, so we are trying to keep readiness up. We ask the support of the House so we can go forward with these quality-of-life programs.

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

Mr. Chairman, first, I would like to indicate that I rise in support of the Shays-Frank amendment. The practical effect of this amendment is that it would freeze military expenditures to last year's level, deriving $3.9 billion in cuts. In supporting that amendment, I would like to make a few comments.

First, the gentleman from Washington, in the context of his remarks, used the term ''those people who are always opposed to defense.''

Mr. Chairman, our position has been over the years, without fail, that we need to spend what is necessary on defense, but let us have an honest, rational, intelligent debate over what is, indeed, necessary. There is nothing very bright, very intelligent, very intellectual, to use phrases like ''I am strong on defense.''

What does that mean? It is a bumper sticker slogan. We are supposed to be here to rationally and intelligently engage each other. Just because people rise to cut the budget does not mean they are opposed to defense. That is bizarre and extreme, and I challenge anyone to come to the mike and really make that case.

Mr. Chairman, having said that, let me go to the second point. A number of my colleagues have marched into the well and argued that we have already cut the budget, we have already cut defense. Let us put that in its proper context. In the heyday of the height of the cold war, during the period of the 1980's, we spent in excess of $300 billion per year, during the decade of the 1980's, which means in that 10-year period we spent over $3 trillion on the military budget.

The cold war is now over, Mr. Chairman. During the period we were spending $300 billion a year, 70 percent, extrapolating mathematically, that means $210 billion per year of that $300 billion, was designed to prepare us to fight a war either with the Soviet Union or the Warsaw Pact. Like magic, Mr. Chairman, the Soviet Union no longer exists. Communists cannot be elected President of the Soviet Union. It no longer exists. A democrat is now President of Russia. The Warsaw Pact no longer exists.

Do Members have to be brilliant rocket scientists to understand that if we are spending $300 billion a year, 70 percent of that money designed to fight two enemies that no longer exist, that we certainly can reduce the military budget? No, we do not have to be very bright, just to have what my grandmother used to call mother wit, street sense, modest intelligence, and we can understand that we can bring down the military budget.

Mr. Chairman, I would assert that we are much more likely to be engaged in the Haitis, the Somalias, the Rwandas, and the Bosnias of the world than we are to engage in major war; peacekeeping, as opposed to warfighting. That has enormous implications.

For those who argue that now that the Soviet Union no longer exists, the Warsaw Pact no longer exists, suddenly the world is more dangerous, that is making an extreme and bizarre set of arguments. There are dangers there, but we ought to be intelligent enough to talk about the reality of those dangers and the parameters of those dangers, not on 30-second sound bites, not on bumper sticker comments, and not on comments that do not challenge people to think, to be rational, and to be intelligent, like ''I am strong on defense,'' as if that suddenly means something. We are strong on defense, but we ought to have a debate on what that means.

Mr. Chairman, one of my colleagues got up and talked about how far this budget is cut. If Members listen very carefully to all the lists of the things that were cut, what did we cut? Consultant fees. Big challenge when you are cutting consultant fees. Everybody in here can cut consultant fees. Or we are going to cut bureaucrats. Gee, it takes great courage to cut bureaucrats. It takes great courage to cut an agency. But have Members seen anybody stand up and say, we have cut somebody's weapons system? No. In here, we buy each other's toys, no matter how many billions of dollars it costs to buy those toys.

Just a few moments ago, we rejected an effort that would have saved $27 billion. We walked away from that. But we can cut consultant fees and we can cut a few bureaucrats.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 3 additional minutes.)

Mr. DELLUMS. Mr. Chairman, let us talk about where we can cut. First, our whole approach to our force structure, our readiness levels, our modernization schedule, et cetera, are all based on a bible that was generated as a result of the Persian Gulf War. Remember, Mr. Chairman, when Saddam Hussein went into Kuwait, we did not within 48 hours suddenly put our troops out there and start to wage war. We built up troops. The first thing we did was we put 4,000 troops in Kuwait to show resolve. Secondly, we put an aircraft carrier in the area, and then for several months, about 7 months, we built up forces, 500,000 troops. Then we said, now we are going to fight Saddam Hussein.

After that was all over, we then created a Bible that said, you have to be on location to wage a war within 48 hours. Now, stop and think about the implications: for the forward deployment, billions of dollars; force structure, billions of dollars; inventory, billions of dollars.

All Members have to do is slow down the response time from 48 hours to a more reasonable amount of time and they can save billions of dollars; no radical idea, just sound planning and thoughtful tactical and strategic approaches. We can bring down the readiness level, we can gear the readiness. Everyone does not have to be at level one, so it costs billions of dollars for that. We can bring down the level of the force structure, the deployment schedule becomes different. We can save tremendous amounts of money.

Second, Mr. Chairman, if we got rid of cold war weapons, weapons that were designed to fight the cold war, and now that the cold war is no longer with us, we are now in this new post-cold-war environment, we can stop weapons designed to fight in a cold war situation that no longer exists. Again, we do not have to be too bright to get to that position. If we designed weapon

systems for an area that no longer exists, take the weapons system off the table and generate weapon systems that are designed, that are much more purposeful for the era that you are evolving yourselves into.

The B–2 is the classic example. This was a weapon that was supposed to drop nuclear weapons in the Soviet Union and rearrange the rubble after a nuclear war started. But look, Mr. Chairman, that weapons system gets built in somebody's district, built in somebody's State, so they have to try to find a mission to solve the problem of building more of these planes. But that era is over, so now we are trying to find a conventional environment to fly a plane that was designed for the cold war.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has again expired.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. YOUNG of Florida. I have to object to that, Mr. Chairman. The gentleman has used a lot of time today. He has extended his time numerous times. I am constrained to object.

The CHAIRMAN. Objection is heard.

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

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding to me, and I rise to close the debate on this amendment today.

I would like to say to my friend, the gentleman from California [Mr. DELLUMS], who has spent a lot of time telling us what the world is like today but obviously spent very little time listening to some other things that were said on the floor, he said, no one has said——

Mr. DELLUMS. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. YOUNG] has the time.

Mr. DELLUMS. Mr. Chairman, I am making a point of order.

Mr. Chairman, I move that the gentleman's words be taken down. I am listening. I have tried to listen here as much as anyone in these Chambers.

Mr. YOUNG of Florida. Is the gentleman through?

Mr. DELLUMS. I would ask the gentleman to withdraw that comment about listening, because I am one person that is prepared to listen all day, Mr. Chairman.

Mr. YOUNG of Florida. If the gentleman would let me continue, I would like to clarify that statement.

The CHAIRMAN. The gentleman from Florida will suspend. The Clerk will report the words.

Mr. DELLUMS. I ask to withdraw that request, Mr. Chairman.

□ 1545

Mr. YOUNG of Florida. Mr. Chairman, what I was trying to say was the gentleman stood there just a few minutes ago and said no one came to the floor to talk about any weapons systems that were terminated or cancelled or stopped. That is not true. Because just a few minutes before that, I talked about Aerostat, a program that we stopped. I talked about JASSM, a program that we stopped despite the fact that there were many in the outside world who wanted to have these programs go forward. We did stop the programs. We made many cuts in the requests that we had received from all sources. I apologize to the gentleman if he is offended by my comment, but his comment offended me somewhat because we have made a list of numerous cuts and they are all listed in this report. I referred to it several times.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, the gentleman knows for over a decade, the quarter of a century I have been here, I have never tried to impugn anyone's integrity. It was not designed to challenge the gentleman. I am always prepared to debate on the substance. I thank the gentleman for his apology. My effort was not designed to challenge him in any personal way. I think everyone in this Chamber knows me by my reputation in that regard.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will continue to yield, I think they know both of us in that regard, I would say to my distinguished friend from California.

Mr. Chairman, the arguments about how much we spend and invest in our national security versus the rest of the world, that argument has been made many, many times today. What is not mentioned in those debates is that we have an all-volunteer force. Unlike the Russians, unlike the Soviets had, unlike the Iranians, unlike the Chinese, unlike the North Koreans, we have an all-volunteer force.

We pay the Members of our military far more substantially than these other nations pay theirs. They pay theirs almost as if it is slave labor. In fact at one point we were asked to provide funding to provide housing for Russian soldiers, which we did not do, by the way, but we were asked to do that. The point is that an all-volunteer service is very costly.

Approximately 70 percent of the money appropriated by this bill does not go to buy weapons. It does not go for RDT&E or things of that nature. It goes to provide salaries and allowances and clothing and housing and medical care and training for the members of the military and their families. We are trying to do a better job in that regard. We are trying to take those lower ranked people who live in barracks that really are not fit, in my opinion, I would not want one of my children to live there. We are trying to repair those and renovate them and make the quality of life better.

We are trying to get to the point that, if a mother brings her daughter into a military hospital while the husband is overseas on deployment, they do not have to wait four or five hours with a child in pain from an infected ear or something like that. Those are the things that we are trying to do in this bill. The dollars for procurement, the Joint Chiefs, the war fighters will tell you that even this bill does not provide anywhere near the modernization or procurement dollars that they, the war fighters, think that they need. I am not talking about the folks in the Pentagon. I am not talking about the budget office. I am talking about the war fighters who are deployed around the world, the commanders of those units that understand what the shortages are.

There are real shortages. I know some Members get tired of me rolling out this scroll. I will not roll it out today. But it could go from one side of this well to the other listing items that are never written about in the news media or reported on radio or television. They are never the subject of some great committee hearing. But what they are are items like flashlights and compasses and small arms ammunition and things of this nature, communications gear, communications cable that need to be purchased to keep the infrastructure working. They are listed here. On this scroll it is hard to tell, but some of them have been outlined in blue ink that means we have taken care of those items that are essential.

The ones that have not been outlined in blue still need to be taken care of. We do not need to cut this budget by this bill by $4 billion. We ought to go ahead and defeat this amendment and then pass the bill and get onto other business.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentlewoman for yielding to me. I would like to finish my remarks with respect to where we can save money. I mentioned about the time factor slowing that down, save billions of dollars, not a radical idea. Moving away from cold war weapons, saving billions of dollars, not a radical idea.

Mr. Chairman, the third place where we can save money is to reduce our nuclear forces, our nuclear weapons and reduce the inventory that supports our nuclear weapons. We all know that we are going to move to Start III. We ought to anticipate moving to Start III. None of us in this room would put money in a base that is going to be closed. We know that we are going to Start III. Why do we put money in this budget for D–5 missiles for the deployment on Trident submarines when we know eventually we are going to reduce the number of submarines, reduce

the number of weapons, thereby saving billions of dollars?

By reducing our nuclear arsenal for our children and our children's children, and reducing the infrastructure designed to support those nuclear weapons, we can indeed reduce, save billions of dollars.

Fourth, on the question of presence, we deploy nuclear aircraft carrier task force around the world for the purposes of presence. I have asked on numerous occasions, why do you need a task force as muscular as a nuclear carrier task force in order to simply show presence? Can you not show presence with a task force that is much less muscular than a nuclear task force? That can save you billions of dollars. In terms of the ships you deploy, in terms of the personnel, in terms of the planes, et cetera, et cetera. Billions of dollars.

Finally, we cannot talk, Mr. Chairman, about the intelligence budget, but there are many of us here who have intimate knowledge about the intelligence budget. I can assure you that there are places that the intelligence budget can be cut. At the end of the day, what we are saying with this amendment is that the committee can determine where they want to make these cuts. This simply says, go back to last year. What I tried to lay out for Members is that there are clearly places where we can save billions of dollars; $3.9 billion does not suddenly throw the United States from being the only peg standing, the only superpower in existence at this point into some Third World position. We are an extraordinary military power with extraordinary military capability.

I would ask this rhetorical question. If we had the mightiest military force on the face of the earth and our cities were deteriorating, our children not being adequately educated, people who need to work not able to work, drugs creating problems in our various communities, violence overtaking some of our communities, what are we out there defending? What this budget, what this does is save us some money. At the end of the day I think that redounds to the benefit of the country.

Finally, on a personal note, I would say to the gentleman from Florida, he and I walked in the door together. I have never objected to the gentleman's comments. Here it is very difficult to make complex arguments on multibillion-dollar amendments in 5-minute segments. It is just difficult to do. I have never, I have sat there in a position of chair of the committee and have never ever once objected to anyone standing up debating, because I think that is why we get paid here, is to debate.

Sometimes we get upset when people are debating who have something to say and are prepared to challenge them in a fundamental way. I am not trying to challenge anyone's intellect here. I am simply saying, let us rise to a level that allows us to understand these issues at a profound enough level to make us make the right decision.

I think the Shays-Frank amendment is the proper decision. I think that is what we can do. I believe that we can cut money from the military budget and the world goes on. The Nation goes on. Our children do not die. Our children's children are not threatened. I think that is hyperbole and overstatement, Mr. Chairman.

I appreciate the opportunity that the gentlewoman gave me to conclude my remarks. I am simply saying that I think we ought to support this amendment, and exaggerated comments to the contrary notwithstanding, I think this is a reasonable amendment. I think it can be accomplished and I would urge my colleagues to support it.

Ms. WOOLSEY. Mr. Chairman, I would like to say that I support also the Shays-Frank-Klug-Hinchey-Ramstad-Luther amendment. It makes sense. Let us cut wasteful defensive spending and let us invest in our children and their education.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SHAYS].

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

RECORDED VOTE

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 137, noes 290, not voting 7, as follows:

[Roll No. 337]

AYES—137

Ackerman
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blumenauer
Bonior
Brown (CA)
Brown (OH)
Camp
Campbell
Capps
Carson
Castle
Chabot
Clay
Clayton
Conyers
Costello
Coyne
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
Dellums
Doggett
Doyle
Duncan
Ehlers
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Filner
Foley
Fox
Frank (MA)
Franks (NJ)
Furse
Ganske
Green
Greenwood
Gutierrez
Gutknecht
Hastings (FL)
Hilliard
Hinchey
Hoekstra
Hooley
Jackson (IL)
Jackson-Lee (TX)
Kanjorski
Kelly
Kennedy (MA)
Kilpatrick
Kind (WI)
Kleczka
Klug
Kucinich
LaFalce
Lantos
Leach
Levin
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Metcalf
Miller (CA)
Minge
Mink
Morella
Nadler
Neal
Neumann
Nussle
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Peterson (MN)
Petri
Porter
Portman
Poshard
Ramstad
Rangel
Riggs
Rivers
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Schumer
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Smith (MI)
Stabenow
Stark
Stokes
Stupak
Tierney
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Woolsey
Yates

NOES—290

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Cardin
Chambliss
Chenoweth
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Etheridge
Everett
Ewing
Fawell
Fazio
Flake
Ford
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kennedy (RI)
Kennelly
Kildee
Kim
King (NY)
Kingston
Klink
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Maloney (CT)
Manton
Manzullo
Martinez
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek
Menendez
Mica
Millender-McDonald
Miller (FL)
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Northup
Norwood
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Ryun
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Towns
Traficant
Turner
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White

Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—7

Davis (FL)
Foglietta
Forbes
Gonzalez
Ney
Schiff
Young (AK)

□ 1612

Mr. BILBRAY and Mr. CHRISTENSEN changed their vote from ''aye'' to ''no.''

Ms. CARSON and Mr. PORTER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. NEY. Mr. Chairman, on rollcall Nos. 336 and 337, I was unavoidably detained in Columbus, OH, at an Elections Hearing. Had I been present, I would have voted "yes" on 336, and "yes" on 337.

The CHAIRMAN. Are there any further amendments?

If not, under the rule, the Committee rises.

□ 1615

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCHUGH] having assumed the chair, Mr. CAMP, 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. 2266), making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for the other purposes, pursuant to House Resolution 198, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore [Mr. MCHUGH]. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

REDUCING TO 5 MINUTES VOTES ON POSTPONED SUSPENSIONS

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that following passage of H.R. 2266, the DOD appropriations, the two votes on suspensions debated Monday, July 28, 1997, House Concurrent Resolution 735 and H.R. 1348, be 5 minutes each.

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

There was no objection.

The SPEAKER pro tempore. The question is on passage of the bill.

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

The vote was taken by electronic device, and there were—yeas 322, nays 105, not voting 7, as follows:

[Roll No. 338]

YEAS—322

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Ensign
Etheridge
Everett
Ewing
Farr
Fawell
Fazio
Flake
Foley
Ford
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King (NY)
Kingston
Klink
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Maloney (CT)
Manton
Manzullo
Martinez
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryun
Salmon
Sanchez
Sandlin
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (FL)

NAYS—105

Ackerman
Baldacci
Barrett (WI)
Becerra
Berry
Blumenauer
Bonior
Bono
Brown (CA)
Brown (OH)
Camp
Campbell
Cardin
Clay
Conyers
Coyne
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
Dellums
Dingell
Doggett
Doyle
Ehlers
Engel
English
Eshoo
Evans
Fattah
Filner
Frank (MA)
Franks (NJ)
Furse
Ganske
Gephardt
Gutierrez
Hilliard
Hinchey
Hoekstra
Hooley
Jackson (IL)
Johnson (WI)
Kennedy (MA)
Kilpatrick
Kind (WI)
Kleczka
Klug
Kucinich
LaFalce
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Miller (CA)
Minge
Morella
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Peterson (MN)
Rahall
Ramstad
Rangel
Riggs
Rivers
Roukema
Royce
Rush
Sabo
Sanders
Sanford
Sawyer
Sensenbrenner
Serrano
Shays
Smith (MI)
Stabenow
Stark
Stupak
Torres
Towns
Upton
Velazquez
Vento
Watt (NC)
Waxman
Yates

NOT VOTING—7

Coburn
Foglietta
Forbes
Gonzalez
Hunter
Schiff
Young (AK)

□ 1632

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 2266, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other conforming changes as may be necessary to reflect the actions of the House today.

The SPEAKER pro tempore [Mr. MCHUGH]. Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2200

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 2200.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule 1, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed from Monday, July 28, 1997, in the order in which that motion was entertained.

Votes will be taken in the following order:

House Concurrent Resolution 75, by the yeas and nays; and

H.R. 1348, by the yeas and nays.

Pursuant to the order of the House of today, the Chair will reduce to 5 minutes the time for both electronic votes in this series.

EXPRESSING SENSE OF CONGRESS THAT STATES SHOULD WORK MORE AGGRESSIVELY TO ATTACK PROBLEM OF REPEAT CRIMINALS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 75.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 75, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 24, answered ''present'' 1, not voting 9, as follows:

[Roll No. 339]

YEAS—400

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

NAYS—24

Carson
Clay
Conyers
Cummings
Dellums
Hilliard
Jackson (IL)
Kilpatrick
Lewis (GA)
McDermott
Oberstar
Olver
Payne
Rangel
Rush
Sabo
Sanders
Scott
Serrano
Stark
Stokes
Towns
Velazquez
Watt (NC)

ANSWERED ''PRESENT''—1

Snyder

NOT VOTING—9

Coburn
DeFazio
Foglietta
Forbes
Gonzalez
Schiff
Smith, Linda
White
Young (AK)

☐ 1644

So (two-thirds having voted in favor thereof) the rules were suspended, and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPANDED WAR CRIMES ACT OF 1997

The SPEAKER pro tempore [Mr. MCHUGH]. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1348, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee [Mr. JENKINS] that the House suspend the rules and pass the bill, H.R. 1348, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 32, not voting 11, as follows:

[Roll No. 340]

YEAS—391

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn

Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foley
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NAYS—32

Carson
Clay
Conyers
Cummings
Davis (IL)
Delahunt
Dellums
Frank (MA)
Jackson (IL)
Kanjorski
Kilpatrick
Kucinich
Lewis (GA)
Markey
McDermott
McGovern
McKinney
Miller (CA)
Murtha
Olver
Pappas
Paul
Payne
Rangel
Rush
Scott
Serrano
Tierney
Towns
Velazquez
Waters
Watt (NC)

NOT VOTING—11

Abercrombie
Bonior
Coburn
Foglietta
Forbes
Gonzalez
Scarborough
Schiff
Thomas
White
Young (AK)

□ 1653

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. METCALF. Mr. Speaker, because of weather problems at Dulles Airport my flight was delayed and I missed all the rollcall votes yesterday. Had I been present, on rollcall votes 332, 333, and 334, I would have voted ''no.'' On rollcall vote 335, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. MCDERMOTT. Mr. Speaker, like the previous gentleman, due to weather problems here in D.C. I missed all four votes. On rollcall vote 332, I would have voted ''yes,'' on rollcall vote 333, I would have voted ''no,'' on rollcall vote 334, I would have voted ''yes,'' and on rollcall vote 335, I would have voted ''no.''

CORRECTION TO THE RECORD OF JULY 28, 1997, PAGE H5879

The speech printed on page H5879 and erroneously attributed to Mr. BURTON of Indiana, was submitted under general leave by Mr. WAXMAN, and should appear as follows:

Mr. WAXMAN. Mr. Chairman, the legislative branch appropriations bill for fiscal year 1998 cuts the funding level for the General Accounting Office by $9 million from the fiscal year 1997 funding level. This cut is unwise and unfair and should be reversed in Conference.

Two years ago, the GAO and House and Senate appropriators reached an agreement on a two-year plan to reduce GAO's budget. As part of that agreement, GAO's budget has been reduced by 25 percent and its staffing has dropped below 3,500—its lowest level in almost 60 years. These cuts have taken a heavy toll. Hiring and promotions have been frozen for a long time. Staff reductions have diminished expertise in key areas. And needed investments in information technology have been placed on hold. Additional cuts now are not only a violation of that agreement, they will result in a loss of morale and a further loss in staff expertise as the agency's future is cast in doubt.

Instead of pursuing this foolish course of action, the House should have honored the agreement over funding for the GAO. It could easily have made up for the revenue difference by refusing to fund the Government Reform and Oversight's partisan witch-hunt into campaign fundraising practices. The budget for that ''investigation'' is an extravagant waste of taxpayers' money. The Senate is doing a better, and fairer, job while the House's investigation is in a shambles. We are wasting millions of dollars on a mistake-plagued House investigation which duplicates the more comprehensive and bipartisan efforts of the Senate. Instead of funding partisan investigations in the Government Reform and Oversight Committee, let's give money to those than can really use it, the professional auditors and investigators of the GAO.

The Senate has also taken a much wiser approach to GAO's funding, and kept faith with the agreement reached two years ago. By funding GAO at their requested level, the Senate has provided less than a 2 percent increase; not enough for any staff or program increases, just enough to continue current operations at their present levels. In essence it is a cost of living increase. This is certainly the least Congress should provide for the GAO, our own investigative arm. The cuts in the House bill are penny wise and pound foolish because the GAO remains an excellent investment for the American taxpayer. The financial benefits from its work in the last five years alone total over $103 billion.

If we in Congress are to continue doing our jobs well, we need a strong and effective General Accounting Office. I urge my colleagues on the House Appropriations Committee to carefully consider these issues during the conference with the Senate on this bill.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

SPECIAL ORDERS

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

HAROLD SCHUITMAKER

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

Mr. UPTON. Mr. Speaker, I rise today to honor a dedicated and devoted community leader and a dear friend, Mr. Harold Schuitmaker of Paw Paw, MI. Harold has been very active in our community, lending his hand wherever he can to help our neighbors. As a Rotarian, United Way board member, an Elk, an advocate for children, an active member of his church, Harold has always been there for the community of Paw Paw.

I talked to a few of our neighbors, and they all agree when it comes to

this community Harold has never said no. In fact, I first got to know Harold through his fine work with the child and family services organization.

Harold has also been an active leader in our Republican Party. For as long as anyone can remember he has been at the helm of the Republican Party in the Sixth District serving as its Chair, and at convention after convention, whether it be on the local, State, or national level, Harold has exhibited the kind of leadership that is both admired as well as respected.

But his efforts are about a lot more than just working for today. One of the indelible images of Harold that sticks out in everyone's mind is him holding his 2-year-old grandson Jordan at every event, the get-togethers, Harold brings his grandson Jordan. He starts early showing the next generation what leadership and service and dedication are all about, and he also helps to remind us what we are working for as well here in this House.

Mr. Speaker, I would like to thank Harold for all his efforts. I would also like to thank a special woman in his life and for everyone's life for that matter, Zoe, for her dedication. Thanks, Harold. The whole community joins me in thanking you for your fine work. You have made a difference for all of us.

□ 1700

THE PROBLEM OF CAMPAIGN FINANCES IN AMERICA

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order of the House, the gentleman from Maine [Mr. ALLEN] is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, I rise tonight to talk about the problem of campaign finances in this country. Today is a good day to be talking about this subject, because we have an agreement, a budget agreement, entered into by the President and by the Republican leadership, and that budget agreement and tax agreement has drawn strong support across the aisles today.

The problem I want to discuss today is an area where we also have some bipartisan agreement. I have been the cochair of a freshman task force with the gentleman from Arkansas, Mr. ASA HUTCHINSON. This freshman task force has spent 5 months working on the issue of campaign finance reform. I want to speak a few words about the problem, and then describe a little bit what we have been going through.

All of the freshmen went through the experience in 1996 of going through a different kind of an election, an election where there was a vast amount of money spent in our races to influence our races, either by the national parties or by outside groups that were not connected with our campaigns. So in many ways, we felt as if we did not have the same kind of role in the campaign that candidates had had in the past. In short, there was too much money in politics. Soft money was a big part of the problem. Soft money is the $100,000, the $500,000, the $1 million contributions that go to national parties for so-called party-building activities.

A long time ago, when this provision was created, the thought was that this money would go to help get out the vote, to help build the party organizations. In 1996 we saw that money flowing down into districts around the country to be used for negative advertisements. That simply has to stop, because every individual contributor, every voter, every citizen is diminished when that kind of big money contribution is part of the political process.

Our task force that I cochaired with the gentleman from Arkansas, Mr. ASA HUTCHINSON, worked for 5 months on this particular issue. The gentleman from Florida, Mr. ALLEN BOYD, the gentlewoman from California, Ms. ELLEN TAUSCHER, the gentleman from New Jersey, Mr. BILL PASCRELL, the gentleman from Texas, Mr. NICK LAMPSON, and the gentleman from Wisconsin, Mr. RON KIND, were members of that task force.

We learned together. We held hearings. We had participants, groups that had made contributions, that had run ads, come in and testify. We had advocates for all sorts of change come in and testify. We went through a 5-month process to try to work out on a bipartisan basis what would be the kind of campaign reform that would be significant reform but would also be practical, that could be passed this particular year.

We have a bill. It is the Bipartisan Campaign Integrity Act of 1997. I am proud to be an original sponsor of that bill. It does three particularly important things. First, it bans soft money. It takes the biggest of the big money out of politics. Second, it provides that those groups that want to advertise will have to undergo a further disclosure than they have in the past. They will have to identify who the group is and they will have to identify what they are spending their money on, if they spend more than $25,000 in a district, or an aggregate of $100,000 around the country. Third, we will have faster reporting by candidates of their contributions, and electronic reporting in many cases, and more disclosure than we have had in the past.

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

Mr. ALLEN. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Speaker, I wanted to say to my friend, the gentleman from Maine [Mr. ALLEN] that it has been a pleasure to work with him on this task force. I think he has done an outstanding job with his colleagues. I want to commend him for his work on this. I will say more later, but I just wanted to say what a joy it has been to work in a bipartisan fashion with the gentleman and his colleagues.

Mr. ALLEN. Mr. Speaker, I thank the gentleman very much. We have had a good time. We have learned a lot. We have learned that, among other things, a group of freshmen new to this Chamber can come into this Chamber and learn to work together across the aisles. The gentleman from Arkansas [Mr. HUTCHINSON] has been an extraordinary leader in this endeavor, and other members, Republican members of the task force, have really done an outstanding job.

Mr. Speaker, I just want to address a couple of things, in addition. We have critics. No surprise. There are always critics. There are those who say we have not gone far enough. They want candidate limits or they want public financing.

To them I say whatever their agenda, however important further reform may be, the fact is that if we are going to act this year, we have to ban soft money. We have to take the biggest of the big money out of politics. There may be unfinished business for other times, but at least we must do that much.

EXPRESSING SUPPORT OF THE BIPARTISAN CAMPAIGN INTEGRITY ACT

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

Mr. HUTCHINSON. Mr. Speaker, it is my pleasure today to rise in support of the Bipartisan Campaign Integrity Act. I like that name, because that is what we need to have in our campaign system these days is simple integrity.

About 6 months ago, as my friend, the gentleman from Maine [Mr. ALLEN] indicated, a group of Members, we called it the Bipartisan Freshman Task Force, met together, six freshman Republicans, six freshman Democrats, and we called it, I called it an experiment in bipartisanship to see if we could really work together to accomplish something, to accomplish the job people sent us here to do.

We worked together. We held hearings. We listened to each other. We decided what we could agree upon. As the gentleman from Maine [Mr. ALLEN] suggested, we set aside the extremes and said what could we do for the American people that would improve our system. We focused ourselves on one primary concern, and that was the huge problem of soft money that runs in our system today.

I think the issue that faces the U.S. Congress this year, in 1997, is can we, do we have the courage, to do something about the problem with soft money. That is the overriding issue. I hope that the answer is a resounding yes. I have been encouraged recently by what I have heard from leaders from both sides of the aisle, from the public, and I dearly hope we can do that this session of Congress.

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

Mr. HUTCHINSON. I yield to the gentleman from Arkansas.

Mr. SNYDER. Mr. Speaker, one of the issues that has come up is why are freshmen seeming to have such an early impact on this race. I am a Democrat from Arkansas, a freshman, and the gentleman is a Republican from Arkansas, and it seemed to me that the ugly races were ones for open seats. Both the gentleman and I from Arkansas had different political perspectives, but it was ugly because of the presence of soft money.

I loved the line the gentleman from Maine [Mr. ALLEN] used, getting rid of the biggest of the big money. These are not the $1,000 donations we are talking about, but the $50,000 or $100,000 to the party that have so distorted the system. I commend the gentleman and the gentleman from Maine [Mr. ALLEN] for his work. It truly is a bipartisan effort. I thank the gentleman for his effort.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman. I certainly concur that this has been a good effort we put forth. The gentleman and I had an opportunity in Arkansas when he was in the General Assembly, we worked in separate parties on election reform in Arkansas, and I am delighted we can set the example here in our Nation's Capital, and I hope we can have the same success as well.

If Members look at this bill, and my friend, the gentleman from Maine, described the elements of this bill, it focuses on soft money. It bans soft money, and any serious reform has to start with that. But it also increases disclosure.

I believe we need to provide information to the American public so they will know who is spending what in a campaign, and that they can find out that information in a timely fashion. That is what our bill does this year. It does those two things.

In addition, Mr. Speaker, our bill, besides providing a ban on soft money and increasing disclosure, I think it is unique because it is a product of bipartisanship, and because it has come through in that fashion I believe it has the best chance for success this year.

I believe that the timing is right, and that momentum is gathering for campaign finance reform for a couple of reasons. First of all, the Senate hearings have focused the American public's attention on the problem of soft money. I hope that the American public who is listening today, that they will write in, that they will encourage their Congressmen to address this serious issue.

Second, I have been encouraged by the response of leaders from both sides of the aisle, with a growing sense that we need to do something about this. The gentleman from California, Mr. BILL THOMAS, chairman of the Committee on House Oversight that will have the hearings on campaign finance has indicated a willingness to hold hearings. I commend him for that. He is a critical part of this effort, and I hope we can have those hearings this fall so we can move this legislation forward.

Finally, we have had encouragement even from leaders like the gentleman from Texas, Mr. DICK ARMEY, who has indicated that the freshmen are going in the right direction, that he is anxious to hear more details about this plan, and I was delighted to hear this.

Most importantly, the encouragement comes from the voters, from letters from constituents who say their voice is being diminished by the vastness, the millions of dollars in corporate and labor money that flows to the parties. They say, where is our voice? Where is the voice of the average voter, the voter out there who works day in and day out, the contributor, the small contributor to a campaign?

I was delighted also that this last week we had encouragement from very significant leaders from both parties. Former President George Bush, former President Jimmy Carter, and former President Gerald Ford all indicated support for campaign finance reform.

I like what former President George Bush said in his letter of June 19, 1997. He said, ''We must encourage the broadest possible participation by individuals in financing elections. Whatever reform is enacted should go the extra mile in demanding fullest possible disclosure for all campaign contributions.

''I would favor getting rid of so-called 'soft money' contributions but this principle should be applied to all groups including Labor.''

Speaking from this side of the aisle, I certainly believe that the soft money ban should include not only corporations but also labor. It does that. It does that, because that is the ban that is needed. It is equal and fair to all sides.

Mr. Speaker, I will enter the three letters from the former Presidents into the RECORD.

The letters referred to are as follows.

JULY 10, 1997.

Hon. NANCY KASSEBAUM BAKER,
Washington, DC.

DEAR SENATOR KASSEBAUM: Our system in financing federal election campaigns is in serious trouble. To remedy these failings requires prompt action by the President and the House and Senate. I strongly hope the Congress in cooperation with the White House will enact Campaign Reform legislation by the forthcoming elections in 1998.

Public officials and concerned citizens. Republicans and Democrats alike, have already identified important areas of agreement. These include (1) the need to end huge uncontrolled ''soft money'' contributions to the national parties and their campaign committees, and to bar solicitation of ''soft money'' from all persons, parties and organized labor by federal officeholders and candidates for any political organizations; (2) the need to provide rapid and comprehensive disclosure of contributions and expenditures in support of, or opposition to, candidates for federal office, and (3) the need to repair the system of campaign finance law enforcement by assuring that it is effective and independent of politics.

A significant bi-partisan effort across party lines can achieve a legislative consensus in campaign reforms that will help to restore the confidence of our citizens in their federal government.

I commend you and former Vice President Mondale for your leadership on behalf of campaign reform.

Sincerely,

GERALD R. FORD.

JULY 17, 1997

Hon. WALTER MONDALE,
Minneapolis, MN.

TO VICE PRESIDENT WALTER MONDALE: I am pleased to join former Presidents Bush and Ford in expressing hope that this Congress will enact meaningful campaign finance reform legislation. For the future of our democracy, and as our experience may be emulated by other nations, prompt and fundamental repair of our system for financing federal elections is required.

The most basic and immediate step should include an end to ''soft money,'' whether in the form of corporate or union treasury contributions to federal campaign, or large and unregulated contributions from individuals. The initial step should also include measures that provide for complete and immediate disclosures of political contributions and expenses.

To accomplish these and other needed reforms and to lay the basis for future ones, we also need to develop a strong national consensus about the objectives of reform. It will take more than just the action of this Congress, but fundamental reform is essential to the task of repairing public trust in government and in our leaders. We must take significant steps to assure voters that public policy is determined by the exercise of their franchise rather than a broken and suspect campaign finance system.

Please extend to Senator Nancy Kassebaum Baker my appreciation for the work that she has undertaken with you to advance the essential cause of bipartisan campaign finance reform.

Sincerely,

JIMMY CARTER.

JUNE 19, 1997.

Senator NANCY KASSEBAUM BAKER,
Washington, DC.

DEAR SENATOR KASSENBAUM, First let me commend you and the former Vice President, Ambassador Mondale, for taking a leadership role in trying to bring about campaign reform.

I hope the current Congress will enact Campaign Reform legislation.

We must encourage the broadest possible participation by individuals in financing elections. Whatever reform is enacted should go the extra mile in demanding fullest possible disclosure of all campaign contributions.

I would favor getting rid of so called ''soft money'' contributions but this principle should be applied to all groups including Labor.

I congratulate you for working for better campaign finance law enforcement.

With my respects to you and Vice President Mondale I am, sincerely,

GEORGE BUSH.

URGING COLLEAGUES TO JOIN IN SUPPORT OF BIPARTISAN CAMPAIGN FINANCE REFORM

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

Mr. KIND. Mr. Speaker, this is truly an historic day in our Nation's history.

Both parties recognize the challenges we face as far as recurring structural deficits. They came together and through some hard-fought negotiations, some compromises, some give-and-takes, it was announced today that we have reached an agreement on a balanced budget plan that will bring the books finally in balance for the first time since 1969, when I was in the first grade.

Yet, just to strike a cautionary note, this does provide the largest expansion of educational programs in the Nation's history, the largest expansion of children's health care since 1965, when Medicaid was passed. But I have always viewed this as the first step of a two-step process.

The second step that we have to begin working on right away is some long-term fixes with the entitlement programs, Medicare, Social Security, which according to all the demographics and all the analyses are due to explode starting early next century when the baby boomers start to retire.

That is the second step as far as maintaining the fiscal responsibility and the discipline started today, and that will continue into the next century.

We also face other challenges in this country and before this Congress. One of the big issues I came to Congress on and which I feel there is no bigger issue that we should be dealing with in trying to find a resolution is the role of big money in the political system.

That is why I was proud when I was called and I joined the Bipartisan Task Force on Campaign Finance Reform, working with my five freshman Republican colleagues and six Democratic colleagues. I commend the gentleman from Maine [Mr. TOM ALLEN] and the gentleman from Arkansas [Mr. ASA HUTCHINSON] for the leadership they have shown during the course of this process, which has been educational for all of us.

It has been very difficult. There were internal and outside forces doing everything they could to try to scuttle what we were trying to accomplish, because anyone who is a student of this institution realizes that nothing significant has ever been achieved without some bipartisan cooperation.

So it was with that attitude that we joined the task force, trying to work out a compromise, finding common areas of agreement and, as freshmen, proposing our own campaign finance reform bill. This is incremental in every sense of the word. This is not the type of comprehensive overhaul that I personally would have liked to have seen, but it is probably the best chance we have of passing anything in this session of Congress. What it does do is it targets the biggest, as the gentleman from Maine [Mr. ALLEN] said, the biggest of the big contributions in the political system, the soft money contributions.

Just to highlight the problem we have with soft money contributions right now, I am holding up a chart that shows the growth of soft money to the political parties, both Republican and Democrat, over the last three election cycles.

As everyone can see, in 1996, it exploded soft money contributions, close to $140 million being contributed to the Republican Party, a little over $120 million to the Democratic Party. I submit, this is just the tip of the iceberg. We really have not seen anything yet until we are able to take some action in this session of Congress.

That is why I am very proud of the product we have produced in the course of the negotiations. I am very proud, in a bipartisan fashion, of the atmosphere in which we came together to try to do what we feel is really in the best interests of the country.

I would encourage my colleagues to get behind this piece of legislation. We are already seeing a lot of support within the freshman class on both sides of the aisle, but obviously it is not until some of the more senior Members start to weigh in on this legislation that we will see any true hope of getting this thing scheduled for the House floor, having it debated, and finally, calling a vote on what I think is a crucial and vitally important issue facing our country today.

□ 1715

I encourage the leadership in the House to give it due consideration. I think it will be a great victory if we can at least bring it to the House floor. I ask Americans around the country who are listening in tonight to start calling in, start writing letters and hold their Representatives' feet to the fire on this very simple and incremental approach to campaign finance reform.

I believe that if Members in this Congress cannot get behind this, cannot cast a vote in favor of what the freshman bipartisan task force is proposing in the course of this finance reform, then really they are really not interested in true campaign finance reform.

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

Mr. KIND. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Speaker, I would just like to say that the gentleman from Wisconsin [Mr. KIND] has been one of the leaders in our task force and has done an absolutely superb job. Mr. KIND makes a very good point. That point is this. If this Congress, if this Congress spends months investigating potential campaign finance abuses, almost all of which are traceable to the amount and influence of soft money and then fails to act, we will all be embarrassed. I know that is why you are here, RON, and it is why I am here. We do not want to be embarrassed. We want to legislate, not just investigate. I thank the gentleman for yielding.

Mr. KIND. Mr. Speaker, hopefully something good will come out of the investigations that we are seeing on Capitol Hill that will highlight the problem of soft money in the political process. If there was not any soft money in the last election cycle, we would not be having these investigations today focussing on the role of soft money in the campaigns.

I think it is vitally important that not only the Members here have the courage to step up and recognize the problem facing the country but people back home start weighing in on this issue and start letting their voices, their concerns be heard on this form of legislation so that we can finally have it up for a debate and a vote in this session.

SOFT MONEY

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order of the House, the gentleman from Montana [Mr. HILL] is recognized for 5 minutes.

Mr. HILL. Mr. Speaker, I want to join with my colleagues tonight to congratulate the gentleman from Arkansas [Mr. HUTCHINSON] and the gentleman from Maine [Mr. ALLEN] to provide the outstanding leadership on the bipartisan freshman task force in developing the Bipartisan Campaign Integrity Act, which I am proud to be a cosponsor.

I think it is important for folks to understand there are a lot of problems with campaign funding and the methods that we use to raise funds for campaigns. Campaigns cost too much money. Candidates spend far too much time raising money. There is a perception out there, a perception of abuse. There is a perception that large contributions come from corporations, that come from labor unions and large contributions from wealthy individuals are corrupting the system.

Mr. Speaker, I would point out that this is a bipartisan problem. Both political parties, Democrat and Republican Party alike, have a problem with regard to the amount of soft money that has gone into the system. As Members have mentioned earlier, this started out as a relatively small amount of money that was supposed to be used for building political parties. But in the last two political cycles, 1992 to 1996, the amount of soft money has quadrupled in the system. Today both, or last cycle, both political parties raised nearly $130 million of soft money. Again, what is this money?

This is money that comes from corporations. This is money that comes from labor unions or this is money that comes from wealthy individuals who have exceeded the normal contribution limits. What this bill does is it eliminates, it bans soft money that is going to the national parties. The reason that I am so supportive of this measure is I believe that, if we are going to change the campaign process, the fundraising process, it is our responsibility

to start at home. It is our responsibility to deal with our own political parties. It is our responsibility to require them to clean up their act first.

Let me say this, there are some things that this does not do. I think it is important for our colleagues to be aware of the things that this does not do. It does not initiate a system of public financing for congressional campaigns. There are many who might support that. There are many who would be opposed to that. This bill does not do that. It does not put spending limits on how much money can be spent in a political campaign.

There are those who would argue that that is simply a benefit to incumbents. And it does not restrain the ability of independent parties to speak out about candidates or officeholders. In fact it very clearly establishes their right to do that. But what it does do is this: It eliminates soft money, those large contributions. It eliminates competition between the political parties and their candidates. Oddly enough, in the current campaign financing laws we have created a mechanism where people can give money to the party or give money to candidates, but it makes it difficult for them to do both. It eliminates that competition. It actually expands the role that parties can play in helping their candidates. The goal there is to allow candidates to work more closely with their parties rather than seeking support of special interest groups.

Mr. Speaker, I would just urge all of my colleagues to examine this bill. This is an incremental process, but it is the first step in restoring integrity to a system that the American public clearly believes is broken. I would urge all of my colleagues to examine this bill and support it as it moves through the process.

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

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

Mr. KIND. Mr. Speaker, I just want to commend and congratulate my colleague, the gentleman from Montana [Mr. HILL], in his role in this whole process. I do not think anyone in the task force had more energy and more analysis and insight on what we were trying to accomplish than the gentleman from Montana [Mr. HILL] did. It was a pleasure working with him, attending the meetings with him.

There were some difficult times as there always is in the course of give and take in negotiations and that, but as far as anyone exhibiting and displaying a true depth of knowledge, regarding a very complex and a very difficult issue, the gentleman from Montana [Mr. HILL] ranked right up there at the top. I commend him and just wanted to tell the American people what a fine job and what a pleasure it has been to work with him in the course of this process.

Mr. HILL. Mr. Speaker, I thank the gentleman. I would just comment that I believe that everyone who worked on this task force came with a commitment to wanting to reform the system and to make it work to restore the integrity of the system and the belief of the American people. The gentleman from Wisconsin played an outstanding role in that.

I enjoyed very much working with him and all the Members of the task force. It was surprising to me how well we came together because we focused on those values that we all agree upon. We found so many of those values that we agree upon because we want to restore integrity to the system. I thank the gentleman and again I would urge my colleagues to support the bill.

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

[Mrs. TAUSCHER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

CAMPAIGN FINANCE REFORM

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

Mr. GIBBONS. Mr. Speaker, first I would like to join in my colleagues in the previous speaker's comments about the accolades and plaudits of my colleagues on this bipartisan freshman task force, the gentleman from Maine [Mr. ALLEN], of course, and the gentleman from Arkansas [Mr. HUTCHINSON] and the fine work and leadership that they demonstrated in this process.

In fact I was very honored to be a part of what I think is a very historic freshman task force in an effort to reform campaign finances in our country. Yes, the subject was controversial. As a freshman for the first time, we all have recent and very personal encounters with the campaign finance laws of this Nation. To augment our experience, we had several hearings with groups and individuals with a variety of expertise in this area. It was very constructive for myself personally and for the rest of the Members. It became an environment in which we got to know not just the other Members of the other party and Members in our own class, but we got to know the subject matter a great deal and a lot better than we had before we entered.

Almost all of us agreed to one conclusion after this, that the system is broken. Those disagreements that we may have had, and they developed around some of the parts and the existing parts, but we all agreed that the system and how it is broken has a high priority in our consideration for solutions.

We want equitable solutions and we want solutions to States which have varying sizes and varying populations, varying mixes in the media and the media markets. Several facets of this issue that bore close scrutiny included soft money, as we have already heard, campaign finance disclosure, campaign spending limits, limits on individual and political action committees and their contributions. Also we considered free or reduced-cost TV rates for candidates.

It was interesting to watch our legislation evolve from a broad-based, cure all, almost certain to fail, too narrow specific language that contained no poison pills. We think our product, the Bipartisan Campaign Integrity Act of 1997, contains something for everyone. It is not so broad based that it will die of its own weight. I think that our bill, although it does not solve all of the problems nor solve all of the campaign finance ills, at least makes an honest attempt and a start at it, to correct what is wrong.

The fact that some of our leaders in each party have expressed problems with it means, and this means to me that this legislation is truly bipartisan. There are some elements that, yes, I would probably want to polish around the edges of the margins, but I am satisfied this bill as a whole is a good one. It satisfies several fundamental problems and it does deserve passage.

I am personally in favor of totally eliminating soft money. Of course this means making other sources of funding available such as increasing Federal contribution limits and/or removing coordinated limits between parties and candidates. I also think that most of the money in a campaign ought to come from the district in which the person is elected. This would mean that the people who have a vested interest, for example, in Nevada's Second District would have a greater influence in its politics rather than some outsider. With the population in Nevada so spread out, it can be costly to run a campaign, either as an incumbent or as a challenger. There have been much smaller districts with elections pending, over $6 million for each candidate. That is far too much money to be elected to the House of Representatives.

The amount of money any one individual or PAC can contribute ought to be limited. Too frequently, large donors are allowed greater access to influence than is ordinarily afforded most regular constituents.

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

Mr. GIBBONS. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Speaker, I would just like to say that the gentleman from Nevada [Mr. GIBBONS] has been an outstanding member of this task force. It has been a pleasure working with him. I agree with him. As he described the process that we went through, he made a very important point. He talked about all the different, some of the different ideas that are out there and he recognized what we did, which was essentially agree on what we could agree on, and not try to do the big

comprehensive reforms that may be good in some people's eyes but cannot generate the support to pass this Congress this year. I really think that is a critical point.

As I say, it has been a pleasure working with the gentleman. We still have more work to do before we are done but I want to thank the gentleman for his dedication to this subject.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for his remarks. They are very appropriate to this occasion. I agree totally that there is a lot more things we could have done, a lot of things a lot of us would have liked to have done. But we came together as a body of both Democrats and Republicans, and I think we came out with what could be the most important bill of this Congress. I would like to thank the gentleman again, the gentleman from Maine, Mr. ALLEN, for his dedication on this.

ZORA NEALE HURSTON

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

Ms. BROWN of Florida. Mr. Speaker, ''Their Eyes Were Watching God,'' Zora Neale Hurston, published first in 1937.

Mr. Speaker, I rise today to speak about a bill that I am introducing that honors one of America's major voices in the 20th century, Zora Neale Hurston. Hurston is one of America's most famous writers and interpreters of southern rural African American culture. This bill recommends that the U.S. Postal Service issue a stamp that recognizes Hurston's contribution to American literature.

Born in 1891, Zora grew up in Eatonville, FL. That is my district, the Third Congressional District, the first official African American township in the United States. She attended the Morgan Academy, which is now Morgan State University, and Howard University and became the first African American woman to graduate from Barnard College in 1919. The dominant female voice of the Harlem Renaissance period, 1919 through 1995, Zora Neale Hurston produced two works of folklore: ''Of Men and Mules'', and ''Tell My Horse''.

Using the talk of the rural southern African-American peasant, Hurston lifted the language of these folks to a level of poetry and fine literature. Through her style of writing and the subject of the African-American experience, she attracted international followers and the interest of feminists who transcend gender, race. Her life and work have inspired the founding of the Zora Neale Hurston Society at Morgan State University and the annual festival of arts and humanities in her home town of Eatonville.

□ 1730

Since her death in 1960, respect for her writings has increased along with their popularity. The recent discovery of plays by the Library of Congress has also revived interest in her writings.

Mr. Speaker, I hope that all my colleagues will join me in celebrating the accomplishments of the life of this inspirational American. By cosponsoring this legislation, we will encourage more Americans to learn about Hurston and perhaps influence that one child to become the next American author.

Issuing a commemorative stamp in 1998 and unveiling it at the 10th annual festival scheduled in 1999 would rightfully honor this famous American who has changed the landscape of American literature.

Before I conclude, Mr. Speaker, I wish to thank the 36 Members who have already cosigned on this bill as original cosponsors. I hope that more of my colleagues will sign on in the near future in support of Zora Neale Hurston.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentlewoman yield?

Ms. BROWN of Florida. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman for yielding, and I am so proud of the fact that she represents Eatonville, FL. I would tell the gentlewoman that I was born and raised in Altamonte Springs, FL, 8 miles from where Ms. Hurston, who the gentlewoman so rightly seeks commemoration of, was born.

I had the good fortune of having had a grandmother, who has since deceased, like Ms. Hurston, who was a very good friend of hers and went to boarding school at the same place that Zora Neale Hurston did. I did not know it as a child, but my mother did, and other members of my family, but she was a giant of a woman, not only in size, but as the gentlewoman has appropriately indicated, in the magnitude of literature that she produced in her era and in her genre.

For that I compliment the gentlewoman, and ask, as she does, that all of our colleagues go forward and commemorate her with this stamp that we can present, and I hope to be there with the gentlewoman in 1999 when it is done.

Ms. BROWN of Florida. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, I rise to day to speak about a bill that I would like to offer that honors one of America's major literary voices of the 20th century: Zora Neale Hurston. Hurston is one of America's most famous writers, folklorists, and interpreters of Southern rural African-American culture. This bill recommends that the U.S. Postal service issue a stamp that recognizes Hurston's contributions to American literature.

Born in 1891, Zora grew up in Eatonville, FL, the first incorporated African-American township in the United States, which is in the Third Congressional district of Florida. One of her favorite retreats was ''the lying porch'' of Joe Clarke's store. Years of stories and tall-tales that were told there, later became a part of Zora's works. As Zora grew older, her writing took shape as she found a way to express herself.

It wasn't until college when Zora's writing began to flourish. She attended Howard University and, in 1924, she had her first work published. The short story ''Drenched in Light'' appeared in Opportunity, an Urban League publication.

Attracted to the Harlem Renaissance of New York City, Zora moved to New York to further her writing career. In 1925, she won the Urban League's literary contest short story and one-act play categories. This distinction led to her association with artists and poets like the famous African-American poet Langston Hughes. In a short time, Zora Neale Nurston became the predominant female literary voice of the Harlem Renaissance.

Zora continued her college education with a scholarship to Barnard College. There she changed her focus on English to anthropology and graduated with a background in folklore of Harlem and the American South. It is this combination of Zora's writing style and the subject of the African-American experience for which she is so well known.

Through her lifetime, Hurston produced numerous works of fine quality that include an autobiography, ''Dust Tracks On A Road;'' novels like ''Jonah's Gourd Vine,'' ''Man of the Mountain,'' and ''Seraph on the Sewanee;'' folklore such as ''Of Men and Mules'' and ''Tell My Horse''; short stories, articles, and plays. But Zora's best work which I have here, is ''Their Eyes Were Watching God.'' It is in her most popular work that Zora introduces the character of Janie Crawford who represents the prototype of the 20th century women searching for her own identity.

Besides publishing many works, Zora was also a teacher, a Hollywood scriptwriter, and a newspaper columnist. Later in her life, Zora received fellowships to continue her anthropology research in the South, the West Indies, and Haiti.

Since Zora's death in 1960, respect for her writings has increased along with their popularity. The recent discovery of plays by the Library of Congress has also revived interest in Zora Neale Hurston and her writings. She has attracted an international following and the interest of feminists who transcend race and ethnicity. Modern day poets and authors such as Nobel Laureate Toni Morrison, world-renown poet Maya Angelou, and Pulitzer Prize winner Alice Walker all mention Hurston as a major influence on their writings as well. She has been listed in ''Black Female Playwrights,'' inducted into the Women's Hall of Fame and the Florida's Writer's Hall of Fame. Her writings have also inspired a Zora Neale Hurston Society, an annual festival in Eatonville, and a biography of her life by Robert Hemenway, who has placed her in history as the major, undiscovered literary voice of this century.

Mr. Speaker, I hope that you and all of my colleagues will join me in celebrating the accomplishments and the life of this inspirational American. By cosponsoring this legislation, we will encourage more Americans to learn about Zora Neale Hurston and perhaps influence that one child to become the next great American author.

Issuing a commemorative stamp in 1998 and unveiling it at the 10th Annual Zora Neale Hurston Festival—scheduled in 1999—would

rightfully honor this famous American who has changed the landscape of American literature.

Before I conclude, I would like to thank the 35 Members who have already signed on to this bill as original cosponsors. I hope that more of my colleagues will sign on in the near future in support of Zora Neale Hurston.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

[Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

GOVERNMENT SHUTDOWN PREVENTION LEGISLATION

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

Mr. GEKAS. Mr. Speaker, everyone is pleased that the budget agreement has been reached between the White House and the Congress, and that does call for applause across the Nation, but there still looms the possibility of a shutdown in Government, I hasten to say, and that kind of shutdown can do more to unravel the budget agreement that we have reached than any other single event that I can conceive at this stage of the budget proceedings.

Now, I have been trying for almost 10 years now to convince the Congress that we ought to have in place a permanent solution to the possibility of a Government shutdown; namely, that at the end of the fiscal year, September 30, if the appropriations process has not been completed, those bills that have not yet been finally formulated would simply turn over the next day and adopt last year's instant replay type of figures so that we would have last year's budget go into effect until a new budget can be prepared and adopted. This instant replay would prevent a Government shutdown.

It was outrageous, in my judgment, to have heard on the floor, when this proposition passed during the disaster relief fiasco that we underwent, the claim that if we passed the Gekas antishutdown legislation it would mean the cutting of funds. I have just finished saying, Mr. Speaker, that if my bill would be adopted, at the end of the fiscal year, if we do not have a budget, last year's figures would obtain.

So there would be no cutting of funds. It would be maintaining the same funds as last year, and then the negotiators proceed on their merry way to prepare a new budget. At any given time after September 30 a new budget could go into place, and that vitiates the instant replay that would have gone into place.

The other outrageous claim that has been made against our bill is that it creates a disincentive to negotiate. But the truth of the matter is that both sides need a new budget, so that at the end of September 30, those who want increased spending will have a chance to negotiate, those who want to cut spending will have a chance to negotiate, but in the meantime, last year's figures will obtain.

What is wrong with my proposition, I fear, is that it makes good sense. Therefore, it has very little chance of passing this Chamber on its own. But I do believe that now that we have passed this budget, or that we have reached a budget agreement, and that there would no longer be the disincentive to reach a budget because we have reached a budget agreement, that perhaps we can begin to focus on the antishutdown legislation as a permanent solution.

Not just for 30 days as a continuing resolution, not for 6 months or a year, but to put it in place for all time, so that every year when the budget looks like it will go down in flames around September 30, that we will have this fallback lifesaving mechanism to prevent a Government shutdown and all the bad consequences that flow.

After all, Mr. Speaker, this is a truism as well; that risking a Government shutdown really does cut back on funds. Cuts funds. Why? If the Government shuts down, all the mechanisms that get the Social Security checks out, the visas, the national parks, all the services that our constituents rightfully demand, all of those come to a halt. Indeed, then there is a cut in services, a cut in funding, a cut in appropriations.

That is the real risk that we have; that the Government will shut down. Not the risk that some appropriations will be less than last year's, but rather whether or not we shall have Government continue to present the benefits that are necessary to maintain the budget and to maintain what is expected of us by our constituents.

Mr. Speaker, I hope to continue to raise this issue at every convenient forum between now and September 30, and I hope that the leadership and the President see fit to reconsider the matter at a time to be set aside in the month of September. After all, the President, even as he vetoed this legislation, said that the goal of preventing Government shutdown is an admirable one. I hope that he will sign such a shutdown prevention piece of legislation to meet that goal.

THE 50TH ANNIVERSARY OF THE CIA

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

Mr. GOSS. Mr. Speaker, I rise today to commemorate the 50th anniversary of the founding of the Central Intelligence Agency. On September 18, 1947, the National Security Act went into effect creating the CIA.

As America entered the cold war, that act recognized the critical need for intelligence about our foreign adversaries, while attempting to balance that with a constitutional mandate that an intelligence service remain within the bounds of democracy.

In 1977, in order to monitor and safeguard that critical balance, this House established the Permanent Select Committee on Intelligence, which I have the honor to chair today. By its very nature, much of the work done by the agency will remain anonymous, but we must not make the mistake of interpreting that anonymity to mean that the CIA has had no triumphs, nor can we allow ourselves to forget the men and women who have served there and know much sacrifice and even tragedy.

Out at Langley at the headquarters of the CIA is a small courtyard under the oak trees that contains three panels of the Berlin Wall. On the eastern side of those panels there is nothing but the cold, gray face of cement, but on the western side there is color, vibrancy, and the inscription ''and the wind cries freedom.''

Those panels and that wall, Mr. Speaker, never had to be toppled by the tread of our Nation's tanks or stained by the blood of our infantry; they were, instead, breached throughout the cold war by our Nation's eyes and ears, the CIA. Through their bravery and creativity, the officers of the CIA carved a window through that wall that this Nation used during the perilous times of the cold war and ultimately relied upon to bring down the wall's demise.

The contribution of CIA officers to our national security, however, has come with a significant cost, because at the entrance to Langley is another less well-known wall on which there are now 70 gold stars. These stars, Mr. Speaker, are for those officers of the CIA who died while serving our Nation as our eyes and ears, in Vietnam, Latin America, Europe, Eurasia, Africa and elsewhere during the cold war.

We can acknowledge publicly the dedication and sacrifice of some of those officers, such as Bob Ames, who was killed in the bombing of our Embassy in Beirut, tragically, or Bill Buckley, who died in Lebanon under torture by the terrorists. The work and lives of others must remain anonymous stars on that wall and be remembered privately. Those stars, Mr. Speaker, are a measure of the courage and cost required to keep our Nation informed of the threats against it.

The end of the cold war has required the CIA to undergo a tremendous shift. New methods and focuses are needed to meet the challenge before us today. While no transition of this magnitude is ever without its bumps in the road, from my vantage point as chairman of the body's oversight committee, I am pleased to report the CIA is responding quickly and ably to the new threats of the post-cold-war world.

Since the Berlin Wall came down, those threats against our Nation have multiplied. Narcotics traffickers ship ever-increasing amounts of cocaine and

heroin into the United States; rogue states continue to acquire the components of weapons of mass destruction; foreign terrorists now target Americans at home as well as abroad; and indigenous forces threaten U.S. soldiers on multilateral missions abroad.

To address these threats, the CIA has helped the Colombian Government break up the Cali drug cartel, and enabled United States law enforcement authorities to intercept drug shipments. It has discovered several attempts by rogue states to acquire weapons of mass destruction and supported diplomatic efforts to foil those attempts. It has helped law enforcement authorities around the world identify and, in some cases, arrest several notorious terrorists, including Carlos the Jackal in Sudan, the alleged trade center bombers in the Philippines, the head of the Shining Path in Peru, and those involved in the bombing of Pan Am 103; and supported United States Forces in Panama, as well as the Persian Gulf, Somalia, Rwanda, Haiti, Bosnia, and other places.

So, Mr. Speaker, CIA officers performed vital and often perilous service as our eyes and ears during the cold war, and continue to do so in our efforts today against foreign drug lords, rogue states, foreign terrorists and those who would harm U.S. troops abroad and those of us at home.

The panels of the Berlin Wall at Langley are a recognition of the contribution of these officers. The stars on the entrance wall there are a reminder of the cost of their contribution. The officers of CIA serve their country and make their sacrifices with no expectation whatsoever of public acclaim. For the 50th anniversary of the founding of the CIA, Mr. Speaker, I am proud to commemorate their lives and their work with these few humble words.

SPECIAL ORDER CONCERNING THE VISIT OF PRESIDENT HEYDAR ALIYEV OF AZERBAIJAN

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

Mr. PORTER. Mr. Speaker, tonight I have requested some time to bring to the attention of my colleagues an important visit to Washington which is taking place right now. Tomorrow President Heydar Aliyev of Azerbaijan will meet with President Clinton at the White House to discuss United States-Azeri relations and the ongoing negotiations concerning the situation in the Caucasus. This visit has serious implications for our policies and interests in the region, and I am hopeful that it will be used to further the interests of peace.

Azerbaijan is rich in oil and natural gas resources and there are numerous United States companies which are actively seeking to assist in the development of these resources. I believe very strongly that United States companies have the technology and know-how to bring about this development in a way that ultimately would be most beneficial to the Azeri people. But these companies, and their representatives in Washington, have been pushing very hard to reshape U.S. policies in this region. I am very concerned that in their efforts to improve the relative position of Azerbaijan, they would tilt United States involvement in this very sensitive and important region in a way that will have a serious negative impact on negotiations which are currently underway in the region. I have watched with dismay as a campaign to repeal section 907 of the Freedom Support Act has been undertaken by our administration and by those with economic interests in the region, because I believe that this approach is counterproductive—indeed dangerous—to negotiations regarding the future of Nagorno Karabakh. In this regard, the House Foreign Operations subcommittee has worked to provide an evenhanded framework for United States policy which recognizes the need for objective dealings and for improving the climate for democracy in the region. If we tip the scale in favor of Azerbaijan, they will no longer have an incentive to negotiate in good faith on a permanent solution to the Nagorno Karabakh situation. This would be a great tragedy, because the termination of the negotiations brought on by a change of United States policy would almost certainly bring a return of armed hostilities between Armenian and Azeri. The world was horrified by the brutality of the last round of fighting in this tiny enclave, and we as a nation have invested a great deal in efforts to avoid a repeat of that bloodshed.

As the Minsk Group negotiations on the Nagorno Karabakh conflict continue, we must press upon all parties that inherent benefits they will receive from working together and establishing normal relations with one another. I firmly believe that it is in the long-term interests of these countries to find solutions that they can live with, where there will be peace, security, and prosperity for everyone in the region. The building of an oil pipeline in the region could be a tremendous positive force which brings these two old adversaries together and causes them to deal with each other in a mutually beneficial way. Azerbaijan cannot realize its full promise as a source of energy resources or as a legitimate player in the region until it makes peace with its neighbors and develops a better reputation for fair dealing. Armenia cannot wean itself from foreign assistance or fully develop its economy until the blockades it currently suffers under are gone and better relations are established with its neighbors to the East and Southwest. Moreover, both Russia and Iran stand ready to fill the political vacuums in both of these countries that will doubtlessly arise if there are not soon permanent solutions to the problems which plague them both.

Azerbaijan and Armenia both have everything to gain from better relations with one another. The United States must be an honest broker in the region, and must take into account the history of this conflict in evaluating the posture it should adopt toward each of these countries, both in the context of the Minsk Group talks and in one-on-one communications. The time has come for both countries to disregard the old zero sum game mentality that has been thoroughly discredited in the post-cold-war world. This would be a win-win situation for both Azerbaijan and Armenia, if only they will look for creative ways to solve their problems and work together. For its part, the United States should continue to push both countries to make appropriate concessions and to work on internal problems which are effecting their external disputes.

I believe both of these countries are important to U.S. interests in the region and we must do all that we can to bring them together, not only for our benefit but for the benefit of the parties as well. I believe that the language we have included in the Foreign Operations bill will bring us closer to this goal by providing for humanitarian assistance to all needy people in the region and allowing democracy building assistance to go to Azerbaijan for the first time. These are important steps in the right direction. I hope that tomorrow when President Clinton speaks with Mr. Aliyev, he will deliver some straight talk about the need to compromise and be a responsible player at home and abroad. I also hope that this visit by President Aliyev will be followed by an invitation to President Ter Petrossian of Armenia. Finally, I hope that in the end, the policies we adopt and implement, and the agreement which is reached by the parties, are driven by concepts of justice, fairness, international law, and an understanding by the parties that such a settlement is ultimately their best hope for the future.

THANKING COLLEAGUES FOR SUPPORTING HOUSE RESOLUTION 191

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

Mr. METCALF. Mr. Speaker, I rise to thank my colleagues for the bipartisan 416-to-2 vote in favor of my bill, House Resolution 191, last week. This overwhelming vote was certainly a factor in the European Community's decision to accept Boeing's final offer.

House Resolution 191 made clear that any European Community disapproval of the Boeing McDonnell Douglas merger would have constituted an unprecedented and unwarranted interference in a United States business transaction. It would have threatened thousands of jobs immediately and many thousands more if a trade war had resulted.

Thus, their action raises a disturbing question: How did a foreign consortium get to the point that it felt it had the authority to tell two wholly owned U.S. corporations what they could or should not do?

The House Committee on Transportation and Infrastructure will hold a hearing on this whole issue on Friday to look into this specific foreign involvement; whether it was improper and what we must consider if such a situation occurs again. I hope the hearing will be in depth and complete, as these questions demand definite answers.

WAIVING A REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. SOLOMON (during the special order of Mr. EHRLICH) from the Committee on Rules, submitted a privileged report (Rept. No. 105–216) on the resolution (H. Res. 201) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered printed.

□ 1745

ACCORD ON TAX CUTS

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

Mr. EHRLICH. Mr. Speaker, I rise today with my good friend, the gentleman from Indiana [Mr. MCINTOSH], who will be joining us shortly on the floor. The gentleman from Indiana [Mr. MCINTOSH] and I certainly extend an invitation to our colleague, the gentleman from Washington [Mr. METCALF] as well to join us in a very important day, Mr. Speaker.

We have an agreement. We just came off the steps of the House of Representatives and told the American people a lot of the things that we have been debating over the last 3 years in this town.

I notice I am joined now by my colleague, the gentleman from Indiana [Mr. MCINTOSH], my good friend.

Mr. Speaker, days like today get us thinking about where we came from and where we are and where we are going. Because in politics, Mr. Speaker, you cannot always get what you want. Sometimes you can get what you need, to paraphrase the rock and roll song.

Today, people of different political philosophies came together and signed an accord. Included in that accord are many things we have debated on this House floor over the last 3 years, many items in the Contract with America, many items that brought the last couple of freshman classes to this town, particularly the 104th freshman class, of which the gentleman from Indiana [Mr. MCINTOSH] and I are members.

I cannot help but thinking about President Reagan and President Bush today, tax cuts from President Reagan. President Bush was the victim of some demagoguery of such class warfare rhetoric about cutting capital gains for rich people and the class warfare we see on this floor time and time again on a daily basis. Yet, we bring the American people a significant capital gains tax cut.

Is it zero? No. Should it be zero? In my view, and in the view of many of us, yes. But is 28 down to 20 a step in the right direction? You better believe it. And that is the nature of dividing government. The folks that control this Congress are pretty much to the right of center philosophically. The folks that control that big house down the street are to the left of center.

We have vastly different views of the role of government in our lives. We have a vastly different philosophical orientation. Yet today, we have come before the American people with an agreement.

I am really happy to be joined by my really good friend, the gentleman from Indiana [Mr. MCINTOSH], one of the leaders of this Congress, 105th Congress. I keep thinking of the 104th Congress. And we are going to talk about a few specific items, a few specific initiatives in this particular package.

I know my friend from Indiana [Mr. MCINTOSH] wants to make a few words of introduction, as well.

Mr. MCINTOSH. Mr. Speaker, today is a tremendous day. We have seen people from all generations of politics come together for an agreement where the American people are the winners.

The gentleman from Maryland [Mr. EHRLICH] and I were fortunate enough to come in in the 1994 elections with that freshman class, now sophomore class. The gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules, has been here quite a bit longer. But all of us can celebrate.

Frankly, I think we do need to say thank you to President Clinton for agreeing to sign this legislation, thank you to Speaker GINGRICH, thank you to leader TRENT LOTT, and thank you to the gentleman from Texas [Mr. ARCHER] and the others who have worked to negotiate out this bill.

It is the American people who are the winners in the bottom line. We came here with the promise to cut taxes and shrink Government. We came here with the promise to change the way Washington does business. I do not want to tell my colleagues that we have accomplished everything in this bill. But we have made a tremendous step forward. In particular, I was delighted to see that we are now going to have the $500 tax credit for children become part of the law in this land so that families who need that money will be able to benefit from that.

I would like to share with my colleagues, if I may, Mr. Speaker, an example of a family that I know from my hometown of Muncie. It is a young man and his wife who have worked hard to get ahead in this country, Gerald Hunt and Debra Darnall. They make about $30,000 a year. Gerald and Debra work in their own independent business. He is a contractor. They will benefit from this plan because they have two daughters and their daughters will qualify them to get $1,000 more each year in their take-home pay because the Government will not be taking it in taxes.

What does that mean for the Darnalls? It means a lot, I will tell my colleagues that. It means six bags of groceries each week will be paid for by this tax cut that we are going to pass this week, 2 months' worth of groceries in all, real dollars to fill their gas tanks. At about 20 bucks a week, that is 50 weeks, the whole year, that they can put gas in their gas tanks because the Government is not taking that money out the Darnalls' paycheck; new school clothes for Kellie and Ashlee, who will grow out of their school clothes every year and need that $1,000 in order to help them. Or if the Darnalls decide to start saving today in order to send their two daughters to college, we now have a new savings plan that will allow them to put aside money for those two girls to go to college and not have to pay taxes on the interest that that money earns in that savings account.

This new IRA for education will mean that literally millions of Americans can afford to send their children to college who may not have had any hope to do that for a better future. I am very proud of what we have done today. Those are just a few of the details in our tax bill.

I look forward in the next hour to working with the gentleman from Maryland [Mr. EHRLICH] in explaining to the American people what all of us, Democrats, Republicans, all Americans can be proud of the work that is being done today in Washington to finally cut taxes for working families in this country.

I look forward to having a discussion with the gentleman from Maryland [Mr. EHRLICH] now about the details of that.

Mr. EHRLICH. It is easy to discuss these issues with the gentleman from Indiana [Mr. MCINTOSH] because we agree and it is nice.

Mr. MCINTOSH. If the gentleman would yield, the great thing, though, is that President Clinton is going to sign this bill and our colleagues across the aisle are going to help us pass it. So it is not going to be a partisan rancor. We won the day, I think, on some of these issues. We are going to have a tax cut finally, but we won by joining together and all sides agreeing to go do that for the American people.

Mr. EHRLICH. Reclaiming my time, could we have received odds on this tax cut being signed 6 months ago, I think the odds would have been very long. I think the American people will wake up tomorrow somewhat surprised that this deal got done, and not only that there was an agreement made, but that the agreement was made with numbers that are not phoney, real numbers and real tax cuts and real entitlement reform and real policy initiatives, not the phoney stuff we see coming out of this town so often.

There are two taxes that I know are near and dear to the heart of my friend from Indiana [Mr. MCINTOSH], and they have been near and dear to my heart. We have campaigned on these taxes, as two Members who pride themselves on

championing the merits of small business people, small business men and small business women, who, it is a cliche these days but it is a fact, they are the backbone of the American economy. We create jobs, small business people.

What two tax issues, what two tax initiatives have been so important to that small business group? Capital gains and estate taxes. As I said earlier, President Bush, and I hope he is on the golf course today, it is a great day and he probably is, and he deserves it. But I hope he is smiling, Because he has been vindicated.

When I think back to all the class warfare and negative ads and all the silly stuff that had been brought out in President Bush in his elections, against the Republican freshmen, against the Republican conference in the 1996 elections, against the conservative Democrats, I think back to all that sort of rhetoric and I am no longer frustrated today because we are making progress.

A few facts for the gentleman from Indiana [Mr. MCINTOSH]. As he knows, we are cutting capital gains from 28 to 20 for upper income taxpayers, 10 percent for lower income taxpayers, 10 percent. Housing exemptions, I know the gentleman wants to talk about this in a bit, $500,000 for joint filers, $250,000 for single filers. No longer will they be punished for making a good economic decision in life, buying a house.

But I have a few facts I want to run by the gentleman from Indiana [Mr. MCINTOSH]. First, as of 1995, American households have more equity invested in stock markets than their homes. Think about that. Americans now put more of their savings into stocks than into their savings accounts.

According to the Federal Reserve, about 70 cents of every dollar saved by American households in the first 6 months of last year went into mutual funds. Stock ownership has doubled in the last 7 years. Listen to this, 43 percent of all adults in this country today are now investors; 47 percent of those folks are women and the clear majority are under 50 years of age.

With respect to the class warfare demagoguery, of which I am tired, my colleague is tired, the country is tired, let us get over it. Two-thirds of individuals reporting capital gains had incomes of less than $50,000, incomes of less than $50,000.

Mr. MCINTOSH. If the gentleman would yield, two points that he just made need to be repeated. First of all, over 40 percent of the investors are women. This is not a tax cut for the white male club in this country, for the rich male club. This is a tax cut for the average American person who is trying to save and get ahead and save for their family, save for their future investment, save for their retirement, and take advantage of a stock market that is just skyrocketing, without having to fear that they are going to be punished by the tax man if they actually succeed in investing and get a return on the investment.

I think my colleague's point is that 40 percent of the investors who benefit from tax cuts are women; 50 percent of the investors make less than $50,000 a year. This is a tax cut for the middle class. And I am glad that the gentleman from Maryland [Mr. EHRLICH] is pointing out that the demagoguery that this is a tax cut for the rich just does not stand up under the scrutiny of the examination of the facts.

Mr. EHRLICH. Mr. Speaker, reclaiming my time, but it is not just the middle class. It is a tax cut for every stage of life.

Getting back to capital gains for just a moment. The elderly realize a disproportionate amount of capital gains. In 1993, think about this, those over age 65 realized 40 percent of all capital gains. All those folks make up just 12 percent of the population. Tax relief for every stage of life. It is a cliche, it is a theme, but it is real when it comes to this tax package.

I know there is another tax initiative near and dear to the heart of my friend, the gentleman from Indiana [Mr. MCINTOSH], family-owned small businesses and farms, estate taxes, the death tax, or, as we like to call it around here, the tax-on-success tax.

I know my colleague is very familiar with the history of estate taxes in this country. Only 3 years ago, the minority leader in this House was talking about lowering the threshold from $600,000 to $300,000. That was actually debated in this House.

Today, we stand before the American people and we talk about an immediate exclusion up to $1.3 million for small businesses and family farms, those folks who are not surviving to the second generation, let alone the third generation. And that is un-American. It is very un-American, in my view, and in the view of the majority of folks in the Second District of Maryland, that the Federal Tax Code penalizes folks because they happen to be successful small business people. They are the backbone of the economy, as we have discussed. They are the folks that should not be punished for our Tax Code.

My friend, the gentleman from Indiana [Mr. MCINTOSH] knows very well of the estate tax. It came about early on to get at the very wealthy in this country. Today, it serves as a disincentive for folks to pass on their small businesses and their farms through their own family. That is not right. Third generation small businesses in this country have a survival rate of 10 percent in this country. That is wrong. That is immoral. This bill has, at least, a pretty good start toward a real remedy.

Mr. MCINTOSH. If the gentleman would yield further, let me talk a little bit more about those death taxes and the reforms that we are going to have as a result of this compromise with President Clinton.

Two provisions are very important for family farms, for family farms and small businesses. There is an immediate exclusion of $1.3 million from their estate. The people might say that sounds like a lot of money. But when somebody has worked 50 years in their life farming a farm that they inherited from their parents and they find that land prices have gone up, they will often discover that, although they do not have a lot of cash on hand, they are considered to be millionaires by the government when they pass away and try to hand on the family farm to the next generation.

□ 1800

I wanted to share with the gentleman and my colleagues a story about a family in my district. Gerald Hunt of Hagerstown, IN, is a family farmer. He owns 160 acres of land that was purchased in 1948. He is getting ready to retire, starting to think about passing on that farm to the next generation. He has a son Niles and a daughter Claudia. But he is afraid that under the current law, if he tries to pass on the farm to that generation, they will have to sell it just to pay the taxes, the death taxes that are in our Tax Code. Fortunately our reform will help Gerald Hunt with immediate tax relief so that he can pass on the family farm to his 2 children. This is another step in tax relief for the average American that is in this tax bill.

Mr. EHRLICH. The gentleman raises a great point. I think we need to talk about this to the American people because they hear numbers like $600,000, $1.3 million. ''My God, they're rich people.'' But he made the point, and it needs to be repeated time and again, many of these small businesses have no cash, no liquidity. They literally have to take apart what their parents have built up in order to pay Uncle Sam just to pass the business on from one generation to another. It is not fair. It is immoral.

Mr. MCINTOSH. Oftentimes the community is the loser. If it is a small business and they have to sell the assets to pay the tax bill, then we lose the jobs. That business goes out of business. People who worked with them, maybe 10, 12, 20 people who worked in that family business, are out on the street looking for a new job.

Mr. EHRLICH. What is also a potential loser is open space, because when farmers sell, that land gets developed. We need farmers in this country. I know we both represent a lot of farmers. We need farmers to stay in business. We have to stop punishing them for being successful in life.

Mr. MCINTOSH. Frankly, I like the fact that people want to pass on to the next generation the rewards of their hard work. Families are the institutions that have made this country great, and we should reward families who work and stay together and try to do that.

If I could interject a minute on another part of the tax cuts that I find very, very important, I live in the town

of Muncie, IN. We have a State university there, Ball State University. Most of the students who go there are first generation college attendees. Their parents have to scrape and save in order to pay the tuition, on average about $2,000 a year, plus room and board and books, and they are quite frankly a lot of times having to really struggle in order to stay in college. I have talked to a lot of those students when I go up to campus and visit with them about their concerns.

This tax bill, and again I think we do have to give credit where credit is due on this one, President Clinton proposed the HOPE Scholarships. He campaigned on it in the last election. We were not quite sure what it meant on the Republican side of the aisle, but we have come together to write the HOPE Scholarships into law, and I think it is a good provision for those college students and for their families.

Here is the way it would work. Up to 50 percent of the first $3,000 of tuition will be a tax credit for people who are paying taxes and paying that tuition. That means effectively the first $1,500 of that tuition will be paid out of the money that would otherwise go to Uncle Sam. That helps a lot in a family budget when they are trying to send one, two, maybe three students to college at the same time.

I think it is also important that we have been able to extend that to vocational school, where 75 percent of the first $2,000 will be credited in taxes, and for people who extend that beyond the first 2 years to their third and fourth year of education.

The other aspect of this that I find very appealing is the tax-free IRA that parents can now establish and take benefit of the fact that they will be saving their money in advance of sending their children to college, without having to pay taxes on those savings and the return on that investment. My State recently passed a bill that would encourage parents to do that in order to send students to the State colleges in Indiana.

I have to brag about them. IU has a great basketball team, also a great liberal arts school, Purdue has one of the best engineering and science schools in the country. Ball State, that I mentioned earlier, is a great teachers' training college and architecture school. These are fine institutions.

But unfortunately more and more people are struggling in order to be able to attend those institutions. Today if you find yourself with having a new baby arrive and thinking, ''Gosh, in 18 years, I'm going to have to pay out a lot of money to send that child to college,'' we want to increase the incentive for parents to start saving right now to send their children to school. These new college tuition IRA's, which will allow them to save over time, build up the cost of that tuition and then deduct it in order to pay for the tuition without having to pay taxes, are a tremendous way to allow families to plan to send their children to college.

As you and Kendel know, Ruthie and I are expecting our first child this October. I have to tell the gentleman it has already started to change my thoughts on how things should be done in the McIntosh household. But one thing I can tell the gentleman we are going to do is start up one of these IRA's so that our young child will have a chance to go to school and we will be able to afford to pay it without asking for a pay increase here in Congress.

Mr. EHRLICH. I hope that does not get the gentleman a negative ad in his next campaign, by the way. As the gentleman knows, his wife is a special person to us. I congratulate him prematurely. She is a wonderful lady.

I know that there is so much in this agreement we would like to talk about, and time is short. We have reform of the earned income tax credit, very important. We have the alternative minimum tax relief, very important for capital-intensive small businesses. I work with the printers a lot in my district and they need to invest so much in capital, in new machines, in a very competitive industry. We have exempted small corporations from the alternative minimum tax, a very important provision. Welfare privatization, an experiment in Texas, very important.

But there is one thing I think we really need to talk about before we leave today, and I know my friend from Indiana has something else he wants to say, but I just cannot resist talking about entitlement reform.

The gentleman saw the ads. How many ads were run in the 1996 campaign?

Mr. MCINTOSH. Hundreds of millions of dollars of ads.

Mr. EHRLICH. Hundreds of millions of dollars of ads were run to scare seniors, with one purpose, to get votes. Forget facts, forget what the Medicare trustees had told the Congress and the American people. Forget what people knew about how in trouble the system was at the time and is today. But in order to generate resentment for votes, let us scare seniors. That was a very important tactic in some campaigns in the 1996 elections.

Here we come today, in late July of 1997, a mere, what, 7 months later, 8 months later, and the President is signing a package containing almost all of the provisions in the package from 1995 that gave rise to those negative ads. I congratulate AARP, I congratulate the Seniors Coalition, I congratulate the over 60 folks, I congratulate all the senior groups who had the guts and the determination to be honest with the American people and their membership, which sometimes does not pay, as we know in politics, but to be honest with the American people about the problems with Medicare and particularly in the trust fund, part A.

Here we have $115 billion in savings over 5 years. We have extended the trust fund, the part A trust fund to the year 2007. We have MSA's. We remember how horrible MSA's were and all the ads about medical savings accounts. We have PSO's giving freedom to physicians and hospitals to form their own networks to compete in the private marketplace. Freedom of choice is breaking out for our seniors. We are saving Medicare. I do not see one ad on TV today. Why?

Mr. MCINTOSH. Nobody seems to want to benefit politically from telling the truth at this point.

Mr. EHRLICH. That is the right answer.

Mr. MCINTOSH. I wanted to share with the gentleman a story that happened to me over the summer. Ruthie and I were at a family reunion with her family, the McManis family, and her grandmother Ruth McManis stopped me and said, ''I'm reading things about Medicare again. Can you tell me what's happening?'' They are in their eighties, they are retired, they are in good health, thank God, but they are worried that if something should happen and they need to go to the hospital or they need to see their doctor, will Medicare be there for them?

I could reassure Ruth at that point that we are going to save Medicare. We are going to put it on a sound financial footing by getting rid of the fraud, by getting rid of the excess payments, and by giving seniors more choice, so that if they want to keep Medicare exactly as it is now, they can do that. If they want to go into an HMO or some other managed care unit where they do not have to pay the monthly payment because they cannot afford it, they can do that. If they want to go outside Medicare and hire their own doctors and take out their own insurance plan, they can now do that with this bill.

But we are going to make sure that senior citizens like Ruth and Lester McManis, my wife's grandparents, and senior citizens all over this country, are going to be able to count on Medicare being there so that they can have their health care needs taken care of.

The gentleman is right. We do need to point out that it was used politically in the last election. But I think we also, and this is becoming a recurring theme, my constituents will wonder what happened to me, because I have criticized President Clinton a lot. But now that he has agreed to do what I think is right, I do think we ought to say thank you to him as well.

Mr. EHRLICH. I agree.

Mr. MCINTOSH. That he did put politics aside in order to pass this bill.

Mr. EHRLICH. I congratulate the President as well, and I join my colleague in that. I just hope that the American people do not have such a short memory that the stuff that we saw, and I do mean stuff that we saw in 1996, is not repeated anytime again. Because it is one thing to engage in real debate about real policy with legitimate philosophical differences between the parties. I love that, I know the gentleman loves that. That is why we do this.

But to have to contend with a lot of the stuff that we saw, some people tried to sell the American people last campaign in order to create class warfare and generational, and that is what we are talking about, generational warfare here, turning grandparents against grandchildren. It does not work.

I think that was one of the lessons in the 1996 campaign. I think the White House learned it, we learned it, the folks on the other side of the aisle learned it, that when we stop that stuff and actually negotiate for the common good of the American people, we can make progress. That is what this budget agreement represents.

That is why I am happy to join with my good friend from Indiana today to talk about this. I am not going to use the term ''historic,'' but I am going to use the term ''important budget agreement,'' and I leave the last word to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Speaker, a lot of people have asked me the question, where do we go from here, what happens next? I would like to mention one thing that I think is critical in this, and that is, as we look at these tax cuts, and I have been a strong advocate of these tax cut provisions in the Contract With America from the very first day, they are not everything that we would want.

The gentleman from Maryland [Mr. EHRLICH] mentioned we would like to go to a zero capital gains tax on investment and savings. One other issue that I want to just mention because I think it is important, and I have gotten assurance from the Speaker and the gentleman from Texas [Mr. ARCHER], we will bring another tax bill forward in this Congress. One issue that I am going to really beg that we put on the table because I think it is so important for American families is the marriage penalty in our Tax Code.

One of our classmates, the gentleman from Illinois [Mr. WELLER] sits on the Committee on Ways and Means. He told me today he is going to make abolition of that marriage tax one of his top priorities on that committee. But I wanted to share with the gentleman a letter that I got, and I have talked on this floor before about this letter. It moved me and it is something that I will never forget in my career here in Congress. It is a letter from Sharon Mallory and Darryl Pierce.

''Dear Representative McIntosh, my boyfriend Darryl Pierce and I would very much like to get married.'' Sharon goes on to explain she works for about $8 an hour at the Ford electronics plant in Connersville, IN, and then she says, ''I can't tell you how disgusted we both are over this tax issue. If we get married, not only would I forfeit my $900 refund check, we would be writing a check to the IRS for $2,800 in taxes. This amount was figured for us by an accountant at the local H and R Block office in New Castle.''

She then says, ''Now there is nothing right about this. After we continually hear the government preach to us about family values. I don't understand how the Government can ask such questions as single? Married? Dependents? Darryl and I would very much like to be married and I must say it broke our hearts when we found out we can't afford it. We hope someday the Government will allow us to get married by not penalizing us.''

I wanted to share with folks today at home a picture of Sharon and Darryl, because they are the American people who will not benefit as much from this tax cut because they are not yet married, they do not have children.

□ 1815

So our next tax cut has to help them overcome that marriage penalty so that we can strengthen families in this country and they can have their fondest dream of once finally becoming a couple come true.

So our work is still ahead of us, but today is a day to celebrate because this is a very, very important tax bill for the American people, and I thank the gentleman from Maryland for allowing me to participate in this time with him. It is very important that we get this message out.

Mr. EHRLICH. The bottom line is, my friend, when you empower families, when you return money to people, when you stop the ability of government to always, always, always grow, you hardly ever go wrong, and that is the bottom line to this package. I thank my friend from Indiana, Mr. MCINTOSH.

HOUSE LEADERSHIP QUESTIONED IN CONGRESSIONAL ELECTION INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from New York [Ms. VELÁZQUEZ] is recognized for 60 minutes as the designee of the minority leader.

Ms. VELÁZQUEZ. Mr. Speaker, there is an unprecedented attack currently under way in this Congress. Right now Republicans are engaging in a war on women, on Hispanics and on the gentlewoman from California [Ms. SANCHEZ].

Last November the gentlewoman from California [Ms. SANCHEZ] was elected to the House of Representatives for the 46th District of California, fair and square. The loser, Bob Dornan and the Republicans, have refused to concede defeat. The story about how far they will go to defeat this woman, Hispanic Member of Congress, is shameful. After 9 months and after spending $300,000 of the taxpayers money, they still have not given up. They have issued subpoenas at Bob Dornan's request, they have forced the gentlewoman from California [Ms. SANCHEZ] to prove that the people who voted for her had the right to vote.

Mr. Speaker, this is not only unprecedented, it is wrong. The burden of proof is on the loser. The Washington Post agrees. Yesterday they said that the burden of proof falls on the plaintiff, in this case Bob Dornan. The Post takes it further. They said that there is no credible evidence to change the outcome of this race. The message is clear: admit defeat and give up.

That has not stopped the Republicans from harassing law abiding citizens though. They have subpoenaed INS records, and the result is that the INS offices has been spending all their time responding to the subpoenas and are unable to do their real work.

But that is not all. The Republicans have used this so-called investigation as a way of harassing their political enemies. They have harassed Catholic Charities, they have examined the records of 20,000 community college students, and they have admitted targeting unions that employed immigrant workers. This kind of behavior is just outrageous. The Republican leadership is using the Committee on House Oversight to try to throw out the election of a Member of Congress without being able to prove any wrongdoing.

Mr. Speaker, the gentlewoman from California [Ms. SANCHEZ] should be allowed to do what she does best, represent the people of the 46th district of California. Instead she has been forced to bear the burden of proof of her innocence. This is a total abuse of power by the Republicans.

This is not just a personal attack on the gentlewoman from California [Ms. SANCHEZ]. This is an attack on women, and it is a clear attack on Latinos. By using this opportunity to crosscheck voting records with records of the INS, the Republicans are trying to intimidate Hispanics and trying to keep them from voting.

Mr. Speaker, I have news for the Republicans. Hispanics are here to stay. They are a growing economic force, and, as the Republicans are finding out, they are a growing political force.

I will give the Republicans a bit of free advice: If they want to win elections, the best way to do it is to respond to the needs of the voters. Instead of trying to show that every Latino is an illegal and trying to deny them the right to vote, they should listen to what Latinos have to say. Instead of trying to intimidate women, they should listen to what they have to say.

Mr. Speaker, instead of learning their lesson when they lose an election, as most people do, the Republicans are using their power to distort the democratic process. Is that what the American people want? Is that what the democratic process is all about? I do not think so.

Now I will yield to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I am known here in the House as someone who is not a ranter and a raver, if I can use that phrase. I like to work whenever possible in a bipartisan manner to find common ground and to achieve

real progress for the American people. I think all of us were sent here to do this and to make a difference in that way.

But I find myself unable to remain silent any longer about the Sanchez race. You know, I am mindful that the investigation that has been going on has now consumed more time than the entire campaign and election did from filing to election date, and I think there is something wrong when an investigation that produces nothing continues throughout what looks to be a plan to consume the entire term of the person's office.

Now if there was any evidence of behavior that would affect the outcome, perhaps we could be more patient with this, but as the Washington Post has pointed out and as a matter of longstanding law as well as precedents of this House, the burden of proof is on the plaintiff in this case, and there is no credible evidence that has been brought forward that would lead any objective observer to the conclusion that the outcome of this election will be changed in any way through additional investigations.

As the gentlewoman from New York knows, I am a member of the House Committee on the Judiciary, and in that capacity I serve on the House Subcommittee on Immigration and Naturalization. I regret to report that the state of the records of the Immigration Service is so poor that the information being asked for frankly is not going to be able to be delivered in any kind of timely fashion. And by way of example, when the first request was made to the Immigration Service to match up names with INS records was delivered, 500,000 names came back, nearly, well, almost the entire population of a congressional district from all over the United States. Obviously this proves nothing. The numbers are now down to such a short percentage that there is no way the outcome could possibly be affected.

Now I have heard Members on the other side of the aisle stand here in this well and become highly enraged and distressed and upset at the concept that this investigation would be perceived as racist and would be perceived as sexist and would be perceived as partisan, and I believe that those individuals who spoke in that manner did so in good faith and honorably. But I am here to say that if you continue after today, you are warned that in fact it will be taken in that manner by people of good-faith, not only in California and Ms. SANCHEZ' district but throughout this country, because Sanchez is as American a name as Lofgren or Smith or Wong, and yet the only individuals being looked at are Americans with names like Velázquez and Sanchez.

And that is being taken very poorly in those sectors and, I think, rightfully so. We are not asking to see the naturalization papers of any Flahertys or Clintons, and I think that the voters and Americans in California have got it about right as to the impact of this investigation.

I have come to know Congresswoman SANCHEZ as a very strong, forceful voice for ordinary working people in her district. I think it is important for the Republican Party to put this matter to one side to allow Congresswoman SANCHEZ to do her job, and we will have another election just next year. Candidates can run and voters can choose. That is the way to settle this at this point.

And I would just urge that Members in good faith, Members of this House who take their oath of office seriously, will step back, ditch the partisanship, let the gentlewoman from California [Ms. SANCHEZ] do her job.

Ms. VELÁZQUEZ. Does the gentlewoman know the demographics of LORETTA SANCHEZ' district?

Ms. LOFGREN. Yes, I do.

Ms. VELÁZQUEZ. And what type of message are we sending to the Hispanic community when the names that have been checked with the INS only are those of Hispanic Americans?

Ms. LOFGREN. Well, you know it reminds me, Congresswoman, of an incident that happened, and I have only been in this Congress now for 32 months, but I served in local government in California for a number of years, and several years ago the Republican Party in southern California hired guards and posted them around the polls but only in sections of town that were primarily Latino. And, in fact, the Republican Party was sued over that and the court found that it was discriminatory and the Republicans were fined.

Many people in California are likening this investigation to that more egregious, and, I would say, intentional, effort to try and discourage Americans who are of Hispanic descent from exercising their franchise, as every other American should do. It is certainly, I think, the wrong message for America, the wrong message for our children to see.

We are living in a country, fortunately, where what defines your Americanism is not where your parents or grandparents came from, it is not whether your name is Smith, Wong, or Sanchez, it is not the color of your skin. It is your belief in freedom, it is your belief in the ideals of this country that make you. It is your willingness to stand up for your country that make you an American in belief, and the separating out of Hispanic Americans I think is terribly wrong.

And I will make this prediction as well, that in the end Latino Americans in California have taken great offense at this, and I think are certainly registering to vote in much greater numbers than historically has been true, and I think what I am hearing from my constituents or Latinos is that they now understand in quite a different way which party is on their side, and I have recently heard that from other Americans whose parents immigrated from places other than Europe, including friends in the Korean-American business community and others.

So I think in the end this will all be resolved, but for now I think it is important for us to step back. I have heard people say, well, in 1984 something happened that the Democrats did that was wrong. I was not here then. If the Democrats did something wrong, they should not have done it, but we should not do a bad thing. We should do what our oath of office requires us to do, what is right for America, what is right for this House and hold up our heads proudly.

Ms. VELÁZQUEZ. Now I yield to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Speaker, I am glad to comment for a minute and then yield here for a colloquy with my friends because I think why we are here tonight is to stand on the floor of the House of Representatives in defense of this institution and criticizing essentially the attack that has been made upon this institution.

□ 1830

It has been an attack on this institution, because it is an attack on a particular Member, the gentlewoman from California, Ms. LORETTA SANCHEZ, who got elected to this House. She was declared the vote winner by the Secretary of State of the State of California, entered this House, took the oath of office. And now there is a witch hunt to say that because she had a close election, she won by 984 votes, that therefore, and because her name is SANCHEZ, and because she lives in southern California, and because many people in southern California have Latino names, that people voted in that election who should not have voted.

Mr. Speaker, I think there are probably people in most elections in America who voted who should not have voted. There are illegal votes cast in this country. But to say that they were all cast in one congressional district is ridiculous.

The reason that I am so upset about it, if indeed Members want to go after close elections, the election of the gentlewoman from California, Ms. LORETTA SANCHEZ, ranked fifth. Listen to the names ahead of her: The gentleman from Pennsylvania, Mr. JON FOX, the gentleman from Massachusetts, Mr. JOHN TIERNEY, the gentleman from Washington, Mr. ADAM SMITH, the gentlewoman from Washington, Mrs. LINDA SMITH. All of those people, Members of this House, won by lesser votes than she did.

So, essentially, the gentleman from Pennsylvania, Mr. JON FOX, won by 84 votes. Did anybody challenge that election and say there were illegal voters in his election, or in the election of the gentleman from Massachusetts, Mr. JOHN TIERNEY? Did the Canadians come in and illegally vote in the election of the gentleman from Massachusetts, Mr. JOHN TIERNEY, or the gentleman

from Washington, Mr. ADAM SMITH, and the gentlewoman from Washington, Mrs. LINDA SMITH? How many Canadians are they challenging?

No, they are picking out one race, one congressional district in all of the United States, one that came in fifth from the bottom, and going after that. Why? Because of a very controversial former Member of this Congress who has decided ad hocly not to give up his title, but to use his color of title to go after the person who won. So I engage my colleagues in a colloquy about this, and certainly would ask the gentlewoman from Connecticut (Ms. DELAURO), for a comment on it as well.

Ms. DELAURO. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I just want to say, I think my colleague is right. My colleagues who have spoken are right. I think there is an important point. First of all, the point the gentleman brought out was that there are several people who had more narrowly determined races on whom nothing is being challenged. No list of ethnic names are being addressed and none are being requested.

I think what is important to note, and the gentleman talked about it, the gentlewoman from California (Ms. LORETTA SANCHEZ), was certified the winner of this election. It was by a Republican registrar of voters, and a Republican secretary of State.

That was after, which is even a second piece of this, which is because we had some other races that in fact were more narrowly defined, but there was a recount of every single ballot, and the gentlewoman from California (Ms. LORETTA SANCHEZ), was determined and certified the winner by 979 votes. So I think that is what the point is.

When we look at this issue, what we need to wonder about is is this a politically motivated attempt to steal an election? Is it, by virtue of the requests that have been made from the Immigration and Naturalization Service about the thousands and thousands of Hispanic names to be reviewed, is it anti-Hispanic? And third, given what we know, again, about the certification and other races that were not looked into, that the nature of the hearings, are they not in fact a waste of taxpayers' dollars?

Ms. LOFGREN. Mr. Speaker, if the gentlewoman will yield, does the gentlewoman from Connecticut happen to know the amount of money that has been spent on this investigation by the House so far?

Ms. DELAURO. I will be happy to tell my colleagues. First, we have spent 9 months at this effort and over $300,000 in taxpayers' funds investigating this election.

Ms. LOFGREN. Does that include the cost incurred by the Immigration Service to comply with all these many requests that have yielded nothing?

Ms. DELAURO. It does not. As a matter of fact, in our Committee on Appropriations process, the gentleman from Maryland (Mr. HOYER), asked that the INS be reimbursed the money that they have had to put out to do this, and the answer came back from the committee as a no, that we would not reimburse them for doing that. So out of the INS budget there is that money, in addition to the $300,000 that has already been spent.

Ms. ROYBAL-ALLARD. Mr. Speaker, if the gentlewoman will yield further, I just wanted to make one more point. Although the contested election is about the result of the 46th Congressional District, in which 93,000 people voted, Mr. Dornan and his Republican allies sanctioned the INS to pry into the records of all of 1.3 million Orange County voters. This means that the Republican-led Committee on House Oversight ordered the INS to go through the records of hundreds of thousands of people not associated with the results of this contested election. Most of these people could not have cast a vote either for or against the gentlewoman from California, Ms. LORETTA SANCHEZ, or Bob Dornan because they were not even living in that district.

So it is definitely unfair, it is unethical, and an invasion of privacy for these registered voters to be subjected to the antics and the subpoenas of this private citizen, Dornan.

Ms. DELAURO. Mr. Speaker, I think it is important to set the record straight here. Bob Dornan, a former Member of the House of Representatives, no longer a Member of this body, a private citizen, if you will, he has been given the power to subpoena. That is unheard of. It is unprecedented. He has used this authority to truly harass his political enemies, forcing them to spend thousands and thousands of dollars. That is a terrific point. I think it is important for people to know he has no standing and no jurisdiction as a Member of this body.

Mr. FARR of California. In the election next door, the gentleman from California, Mr. GEORGE BROWN, he won with 17 more votes than the gentlewoman from California, Ms. LORETTA SANCHEZ, 17 more votes; the same type of mix of ethnic populations. Is anyone going after the voters in his district and suggesting that that election was a fraud? No. This is absolutely the first time in the history of this country, in this House, when they have used the powers of the INS, the Immigration Service, to go back and question people how they became legal citizens.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentlewoman yield?

Mr. VELÁZQUEZ. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the gentleman raised a very valid point. Let me just add my voice to my colleagues who are here tonight. I will be brief.

As a member of the Committee on the Judiciary, we have certainly been watching from a distance, because subpoenas are extremely sacred or a very special procedural tool for which one must document and provide safeguards. You cannot just randomly go out. It is amazing to us that we would have a subpoena process by a private citizen whom this House is allowing to proceed against a sitting Member of Congress, who is duly representing 550,000 citizens.

If we do nothing more than to ask this Republican Congress to cease and desist in allowing that sort of infraction of rights because we cannot find any basis, and as the gentlewoman from California said, utilizing the INS, I do not want to say in its innocence, but in its responsibility, misusing its responsibility.

I think it is appalling, I think it is outrageous, and I do think today as we stand here, on July 29, it is time now to say, end it forever and forever, to allow the gentlewoman from California, Ms. LORETTA SANCHEZ, who has been ably serving, to serve her constituents and not to be operating under a false cloud of taintedness that has been represented by someone who has simply lost their election.

Mr. MINGE. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Minnesota.

Mr. MINGE. Mr. Speaker, I represent an area in Minnesota that is quickly seeing the ethnic composition of the population change. It has been dramatic. I know that quite often there is a suspicion that if we have a new family in town, maybe it is not documented, maybe it has come into our country illegally, or an individual. There is also a suspicion as people move in and out of apartments, large numbers of people may be living under one roof or at the same address, and do we have illegal residents.

One thing that really struck me about this case in California was the fact that it went beyond just worrying about this, but apparently there are accusations that have been made that if people live at the same address, they must be registering fraudulently to vote.

I have learned that many of these people are, say, residents at a senior housing project; or in one case, it was nuns that were part of an order, a Catholic order, and it was suspected that the nuns were illegal residents; or that military personnel, somebody at the same address, because they were at an Air Force base or a naval base, were registered illegally.

I think it borders on paranoia, and I think it is unfortunate that a colleague of ours, whether it is a Republican or a Democrat, were to have to spend vast sums of money to answer allegations which really appear to be baseless and participate in a fishing expedition.

I really think it would behoove our body if there would be some way that this investigation could be promptly brought to an end, honorably, so really

the divisive characteristic of this investigation can be put behind us. Because we certainly have, as this week indicates, some very large issues to struggle through. The budget agreement that was negotiated last spring and the legislation which is now being drafted is where we ought to be focusing our attention. I think all of us should spend most of our time on this. This is just sort of a brief interlude where we have taken deep concern in one of our colleagues' situations.

Ms. LOFGREN. Mr. Speaker, I know the gentleman represents an area more in the interior of the country, but the gentleman and I are members of a very small group here in the House, the Scandinavian Caucus. As I think back in listening to the gentleman speak about his district, I am reminded of my own grandfather who was an immigrant, and he had his naturalization certificate and he hung it on the wall, he was so proud of it.

As the gentleman is talking about newcomers coming in, I do not recall ever a time when people of Scandinavian descent were hunted down to see if there was proof of their citizenship. Yet he was an immigrant, much more than many of the Latinos in California whose families have lived in California for generations, long before my family arrived.

I wonder whether in the gentleman's experience there has ever been these issues raised about what are the Scandihoovians doing there, and are they legit?

Mr. MINGE. Mr. Speaker, I think each wave of immigration has brought with it a certain resentment on the part of the folks who are already there against the newcomers. I think even Scandinavians, unfortunately, face some of that.

But I look back in reading Minnesota history with some interest to learn that ballot instructions in my State were once printed in nine languages, including three Scandinavian languages, as well as Spanish. This was at the turn of the century, about 100 years ago. So I think when we did have these large waves of immigration from Europe, we tried to somehow fit our voting and our citizenship process to be as inclusive as possible.

I think here we see sometimes what borders on xenophobia, and it is very unfortunate. Certainly none of us want to encourage illegal immigration, but I think folks who are in our country, who are legal residents of our country, they have gone through the steps of naturalization and become citizens, they are valued members of our community. We ought to treat them with respect and we ought to welcome them into the political process and make sure they are full participants, because we need, as all of us know, as broad a participation as possible in the political process. We are constantly trying to encourage people to join with us, whether they be on our side of the aisle or not, just to be a part of the debate.

Mr. DAVIS of Illinois. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Illinois.

Mr. DAVIS of Illinois. I think the gentleman makes a very valid point, Mr. Speaker, given the fact that we really ought to be trying to find ways to bring people into the process; that is, to encourage people to participate.

We always talk about the greatness of this democracy of ours, and that people should be involved. Here we are in a situation that is actually doing just the opposite, trying to intimidate people, suggesting to them that they ought not participate.

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I think it is horrendous. It is unbelievable. That is why I am so pleased that I decided to come over this evening and join with all of my colleagues as they all say that enough is enough. When are we going to quit it? When are we going to cut it out?

I have looked at at least 15 or 20 newspaper clippings, all indicating that the investigations are turning up absolutely nothing.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentlewoman will continue to yield, I know how hard the gentleman has worked in an era of civil rights, not because of age but because of commitment. Is it not interesting that we are talking about civil rights for now a new immigrant group, Hispanics, when in the Deep South and many other places there was a chilling effect for African-Americans to vote, 1950's and 1940's and 1960's. There was the poll tax and intimidation.

Why are we in 1997 carrying on sort of the same traditions of intimidating people from voting by using INS officers coming to your door investigating nuns? It looks like this country would recognize that with Scandinavians, with new immigrants, with Asians, with Hispanics, African-Americans, I come from an immigrant background, that everyone deserves a chance to participate. It looks like that is what the gentlewoman from California [Ms. SANCHEZ] stands for.

Mr. DAVIS of Illinois. Mr. Speaker, I agree with that, because if it is Hispanics today, Latinos, then it is African-Americans, Scandinavians, Greeks, it is somebody else tomorrow. We all stand with the gentlewoman from California [Ms. SANCHEZ] and want to make sure that she does not have to keep going through this unnecessary hassle.

Mr. TIERNEY. Mr. Speaker, if the gentlewoman will continue to yield, I came in a little bit late but I, like yourself, came down here when I saw that this was the topic this evening. I have been watching this scenario unfold for some period of time.

Let me not go away permanently from the issue of civil rights, which I think is important. I come from the Irish minority, which is not much of a minority around here, but we had our history and we had our difficult times getting into the electoral process. I am proud of the fact that we are very much engaged in it now and that we contribute so much.

Let me take it to a political level. I think that is something that we have to be mindful of here. This is not only a recount that is going on out in California. I was the subject of a recount in my district. I know from past experience, working on other people's recounts over the years, that when those votes are counted, one by one, you have got a real definite idea of how the vote resulted.

At the end of that recount, Ms. Sanchez was declared the winner by almost 1,000 votes. That is a significant margin of victory in a recount situation.

Now I think we take it to the political level. This is not about just civil rights. It is about politics. This is about how can the Republican Party get behind a candidate who will not let go, a person who lost and now knows he lost, if he has any touch with reality, will not let go of the situation? And they come on and they get behind it and let this situation keep unfolding so that we have a Member of Congress, who represents almost 600,000 people, that has to come here and do the business for those people and represent those people on some very significant and important issues and at the same time, because the party chooses not to let it go, because they, I think, perhaps would like to see a Democrat in that position, allow that situation to unfold so that not only does LORETTA SANCHEZ have to do the business here; she has to be mindful of what is going on back at home.

As my colleague from Chicago just said, back home it is clear in the papers there is nothing going on of any substance there except for this obsession with the lack of reality that goes on and on.

Let me just say that I think the voters back in Orange County should be significantly proud of the work LORETTA SANCHEZ does in spite of what has been going on back there and the way it must be some sort of distraction, but you would never know it for the fine work she is doing here.

Mr. FARR of California. Mr. Speaker, the gentleman had a closer election than LORETTA SANCHEZ?

Mr. TIERNEY. It was a 360 vote margin. At the end of the election we had a recount and I won by 371 votes, which in that case was significant enough that a recount could not change that. Yet LORETTA SANCHEZ' was so much larger than that.

Mr. FARR of California. She won by 900 votes. So you have a very close election, and yet they are not going after you and doing a witch hunt in your district in Massachusetts. After all, you are close to Canada, you could have had some Canadians sneak over and vote for you.

Mr. TIERNEY. We counted every vote, and there was a reality in my district. The voters knew the first time. They certainly knew after the recount.

Mr. FARR of California. The point is here is an election that is closer than the one that you were talking about in Orange County, a lot closer. There is no purge or going through and suggesting that the people in that election were all voting illegally because they were not properly registered. I think that this is obviously a witch hunt. There is 21 races that you say were close, that won by 6,000 votes or less, 21 in the 435 Members of Congress. And of these top 21, there is only one that they are going after, and there is only one in that whole group of 21 that has a Hispanic name, SANCHEZ.

I think that this is a witch hunt. It is embarrassing to this institution and ought to be called off. And it would not have been done had she not beaten Representative Bob Dornan, who everybody knows is a bulldog of every stripe and was here dominating this time usually in the evening on special orders about these issues.

Ms. ROYBAL-ALLARD. Mr. Speaker, I have a question for the gentleman. During your recount or during any recount that you may know of, has there ever been a case such as this one where, in addition to the votes in your particular district, thousands and thousands of votes and thousands of voters' records were subpoenaed and looked into that had nothing to do with your particular election like in this case approximately 1.3 million Orange County voters had the INS go and look at their records?

Mr. TIERNEY. No, certainly not. I suspect that this is what the American public has to hear. This is not about a recount to see if they are going to turn the seat over. I think everybody with both feet on the ground or both oars in the water knows that this election is over, that LORETTA SANCHEZ has won. Never in my experience, either as an attorney representing people, my own recounts and other recounts, has anybody found the need to go outside. Most State officials would not let it happen.

Certainly most Federal officials would not pursue it to go on. I think there should be some shame on the Members in this institution for allowing it to go on. To the extent they are participating in it, egging on and absolutely doing away with the rights of an individual, no longer do they make the person who is making the challenge prove the case. In this situation they would like LORETTA SANCHEZ to prove a negative.

Ms. VELÁZQUEZ. On the question of the gentlewoman from California, the fact of the people who were, their files were requested to be with the INS, those surnames were Latino surnames. What kind of message are we sending to our Latino community? And yesterday on this floor there was the debate on the legislative branch where some of the Republicans were accusing us, the Democrats, of playing the race card. But how could you explain that, of all those who vote in California, the only names, the only voters that were requested to be proved by the INS were of Latino surnames?

Mr. TIERNEY. I think that is a good point here. What we ought to be focusing on is why are we not having some explanation from the Members that are Members of this House that are driving this situation as to why this continues on. Why is there not some prospect here that a responsible leadership in this House would call on those Members to get down here and say why is it that this committee and this House would allow the kind of subpoena power to go on that has been going on when constitutional authorities have questioned it? Why would they allow this situation to go on when it has this overtone in terms of race? Why would they do that without coming down and explaining? If they say that is not the way it is, if they say there is some valid reason for this process to continue, I think the American people have to a right to hear about it.

More specifically, I think the people in that particular district have a reason to know why they are inundated with this sort of nonsense day in and day out, article after article indicating this is nothing but a witch hunt, has no basis in reality, and there ought to be an answer given. I would suspect that there ought to be Members on this floor standing up explaining themselves.

Ms. VELÁZQUEZ. I would like to add that this is the first time where I see that the burden of proof is not on the loser. They are forcing LORETTA SANCHEZ to prove that the people who voted for her had, in fact, the right to vote. That is not only wrong, it is shameful.

Mr. CAPPS. Mr. Speaker, if the gentlewoman will continue to yield, I had a point very much in keeping with what we have been saying here, pertaining to the spirit of this place at this very time. Right now, as we are talking about this situation, many of our colleagues are demonstrating the spirit of bipartisanship by having a baseball game. And that sends all kinds of signals out to the American people.

On a more substantive matter, this week the House will probably overwhelmingly pass a bipartisan budget, tax relief bills that will in my judgment be of enormous benefit to Americans all over this great land. But in the midst of all this, in the midst of this spirit of bipartisanship, we must rise this evening to protest these wrongs that are being brought upon my friend and fellow Californian LORETTA SANCHEZ. Others have focused on the bipartisan nature of this investigation. I want to talk about another aspect of it.

First of all, I want to express my support of the gentlewoman from California [Ms. SANCHEZ] but also to say that the real losers in this debate are the hundreds of thousands of Orange County residents whom she represents.

I know from experience that being a freshman, a new Member, especially in a district previously in the hands of the majority, is a very difficult job. It is difficult to concentrate on legislative issues, constituent service, communities projects, without facing the constant drumbeat of electoral charges that have been rained down upon a very able Representative, the gentlewoman from California [Ms. SANCHEZ].

My colleague has been forced to expend so much of her time, her energy and her resources on what I would call a misguided inquisition, and it is to her credit that she has managed to become an effective Representative in this kind of working context. So it it is certainly time for the investigation to end. It is time to bring the same civility, the same spirit of civility that characterizes our current legislative breakthroughs to this issue. It is time to give the people of Orange County the same constitutional right to full-time representation as all Americans deserve. I want to say that I stand with LORETTA SANCHEZ in tonight's very important special order.

Ms. VELÁZQUEZ. Mr. Speaker, I yield to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I just wanted to add, sometimes people think that we stand here and on some of these issues that it is our view, it is our opinion. I said earlier today that the gentleman who lost this race, Bob Dornan, who is an ordinary citizen today, has been given tremendous power by being able to subpoena people. It is just not hearsay on my part about what he is willing to do, quite frankly, what kind of inaccuracies that he is engaged in. I think it is important that it be part of the record to note that his claims are proven time and time again to be baseless and to be without merit.

In April, the Los Angeles Times wrote, and I quote, that a close review of Dornan's contentions shows them to be overstated and riddled with inaccuracies.

So you have someone who is out there being bestowed with this tremendous power who is saying and doing, quite frankly, whatever he wants to do; and in trying to contravene what the people, the people of the 46th District of California said and they stated. And LORETTA SANCHEZ is trying to represent them in this body and is doing a good job of representing them every single day with having to concern herself first and foremost with the job that she was elected to do.

People put their trust and their faith in us when we come to this body. She is trying to carry out their wishes, what their interests are for themselves and for their families, as I said, doing a good job of that effort; and at the same time having to struggle with a whole lot of potentially and, as it is

listed here in the Los Angeles Times and others, some baseless statements of fact and being forced to have to raise hundreds of thousands of dollars to be able to counteract legal fees.

The fact of the matter is, it is enough. In Italian there is a saying which is ''basta,'' enough. We have looked at this. There has been a certification. Let us allow the gentlewoman from the 46th District to continue to do the work on behalf of her constituents.

Ms. ROYBAL-ALLARD. Mr. Speaker, I just want to add and emphasize something that I feel is extremely important. Not only was the subpoena power given to an ordinary citizen, but the power that was given to subpoena far beyond the district election that was being contested so that the constitutional rights of thousands of other Orange County voters who had nothing to do with this particular election, their records were also subpoenaed. So it is extremely frightening, the fact that, No. 1, this leadership would give subpoena power to an everyday citizen and, second, that that power is extended far beyond the contest in question.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to add by asking the gentleman from Massachusetts, based on his case where there was a recount, who had to prove that the voters who voted had the right to vote on his case?

Mr. TIERNEY. The challenger. The challenger has the obligation and burden to overcome the results that are there and that are certified. In this instance, it is an even additional burden on that because there they are certified. The recount has been done. Again, I do not mean to contradict my colleagues here, but I like to keep bringing the focus back to this institution and this leadership that is allowing this to continue.

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We can talk about a private individual having too much authority, a private individual getting subpoena power that no other private individual has, but we have to come back to this institution and wonder why our colleagues on the other side of the aisle, that have elected that leadership to this body, are allowing them to do to a Member of this body what has never been done before, and ought not to have been done in the first place, and ought not to be done, period, in this body, because it is a blight on this entire situation, it is a blight on the membership of this organization.

We have an institution here that has to be protected, we have Members that have rights, and we have to go back to the voters and explain to them why it is that this body and this leadership is disregarding the Constitution, disregarding the rights of a Member, disregarding the rights of people living in that district and of the American public in general, and making a mockery of the electoral process.

I think there should be some explanation for that. Because no matter how much we want to blame the individual who does not seem to be willing to let go, I think we have to blame the people in this institution who are driving this as a partisan matter.

I know everybody likes bipartisanship and everybody likes to talk about how well we can get along down here. I do not necessarily subscribe to that. I think a good healthy dose of partisanship is what this place needs, but the right kind of partisanship.

It is healthy for us to stand up and to debate our differences. It is healthy for us to set forth what our policies are and our principles, debate them, have a deliberative process, argue them, and come out and have a vote on them in this body. That is the kind of partisanship that the public has a right to expect and probably desires. What they do not need is petty bickering and petty partisanship where a majority in this body, through its leadership, would actually allow this kind of atrocity to go on.

This type of a situation, where no one in their right mind believes it is allowable or acceptable to continue on, to harass a Member and to particularly make their life miserable, with no prospects of ever winning, and to take on an entire class of people that have done nothing wrong except go to the ballot box and exercise their right to a constitutional privilege to vote. And that is who we should have down in this body now, is that leadership, that group of people that are allowing this to continue. They should have to answer to the American public. They should have to answer to the people in the district of the gentlewoman from California, MS. LORETTA SANCHEZ.

Ms. ROYBAL-ALLARD. Mr. Speaker, I certainly agree with my colleague, and again I wish to point out that all of this has been at a tremendous cost to taxpayers. Over $300,000 has been spent on an election that has been duly certified by the Republican Orange County registrar and the Republican Secretary of State.

So this is money that has been thrown away, and in spite of all the money and time and the violations and things that we have talked about on this floor, Dornan is no more closer to getting the election than he was on November 5. It has been a total waste of money, of taxpayers' money, and it really is a black mark on the leadership for allowing this to happen.

Ms. DELAURO. If the gentlewoman would yield, I would say, look, it is difficult to lose. Anyone who has run for public office understands that it is hard to lose. But when you have lost, and when there has been a recount of every single vote and there has been a certification of the election, quite frankly, after months and months of deliberation, 9 months, $300,000 in cost, there is a point in time where you have to say, ''I have lost this election. I don't feel good about it, maybe I can come back again as part of the process, but I have lost this election.''

It really is a part of the leadership of this institution to take in hand their friend, Bob Dornan, and say enough is enough. This is concluded. We have checked it, we have rechecked it, we have asked our questions, and we too are sorry that you lost, and we will have to pick up another day and maybe go out and try to win that district back again, but we have lost for the time being. Let us get on and let the gentlewoman from California, Ms. LORETTA SANCHEZ, get on with her work.

Mr. TIERNEY. That is, of course, if we are assuming that this is all about friendship and all about trying to do the right thing by their friend. I think we all know it is something else.

I think this thing smells to high heaven and that people understand there is another motive and another goal here for people, and they ought, and again, I am going to close because I have to leave, but they ought to be on this floor explaining to the gentlewoman from California, Ms. LORETTA SANCHEZ, her constituents, the State of California, and the people of America as well as every Member of this body why they are allowing this to continue.

Ms. VELÁZQUEZ. Mr. Speaker, I would just like to say not only have we spent $300,000 of taxpayers' money, but also the INS has spent over $50,000, and just one office only is dedicated to dealing with this issue.

Mr. TIERNEY. If I can interrupt, this is the same group of individuals who fought us on spending money to insure children. These are the people that could not find the money to insure as many people as we wanted to insure, young people in this country, who can find $300,000 to argue a cause that is long lost.

Again, I think this just goes to the point there is another motive here, another avenue that is strictly political partisan bickering, and they should get beyond it.

Ms. DELAURO. If the gentleman would yield, and to be specific, a program that a number of us came down here to support and through actually shaming the other side we added money to the WIC program, Women, Infants and Children. We are talking about cereal, formula and healthy food for women, infants and children, and we were told that there was not enough money to do this.

In fact, what we have done with the INS is to say they have to do this; they have to spend the money for this, in addition to $300,000 as a cost, when there are so many needs. My colleague, the gentleman from California [Mr. CAPPS], said we spent a long time coming to a conclusion on a balanced budget agreement and trying to look at how we can be fiscally responsible.

So in fact we do have other motivation which underlies this issue, and quite frankly, I think when this sees the light of day, the American public, the way they saw what we ought to be

doing was the right thing with the Women, Infants and children program, will understand what is going on with this program. And I think that we ought to continue the debate and the dialogue so that, in fact, the public knows all about this.

Mr. CAPPS. If the gentlewoman would yield, she makes a very good point that it is not easy to lose, and when people lose there is a natural reaction.

But there is another fact here that we should consider, and that is, how many people have had the privilege of serving in this House since the beginning? There have been about 11,500, maybe 11,800 people who have served in the House from the beginning of this people's House.

It is more difficult to get in here if one is of a certain characteristic. That is, how many women have served in this House? I think 165 out of the 11,800?

I do not have all the math down with precision, but I think one-third of the women who have ever served here in the long history of our country, one-third of all these women are here now.

How many African-Americans have served in this House? Less than 100. Less than 100 out of the close to 12,000 people that have been here. How many Members of the Latino community have served in this House? Very, very few. Proportionately very few. And I would think that the majority of those from the Latino community who have served in the House are here at the present time.

What does this say? Clearly, if the Congresswoman's name was not SANCHEZ, this would not be going on. This would not be going on. We need to call that to the attention of the American people because that is wrong. That is immoral. And we are not going to have full democracy in this House when it is so difficult for certain segments of the population to be elected. I think we should call it what it is.

Ms. DELAURO. I think the gentleman is right. I think that the more one takes a look at this, the more one hears about what names are being requested and how many and in what volume.

And I think my colleague, the gentlewoman from California, Ms. LUCILLE ROYBAL-ALLARD, has said they have gone well beyond the 46th District. This is Orange County, and people who in no way are engaged or involved in this particular election, and that it speaks volumes, I think, about what the nature and what the tendencies are. And that is wrong. It really is. It is wrong and it is divisive in this country.

We have a difficult enough time with people coming together and wanting people to be together. We have a bona fide, certified election in the 46th District of California, and we ought to acknowledge that and not put people's ethnicity at the center of what our electoral process is all about. That really is wrong. It takes us back years and years and years. That is not forward looking, it is backward looking in this country.

Ms. VELÁZQUEZ. At some point, the chairman of the Committee on House Oversight, months ago, announced that not only would they be going after the district of the gentlewoman from California, Ms. LORETTA SANCHEZ, but he mentioned three more districts, all of them represented by Latinos.

They get upset when we bring this issue onto the floor and they say we are playing the race card, but I was elected and I was sworn in and no one contested my race. Why did he have to mention the 12th Congressional District? Why did he have to mention three other districts represented by Latinos who were not contested by any opposition from their own districts?

Mr. EHLERS. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Michigan.

Mr. EHLERS. I thank the gentlewoman for yielding, and I did not come here to rain on her parade. I understand what my colleagues are doing. But I do have to simply rise and voice some concern about the language and the words which were used. And, frankly, I take them personally, to the point almost of wishing to raise a point of personal privilege.

The term ''witch hunt'' was used to describe this. I am the chairman of the task force attempting to resolve the issue of the contested election in the 46th District. I have tried my very, very best to keep this fair and honorable. We did not initiate it, Mr. Dornan initiated it. We have a responsibility to pursue it.

The issue was raised by the gentleman from California [Mr. CAPPS] that if the name of the gentlewoman from California was not SANCHEZ, this would not have happened. I do not happen to believe that is true, but at any rate that is immaterial to the discussion.

Ms. VELÁZQUEZ. Mr. Speaker, I take back the balance of my time.

On that point, I would say, then, how could the gentleman address the fact that subpoena powers have been given to a private citizen? How does the gentleman explain the fact that the chairman of the Committee on House Oversight in a press conference said that he would go after three other districts that have been duly elected, where Latino representatives were elected? How would the gentleman explain that?

Ms. DELAURO. The gentlewoman is absolutely right, there is no explanation for the direction that this investigation has taken. I have a high regard for the gentleman, but the fact of the matter is that we are 9 months into an investigation. We have spent $300,000, $150,000 of the INS's money, going well beyond the 46th District, calling into question hundreds of thousands of Latino, Hispanic names, done nowhere else in this country. Unprecedented. And providing powers to an ordinary average citizen who lost an election.

People win and lose elections every single year, and when we lose, it is tough, but what we have to do is to get over it. And there is a responsibility on the part of the leadership, whether they chair a subcommittee, whether they serve as Speaker, majority leader, or whatever position they serve in this body, to look at these events and say enough is enough.

We had an election process. We have a certified number, after a recount, bipartisan officials who, quite frankly, those officials have done their job. They took a look at this, they counted every ballot, and they said the gentlewoman from California, Ms. LORETTA SANCHEZ, represents the 46th District. And this body, in response to a former member who says that he lost for some reason, has given him subpoena powers, and that is truly outrageous that this has happened. Again, unprecedented in the history of this institution.

This is a noble institution. My colleague, the gentleman from California [Mr. CAPPS] said only 11,500 people have served in this body. These elections are sacred.

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The people's vote is sacred.

Mr. EHLERS. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Michigan.

Mr. EHLERS. I will not take any more of the gentlewoman's time. I just want to say that I will continue this in the next special order. But I do invite all of my colleagues to remain for that. And I will be happy to explain and answer for my colleagues and give the facts of the situation.

Ms. ROYBAL-ALLARD. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from California.

Ms. ROYBAL-ALLARD. If, in fact, we are going to be hearing the facts, I would also like to ask the question that, if we are talking about 93,000 voters in the 46th district that cast votes for the Sanchez-Dornan election, then why were 1.3 million Orange County voters' records subpoenaed and why were they all Latino names?

Ms. VELÁZQUEZ. Mr. Speaker, I want to thank all of my colleagues for coming here and debating this issue and raising the awareness of the American people in this country. I know that the Republican leadership will have a public relations battle ahead of them. They are going to lose this one, the same way they lost the WIC battle and they lost the disaster relief package debate.

A GREAT DAY IN WASHINGTON, DC

The SPEAKER pro tempore (Mr. HOBSON). 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, I would like to begin tonight almost with an apology. This is one of the greatest days in American history, and what we need to be talking about this evening is not partisan bickering back and forth. What we need to be talking about is the great things that have happened out here today.

It truly is an amazing day. It is a day when we look at both sides of Pennsylvania Avenue. The President and the Republicans down here in the House and the Senate, in a bipartisan way, have reached an agreement to balance the Federal budget probably as soon as next year, lower taxes on the American people, something that we all look forward to being able to talk about, and Medicare is restored so our senior citizens, once again for a full decade, can count on their Medicare going into the future. It truly is, for a change, a great day in Washington, DC. We really have some good things to talk about.

But before I get into taking my special order, I would be happy to yield to my good friend, the honorable gentleman from Michigan [Mr. EHLERS].

SANCHEZ-DORNAN ELECTION

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. NEUMANN] for yielding and simply want to make a few comments about the discussion which just ended.

I was disappointed in the tone of the conversation and disappointed to hear the results, particularly disappointed that all the speakers whom I invited to stay to hear the explanation have decided to leave the Chamber rather than to hear the facts.

In particular, I respond to the last question which was asked; and that is, why were 1.3 million records in Orange County subpoenaed and why were they all Latino? The answer is, they were not subpoenaed and they were not all Latino. How can I respond to questions such as that which totally misstate it?

As I said earlier, this is not a witch-hunt. This is following the law that was established by the U.S. Congress and signed into law by the President of the United States. This is not an attempt to discredit the gentlewoman from California [Ms. SANCHEZ], who was certified as having won the election. And we did seat her, and she has served since that time and is serving her district to the best of her ability.

This is not a partisan attempt. It is simply a response. I wish the previous speakers had remained to hear some of the details of the law. The issuing of subpoenas is not unprecedented. It is the first time it has been done under the current law. But if we look over the 200-year history, we will find that in fact subpoenas have been issued a number of times in contested elections.

Furthermore, I would point out that in the last election we had five contested elections. What is unusual about this year is that we have only one. Of the five that were filed last year, two I think were serious challenges. The committee dealt with those and, after due examination, dismissed all of them. But the last one was not dismissed for over 20 months. It took that long to verify that the election had been won. But in the meantime, that individual had sat in Congress, had served Congress and, after it was dismissed, continued to serve in Congress.

I certainly want to clarify that this is not an attack on Latinos. As I mentioned in the discussion yesterday, a large number of the names that have emerged are Vietnamese. There are other nationalities present as well. And the names we are holding confidential, at the request of the INS.

We do not at this point know whether this investigation will proceed or how far the investigation will proceed. We are simply following the process that has been outlined. Mr. Dornan filed the contest. The committee did not file the contest. My task force did not file the contest. Mr. Dornan chose to file it, just as five individuals chose to file contests in the previous election 2 years ago. It is not the choice of the Congress as to whether or not a contest is to be filed. It is a choice of the losers in the election.

The subpoena power was not given by the committee. In fact, the committee restricted the subpoenas which were issued to Mr. Dornan by the court. He went to court and asked for the power to send out subpoenas. The first time a magistrate said yes. The opposition to Mr. Dornan went to court and said you are not supposed to do that. The judge ruled, yes, the magistrate should not have issued those subpoenas. And the judge said that he would issue those but under his conditions.

He attached those conditions. We were then asked as a committee to review those by the judge. We did quash some subpoenas. We restricted some subpoenas, and others we let stand. I would point out, also, that the majority of the subpoenas have not been honored. And, therefore, the comments that people have been harassed by this is simply not true. They are simply giving a response in several cases, and particularly the largest cases, saying we do not plan to honor this, or have simply ignored it.

These are some of the facts and I felt it incumbent to present to this body after the previous discussions some of the facts that we are dealing with. I will be happy to answer questions which are addressed to my office about this to try to clarify it as much as possible. But let me emphasize once again, I take personal umbrage at the reference to this as a witch-hunt. It clearly is not.

One might use that term to apply to the 1984 election, which is quite a different situation. I would also point out that there is a Democrat on the task force, the gentleman from Maryland [Mr. HOYER], and my colleagues can check with him as to whether or not I am attempting to run this task force as fairly as possible and in a bipartisan fashion.

My colleagues can also ask those who attended the hearing we held in Orange County. I received many comments afterward from the audience and participants commending me for running it in a fair fashion, without trying to discredit either party or to shame either one.

Obviously, we asked tough questions of those who appeared before us, including the gentlewoman from California [Ms. SANCHEZ]. Former Congressman Dornan also appeared but very, very briefly and did not give us much opportunity for questioning.

I want to thank the gentleman from Wisconsin [Mr. NEUMANN] once again for yielding and for the opportunity to set the record straight on some of these issues.

Mr. NEUMANN. Mr. Speaker, I rise this evening to talk about some very good news for the future of this country. What a great day this is here in Washington. And I truly have not said that very often.

I came here as part of the class of 1995. We came here because we were like many people in this country, we were sick and tired of the tax increases. We were sick and tired of promises of a balanced budget whose words just plain rang hollow because they had no meaning. We had heard so many times it was going to happen and it did not happen. Then there were new promises made and it did not happen again. And then taxes were raised.

What a great day it is here to bring the news of what has happened out in Washington and how different it is from 1995, looking at 1997. I am here today to talk about what has happened in Washington. It is the budget is balanced. We reach a bipartisan agreement, credit to the Republicans, to the gentleman from Ohio [Mr. KASICH], to the gentleman from Georgia [Mr. GINGRICH], to the leadership here in the House, and to the Senate, also to the President, who could have threatened veto, could have put his feet in the ground and said, we are not going to do any of this stuff, we are not going to listen, we are going to continue infighting.

But credit should be spread all around. It is important we start with the fact that the budget will be balanced by 2002 or sooner. I would like to go on record here and now this evening saying that, if we do not go into a major recession in the next 12 months, the budget is balanced not in the year 2002, but the budget is balanced in 1998.

It is very important to begin with that discussion. Because with that discussion in mind, we will understand how reasonable it is to talk about providing tax relief. Tax relief without a balanced budget effectively means we are borrowing more money from our children's future and letting people keep it and spend it today and not

being responsible for what is happening. But when we understand that, in all probability, the budget will be balanced probably in 1998, 1998 at the latest, short of a major recession, we can also provide tax relief to the American people and do it in good conscience.

I would like to spend a little bit of time talking about that tax relief tonight and going through some of the different aspects of it. Some of them are pretty well known. Some of them are not very known at all. I would like to start perhaps with the most well-known part of the tax cut package, and that is the $500 per child tax cut.

Let me be very clear on this. It starts January 1 of next year. It is $400 per child in the first area and $500 in the years after that. What does this mean to a working family out there in America? Well if you are earning less than $110,000 a year for a couple and you have got two kids, or let us say you have got three kids in your house, if you are earning less than $110,000 a year and you have got three kids, what you need to do is next year, on January 1, you need to walk into your employer's office and tell your employer you want $100 more in your paycheck starting January of next year and you want to keep that money that they were sending out to Washington before.

This is not Washington jargon or Washington nonsense. This is actually what happened out here today in Washington, DC. So a family with three kids should walk in the door next January 1 to their employer and tell their employer they want to keep $100 a month. That is $400 per child, times three, is $1,200 a year, or $100 a month that they should keep in their own paycheck instead of sending it down here to Washington, DC.

Is it not a great day in Washington when we can talk about that, instead of the 1993 discussion about which taxes we should raise and how high we should raise them. Things have changed out here in Washington, DC. And again I emphasize that this discussion is going on in light of and in addition to a balanced budget probably 3, maybe even 4 years ahead of schedule. What a great day it is here to be talking about these issues.

So, again, for a family of three kids earning less than $110,000 a year, January 1 next year you walk into your employer and you tell him that you want to keep a hundred bucks more of the money they have been sending out here to Washington, DC. Because the job that they sent us here to do in 1995 is in fact done, and it is good news for the American people.

I want to go on to some of the other things that are in here. The other one that has been well publicized is the capital gains tax reduction. I would like to be pretty explicit on this. There are some different details of this that are necessary for the American people to know about.

If you are a senior citizen and you have a pension that accumulated while you were in the work force and you are now in a position where you are taking money out of that pension and the money, of course, you put in during the past years has raised in value, you will be paying capital gains on that money.

Before, for every $100 you made in that pension fund, for every $100 of capital gains, Washington took $28 away from you. Starting now, they will only take $20. So you keep an extra $8 of your own money. It is not Washington's money. It is your money. You keep an extra $8 for every $100 of profit that you made. For every $100 of profit you made, you keep an extra $8 in your own home instead of sending it on out here to Washington, DC.

Let me be very clear about that. The capital gains tax rate is going from 28 percent, that it currently is, down to 20 percent for virtually all investments. The only exception to that rule, and if you own real estate, you want to pay particular attention to this exception, if you own real estate and you purchased a building, let us say, for $50,000 and you have depreciated the building $10,000, and then you go and sell the building, and let us hope you made a profit, let us hope you sold it for $65,000, well, the money you depreciated from the purchase price, the $50,000 down to $40,000, that is called recapture.

On the recapture portion, you will be paying a 25-percent tax. That tax is lower than it used to be too. I wish it was 20 percent across the board. If I had my way, it would be. But the bottom line is, that portion of the tax is going from 28 to 25. The rest of the tax, the appreciation in the property value, is going from 28 percent down to 20.

So good news for capital gains if you bought stocks and your stocks have appreciated in value, if you bought a piece of real estate and your real estate has appreciated in value and you sell that real estate, then when you report your capital gains, when you report your profit, you pay 20 percent tax instead of the 28 percent that you used to pay.

There are a couple more portions of this that have not been very well publicized that are important to an awful lot of people. And again I will go to the real estate portion of this because there is a very significant change that has occurred in the real estate portion as far as the capital gains tax cut is concerned.

Before, if you owned your own home and you were under the age of 55 and you sold that home, for whatever reason, job transfer or you decided to live in an apartment and save money instead, or your kids have grown and gone away and you are 45 and your last child just left home and the home is now too big for you, so you decide to sell it and own a smaller home. But at any rate, you own this home and you sell it but you are under the age of 55. In the past you paid capital gains. If you bought a home 15 years ago for $30,000 and you are selling it today for $90,000, that would be a $60,000 appreciation. And in the past, if you were not 55 years old, you would have paid capital gains tax on $60,000.

Let me make it very clear. This Tax Code changes that. Even if you are not 55 years old, you will no longer pay capital gains on the profit of the sale of your principal residence.

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This is very, very significant to a lot of folks. If you are in a high-priced area in the country and you move to a lower-priced real estate area, you may not take all the money out of the higher-priced real estate that you own in one job; you take a job promotion into an area where home prices are lower, there may be a difference between what you sold and what you keep. You no longer pay taxes on that under this bill. As long as you have been in your home for 2 years and you sell the home, you do not pay taxes on whatever the appreciated value was. Very, very significant change for a lot of people.

One other group of people that this affects that I have been hearing from off and on during the day. I have heard from some empty nesters whose kids are either grown and gone or folks that have not had kids for whatever reason, they decided not to or have not had them yet. This empty nester provision, or this provision where you can be in your principal residence and sell it 2 years later and not pay taxes on the profit affects lots and lots of those people, for what we call empty nesters, those people whose kids are grown and gone but have not yet reached the age of 55. That empty nester can now sell their home and move into a smaller home, if that is what they want to do, they can then put some of the money, the profit away for retirement instead of sending it on out here to Washington, D.C., a very significant change in the Tax Code for a lot of people in this country.

Another portion of the Tax Code that is changed, and some people have been hearing about it, the estate tax has been changed, the exclusion for family businesses and family farms being passed on. If you are a farmer out there in our district and your farm has been in your family for generations, as many of them have in southeastern Wisconsin, all across Wisconsin, and you wish to pass that farm on to the next generation, the exclusion has been raised now to $1.3 million. And if there are two people in the family, you could pass on up to $2.6 million total to the next generation. That goes for a small business and that goes for the farms. The $600,000 exclusion is going up to $1 million over a period of time.

I want to jump from there to another provision that has been talked about but I am not sure the details have been very well described on it, and that is the education tax credit. I happen to be very familiar with the cost of education. I have one who is going to be a junior in college this year, another one

going to be a freshman in college, another one is a freshman in high school. When I think about these provisions and I think about making the payments every year on these college tuition bills, I know this provision is going to be important to many, many, many people across this country.

Let me start with your first 2 years of college. In your first 2 years of college you get a deduction; this is a tax credit of up to $1,500 per year, provided you spend $3,000 total on your college costs. If your college costs are over $3,000, you will get a $1,500 tax credit.

It is very important that we talk about the difference between a tax deduction and a tax credit. A tax credit means that if your taxes were $10,000 before and you get a $1,500 credit, that means your taxes go down to $8,500. It literally is a dollar-for-dollar deduction in your taxes.

So the good news is as we look at college students, in your first 2 years it is up to $1,500 per year in additional help to go to college. Some people do not like this provision in the bill, and I guess I have to look at this and say, well, anything that we can do here in Washington to allow the people to keep more of their own money instead of sending it on out here to Washington I think is a good provision, and I think about all the families across Wisconsin and across America that this provision is going to help, allowing those students to go off to college, and I just think it is a good move in the right direction.

I want to add one more thing in the college tuition part here. In our house, before my kids talk to me about my helping them by signing a note or whatever for them to go to college, they first have to earn $3,000 and bring it to the table. So in our house, before we start talking about help from other sources, whether it be the government or mom and dad or wherever, first the kids are expected to do something to provide for themselves. If there is one thing I would encourage every parent in the United States of America to do who has students who are either in college or thinking of going to college, I think the best thing that we can do as parents for our kids is to ask them to pay part of the cost of college themselves, because it will teach them many of the things they need to know after college and in some ways it will provide an education that is equally as important as college.

I have found in America today, at least in Wisconsin where we are from, that it is very possible for a student to earn $3,000 over the course of a year, during the summer, where there are 10, 12, 14 weeks available, and during the school year it does not hurt to work a few hours a week if necessary to make up for the addition. So I would encourage the parents to ask the students first to do something on their own to provide for their own education, but after they reach that point I am happy to say that Washington is going to let parents keep more of their own money to apply some of that money to a college education.

Let me kind of sum up where we are so far. If you are a family with three kids, you have got one of those children in college and you have got two of them still at home, you are earning less than $110,000 a year, January 1, next year, I am back to that magic date again, January 1 of next year, if you have got one in college, two still at home, you should go into your employer and not ask for $100 extra a month to keep in your own paycheck instead of sending it to Washington, you should at that point walk in the door and ask to keep $200 a month extra because you would get the $1,500 for the college help; in addition to that you would get $800 more, $400 per child in the first year, so just under $200 a month you keep instead of sending it on out here to Washington.

I smile when I say this, I have a lot of confidence in the people in this great Nation. I know they can do a better job spending their own money than the people here in Washington. This is a great day in Washington, DC.

I want to go on to a couple of other things that are maybe not quite as well publicized out there. One is the individual retirement, the IRA, the expansion of the availability of IRAs. Under the new provisions, for individuals if you earn $60,000 and up to $100,000, you will be eligible to start your own IRA. I think that is very important. I heard a lot from the young couples with no children that somehow the Tax Code did not affect them. I would like those people to know that you can open an IRA now and you will be permitted under this American dream IRA to withdraw money that you have saved up, tax free, for purposes of purchasing a home. You will be permitted to put money into this American dream IRA, aftertax dollars; but the accumulation of interest and all the rest on those aftertax dollars that you have put in there, that money stays in there untaxed. And if you are saving to buy your first home, you can take that money out tax free to buy your first home, a great provision for young folks who are looking forward to living the American dream, purchasing their first home. I think it is a very important part of this overall tax package.

The one other part that I want to just mention is the home office deduction availability for a lot of people has been increased. In the day and age that we live in, it is time that we recognize that there are many parents, single parents in particular, who are learning to make their living out of their own home so that they can both be home with their children, see their kids off to school and at the same time earn some of that money. The home office deduction that has been so hard to claim in the past has been put back and there have been some significant changes in that area to help people be able to accept that.

I have been summarizing what has happened out here today. It truly is a great day in Washington, DC. I think this is the first time I have ever been on the floor that I said it is truly a great day in Washington. I have to admit when I came here 2 years ago, I was not sure that I would ever stand on the floor of the House of Representatives and say that it has been a great day in Washington, DC. But to be able to stand here and talk about accomplishing so many things that we were sent here to do, the balanced budget, and we are not talking about 2002 now, although that is the outer bounds of when it may be balanced, the reality of this picture is that if we can finish what is in this budget agreement and hold those spending caps, we are looking at the balanced budget in 1998, in 1999 at the latest, on track, ahead of schedule.

What a magnificent change we have had since 1995 and what a magnificent change it is for the future of this great Nation we live in.

Having said that, I would like to talk a little bit about the past, and then how we got to where we are today, and then where we are going in the future. Let me start just briefly with a little bit about the past.

I almost hate to talk about this on a great day like today because when I do talk about the past, we get a picture of what has been going on out here before the American people rejected what was happening in 1994 and sent a new group out here to control Washington, DC. It is important we understand the difference between a checkbook and borrowing money to buy a house, between Federal deficit spending which is the checkbook, and Federal debt which is the amount of money that gets borrowed. Every year since 1969, this government has spent more money than it had in its checkbook. It reached into your pockets, the pockets of the American people, it collected tax dollars, it put those dollars in a checkbook, then it started writing out checks. But they have not been paying very close attention to how many checks they write out because at the end of the year they overdrew their check book each year. That is called the deficit.

When they talk about balancing the budget in Washington, what they mean is they are going to stop overdrawing their checkbook every year. But when you think about overdrawing your checkbook every year since 1969, it is not hard to figure out that the debt has started to explode. The debt is when they go and borrow money to cover their overdrawn checkbook. It is no different than sitting around your own kitchen table writing out checks to pay your bills and overdrawing your checkbook. Well, that does not work. You have to get the money from somewhere.

What Washington has been doing is they have been borrowing it. This chart shows the growth of the Federal debt, it shows how year after year after

year as they overspent their checkbook, they borrowed more and more and more money. I would point out that around about 1980 is when this thing really started climbing. I know all the Democrats out there go, ''That's the year that Republican President Reagan took over'' and all the Republicans go, ''Yeah, that's the year the Democrat Congress spent way too much money.'' We blame each other out here. It is time we get past blaming each other and it is time we accept the fact that this is a problem facing our Nation and do something about it, and in fact that is what has happened since 1995.

I would also point out that we are about here on this chart right now. The debt facing our Nation has grown to huge proportions. Remember, this is the part that is like borrowing money to buy your house. I have brought another chart that shows how big this number actually is. I am a former math teacher. We used to do these problems in my math classrooms. The debt currently stands at $5.3 trillion. Even when we are through the euphoria of today, the good news that we have reached a balanced budget and we are lowering taxes, we still have this $5.3 trillion debt hanging over our heads; $5.3 trillion divided up amongst the people in the country, if every person were to pay just their share of the Federal debt, it would be $20,000 for every man, woman and child in the United States. Let me put this another way. This government, the people in Washington, DC, especially before 1995, saw fit to spend $20,000 of our children's money more than what they collected in taxes from our generation. For a family of five like mine, they spent $100,000. They have literally borrowed $100,000 on behalf of every group of five people in the United States of America. Here is the kicker. A family of 5 in America today is paying $580 a month to do nothing but pay their share of the interest on this Federal debt.

A lot of people say, ''Well, I don't pay $580 a month in taxes, so how could I possibly be paying $580 a month to pay our share on that Federal debt?'' The reality is when you walk in a store and you buy a new pair of jeans or when you walk in a store and you buy a loaf of bread, the store owner makes a small profit on the sale of that loaf of bread to the person that walked in and bought it. Part of that profit gets sent out here to Washington, DC. When you add up all the different parts of the taxes that you pay through society, every family of five in America today or every group of five people is paying $580 a month to do nothing but pay the interest on the Federal debt. It is staggering.

In spite of the fact we had a great day, we are getting to a point where we are at least balancing our budget, we are not going to keep adding to that Federal debt as we go forward. In spite of the fact that we have had a great day out here today and we have moved in the right direction, this debt is still hanging over our head after we reach a balanced budget.

It would seem logical to ask how in the world did we get into this kind of a mess. How did we get to a point where a family of five is in debt on behalf of their Government $100,000? I think that is the next logical thing that should be looked at.

To do that, I would like to refer back to what was going on in the late 1980's and the early 1990's in Washington, DC. This is before what I call the revolt of the American people in 1994, because remember it was 1994 where the American people said, ''Enough is enough, we've had it with the tax increases, the broken promises, we're going to try a new party in control in the House of Representatives and in the Senate.'' First time in 40 years they did that. This is the late 1980's and the early 1990's. This is the Gram-Rudman-Hollings promises first of 1985 to balance the budget by 1991.

The blue line shows the promises that they made. The red line shows the actual deficits. It is not hard to see in this picture that the promises made were not what they did out here in Washington, DC. So even though they made these promises to the American people, they broke them. When they found out they could not hit these targets, they did what all good people in Washington do; they made a new set of promises. It is no wonder the American people got so cynical about what is being said out of this city. They made a whole new set of promises.

The blue line shows what they promised the second time and the red line shows the broken promises again. It is not hard to figure out why the American people are so cynical. When I call home to my district and I say, ''Hey, guess what, the budget's balanced probably next year, maybe the year after at the latest, but certainly before 2002,'' sometimes people do not believe us. It is not hard for me to figure out why they do not believe it because when I look at the track record of what went on out here in Washington before 1995, it is very easy to see these broken promises. So what happened? Well, they broke the promises; 1993 came and went, there was no balanced budget. But in 1993, a very significant happening occurred. The people in Washington said, ''We're going to get serious about balancing the budget, we know how to do it, we're going to raise taxes on the American people because if we just collect enough money out of the pockets of the American people, if we get enough money out here in Washington, we'll know how to spend it best for the people and then we can balance the budget.'' That was 1993. The tax increase passed by a single vote in the House of Representatives, the tax increase passed by a single vote in the Senate, not a single Republican in either body voted for the bill, the tax increase went through.

That was the best thing that ever happened in a lot of ways. Let me explain why. The American people looked at this picture and the broken promises and they looked at the tax increases of 1993, and they said, ''Enough is enough, we're going to change what is going on in Washington, DC'' and in 1995 an amazing thing happened. They elected a new group to control it. They put the Republicans in control of both the House and the Senate.

□ 1945

And interesting things happened, things changed. The Republicans got here, and much like the people that were in control in the past, they gave a set of promises to the American people, too. They said we are going to balance the budget by the year 2002 and not only that, we are going to cut your taxes while we are doing it. And they laid a plan out. I think it is more than fair that at this point the American people should say: ''Look, 1995 is 2 years ago you're really in the third year of your 7-year plan to balance the budget. How you doing?''

And I think that is a fair question, and I think it deserves an answer because it helps people see how different things are from how they were before.

The red in this chart, the red columns show the promises made in 1995 by the Republicans when they took over. This is our plan to balance the budget by the year 2002, and in this chart you will notice that in the year 2002 it zeros out, that it is a balanced budget.

This is our promises that we made back in 1995. We are now in the third year. Let us see how we are doing.

Well, the first year came and went. We promised the deficit would be lower than $154 billion, it came in at $107 billion. First year, on track ahead of schedule.

Think back to those Gramm-Rudman-Hollings charts I had up here a minute ago. What a change, on track, ahead of schedule.

Second year came. Second year we promised deficits below $174 billion. This shows $67 billion. The good news is this is probably going to be $30 billion. This is great news for America. We are over a $100 billion ahead.

How in the world did that happen? Well, it is pretty straightforward. We had this working model that we put into place back in 1995. Here is our theory:

Our theory was that if we curtailed the growth of the American spending, we left the money in the pockets of the people, we did not want to hear about tax increases. Instead we curtailed the growth of Government spending. If we curtailed the growth of Government spending, that meant Washington was going to spend less, so they would borrow less. When they borrowed less that meant more money available in the private sector.

Well, if there is more money available in the private sector, more money available means lower interest rates. Lower interest rates would mean people would buy more houses and cars,

and if they bought more houses and cars, other people would have to go to work building the houses and cars and that would be a long ways toward solving the welfare problems because of course they would leave the welfare rolls, go to work and start paying taxes.

The bottom line is that theory, that working theory of curtailing the growth of Government spending so Washington borrows less, leaving more available in the private sector, keeping the interest rates down so people will buy more houses and cars, so others will have job opportunities building those houses and cars, the model worked, and that is why we are so far ahead of schedule here in the second year.

It led to a booming economy, and we hear in the news now that the economy is booming and making us all work absolutely. Part of this is the booming economy that is making it work. Part of the reason the economy is booming is because the interest rates have stayed down, and here is part of the picture why.

Well, that was the second year, on track, ahead of schedule. We are now in the third year. The third year we promised a deficit below $139 billion, and I would like to make a projection here now tonight. My chart shows $90 billion deficit next year or in the fiscal year we are now working in. I would like to predict that that number is going to read zero. I would like to suggest that in fact we are going to find out in the next few months that the budget is going to be balanced in fiscal year 1998, fiscal year 1999 at the latest, if we just stay with the economy the way it is now. No big boom, no massive downturn, if it just stays just the way it is right now and we continue to hold spending in check, we will have a balanced budget as soon as next year.

Folks, we are not only on target, we are in the third year of a 7-year plan to balance the Federal budget, and we are not only on track, but we are significantly ahead of schedule to the point where we can both balance the budget and provide tax relief for the American people. Great news for America and, like I said, it is just great to look at these numbers and be able to talk positive about what has happened out here in spite of all the rest of the stuff.

If you were tuned in earlier and you saw the bickering that went on on this floor just before we got here and took over for this hour, all of the partisan bickering aside, everything else that has happened out here, the bottom line is if we look at the war, the war to balance the Federal budget and preserve this Nation for the future generations, we are winning the war right now and it is almost over.

Now I have heard a lot in the news media that the only thing going on is the economy is booming, and in fact there is a lot of folks that would like to say, well, Washington is still so fouled up and the only thing going on is the economy is booming.

Well, I brought a chart with me to help see that in fact there are two parts to this thing working; one is the economy, and certainly we do not want to take anything away from that, but the other one is again things have changed since 1995. In the 7 years before Republicans took over in 1995 the average growth in spending for the Federal Government was 5.2 percent. Since Republicans have taken over and in the first 7 years of the Republicans, including the balance of 4 years have not yet occurred, growth is 3.2 percent. So under the first 7 years of Republican control, 3.2 percent growth. Under the last 7 years, Democrat control, 5.2 percent growth.

Now what does this really mean? There is a couple of things that are pretty significant in this chart.

First, the American people have been told repeatedly that there are draconian cuts in Washington. Well, the first thing I would point out is that there are no cuts. Spending in Washington is still going up by 3.2 percent. But the growth in Government spending has been curtailed by 40 percent. That is about a 40-percent reduction in the growth of Government spending.

That is good news, and that is part of what has led us to success.

On the other side we see in real dollars or inflation-adjusted dollars before we got here was going up about 1.8 percent per year and it is now going up about 0.6, so it has been about a two-thirds reduction in the growth of Government spending.

The idea that there are massive, draconian cuts in Washington programs is nonsense. In fact, do we still have a long ways to go to get the growth of Government spending completely under control? Yes is the answer to that question. We still have a way to go.

There is a lot of very conservative Republicans who are saying the budget agreement is no good because, and you can fill in the blank for what they put in. They would like this blue area to read zero. They would like absolutely no growth in Government spending, and if I were perfectly honest about it, I probably fall into that category. I would prefer less growth in Government spending and let the people keep more of their own money and decide how to spend it themselves. But I do not think that means we should look away from the progress that has been made, and there clearly has been progress made reducing the growth in Government spending, putting us in the third year of a 7-year plan to balance the Federal budget and being on track and ahead of schedule. That is not all bad, that is good, and we are on the right track. We have turned a very significant corner for the future of this great Nation that we live in.

I would like to put this all in perspective another way. If when we came to Washington, DC instead of doing our jobs we played basketball and golf, what would have happened? And that is what this chart shows. This is what we found when we got to Washington in 1995, when the American people made that change, the revolt of 1994, rejecting the tax increases of 1993, rejecting the broken promises of the early 1990's and late 1980's. This is what we found.

The deficit was about $175-, $180 billion at that point, and this red line shows you what would have happened had we decided to play basketball and golf and not done our job out here.

But instead of doing that in the first 12 months we made some progress, and it was—there was no bullets fired but it was just short of a war. Some folks remember what was called a government shutdown and all the negative ''cutting Medicare'' stuff and all of the negative misinformation that was put out of this city.

We did go through a war. At the end of 12 months this yellow line shows how far we would come if we quit at that point. We could not quit at that point because the job was not done.

The green line shows the plan that we laid in place to balance the Federal budget and again thinking back to the Gramm-Rudman-Hollings and how they never hit their targets. The blue line shows you where we actually are today. This is how much progress has been made. This is what would have happened if we did nothing. This is what did happen in the first 12 months' progress that was made. We did not quit. This is the plan and this is where we are.

What great news for America: We are winning this war. We are winning the war to preserve the future of this Nation. What other Nations could not do with military power we almost did to ourselves by running up such a huge debt that we would have no ability to repay it.

This is not the end of the picture, and again I point out where we had this discussion a little bit after the budget is balanced, when we reach zero, when we are no longer overdrawing our checkbook, the job is not done. We still have a $5.3 trillion debt staring us in the face, and the logical question is: What are you going to do about that?

Well, before we answer that question I think we ought to pause long enough to applaud the progress that has been made. There has not been a balanced budget in this community since 1969. There has not been a tax cut in this community since 1982. There has been a lot of tax increases, but no tax cuts.

So before we go on to what is next let us at least pause long enough to recognize that from 1995 forward things have changed in this community, and I would encourage anyone watching tonight, and I would encourage my colleagues to congratulate each other on what has happened out here in Washington and the change that has occurred since 1995.

It should be a tribute to the American people is who it should be a tribute to because had they not changed what was going on in Washington by

electing different people, the same stuff would be going on again. There is no reason to believe anything different.

What is next? Well, we still have a $5.4 trillion debt staring us in the face.

We introduced last week a bill called the National Debt Repayment Act, and what the National Debt Repayment Act does is it recognizes that we are soon going to have a balanced budget, and after we balance the budget it caps the growth in Government spending at a rate 1 percent lower than the rate of revenue growth. By capping the growth in Government spending 1 percent lower than the rate of revenue growth, that creates a surplus. The surplus is taken two-thirds to pay down the debt and one-third to further reduce taxes. It is the National Debt Repayment Act. I am happy to say there is currently about 100 cosponsors in the House of Representatives: NEWT GINGRICH, JOHN KASICH, JERRY SOLOMON, BOB LIVINGSTON, BILL PAXON, a large group of the Republican leadership is already on board as cosponsors. I am happy to say that the Democrats have joined us. It is a bipartisan bill doing what is good for the future of our country. GARY CONDIT, DAVE MINGE, Mr. GOODE from Virginia, a large group, a good number of Democrats have joined us as well, and I am happy to report that we also have the support of one of the Nation's leading Independents in Ross Perot.

So when you start looking at this bill with Republican House leadership on board, Democrats from the House on board, Independents on board, it is time for the rest of the people in this community.

To my colleagues, I encourage you to call our office tomorrow, join us as cosponsors on this bill to repay the Federal debt so that we can give this Nation to our children debt free.

Now with that, I would like to open another topic because there is another very important topic that is directly related to this debt, and that is Social Security. When we repay the Federal debt, we are also restoring the Social Security trust fund, and I think it is significant that we understand what is happening in Social Security.

Every year the Federal Government is going into the paychecks of working Americans and collecting Social Security tax. Well, they are collecting more in tax dollars than what they are paying back out to our seniors in benefits. That is creating a surplus in Social Security. That surplus is supposed to be set aside into the Social Security trust fund; $75 billion this year alone is supposed to go into the Social Security trust fund.

Now it should be no big surprise to anyone out there thinking back to before 1995 that in Washington, DC when they got this surplus in their hands, they spent all the money. So there is no money left. What they do with that surplus is they put it in their Government checkbook, they spend it in other Government programs, and they then write an IOU for the Social Security trust fund.

So the system is working today, they are collecting more money than they are paying back out in benefits. That extra money though, and that is where the system breaks down, is supposed to be put into Social Security trust fund. Instead, it goes into the big government checkbook, it then gets spent on other government programs. Since there is no money left in the checkbook at the end, they put IOUs down the trust.

And I have got a picture to help see that.

When we think about balancing the budget in Washington, DC, because of the way they are doing it with Social Security, when we say the budget in Washington is balanced, we are effectively getting rid of the reported deficit. What we report to the American people from Washington of a deficit is this blue area on the chart. What we do not tell the American people is that in addition to that we are taking the money out of the Social Security trust fund.

In 1996, for example, the deficit was reported at $107 billion, and there was $65 billion more taken out of the Social Security trust fund. Well, the real deficit was $172 billion, so if we had reported the real deficit, it would have been much larger, and of course when we say we are going to balance the budget, this is my last chart of the evening, but when we say we are going to balance the budget, what we mean is we are going to take that blue area and make it disappear. In the year that we balance the budget we will still be taking $104 billion out of the Social Security trust fund to make our budget look balanced.

Now we have had all good news here tonight, we have made huge progress in the right direction, but I think we need to understand that we still have a huge problem with the Social Security trust fund.

What is going on is that extra money that is coming in is being used to make the budget appear balanced. We need to enact a bill called the Social Security Preservation Act, and again I would encourage our colleagues if you have not already joined us on this join us on it. The Social Security Preservation Act would require that this extra money, the money for the Social Security trust fund, actually be put into the Social Security trust fund.

Now if out in America that sounds like common sense, I have to admit it sounds like common sense to me, too. In our business had we taken our pension money, spent it on other parts of the business and put IOU's in the pension they would have literally locked me up in jail. It would have been illegal and against the rules. This practice needs to be stopped, and the logical next step after we get to a balanced budget is to stop the practice of taking the Social Security trust fund money.

How does this all tie together? Well, the National Debt Repayment Act, as we are repaying the Federal debt, we would also be putting real dollars back in place of these IOU's that are put in here. This was money that was taken out, for example, last year. That all becomes part of the $5.3 trillion debt. So as we are paying down the Federal debt we would also be restoring or putting this money back that has been taken out and spent in other Government programs.

□ 2000

It brings us back to the National Debt Repayment Act. Under the National Debt Repayment Act we would start running surpluses after we reached a balanced budget. We would cap the growth of government spending at least 1 percent below the rate of revenue growth, thereby creating a surplus. With that surplus, one-third goes to additional tax cuts, two-thirds go to paying back the debt.

When we are paying back the debt, it is very, very significant for our senior citizens to understand that we would also be putting the money back into the Social Security trust fund that has been taken out over the last 15 years.

If there are senior citizens paying attention this evening that get angry at this, they are not alone. There are a lot of people in this country that are very upset when they find out that the money that was supposed to be set aside for Social Security has actually been set aside for other programs. I would not say they are surprised, but they are very upset that the process is going on that way.

I am happy to say that either passing the Social Security Preservation Act, a bill we introduced about 2 months ago, or the National Debt Repayment Act, either one of these bills will solve this problem and restore the Social Security trust fund.

So why should our colleagues join us in the National Debt Repayment Act? Good news out of Washington today; turn on any network TV you want to see and you will find that the Republicans and the Democrats have reached agreement on a balanced budget. They are still saying 2002. I am here to tell the Members if we do not go into a major recession, it could be next year, it could be the year after.

The national debt repayment answers the question of what next. What next is after we reach a balanced budget, we start repaying the Federal debt. When we repay the Federal debt, three things happen: First and most important, we get to pass this Nation on to our children debt free. By the year 2026, the entire Federal debt would be repaid and we could give this Nation to our children debt free.

The second thing that happens under this, for the people that are in the work force today, we started with the children and let us go to the next generation up, for people in the work force today, under the National Debt Repayment Act one-third of all surpluses guarantee additional tax cuts.

Just think about this. Instead of a tax cut once every 16 years, under the

National Debt Repayment Act there is a guaranteed tax cut every year from now on, unless we fall into a recession, in which case the bill kicks out. So we are now looking at a debt-free Nation for our children, additional tax reductions for the people in the work force today.

Now we turn to seniors. For our senior citizens, the National Debt Repayment Act means that the Social Security trust fund is restored and they can once again look forward to receiving Social Security. The solvency of the Social Security trust fund becomes real under the National Debt Repayment Act. The IOU's are repaid with real assets.

The Social Security trust fund, by the way, is bankrupt by the year 2012 if this sort of bill is not put into place. Either the Social Security Preservation Act or our National Debt Repayment Act will restore the Social Security trust fund and make it solvent beyond the year 2002.

That is a lot of different information. I have gone through a lot of charts here tonight. I think it would be reasonable to summarize this whole thing by maybe starting with the past, what happened before, summarizing where we are today, and then just a brief review on the future of where we go to next.

The past: Gramm-Rudman-Hollings, promises of a balanced budget that were regularly broken. The late 1980's, early 1990's: promises of targets, we would reach a balanced budget, but no balanced budget. The American people became somewhat cynical. They stopped believing in the people they sent to Washington, and when they told them that they were going to have a balanced budget, the American people quit believing it because they had been misled so many times. That is the past, the late 1980's, the early 1990's.

The American people finally revolted after 1991, the tax increase. That is the past. Broken promises of a balanced budget, the past; tax increases, giving Washington more money so Washington can maintain its programs and still try and balance the budget. The past is tax increases, the past is more Washington.

The present, a very different place. In the present, we are in the third year of a 7-year plan to balance the Federal budget. We are not only on track but we are ahead of schedule, to a point where we may very well have a balanced budget next year for the first time since 1969. We are in a position where, because of the theory of 1995, the theory of curtailing the growth of Washington spending, Washington not having spending growth as high means they borrow less money. There is more money in the private sector. More money in the private sector means lower interest rates. Lower interest rates mean more houses and cars are sold. More house and car sales means more job opportunities for people who build them.

That is the working model of 1995. It is in place and it is working. We are in the third year of a 7-year plan to balance the budget. We are not only on track, we are ahead of schedule. The good news is there are tax cuts coming for the American people virtually across the board.

I would like to just review a little bit those tax cuts, because it is such good news. If you have children in your household and are earning less than $110,000 a year, on January 1 of next year take the number of children times 400 and divide by 12, and then ask your boss to keep that much of your own money instead of sending it here to Washington.

If you have three kids in your house, 3 times 400 is $1,200. Divide that by 12, because are 12 months in the year, one-twelfth of that is $100. On January 1 of next year if you have three kids in your house, walk in to your employer and tell your employer you want to keep $100 more of your own money instead of sending it to Washington; get your pay raise January 1 of next year, do not wait. You might as well get the money then, instead of sending it out to Washington. The good news, the 400 number goes to 500 the following year.

Capital gains. If you are a senior drawing out of your pension fund and your pension made a profit, if you own stocks that have appreciated in value and wish to sell them, if you own real estate and you are going to transfer ownership, the 28 percent you used to pay in capital gains, it goes to 20 percent for all capital gains with the exception of real estate that has been depreciated, and on that portion of real estate that you have depreciated, it is called the recapture portion, it remains at 25 percent. So it is a 3-percent reduction on that area, it is an 8 percent across-the-board reduction on the rest.

And again, let me translate this. If you are a senior citizen and you get money out of your pension fund and that money has appreciated in value over the last 20 years because you saved up to take care of yourself, called personal responsibility, if you are that senior citizen, and you take $100 of profit out, instead of sending $28 to Washington, you only send 20, and you keep the extra 8 in your own house. It is your money.

So I am happy to say in the present we are in the third year to balance the budget. We are on track. We are ahead of schedule. The budget will be balanced probably next year, 1999 at the latest. The good news is you should expect additional tax cuts in the not too distant future.

If anyone out there can figure out a way they are not affected by this tax cut, they need to let us know so in the next round we can make sure anybody missed in the first round gets picked up. If anyone is upset about the tax cuts, I would just encourage them to think back to 1993 when the discussion was about tax increases, and think what a wonderful privilege it is to be here having a fight about which taxes to cut and how far to cut them.

The future, even after we get to a balanced budget we still have some problems facing our country. The problems are a $5.3 trillion debt. The problems are the money that has been taken out of the Social Security trust fund. The good news is the National Debt Repayment Act.

What is next? We are going to pay off that Federal debt by capping the growth of Government spending, hear this clearly, not reaching into the pockets of the American people and taking out more tax dollars, but by controlling the growth of Government spending in Washington.

We cap the growth of Government spending at least 1 percent below the rate of revenue growth. That creates a surplus. Two-thirds of the surplus goes to repaying the debt, one-third goes to additional tax cuts. As we repay the debt, the money that has been taken out of the Social Security trust fund is also put back in.

What a great vision for the future of this Nation: a balanced budget, lower taxes, the debt repaid so our children get this Nation debt free, and the Social Security trust fund restored so our seniors can once again be confident as they look forward to their future in the great Nation that we live in.

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

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

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding. I think it is good news, the amount of progress we have made. I came in 1993. We were looking at $260 billion deficits as far as the eye could see. We were looking at increasing taxes. We were looking at proposals that said to stimulate the economy we have to spend in Washington.

Now, 4 years later, we are in double digits in the deficit.

Mr. NEUMANN. I would ask the gentleman, there is a real important distinction to be made. I ran as a Republican, even though in the past I had voted both Democrat and Republican. I ran as a Republican because the ''we'' the gentleman was talking about was on the other side of the aisle. Not a single solitary Republican voted for that tax increase in 1993. That was passed with Democrat votes. I think that distinction is very important.

Mr. HOEKSTRA. I thank the gentleman for adding that clarity. He is right, it was passed by Democratic votes, by one vote, I think, in both the House and Senate. But it is a much different vision than what we have now. We are in double digits with the deficit, we are maybe as low as $20 to $30 billion very soon, within the next year or 2. We are looking at a surplus budget.

I think my colleague would agree that getting to a surplus budget is really going to free us now to take a look at paying off the debt, paying it down, building a better future for our kids,

building a better future and a more secure future for our seniors.

The surplus budget I think will not only enable us to talk about tax breaks for people who have missed out in this one, but I do think tax breaks the way Republicans believe they should happen, across-the-board tax cuts, rather than picking out winners and losers and carving out these things, which much of this has. But it is very, very good and very broad-based in this tax bill.

But where we want to go is to go to a simpler tax system, a fairer tax system that has lower rates for everyone, so for those that want to invest in a small business or a farm or education or whatever, they make those choices, rather than that heavy inducement from Washington saying, you really ought to go and do this, or, this is what we want you to do. Let people explore their own potential.

I know in my own State, with the automobile industry, we need kids in college, we need high-tech people. We also need the journeyman, the machinists who are now working on high-tech million-dollar machines, making the tool and die equipment we are going to need after the year 2000.

Mr. NEUMANN. Mr. Speaker, we need young people who are going to dream about the future of America, and their dream is not going to be so influenced by Washington control that they can once again open their own minds to think about what they can do, work hard, achieve, get ahead, live the American dream. We need our young people to once again look at this great Nation and see that they have the opportunity, if they work hard, take care of themselves, to get ahead in our country.

That is what made America great in the first place is people who were able to look not with government influence and not to Washington, but were able to reach down deep inside of themselves and figure out what it was that was going to make themselves and their Nation a better place. That is what we need. We need people who are willing to dream again.

Mr. HOEKSTRA. If the gentleman will yield further, Mr. Speaker, I think getting this American dream alive and giving people the opportunity to design and choose for their own future is where we are headed. That is why the decisions and the bills and the legislation that we will pass in the next couple of days are only an initial step for smaller government, more freedom, lower taxes, and enabling people to make decisions that impact their lives, rather than Washington making those decisions for them.

So yes, from 1993, boy, we have turned this ship around. We are headed in the right direction, but this is only the first step, and we have a lot of steps to go to get us to where we need to be and where we want to be, which I think will be a much better place, a much better place for our kids, a much better place for families. I think it will be an exciting place, because when you take the strains off, people will blossom, they will grow, and we will relive and we will rekindle the entrepreneurial spirit hopefully in every American.

Mr. NEUMANN. Mr. Speaker, one thing that happens out here, and I used to coach basketball, and we would have games like back to back. We would win the first game, and we would right away turn our focus to the next game, and we would forget to stop long enough to realize that we had just won the first game. It was almost like, wow, we won. Let us get going to the next game.

I do think it is important that on a day like today we do pause and we do recognize that we do not have broken promises of a balanced budget; we actually have a balanced budget. We do not have broken promises of lower taxes; we actually have a tax cut and it is very real. It is so real that on January 1 of next year people can walk into their place of employment and reduce the amount of money that they are sending to Washington, DC. It is so real that if they are selling stocks or bonds or drawing pensions today and paying that capital gains tax on that pension money, they can reduce the amount they are sending to Washington and keep more in their own homes right now, today.

We need to pause long enough to realize that we just won this basketball game before we go into the next game. It is a long season ahead, I agree. We have a long ways to go. But each one of these games that we win along the way, they are really not games, it is the future of America we are talking about here. But each time we make one of these significant days, days like today, we do need to pause long enough to acknowledge the successes that have occurred. Sometimes in Washington we forget that.

Mr. HOEKSTRA. If the gentleman will continue to yield, Mr. Speaker, there are a significant number of things in here.

A couple of weeks ago we were debating about the National Endowment for the Arts. I gave a presentation on that. I did not really think Washington should pick winners and losers for what art gets funded and what does not get funded.

We gave this presentation and talked to a group of people in the arts community who said, you know, if you really want to help the arts community, give us the home office deduction, because for many of us our homes are our studios, and that would be a big help to us. Plus then you are not choosing, all of us would benefit from that, so we are not competing for this little grant.

The other thing they said to us, give us a 100 percent tax deduction for health care. We are self-employed. We are entrepreneurs. We are not part of a large group or a large corporation. We need health insurance. We need health care. Let us buy this.

This tax bill will have that in there, both of those features in there for them.

Mr. NEUMANN. Mr. Speaker, would the gentleman go into a little more detail, because I did not cover that very well before about the health deduction for business owners. If you are self-employed and you are buying your own insurance, it used to be that you could not write off the cost of your insurance, but if you worked for a big company somewhere and got it as a benefit, it was a tax-free benefit. Would the gentleman explain that a little more?

Mr. HOEKSTRA. Sure. The gentleman is exactly right. I worked for a Fortune 500 company before I came here in 1993. The company bought health insurance for me and my family. It was tax deductible. If I would have been an entrepreneur, I could not have deducted a comparable cost of buying insurance for myself.

We have modified that. Did we do it last year? I think we did it with the Contract With America, and we said we are going to phase in the tax deductibility. I think we went all the way up to 85 percent over a period of time.

□ 2015

Now, with this bill, we are going to say that as an entrepreneur, as a small business person, as an individual we will be able to fully deduct 100 percent of our health care premiums just like the large Fortune 500 companies do for their employees.

I am not sure of exactly the time line, but it is going to happen and we will get to 100 percent tax deductibility.

Mr. NEUMANN. I was on the other side of that fixture, I was the entrepreneur out there starting my own business and working hard, and it was infuriating that many of the people we were selling homes to were allowed to have that deduction tax free, but somehow individuals out there trying to make it on their own, they were not eligible for the same treatment under the Tax Code.

I am happy to say, I guess if I were to pick one area that I want to go to next personally, where I would like to see additional tax cuts, and what a great discussion this is, where do we go next, what taxes do we cut? How different from 1993 when they were talking about tax increases. I would like to see the marriage tax penalty eliminated.

In our Nation today, if four people are working all at the same job, earning the same money, and two of those people are married to each other and two are not, the two people that are not married to each other pay less taxes than the two people in the same job earning the same money who are married to each other. And that does not seem fair. That is my top target next.

Mr. HOEKSTRA. Just in closing, I think the gentleman is right, the exciting days are in front of us. We will get to a surplus budget. When we get there,

we will have a whole new range of options, debates and issues and new directions that we can talk about and that, I think, is going to be very exciting. I thank the gentleman for doing this special order and thank him for allowing me to participate.

Mr. NEUMANN. Mr. Speaker, I want to close out my time this evening by paying tribute to so many people that are involved in this, from our families and kids who spend time without us so this can get done, to all the people across this Nation who elected a group of people in 1995 that were going to come here to Washington, change what was going on, provide the Nation with a balanced budget, lower taxes, and Medicare restored.

That is what this is all about, and I want to close tonight by paying tribute to all the people that have been involved in this process.

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order this evening.

The SPEAKER pro tempore [Mr. METCALF]. Is there objection to the request of the gentlewoman from California?

There was no objection.

CIVIL RIGHTS TRIBUTE TO FORMER SUPREME COURT JUSTICE WILLIAM J. BRENNAN, JR.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from California [Ms. WATERS] is recognized for 60 minutes.

Ms. WATERS. Mr. Speaker, I rise this evening to begin a special tribute by the members of the Congressional Black Caucus for the late Justice William J. Brennan, Jr., one of the most influential and visionary jurists in our Nation's history.

Before I take time, I would like to yield the first of this hour to one of the leaders of the Congressional Black Caucus, who immediately upon the passing of Justice Brennan said it was important for the Congressional Black Caucus to take this floor and pay tribute to, give honor to the man who assisted this Nation in our civil rights efforts.

With that, I would like to yield to the gentleman from Florida, [Mr. ALCEE HASTINGS].

Mr. HASTINGS of Florida. Mr. Speaker, I am deeply grateful to the chairwoman of the Congressional Black Caucus, the gentlewoman from California, Ms. MAXINE WATERS, my good friend, for yielding to me to begin this special order this evening.

Today, many of us in the Black Caucus and others of our colleagues here in the House and in the other body had the good fortune to be able to go the homegoing celebration of Justice Brennan. Because of the lateness of the hour, a significant number of our colleagues who wanted to be with us have seen fit to contribute their remarks in the RECORD, and they did, in fact, including the gentlewoman from Florida, Mrs. MEEK, and the gentlewomen from Texas, Ms. EDDIE BERNICE JOHNSON and Ms. JACKSON-LEE, as three that I know.

Mr. Speaker, I rise today to pay special tribute to the life and career of former Supreme Court Justice William J. Brennan, a man who, and I might add I learned today for the first time that that ''J'' stood for Joseph, a man who epitomized the word ''liberal.''

As I stand today, I am kind of propelled by the question, what is a liberal? Often we hear that here in this body, the question put, what is a liberal? And we hear it in negative terms when one is identified in that manner.

As I confront with my colleagues the myriad assaults on the liberal causes of equality and justice, and the homilist today, the Reverend John O'Hara, at Saint Matthews Church, at the funeral of Justice Brennan, cited the fact that not only did he stand for equality and justice, but he also brought to that civility. These ideas which most of us in the Black Caucus and many Members of this body have devoted entire careers pursuing, this question then is obviously of paramount importance.

What is a liberal? There are a lot of definitions. Let me offer one. A liberal is someone who is guided by principles of fairness and equality and civility, even when such principles are unpopular. A liberal is someone who stands up for justice and fairness regardless of public opinion. A liberal fights for the rights of individuals, no matter their social, economic, racial or religious circumstance, and often because of them.

A liberal believes that the U.S. Constitution was adopted to expand, not limit, individual freedoms. A liberal would give her or his life to eliminate all forms of second-class citizenship, understanding that until all are free, none are free. Justice Brennan was a liberal, Mr. Speaker.

As a member of the Congressional Black Caucus, a lawyer and a former judge, I am especially proud to honor this distinguished jurist. It is apropos that I rise today. Justice Brennan's belief in the ideal of one person, one vote, and his relentless support of the protection of voting rights for all Americans directly led to a fairer reapportionment of congressional districts.

As I look around this body when it is in full bloom, which more accurately reflects the American people today than it did half a decade ago, I am reminded of the quote, and I learned today at the funeral that the Justice had asked the homilist, Reverend O'Hara, to make sure at his funeral that it be short; and, No. 2, that they play some Latin songs. I did not know of his fondness, and so I looked up a quote: ''Si monumentum requires circumspice.'' If you would see his monument, look around you.

Justice Brennan's monument is all around us in this great country, and he, through his legacy, has contributed to the diversity of this great body. In the area of civil rights, Justice Brennan joined the late Justice Thurgood Marshall, his judicial soulmate, as the court's most outspoken advocates for affirmative action.

We are about to undertake that debate here. And it would be healthy if all of our colleagues had had the good fortune to read some of the 1,360 opinions that William Joseph Brennan authored as a member of the United States Supreme Court.

For example, in United States Steel Workers of America versus Weber, Justice Brennan wrote that it would be ironic ''if a law triggered by a Nation's concern over centuries of racial injustice and intended to improve the lot of those who had been excluded from the American dream for so long, prohibited all voluntary race-conscious efforts to abolish racial segregation and hierarchy.''

Justice Brennan understood that we still, in America and in the world, live as persons infected with various forms of racism and prejudice. Mr. Speaker, he understood that the only way to remedy the evils of the past would be to take affirmative action to eliminate its ugly and devastating impact on those today.

As all of my colleagues in the Black Caucus who come today to pay tribute to this giant have fought for equality and fairness under the law, I fought for it along with my colleagues, from the courthouse to the statehouse and in the U.S. House. I was certainly, as all of our colleagues are in this Nation, saddened by the departure of Justice Brennan from the court.

Today, however, I remain encouraged that his legacy of individual freedom will be evanescent. As someone who had an opportunity to practice under those decisions, I, for one, am grateful for his legacy.

I must pause briefly, Mr. Speaker, to thank the chairwoman of the Congressional Black Caucus and the members of the Congressional Black Caucus for their efforts here this evening to honor Justice Brennan. I have already pointed to the appropriateness of this special order.

The chairwoman immediately set in motion the request for the Black Caucus and all our colleagues to have this opportunity to recognize a giant who helped all Americans. Justice Brennan shared our ideals, our principles, and our hope for a colorblind society. He shared our vision for racial equality and social justice and, indeed, civility. He believed as we do in the supreme dignity of every individual.

We will continue to build upon that vision as we in the Black Caucus and in Congress fight for the rights of every American, especially the poor, as Justice Brennan did; the disadvantaged, as Justice Brennan did; and the mistreated, as Justice Brennan did. As

long as people are treated unfairly, as long as people sit on death row, as long as there is one person who deserves another chance or just a better chance at the American dream, the spirit of William Joseph Brennan will be with us, and for that we, as a Nation, are in his eternal debt.

Today, in a magnificent organ recital during the course of the procession to his place of committal, the Schola from Requiem in paradisum was ''May the angels lead you into paradise; may the martyrs receive you, and lead you into the holy city of Jerusalem. May the choir of angels receive you, and with Lazarus, who was once poor, may you enjoy eternal rest,'' Justice Brennan.

Ms. WATERS. Mr. Speaker, I would like to take the first portion of my remarks to thank the gentleman from Florida who so eloquently expressed our fine appreciation for Justice Brennan. I think it could not have been done better, and I am delighted that the gentleman from Florida [Mr. HASTINGS] saw fit to immediately call me and focus us on the fact of the death of Justice Brennan, and to say that the Congressional Black Caucus must indeed take the leadership in paying tribute to this giant of a human being.

□ 2030

He said to me, this is important that we take this leadership; and I immediately understood why. Justice Brennan represented our struggle, he represented our hope for what America could be and what it should be. And so, I open this special tribute this evening and I share this time with other members of the Congressional Black Caucus who are here and some who have left their statements, and I do so with great pride.

Justice Brennan was laid to rest this afternoon. However, he placed an indelible mark on many of this Nation's laws. The famous Brennan decisions serve as the underpinnings and guideposts for the advancement of civil rights in this Nation. During his 34 years on the United States Supreme Court, Justice Brennan was described as ''the chief strategist behind the court's civil rights revolution.''

Justice Brennan was considered a liberal. We heard the gentleman from Florida [Mr. HASTINGS] pay tribute to liberalism. How proud I am, also, this evening to pay tribute to this liberal. Liberals have been demonized by those who set out to limit the power and the ability of the poor, to limit the power and the ability of people of color and people who are powerless, limit the ability of all of these to be active decisionmakers and participants in this democracy.

This democracy has set forth in the Declaration of Independence, which states, and I will remind folks as I quote this, we hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

Justice Brennan was a student of the Constitution and a believer in the Declaration of Independence. He cherished first amendment rights, and he acted on his beliefs. He worked hard to construct the arguments and convince his fellow justices that this could and should be a Nation that protects the rights of all individuals and groups. He actively worked to make the Constitution a vibrant living document. He called the Constitution, and I quote him, ''a sparkling vision of the dignity of every individual.''

Witness the great Brennan decisions. Baker versus Carr, 1962. This case allowed Federal courts to hear constitutional challenges to the way States drew their legislative districts. The case forced reapportionment of previously discriminatory districts and enforcement of one-person one-vote principle.

NAACP versus Button, 1963. This case struck down a State law that prevented civil rights organizations from soliciting plaintiffs for desegregation cases stating that such restrictions violated the first amendment right of association. What a great decision.

Do my colleagues understand that literally what the State has said was we do not care how much someone has been discriminated against, we do not care how representative this is of wrongs in our society; you cannot go out and solicit and find them and get them to be a plaintiff. Thank you, Justice Brennan.

United Steelworkers of America versus. Weber, 1979. This case ruled that Federal anti-discrimination law does not prevent employers from adopting voluntary race-conscious affirmative action programs.

Well, we are in a great debate in this Nation about affirmative action. In a matter of days, perhaps, and certainly if not in a matter of days, when we come back in September, we will be fighting in the Brennan way against an attempt to turn this decision on its head. We will be fighting against a bill that will attempt to do away with all affirmative action. And it has been branded a civil rights role acting in just the opposite way that Brennan intended affirmative action to operate.

Furman versus. Georgia, 1972. This case invalidated State death penalty laws as cruel and unusual punishment. I know, it is not political to be against the death penalty. People do not want to run for office for re-election without trying to make the people believe that they are absolutely protecting them by supporting the right for a free people in a democracy to kill in the name of justice.

Well, I suppose the death penalty is riding high now and it is very unpopular to be against the death penalty. I submit to my colleagues, a society that attempts to right wrongs by doing worse than the person they would point to that committed the wrong is a society headed in the wrong direction. A State, a Nation that kills in the name of justice will be held accountable for that in so many ways.

Metro Broadcasting versus. Federal Communications Commission, 1990. This case upheld minority preferences for FCC broadcast licenses. Some people say, ''Well, what is important about that?'' I will tell you what is important about that. As we watch attempts now by the rich and the powerful to buy up everything, radio stations, television stations, what happens when you have the powerful owning the voices that you hear on radio and television able to talk to people day in and day out, expressing certain points of view, without any real opportunity to hear the minority point of view, to hear the other point of view?

In a democracy, we should never allow monopolies, the rich and the powerful, to have control of our airwaves, to have control of what our children hear, to have control of what goes on in every household. It is one of the most dangerous things that could happen in a democracy.

We live in a democracy where we ought to feel free enough and strong enough to let everybody say what they need to say. But if minorities do not have the right to own, do not have the ability to own, do not have the capital to own, you will shut down the voices oftentimes of opposition. And so this was a powerful decision.

It is quite clear that Justice Brennan was a rare and talented human being whose clarity of thought and commitment to justice and equality guided his work and his vision for America.

Justice Brennan will long be remembered. The legacy of Justice Brennan will not be lost or simply overturned or forgotten. His work was too profound, too impeccable, too undeniable. No matter the attack on liberalism, no matter the winds that blow toward the right, in the final analysis, the humanity demonstrated by his leadership can stand tall and strong against the most inhumane attacks, the most intolerant voices, the most misguided and ignorant in our society who would have the powerful just trample on the rights of the powerless and the majority simply ignore the pleas of the minority.

Justice Brennan, you make me so proud to stand here tonight branded a liberal. It is because of you and the powerful in high places who served with principled dignity and who continue to serve with principled dignity that I am able to be here in the hallowed halls of Congress imploring my colleagues to serve as you served, care as you cared, and to do as you did, serve all the people all of the time, upholding the Constitution of the United States of America and fighting for justice and equality for all.

Mr. Speaker, I yield to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I want to congratulate the chairman of the Congressional Black Caucus and others of

my colleagues that saw fit to hold this special order as a tribute to Justice Brennan. His funeral was held today, and I think that the tributes to him will go on for a long time to come.

I think it is important to note that one of the people who spoke at his funeral today said that his passing represented an end of the era, that the era of liberal government and liberal court opinions was over. I do not agree. I think that one important thing about this tribute is to hold up and let the general public see in a highly visible manner what that era was all about through the opinions of Justice Brennan.

Justice Brennan has not really been given due credit for a number of things that he has accomplished, and many people do not realize the scope of his opinions. They are very much in harmony with the basic beliefs of Thomas Jefferson, very much in harmony with the very dramatic gesture of Abraham Lincoln in setting the slaves free, very much in harmony with the belief that individuals have certain inalienable rights.

He struck at the heart of an attempt to corrupt that process by refusing to go along with the States' attempt to cling to power for rural areas, unpopulated or slightly populated areas, and use the compromise that had been made at the time of the founding of our own Constitution.

Our Constitution is based on a compromise. We had a Senate and House of Representatives, the House of Representatives based on population and the Senate was a compromise. That body established that any State, no matter how small the State was or what the population of it was, any State would have two Members. And State legislatures were using that kind of reasoning to justify various formulas for holding on to power without a one-man, one-vote situation.

And of course, Justice Brennan, kind of late in the life of our Nation, I think it was 1966, that late in the history of the Nation, he applied the common sense of the Constitution that if we are really equal, then we cannot allow a situation to be perpetuated at the State level where the balance of power was maintained by a minority through this kind of playing with the notion that we could have two Houses and State legislature and one could not follow the rule of one man, one vote in terms of population.

So he had the guts to deal with it in 1966. And somehow no one has bothered to challenge it since then. The power of the common sense of it, the harmony of it with the thinking of the Founders and the whole thrust of our Constitution was so great, that has not been challenged. The one-man, one-vote theory definitely is there and in place.

There is another very fundamental decision that he made which very few people have talked about and very few people may even know that he had anything to do with it, but I think it is very much indicative and relevant of our present era, where we tend to put people down. All men are created equal. All Americans are equal. But, somehow, lately we have been looking at welfare recipients or poor people, or people who have not made it, as not being exactly equal. And there is a raging debate right now about WEP workers, people who are on welfare, people who must go to work in order to work off their welfare grants, them not being equal enough to be able to have representation. They cannot have an organization and that organization talk to the people in Government who put them to work. They cannot have an organization which says we need gloves if we are out in the park picking up all kinds of trash and we need some kind of gear on our heads if we are out there in the sun or we need some brightly colored jackets if we were working in areas where the trash is heavy, we need the same things other workers need.

□ 2045

Nobody can even have a conversation in the New York WEP program because they are not allowed to organize and they are not allowed to have spokespersons, because, after all, they are not protected by the labor laws. We just had a fight here on the floor, not on the floor but we had a fight here via negotiations, where an attempt has been made to take away the protection of the Fair Labor Standards Act and take away the minimum wage, or any of the things in our labor law which applies to workers is going to be denied to welfare workers who have to go to work. We have just beaten that back temporarily. I understand it is taken out of the budget bill and the tax package that we will be voting on in a few days.

But it is very interesting that Brennan ruled, in a case which has not been that celebrated, he ruled that if you are going to take away the welfare benefits from somebody, you have got to give them a hearing. That is not known. In 1970, as late as 1970, an opinion for the court in Goldberg versus Kelly, a case little known by the general public. In that case he declared that it was a violation of the 14th Amendment guarantee of due process of law for a State to cut off a welfare recipient's benefits without a hearing. Something as simple as a hearing, an individual deserved.

As a prescription for governmental behavior, the holding in Goldberg versus Kelly appeared modest enough, but the opinion proved to be a watershed of constitutional interpretation, a key building block to what came to be known as the due process revolution. A series of decisions that followed erected a constitutional shield for the ordinary citizen against the arbitrary or standard misuse of governmental power in many contexts.

In 1987, in a New York speech which he entitled ''Reason, Passion and the Progress of the Law,'' Brennan talked about the importance of a simple requirement that government officials meet a citizen face-to-face before taking adverse action. I end with this quote by Justice Brennan:

''Due process asks whether government has treated someone fairly, whether the individual's dignity has been honored, whether the worth of an individual has been acknowledged. If due process values are to be preserved in the bureaucratic state of the late 20th century, it may be essential that officials possess passion: The passion that puts them in touch with the dreams and disappointments of those with whom they deal, the passion that understands a pulse of life beneath the official version of events.''

His opinion in Goldberg versus Kelly, he said, can be seen as injecting passion into a system whose abstract rationality had led it astray, and he applied those same principles to the death penalty. To the very end he was opposed to the death penalty because that individual on death row also deserved the same kind of passion, the same kind of interaction with society as a whole, as an individual who deserved equal treatment.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Speaker, first of all let me commend and congratulate the gentlewoman from California, chairperson of the Congressional Black Caucus, and the gentleman from Florida [Mr. HASTINGS] for putting together this tribute. I rise today and join with my colleagues to pay tribute to one of this Nation's finest justices, one who has a progressive reputation and one who has demonstrated that you can be relevant and you can hold true.

Justice Brennan departed this life Thursday, July 24, at the age of 91. While he may have physically departed, he leaves a legacy that will endure for generations to come. Through his personal and professional life, Justice Brennan effected change and affected the lives of people in a real way. Justice Brennan was an ordinary man who possessed extraordinary courage, tenacity, and perseverance.

He was appointed to the Supreme Court in 1956 by then President Dwight Eisenhower. At the time of his appointment, America was engulfed with the question of what to do about civil rights and equal rights for blacks, Hispanics, women and other minorities. He dared to be different despite the dictates of the times. In his daring to be different, he lifted the lots of poor people, minorities, and the disenfranchised. He challenged the Constitution to live up to its ideals of equality and justice for all people.

He saw the law not as an abstraction but as a weapon to protect individual liberties. In speeches he often urged State courts to thrust themselves into a position of prominence in the struggle to protect people of our Nation from government intrusions on their individual freedoms.

In his 34-year tenure on the Supreme Court, he wrote more than 1,300 opinions which helped to significantly change the landscape of constitutional law. Some of his legendary opinions include Baker versus Carr, the landmark 1962 opinion that opened the doors to reapportionment of legislatures and congressional districts under strict one person, one vote standards. This decision reshaped politics and broadened participation in democracy. In 1964 he authored New York Times versus Sullivan, which enhanced First Amendment protections for press critics of public officials. And in 1970 he authored Goldberg versus Kelly, which required States to give welfare recipients notice and a right to a hearing before their welfare benefits could be cut.

Justice Brennan was a strong advocate of affirmative action and equal participation for everyone in America. Although he went to one of the elite schools of America, he was a very common, caring, sensitive, down-to-earth man of reason. His life was an embodiment of love, liberty and law. He was a champion of the underdog. He saw beyond Jim Crow segregation, discrimination, and saw an America that could live up to its promises of equal justice under the law. His ability to build consensus and help safeguard freedom broadened the circle of equality for every single American.

And so it is indeed my pleasure to join with all of my distinguished colleagues who have already so eloquently stated the case that when it comes to equality, justice, and the fight for freedom, no man, no woman could be Justice Brennan's peer.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, let me first of all thank the chairlady of the Congressional Black Caucus, keeping the theme of the Caucus since its inception, the conscience of the Congress, to call this special order, this special program tonight after the call from our former distinguished Federal jurist, the gentleman from Florida [Mr. HASTINGS] who in his judicial thinking immediately responded by requesting that this special order be held, and for him we are very thankful.

We are here tonight to celebrate the life of William Joseph Brennan, Jr. Last Thursday, Mr. Speaker, this country lost a bold and spirited champion of civil liberties. The city of Newark, NJ lost a warm and generous son. Justice William Joseph Brennan, Jr. stands today as one of the most beloved and respected jurists ever to sit on the high court in this Nation. As the great Chief Justice Earl Warren once remarked, ''In the entire history of the court, it would be difficult to name another justice who wrote more important opinions.''

I was deeply moved this morning at St. Matthew's Church here in Washington where the funeral services were conducted for Justice Brennan and there were very moving tributes by the President of the United States, Justice Douglas, Justice Souter, William Brennan III, other members of the clergy and his family. Yet this prodigious man whom we laid to rest today at Arlington Cemetery traced his childhood roots back to a simple 3-family house in the Vailsburg section of my hometown of Newark, NJ.

Born on April 25, 1906, William Brennan grew up, one of eight children, in a large Irish-Catholic family. His father William Sr. shoveled coal at the old Ballentine Brewery, a place I knew well, Mr. Speaker, as I would later work there myself in that factory where many of the working families of Newark had the privilege to work.

William Sr. worked at the brewery until 1917 when he was chosen as the union representative for all of the workers at the brewery, giving William Sr. an early start in city politics.

As a young boy, young William Jr. lived on Parker Street which as he later described in the Newark Star-Ledger divided the people of means in the neighborhood. With Park Avenue on one side, the big money, he said, was on the other side of Bloomfield Avenue, he recalled. I also lived close to him in the North Ward on that other side of the dividing line.

While his father worked at the brewery, William Jr. attended the Alexander Street Elementary School and then went on to Barringer High School, the same high school that I attended many years later. We heard of Justice Brennan, at that time an outstanding lawyer, as one of the outstanding graduates of our high school. While he was in high school, he worked many odd jobs, worked on weekends to help his father make ends meet for a family of many mouths and little money.

After graduating from the Wharton School of Business and the Harvard Law School, the future justice returned home to Newark in the midst of the depression to practice labor law at the forerunner of what is now one of New Jersey's oldest law firms, Pitney, Harden & Skinner. He helped in the process of creating a new constitution for the State of New Jersey in 1948 and a year later was named to the State Superior Court.

In 1952 our Republican Governor, at that time Alfred Driscoll appointed him to the State Supreme Court where he sat with the famed Arthur Vanderbilt. Finally, in 1956, another Republican, this time President Dwight D. Eisenhower, selected William Brennan, Jr. to sit on the Supreme Court of the United States.

The city of Newark, while it feels a deep sense of loss today at the departing of a beloved native, also feels a great sense of pride at the monumental achievements of this man who never forgot his roots. Over 34 years and through eight successive Presidents, Justice Brennan stood as a voice for those without a voice of their own on the highest tribunal of justice in this land. He believed in interpreting the Constitution as a living charter of human rights, dignity, and self-determination, and thus he believed that it was precisely the most vulnerable, forgotten and castoffs within our society for which its protections were designed. He reshaped the contours of American constitutional law by time and time again forging new consensus on the court in defense of minorities, immigrants, death row inmates, political protesters and the poor. His decision in Baker versus Carr as we have heard already established Federal constitutional jurisdictions over legislative apportionment, helping to establish the principle of ''one person, one vote'' and countermanding the process that had traditionally led to discriminatory racial gerrymandering in the drawing of electoral districts. Today we have 38 Members of the House of Representatives as a result of Justice Brennan in those early days.

□ 2100

His decision in New York Times versus Sullivan defended the right of the NAACP to criticize southern segregationists and established a standard of uninhibited, robust and wide open debate in the American body politic.

Finally, before a shift in the composition of the Court overturned it, his decision in Furman versus Georgia initiated a 4-year moratorium on the imposition of the death penalty in America, ruling that capital punishment simply did not comport with human dignity.

The life of Justice William Brennan, Mr. Speaker, will long stand as a profound testament to the power of well-articulated thoughts and ideas to ally the forces of reason behind the passions of the human heart and thereby to change forever the course of society. But his career also reminds us, as the framers of the Constitution warned, that the cost of liberty is a struggle of eternal vigilance.

Even in his lifetime Justice Brennan saw many of his important achievements rolled back by an increasing conservative majority on the Supreme Court, a majority that underestimates the need for vigilance in the defense of liberty. ''We do not yet have justice for all who do not partake in the abundance of American life,'' wrote the late justice.

Just this past year we are still striving towards that goal and doubtless it will be an eternal quest. Therefore, Mr. Speaker, as we celebrate the life of a great man and grieving his passing, let us realize his quest as our quest and push America always onwards toward the realization of the most noble promise of liberty and human dignity.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. RUSH].

Mr. RUSH. Mr. Speaker, first of all, I want to thank the chairwoman of the Congressional Black Caucus for yet another example of her sterling and illuminating leadership, her commitment

to the cause of freedom, justice and equality here in America, and let me also extend my thanks to the gentleman from Florida [Mr. HASTINGS], whose spirit and whose words today certainly pay tribute in a most eloquent way to Justice Brennan. The gentleman from Florida [Mr. HASTINGS] certainly embodies the spirit of Justice Brennan, and I say thank you for this special order.

I rise today to pay tribute to the late William Joseph Brennan, Jr., former Supreme Court Justice. Mr. Justice Brennan's progressive voice was heard for 34 years on the Court, spanning eight Presidential administrations. He was widely recognized as a chief strategist behind the Court's civil rights revolution. Most, if not all, Americans have been touched by the legacy of Justice Brennan's rulings.

His vision was that the essential meaning of the Constitution was not found in the past but in the current everyday life of America. He championed human rights, he championed individual rights beyond what was spelled out in the text of the Constitution. He called the Constitution, ''a sparkling vision of the supreme dignity of every individual.'' I repeat: ''a sparkling vision of the supreme dignity of every individual.'' He used it as a tool for social justice and racial equality.

Justice Brennan's litmus test for offering legal protection was simple. His litmus test was whether the bill of rights explicitly prevented him from doing so. My, my, what a simple yet profound litmus test.

He always favored the individual and put the burden on the Government to show that something in the Constitution disallowed protection.

Justice Brennan and his friend, colleague, and as mentioned earlier, judicial soul mate, Justice Thurgood Marshall, were often outvoted, and they were usually on the defensive. Though he was frequently in dissent, his role on the Court transcended that of a defender of the liberal faith. Term after term he defied the odds in his ability to pull together majorities, though often narrow majorities, for sustaining or even advancing the principles in which he so strongly believed.

In civil rights cases Justice Brennan's decisions enforced schools' desegregation plans, upheld affirmative action programs designed to help minorities overcome past discrimination and sought to ensure constitutional equality for women. Additionally, his rulings established rights for welfare recipients and illegal aliens and created the one-man, one-vote rule for representation in voting districts which is indeed a landmark opinion which, as stated earlier, opened the doors for so many to be seated in this Chamber today.

My predecessor, former Congressman from the first district of Illinois, former appeals judge and former White House Counsel, Abner Mikva, defined what he called a Brennaness as one who influences his colleagues beyond measure. A Brennaness is one who influences his colleagues beyond measure.

His ability to bridge differences through good will distinguished Justice Brennan's career on the high Court. Justice Brennan had an unmatched ability to build a consensus. His knack for compromise and his ability to hold legal decisions that were acceptable to his colleagues regardless of their judicial philosophies was and is his legacy.

Although he never served as Chief Justice, Justice Brennan was a pivotal force in his three plus decades on the Court. He authored milestone opinions and was a prime mover behind many others. When he did not prevail, his voice in dissent was strong and illuminating.

Justice William J. Brennan, Jr., should be and will be remembered for the enduring constitutional principles he so fervently championed during his three plus decades on the U.S. Supreme Court.

Again, Mr. Speaker, I am honored, privileged and pleased to be a part of this special order honoring our friend, our champion, the former Supreme Court Justice William Joseph Brennan, Jr., and again I thank my colleagues.

Ms. WATERS. I yield to the gentleman from Florida [Mr. HASTINGS] to enter something into the RECORD.

Mr. HASTINGS of Florida. I thank the gentlewoman, and I ask that at the appropriate stage the Mass of Christian Burial of Justice Brennan be included in the RECORD.

That said, I would like to thank the gentlewoman and all of our colleagues, those who are here and those who entered their written words into the RECORD commemorating this great justice.

I said earlier that it was important that we take at least from the program the presidium that was offered, and I read it.

At the beginning of today's funeral for Justice Brennan the Ludwig van Beethoven tune ''Ode to Joy'' was sung in the entirety of its four refrains. Because of the lateness of the hour I wish to commend to all who are listening the final of the refrains.

Mortals join the mighty chorus, Which the morning stars began;
God's own love is reigning o'er us, Joining people hand in hand.
Ever singing, march we onward, Victors in the midst of strife;
Joyful music leads us sunward, In the triumph song of life

This gentleman sang a mighty tune for all of us.

Ms. WATERS. Mr. Speaker, I would like to thank all of the members of the Congressional Black Caucus who are here this evening and those who submitted statements for the RECORD.

I again would like to thank the gentleman from Florida, Congressman HASTINGS for his foresight and his vision and helping to get us all here to make sure we do what we must do.

There are those who will look at us and say, ''So they are there celebrating this liberal justice and I guess they must all be liberals.'' And sometimes, because again liberals have been demonized, people do not know what a liberal is. They do not look behind the label to try and discover the philosophy of those of us who come to this House and implore our colleagues to do the right thing by all human beings.

We are a people whose people were brought to these shores in slavery. We are a people whose ancestors were tarred and feathered and hung without a court. We were a people whose ancestors did not have an opportunity to offer a defense, no one to speak up. We are a people who were not able to access jobs and opportunities.

Our history is such that we have to have champions, and they came from many directions. Of course, everybody knows of the great histories of the African Americans who fought and died. Many people do not know the great histories of those who were not African Americans, such as Justice Brennan, who joined us in this struggle for justice, equality and freedom. They do not know that he was driven by the ideals embodied in the Constitution and the Declaration of Independence, those great documents that helped to drive a people to these shores seeking justice and freedom from the mother land of Great Britain.

And so when we take to the floor to honor him and to praise him, we cannot be anything but liberal in thought, liberal in philosophy. It is that kind of philosophy and thinking that have gotten us and our people to this point in history.

We wish it was all over and we did not need to have to struggle. We wish we did not have to sit here and stand here and wish that we could get some more Justice Brennans on the Court. We wish we did not have to be worried about a Canady bill. We wish we did not have to be worried about some of those who sit on the Supreme Court today. But we must, and what must be understood, because of who we are, from whence we came, because of our love for freedom, our love for justice and equality, we will not go away. We will be fighters and struggling in this cause for as long as we breathe.

If someone else said ''You don't have to do this; we'll pay you not to do this; we'll give you all the riches in the world if you would just shut up,'' we could not do it if we wanted to.

Thank you, Justice Brennan, for joining with the many who love this country, who love those great documents that have held us in good stead. We honor you this evening and we do it proudly. Thank you for being a liberal.

MASS OF CHRISTIAN BURIAL—THE HONORABLE WILLIAM JOSEPH BRENNAN, JR., APRIL 25, 1906—JULY 24, 1997

(Tuesday, July 29, 1997, Cathedral of Saint Matthew the Apostle, Washington, DC)

FAITH IN ORDINARY PEOPLE

''The Dream though old is never old, like the Poor Old Woman in Yeats' play *Cathleen Ni Hoolihan:*

''Did you see an old woman going down the path?' asks Bridget. 'No, I did not;' replies Patrick, who had just arrived after the old woman left. 'But I saw a young girl' he said, 'and she had the walk of a queen.''—The Honorable William Joseph Brennan, Jr.

MINISTERS OF THE LITURGY

Reverend Milton E. Jordan: Principal Celebrant.

Reverend John T. O'Hara: Homilist.

Reverend Monsignor W. Ronald Jameson: Rector of the Cathedral.

Priests of the Cathedral, Visiting Priests: Concelebrants.

Reverend Mr. Ulysses S. Rice, Reverend Mr. Lawrence C. Gordon, Reverend Mr. Bart Merella: Deacons.

Reverend James D. Watkins, Reverend Charles V. Antonicelli: Masters of Ceremonies.

Associate Justices of the Supreme Court of the United States: Honorary Pallbearers.

Law Clerks to Justice Brennan: Richard Arnold, Owen Fiss, Merrick Garland, John McInespie, Daniel O'Hern, Daniel Rezneck, E. Joshua Rosenkranz, Clyde Szuch, Paul Washington: Pallbearers.

Hugh Brennan, Nancy Brennan: Lectors.

William Joseph Brennan IV: Reader of the Intercessions.

Mary Anne Gaffney, Constance Phelps: Giftbearers.

Extraordinary Ministers of the Eucharist of the Cathedral.

Seminarians of the Archdiocese of Washington, Altar Servers of the Cathedral: Servers.

Ushers of the Cathedral: Ministers of Hospitality.

Jay R. Rader, Cathedral Organist, Conductor; Jennifer Muller, Cantor; Ann Kramschuster, Assistant Organist; Members of the Cathedral of Saint Matthew the Apostle Chorale: Ministers of Music.

THE ORDER OF CELEBRATION

Prelude

Jesu dulcis memoria (Jesus, the sweet thought of you)—Tomás Luis de Victoria.

O taste and see.—Ralph Vaughan Williams.

Entrance Procession

Joyful, Joyful, We Adore You.—Henry Van Dyke; Ludwig van Beethoven; Tune: Ode to Joy:

Joyful, joyful, we adore you, God of glory, Lord of love;
Hearts unfold like flowers before you, Opening to the sun above.
Melt the clouds of sin and sadness; Drive the dark of doubt away;
Giver of immortal gladness, Fill us with the light of day!

All your works with joy surround you, Earth and heav'n reflect your rays,
Stars and angels sing around you, Center of unbroken praise;
Field and forest, vale and mountain, Flowery meadow, flashing sea,
Chanting bird and flowing fountain, Praising you eternally!

Always giving and forgiving, Ever blessing, ever blest,
Wellspring of the joy of living, Ocean depth of happy rest!
Loving Father, Christ our brother, Let your light upon us shine;
Teach us how to love each other, Lift us to the joy divine.

Mortals join the mighty chorus, Which the morning stars began;
God's own love is reigning o'er us, Joining people hand in hand.
Ever singing, march we onward, Victors in the midst of strife;
Joyful music leads us sunward In the triumph song of life.

INTRODUCTORY RITES

Greeting and Sprinkling with Holy Water. Opening Prayer.

LITURGY OF THE WORD

First Reading

Responsorial Psalm

General Intercessions

LITURGY OF THE EUCHARIST

Preparation of the Altar and the Gifts

Preface Acclamation

Memorial Acclamation

Great Amen

From Mass of Creation by Marty Haugen.

COMMUNION RITE

Lord's Prayer

Sign of Peace

Breaking of the Bread

Agnus Dei

Music During the Communion Procession

How lovely is thy dwelling place—from Requiem by Johannes Brahms.

Prayer After Communion

Eulogies

FINAL COMMENDATION

Invitation to Prayer

Song of Farewell: Come to His Aid—Dennis C. Smolarski, S.J., Louis Bourgeois; Tune: Old Hundredth.

Come to his aid, O saints of God;
Come, meet him, angels of the Lord.
Receive his soul, O holy ones;
Present him now to God, Most High.

May Christ, who called you, take you home,
And angels lead you to Abraham.
Receive his soul, O holy ones;
Present him now to God, Most High.

Give hime eternal rest, O Lord.
May light unending shine on him.
Receive him now, O holy ones;
Present him now to God, Most High.

I know that my Redeemer lives;
The last day I shall rise again.
Receive him now, O holy ones;
Present him now to God, Most High.

Prayer of Commendation

PROCESSION TO THE PLACE OF COMMITTAL

In paradisum—from Requiem by Gabriel Fauré.

May the Angels lead you into paradise;
may the martyrs receive you,
and lead you into the holy city of Jerusalem.
May the choir of Angels receive you,
and with Lazarus, who was once poor,
may you enjoy eternal rest.

Postlude

Carillon—Louis Vierne.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this evening to express my deepest regrets for the loss of a legal giant. Supreme Court Justice William J. Brennan, Jr. His life, and his legacy of tireless public service, are forever encapsulated in the brilliant discourse of his many seminal legal opinions. Justice Brennan's opinions were penned with the keen mind of a social framer, a man dedicated to the proposition of crafting a better society for all, that would be shaped faithfully by the strokes of justice. Brennan was appointed to the Supreme Court by President Eisenhower in 1956, and with such, Justice Brennan began an unprecedented judicial record of unwavering liberal activism.

From *Baker* v. *Carr,* 369 U.S. 186 (1962), the case that forever placed the concept of ''one man (person), one vote'' in the psyche of American popular culture. To the unfailing standard for all cases testing the tort of defamation, *New York Times* v. *Sullivan,* 376 U.S. 254 (1964), Justice Brennan, did not simply help to shape the laws that govern our lives, but rather he formatively shaped the lives of the people affected by the law. New York versus Sullivan, at its time, was a hotbed of political controversy about a young, African-American minister in the South named Martin Luther King, Jr., and how his followers were trying to combat social injustice in the press through the criticism of prejudiced public officials. Brennan's opinion did not simply protect people from frivolous defamatory suits, but it helped to protect a delicate social movement, driven by the desire to establish the equal rights and treatment of all Americans without exception.

Baker versus Carr, a case which contains another seminal Brennan opinion, is no different in this regard. The case also asserted the necessity of individual liberty operating in equilibrium with social equality at a critical time in our history. These were the kind of decisions that could have caused a lesser man or woman to shrink before the awesome possibilities and implications that a case like this could hold for our Nation and its unresolved future. But Brennan, in these times, was our solid rock, the indefatigable defender of American liberty. It was for these reasons that Lawrence Tribe of the Harvard Law School called Brennan, ''The Chief architect of the Federal judiciary's protection of individual rights.''

Although like Thurgood Marshal, many of us remember that his final years on the Court were filled with a acerbic dissents, only time itself will truly allow us all to appreciate this great man and the magnitude of his social contribution. But let me be one of the first to say, as an African-American, as a woman, as an American, thank you, Justice Brennan, thank you for all of us. You are one of the few that it can be said about, that your life made the world, particularly this country, a better place to live in.

Mrs. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to ask my colleagues to remember and reflect upon the life of a great leader. His faithful service to the judicial system and to our Nation's citizens benefited the lives of those he came in contact with and the Americans that were affected by his landmark decision makings. He played a pivotal role in the Brown versus Board of Education bringing an end to the falsely named separate but equal political and economic status for African-Americans. I speak of none other than the Honorable Justice William J. Brennan, a man who secured his place in the pantheon of this Nation's greatest Supreme Court Justices.

Overcoming the stigma and prejudice that came with being born to an immigrant family, Justice Brennan began his service to the community as a humble laborer. Through hard work and perseverance he became an influential labor leader and the city commissioner of public safety. After graduating in 1931 from Harvard Law School, he began practicing law in Newark, NJ, before being named to the State's judiciary system. His excellence and commitment to justice placed him on the New Jersey Supreme Court, where he faithfully served before being nominated to the Supreme Court by President Eisenhower.

Those who knew Justice Brennan admired him as a man of great principle and an unwavering commitment to the welfare of all citizens, regardless of race, creed, gender or economic

status. His legal theories and writings provided the foundation for the most progressive aspects of our present-day legal system. He will be remembered as a man whose sole responsibility was defending the rights of all individuals, including the poor, the disenfranchised and the vulnerable. Justice Brennan fought for the rights of those individuals who did not have a voice in the legal system, and who were subject to inequitable treatment in our country's courts.

I am deeply grateful to Justice Brennan for his years of hard work and struggle, particularly during his latter years on the Supreme Court when his voice was one of the few that cried out against reactionary judicial activism. Justice Brennan's legacy is epitomized by the Frederick Douglass quote, ''Without struggle there is no progress.'' Thanks to the dedication of Justice Brennan to truth and justice, we are making progress in perfecting our system of justice and individuals are realizing something that is rightfully theirs—justice. Goodbye and God speed, Justice Brennan.

Mrs. MEEK of Florida. Mr. Speaker, Justice Brennan served on the Supreme Court for 34 years, from 1956 through 1990. By the general public he is remembered for his concern in protecting the rights of individuals who were not powerful. I will speak of that in a moment. But first I want to speak about him as a person.

I never met the Justice, but I think I would have liked him as a person. Let me give you one anecdote about him as a person. His office had a manual, and one item in the manual concerned the Justice's coffee. It said that every morning one clerk should prepare a cup of decaffeinated coffee with no milk or sugar and give it to him at 9 a.m. Every day he would say ''wonderful.'' One day the office coffee machine broke, and so the Justice and his clerks went to the cafeteria to get morning coffee. The Justice poured himself a cup of caffeinated coffee and put milk and sugar in it. His clerks said they thought he liked his coffee decaf black with no sugar. And he replied, ''no. I always take it this way.'' He had never told anyone in his office for more than 8 years about how he really wanted his coffee.

His decisions were controversial when he wrote them. Now they are accepted as being obvious. Look at just two of them.

In 1962, in Baker versus Carr, he changed the political landscape by declaring that Federal courts could review State legislative decisions on the boundaries of legislative districts so that everyone's vote would get equal weight in the legislative process.

Look at the facts as presented in that case. Since 1901 the Tennessee legislature had rejected every legislative attempt to change the boundaries of its own legislative districts. During that 60-year period Tennessee's population had grown and its distribution among the counties had shifted.

In 1946 the Supreme Court had decided, in Colegrove versus Green, that Federal courts should not enter the ''political thicket.'' So the lower Federal court told the Tennessee plaintiffs that the Federal courts could not help them.

Justice Brennan persuaded six of his colleagues that the lower Federal court was wrong to throw out this particular case. He said that the failure to adjust the Tennessee political boundaries to reflect the changes in population since 1901 violated the equal protection clause of the 14th amendment.

We know that the rich and powerful have their interests amply represented in the legislative process. All that the poor have is their vote. Letting the legislature set the boundaries for its own districts, without anyone looking over their shoulder, perpetuated the balance of political power from long ago.

Let me turn now to the second example of his concern for those without political power. In 1970, in Goldberg versus Kelly, his opinion for the Supreme Court held that welfare beneficiaries could not lose their benefits without first getting both a notice telling them why they would lose their benefits and a hearing where they could present their side of the conflict.

This city is full of lawyers and lobbyists who make sure that no wealthy person or corporation loses his Federal benefits without first being able to present his case—even if that takes years of litigation. Justice Brennan merely said that poor people should have some of the same rights as the wealthy. Yet back in 1970 this notion was so new that he could only persuade four of his colleagues—a bare majority of the Supreme Court.

In conclusion, Mr. Speaker, these two decisions were, when they were made, controversial. But now we realize that they improved the quality of life for ordinary people, and the Nation did not come apart. In fact, the Nation is stronger because of Justice Brennan's having served this country.

Mrs. CLAYTON. Mr. Speaker, last week, this Nation suffered a great loss.

And because of that loss, those who favor freedom and believe in individual rights and civil rights will not soon recover.

However, while we lament the loss of Justice William Brennan, Jr., we also rejoice in his life—a life during which he spent more than three decades on the United States Supreme Court.

This son of Irish-Catholic immigrants, Justice Brennan worked as a waiter to pay for his last year of law school.

Born of modest means, he refused to accept mediocrity. He had hopes and dreams. He had goals. He had vision. He dared to be different and determined to make a difference.

His classmates at a Newark, NJ, public school complained that because he took home so many of the academic awards, there were none left for others.

His zeal for learning and his zest for excellence carried him through college—the University of Pennsylvania—and Harvard Law School, and those qualities characterized his entire legal career.

But, despite his Ivy League education, he never lost touch with the average person.

To him, every ordinary person was special, and every special person was ordinary.

Perhaps it was because his father once worked as a coalheaver in the brewery, or because matters of concern to labor were central to his upbringing, but Mr. Justice Brennan had a way with words that gave life and meaning to the Constitution of the United States.

It was Brennan who authored the important and far-reaching decision in the case of Goldberg versus Kelly, the welfare reform mandate of the 1970's.

Congress can learn much from that 30-year-old decision.

In Goldberg, the Court rules that even those on welfare were entitled to due process rights—even those on welfare had the same Constitutional protections as everybody else.

We could have used Brennan's wisdom and insight when we considered welfare reform.

He also wrote the Court's opinion in Johnson versus Transportation Agency, a decision that brilliantly outlined the need and value of affirmative action.

But, I remember him most for the case of Baker versus Carr.

In North Carolina, my State, some argued to the Court where Brennan spent much of his adult life that the very document that gives us rights—the United States Constitution—somehow takes those rights away.

Sometimes, Mr. Speaker, I wonder, what the Court would do with the redistricting cases if it still had the magnetism, the persuasiveness, the foresight, the imagination, the ability to see beyond what is immediately in front, that Mr. Justice Brennan, the author of the principle of one person, one vote had.

I wonder what the state of Federal elections would be today if the Supreme Court still had among its Justices, the very man who believed and convinced a majority of others, that traditional practices must give way to individual principles.

Mr. Speaker, Mr. Justice Brennan distinguished himself as a jurist, making his mark in many places, leaving his permanent imprint on the sands of time.

Tirelessly, he was a role model for role models, and a champion for all.

He has left us, but I believe he has gone to another place, not to quit, but to fight another fight, to write another opinion, to run another race.

Mr. Justice Brennan, we will miss you, but, we know you will not be far away. Your written opinions, like the philosophy shared with you by your father, will one day inspire another Justice of your fabric, of your intellect, of your quality.

□ 2115

THE BUDGET AGREEMENT AND THE SITUATION FOR ORGANIZED LABOR AND WORKING FAMILIES UNDER THE 105TH CONGRESS

The SPEAKER pro tempore [Mr. METCALF]. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, today, July 29, is being celebrated as a day when a bipartisan compromise reached its climax in the 105th Congress. We have agreement on a tax bill, an agreement on an expenditure bill, and probably before we recess on August 1 we will vote on those two agreements, and there is a great deal of joy in both the majority and minority camp about this. I am not certain that I join the celebration wholeheartedly. There are some great disappointments. But nevertheless, it does demonstrate that it is possible to achieve a bipartisan consensus on some very complex matters.

We must remember that the majority party closed down the Government in 1995 over the matter of the budget and the tax package. The Speaker's statement that politics is war without blood was on everybody's lips at that time. We went to war.

So we have achieved by negotiation instead of political war a great compromise; and whereas that compromise leaves some of us disappointed on some things like the school construction, which has been left out completely, the President's initiative for school construction was a measley $5 billion over a 5-year period, nothing like the $120 billion that we need across the country to replace infrastructure in schools, but it was a beginning. Even that small beginning of $5 billion over a 5-year period was left out, and I am disappointed by that.

I am heartened by the fact that at least empowerment zones for inner-city communities was left in, is left in. I do not know the details at this point. I would like to see the details before I rejoice too loudly, but that is in. So there is reason to applaud a negotiated compromise.

I would like to appeal to the majority party to follow suit and let us have a negotiated set of processes related to the way organized labor is treated. The one place where there appears to be no hope of negotiation, no hope of civility in this 105th Congress is when it comes to the attack on organized labor and working families and the means that working families have to fight for themselves.

Nothing has changed since the last Congress. The 105th Congress is as bad as the 104th Congress. I would like to make an appeal that we lay down our guns and stop the war, and let us come to some kind of way of dealing with the working families and their needs, as we have with the tax package for the rich and some other important items that have recently been negotiated.

Mr. Speaker, I sit as the ranking member of the Subcommittee on Workforce Protection, so I am on the firing line with the hearings and the preparations for more wars and the attack on the Department of Labor. I am right there where I see that the 105th Congress' strategy is the same as the 104th Congress when it comes to labor.

We have seen already a passage of the TEAM Act, we have seen already passage in this House of the bill to eliminate overtime, cash payment for overtime. There is a change in the Fair Labor Standards Act, a radical change, taking away the dollars that working people need and offering comp time instead, and giving the power certainly to the employer to decide whether you get paid in comp time or get paid in cash. So that was certainly a blow to working families.

Fortunately, that has not passed in the other body yet. We hope it will never pass, or if it passes, the President will veto it. But that is out there. It was the first bill that they led off with in terms of an attack on working people. Of course, since then there has been a new threat in terms of a large amount of money; $1.4 million was voted to investigate labor unions.

There was some other language used to describe what was intended, but out of a slush fund that we always objected to of $7.5 million, I think, more than $7 million was set aside in the legislative budget to take care of emergencies. It turns out that the definition of one emergency was an effort to go after labor unions and restrict their political activities.

We know what that means because we had at least two hearings already, which have demonstrated that the majority party wants to place restrictions on labor unions that are not placed on other organizations in America. No other entities are asked to do the kinds of things that they are trying to make labor unions do. We do not ask corporations to do the kinds of things with respect to their political positions that we are now demanding that labor unions do.

The thrust of it is that no labor union will be able to take a political position and use the funds that are at their disposal without having the approval of every member of the union. Each member would have a chance to withdraw his money if he disagrees with the position taken by the leadership of the union.

What other organization in America operates that way? You have majorities, you have votes, you have leadership elected, you have positions taken, and the minorities in organizations have to abide by those positions. So why should labor unions be treated any differently?

The thrust of this special fund for investigation of the labor unions will be to find ways to penalize them and intimidate them to backing down on taking a strong political position. That is just another battlefield that they will not leave in peace is the effort to destroy the Davis-Bacon Act and all the benefits that the Davis-Bacon Act has brought to us.

Davis-Bacon was attacked in the 104th Congress. There was a relentless war waged against Davis-Bacon. We hoped it sort of would not flare up again in the 105th Congress. We hoped that something had been learned about working people and what you have to do to support working families.

Part of what you have to do to support working families is to hold onto legislation and protections like the ones that are provided in the Davis-Bacon Act. But no, the attacks have come again and there is an attempt to go after the Department of Labor, the way it enforces Davis-Bacon, as an attempt to saddle the Department with numerous burdens related to the Davis-Bacon Act.

At the same time they are cutting the budget and reducing the number of employees. They generate a crisis and then they take advantage of the crisis generated by having an evaluation of the situation, an accounting, an audit, finding things wrong, and then blaming the system and the act itself as the generator of the things that have gone wrong.

We have a case in Oklahoma being blown out of proportion. Very few fraud cases have ever been found during the history of Davis-Bacon, but now we have a case that is being taken as a cause celebre and blown up out of proportion to make it appear that all of Davis-Bacon is corrupted. That is not true at all.

Davis-Bacon was enacted in 1931. It is a simple act requiring that contractors on federally funded construction projects pay their workers no less than the wage rates that prevail in the local area on the same type of construction. The act does not require contractors to employ the local work force, and it does not require that the work force be paid in accordance with local labor standards. It does what it says. It requires that they be paid at wage rates which are in keeping with the wage rates that are paid at the local level.

Davis and Bacon were two legislators who were both Republicans. They were Republicans seeking to do what all of us claim we think is important, is a priority. That is, protecting our working families. Davis-Bacon developed the legislation because they saw workers moving about from one part of the country to the other, following big Federal contracts and employing labor gangs to maximize the profits of the contractors on these big Federal jobs, and they threw out of kilter the wage structure at the local level when they did that. They drove down the wage structure of the local level. They threatened workers and families. They threatened the stability of certain communities.

So these middle-class legislators, Republicans, developed a sensible law to stop the exploitation of the big Government contract by greedy contractors. The same goal that was realized in 1931 is the goal that Davis-Bacon still realizes when it is applied in 1997. Repealing Davis-Bacon would result in lower wages for half a million Americans. The attempt now is to repeal Davis-Bacon.

One of the reasons that the school construction initiative had a problem here in the House of Representatives was that certain people attacked the school construction initiative through their attacks on Davis-Bacon. They charged that any new school construction would be out of proportion, would be higher costs than necessary because if it was federally assisted, they would have to use the Davis-Bacon Act to cover the workers, and that will drive up the costs.

We have studies that show that that is not the case at all. There is no proof that the cost of building schools goes up as a result of paying prevailing wages under Davis-Bacon. In fact, there is some evidence that shows, some studies, that show that the cost is less when you use Davis-Bacon prevailing wage workers. You get a different quality of workers, you get a different productivity, you get a different efficiency, and as a result, the cost actually sometimes goes down.

Nevertheless, there are those who said, we want to repeal Davis-Bacon,

and they make it appear that construction workers who are covered by Davis-Bacon are earning large sums of money, out of proportion to their worth. The truth of the matter is that construction workers who have some of the most difficult jobs in terms of just hard labor, in terms of danger, they are the ones who have benefited most from the establishment of OSHA, the Occupational Safety and Health Administration.

The safety factors have changed radically as a result of Federal intervention in the workplace to establish certain safety standards, so construction workers are much safer today than they were before, but it is still a risky job. Construction workers, they work on risky jobs, they work on dirty jobs, they work on jobs that have not benefited a great deal from automation.

On a hot day when they have to go out and work in the construction industry, there is no way you can press a button and have a computer take the place of a human being in that hot sun. There is no way you can press a button and have a computer take the place of a worker that is called upon to make a difficult haul into some tight quarters and deliver some kind of heavy load. There are all kinds of situations in the construction industry that probably never will be automated.

Nevertheless, despite the fact that the danger still persists, the wages have gone down. The stagnation of American wages at the lower levels, workers have experienced stagnation, and it has impacted on construction workers a great deal. So they do not earn any more money than they did 10 or 20 years ago. Relatively speaking, they have lost.

They will lose even more if we repeal the Davis-Bacon Act. It is estimated that more than one-half million construction workers in the United States have received prevailing wages under the Davis-Bacon Act. Because the Federal Government must put primary emphasis in awarding contracts on the lowest bid, market forces would put contractors to lower wages in order to try to make the lowest bid, driving wages down, if you did not have the Davis-Bacon regulations.

A study by the University of Utah indicates that repeal of the Davis-Bacon Act would lower the wages of construction workers, which in constant 1982 dollars have been on a downward trend anyhow since 1972. They would be lowered by 5 percent if we repeal the Davis-Bacon Act. All construction workers would go down. For construction workers who have annual average earnings of $27,500, this could result in the loss of nearly $1,400 in income annually.

□ 2130

Construction workers have an annual average earning of $27,500. This means that when we lump the bricklayers, plasterers and the sheet metal workers and all of them together, that is what they come out with, an average of $27,500 annual earning, which is very low considering the kind of work they are called upon to do. It is quite low. They have not moved and kept up with the inflation rate as it is. And if we have a further impact on those wages, they would go down even further.

Davis-Bacon has brought some stability but it has not really been a factor which has led to some kind of increase in the wage rates of the workers. At least the stability is there, to some degree, and they have not been eroded further.

There are those who say Davis-Bacon is a discriminatory act which certainly has hurt minorities a great deal. This is a widespread belief among the minority community, that Davis-Bacon has some impact on the problem that minorities have had in the construction industry.

Minorities have had problems in the construction industry, that is true, for various reasons that should be dealt with one by one. There is a long history of a fight to get justice in various construction unions, and that is one fight. Davis-Bacon really did not contribute to that very much.

Davis-Bacon was designed to stop traveling labor gangs who would underbid the local workers. Many of those traveling labor gangs were not minorities. The notion they would bring in minorities is not true at all, because bricklayers and steam fitters and a number of other crafts and trades were not even allowed to practice in the South. A black could not become an electrician, so black electricians could not go north and underbid white electricians.

It was not a black-white situation that was corrected or held in check by Davis-Bacon. It was a situation where underbidding was taking place without regard to race. So Davis-Bacon did not exacerbate or contribute at all to discrimination in the construction industry.

What it has done over the years has been a positive benefit, often a positive benefit to minorities. The intent of the Davis-Bacon Act was to protect workers and employees by giving local labor and local contractors a fair opportunity to obtain Federal construction projects. Davis-Bacon benefits minority workers by seeking to ensure that all employees, regardless of race, shall be paid at least the locally prevailing wage.

According to former Secretary of Labor Ray Marshall, the workers most often victimized by unscrupulous contractors are minority workers. Davis-Bacon is an integral part of ensuring a decent life for the hard working men and women in the construction industry.

I do agree that minorities are the ones who are victimized the most by unscrupulous contractors, and the most unscrupulous contractors are those who are fighting to get rid of Davis-Bacon. They are also fighting to get rid of unions at the same time.

Davis-Bacon also lessens the exploitation of unskilled and semiskilled labor, of which 35 percent are women and minorities. It ensures if these workers are paid less than the prevailing wage, they must be enrolled in an apprenticeship or training program that will help them develop their skills and increase their marketability.

According to former Secretary of Labor John T. Dunlop, formal training programs are essential to recruit and train minorities for the construction industry. If Davis-Bacon were repealed, contractors would have less incentives to enroll workers in training programs.

I cannot stress that too much. I know of numerous situations where unions that were closed 10 years ago to minorities in New York City have been open for some time through their apprenticeship programs and now they actively recruit minorities. In fact, I think there is a bit of a boom on right now and they cannot find enough apprentices.

If Davis-Bacon were repealed, contractors would have less incentives to enroll workers in training programs. In fact, there are other studies that show the contractors that do not want Davis-Bacon, who really would like to have a free-for-all, the contractors who are most anti-union are the ones who have phony apprenticeship programs. They either have no apprenticeship programs or they deliberately enroll people as apprentices and do not bother to provide any training. When they do not provide training, the apprentices drop out and they just hire more people and exploit them also.

The enactment of some 60 related statutes since the passage of the Davis-Bacon Act of 1931 provides strong evidence that Congresses and Presidents of both parties believe that the Davis-Bacon Act provides beneficial and nondiscriminatory protections.

Historically, as I said before, this was a Republican initiative, has been supported by Democratic Congresses, Democratic Presidents, and we would like to get back to having the majority party understand that in their war against labor, maybe they should cease the whole war, but certainly there are certain battles that should not be fought, and the battle against Davis-Bacon is one of those battles that ought to cease immediately.

Available data simply refutes the argument that Davis-Bacon operates in a manner that discriminates against minorities and women. In fact, there is no difference in the employment of minorities and women by Federal construction contractors and contractors which do not do Federal work. Davis-Bacon does not have any impact on the number or the percentage of minorities employed by contractors.

By the way, Davis-Bacon has been endorsed by various civil rights organizations, including the NAACP.

Now, Davis-Bacon also represents something that the majority party repeatedly claims they want to see happen. They argue in the TEAM Act, the

TEAM Act, in my opinion, is an attempt to establish company unions, but in the opinion of the majority Republicans the TEAM Act is an attempt to get better labor relations between management and labor.

They argue for that in the case of OSHA. Instead of OSHA being an enforcement agency which hands down decisions about safety on the workplace, they want the relationship between employers and their employees to be paramount in deciding what is safe and what is not safe, how it is reported, what is enforced. They want a partnership with OSHA in working out these kinds of agreements.

And it all seems quite reasonable, and it has some merit, but when it comes to recognizing that Davis-Bacon has achieved a harmony between workers and contractors, and we have a situation now where here is a Federal program which is supported by both contractors and the workers, it is supported by both contractors and the unions. One intent of the Davis-Bacon was to ensure that local contractors have a chance to obtain Federal construction work.

So contractors understand that they are put in a better position. This is contractors who really want to do the right thing; contractors who care about workers, contractors who care about their local neighborhoods and their local communities, contractors who want to establish stability, contractors who want to do quality work and who want to make certain that their reputations are not ruined by slipshod work or maybe dangerous kinds of construction. These kinds of contractors have a chance as a result of Davis-Bacon regulations.

If Davis-Bacon did not exist, many local contractors would not be able to compete with outside contractors who use less costly labor from outside of the community, and they are able to underbid them. They did come in and do often shoddy work or less credible work, but that is only known afterward.

In my community there is a parkway which runs down almost the center of my district, and Eastern Parkway, in the renovation and the rebuilding of Eastern Parkway we had the streets dug up at least three times. One contractor did such shoddy work, he had to go back and redo it. And in the process of trying to redo it, he went bankrupt and we had to get a third contractor to come in and actually complete the job. It went on and on for three times as long as it should have gone on because of the fact that we had this contractor coming in who did not know what he was doing. This was a situation which was compounded by the fact that the contractor and his workers were not qualified.

If Davis-Bacon did not exist, many local contractors would not be able to compete. And in certain kinds of situations, this would be happening all the time.

At congressional hearings on the Davis-Bacon Act, we have had in the past year many contractors who expressed support for Davis-Bacon. They say that Davis-Bacon leads to high productivity. For example, one contractor stated that he found that the Davis-Bacon Act,

> By eliminating wages as a competitive factor, creates a level playing field in which to compete for government contracts that provides an opportunity for companies like mine to compete with large and small contractors on the basis of our management ability and high productivity.

I think that I have established the fact last year in discussions that we have a positive union worker-management relationship fighting to keep a program that provides better construction for us in America. It really is something to consider.

I think we also better consider the fact that the quality of the labor force has been hard hit by this drop in construction wages relative to other wages that have gone up. We may have a crisis created soon if we do not have Davis-Bacon contractors who are stabilizing the situation, mainly by their relationship to their apprentices and training programs, and are serious about developing people who can take the places of the journeymen and being able to continue high quality work.

The Davis-Bacon Act does not automatically increase the cost of construction for the Federal Government. This is a myth that goes on and on. And as I said before, studies have shown this has not happened. Lowering wages does not necessarily lead to lower costs.

The people who underbid the Davis-Bacon contractors are the contractors who do not mind Davis-Bacon and who are in many cases using union labor. They come in and they are able to employ people at lower wages, but they end up having to employ more people or they end up having to redo the work that they did and they end up creating situations which are more costly.

Equating wage reductions with dollar-for-dollar savings is inaccurate because it fails to take into account other factors that may affect cost, such as the relationship between productivity and wages. This is a crude methodology at best. The Congressional Budget Office states that higher wage rates do not necessarily increase cost. If these differences in wages were offset by hiring more skilled and productive workers, no additional construction costs would result.

So the people who fight Davis-Bacon, the contractors who are well organized in trying to at this point get a repeal of Davis-Bacon, are people who use the crudest kind of cost savings, employing low-cost workers, but they end up having to pay more anyhow in other ways; redoing the work or hiring more workers, et cetera.

Davis-Bacon does not require payment of union wage rates. One charge that the majority party is making, one charge that we have to deal with on the Subcommittee on Workforce Protections repeatedly is that Davis-Bacon contractors and the unions are in cahoots with the Labor Department, and this all is designed to keep up high wage rates as a part of a union conspiracy.

Davis-Bacon wage determinations apply to over 3,000 U.S. counties and they apply to four types of construction: building, heavy, highway, and residential. And of the 12,500 wage schedules issued by the Department of Labor, only 29 percent require Federal contractors to pay collectively bargained rates across the board; 48 percent of the wage schedules establish minimum rates that are all nonunion, and some are a mix of union and nonunion rates that make up the remaining 23 percent.

Perception that the Davis-Bacon rate is usually the union rate is a carryover from the days more than a decade ago when the prevailing rate was set based on the rate paid to 30 percent of the workers of a classification. Since 1983, however, union rates are found prevailing only when the rate is paid to 50 percent of the workers in a particular classification.

These are myths that are deliberately continued. I am repeating myself from last year because in a new Congress they continue to try to push these myths forward.

The myth that the Davis-Bacon Act requires that all contractors must pay union wages even when the average wage in an area is below the union rate is a myth that is deliberately kept going and they know it is false.

□ 2145

Of the 12,500 prevailing wage schedules issued, only 40 percent of the wage schedules are non-union. Mixed schedules are 23 percent, as I said before. There is also another myth, that the Davis-Bacon Act is inflationary, it adds billions of dollars to the Federal budget. The payment of prevailing wages does not inflate costs. It does prevent costs from being cut at the expense of the employees' wages.

The director of the Congressional Budget Office, as I said before, has stated that higher wages do not necessarily mean higher costs. A 1992 study commissioned by the International Union of Operating Engineers compared the average cost per mile of highway and bridge construction in five high-wage States to five low-wage States and found that the construction costs per mile were actually lower in the high-wage States. This is a 1992 study.

There is another study that was done in 1994 in New Mexico which talked about the charge that school construction costs are driven up by Davis-Bacon, and I am going to discuss that study in a minute. It shows the same thing that the highway studies showed, that it does not drive up the cost. The school construction study actually

shows that the cost under Davis-Bacon was lower in many cases, and they give square footage costs that are pretty dramatic.

The Davis-Bacon Act is poorly administered and the wage determinations are woefully out of date. That is the latest and strongest charge that the Department of Labor is kind of under siege to change its method of doing its studies, and probably there is room for a lot of improvement. The biggest improvement would come if we had more funds devoted to the wage and hour administration and they can hire more staff.

The same majority party that is attacking the Department of Labor, driving down its budget wants more and more improvements in the way they do carry out all of their functions. But in this particular function in particular, certainly they do better if they had better staff. There are some attempts underway to reengineer the way they do the studies. At the same time, there is consideration that the Bureau of Labor Statistics may take a greater role in this.

All of that is positive. Why not let it take place without having it take place under the pressure of the war against Davis-Bacon? Let us negotiate. Let us have a truce. Let us have a period of a couple of years to work out these matters and not use a battering ram to try to force the repeal of Davis-Bacon by highlighting every little detail that has gone wrong in the administration of it.

The wage and hour administration made a number of improvements in the administration of the Davis-Bacon Act over the last few years, including making wage determinations available on line through Federal World, a computerization of the wage determination updating system, and improved training and outreach efforts of wage and hour would like to be able to conduct more surveys. However, the resources are limited. Thus, the survey program is carefully planned to target those areas where the most Federal construction is planned and where there is evidence that wage patterns have changed.

They have to pick and choose carefully because they have limited resources. One way to deal with this problem is if you are really concerned about updating and making more effective and efficient the wage and hour approach to setting the Davis-Bacon wage levels, then you should provide more funding for this activity in the Department of Labor.

To the extent that wage rates are out of date, that usually results in wage rates that are too low rather than too high. We are moving on all the time in determination of the cost of living. When we do not do these studies that set the wage rates on a regular basis, then what we are doing is hurting the workers and not driving up the cost of production. We might be helping the profits of the contractors. Wage and hour explore new ways to reinvent the process to make it work even better.

The purpose for the Davis-Bacon Act is as great today as when the act was first passed. The competition for working in the construction industry remains intense. The aftermath of the Los Angeles earthquake, for example, construction workers and contractors from outside the area sought to bid for the extensive work by offering lower rates. Unlike private industry, the Federal Government and most Federal assisted entities must place primary emphasis in awarding construction contracts to the lower bidder. And it is difficult, if not impossible, for an agency to award to the contract slightly higher because the contractor does better work. The Davis-Bacon Act encourages contractors to compete based on efficiency and equality rather than the one who pays the lowest wages.

As I said before, if you link all of this attack on Davis-Bacon and the attack on labor unions to some of the developments that are taking place here in the Congress today, then I think that one of the best linkages would be the failure of the school construction initiative that the President puts forth to pass a mere $5 billion over 5 years did not make it in this present package. And one of the reasons was that there was a great attack on the school construction initiative because of certain powerful groups charging that Davis-Bacon regulations would drive up the costs of school construction.

A study done completed in 1994 by Professor Peter Phillips of the University of Utah Economics Department shows that it is not only not true, just the opposite may be true. This study compares public square foot construction costs in five southwestern intermountain States that have State prevailing wage laws with four other States in the same region that do not have State prevailing wage laws.

For example, the five have-law States that do have prevailing wage laws are New Mexico, Texas, Oklahoma, Wyoming, and Nevada. At the time of this study, Oklahoma still had a prevailing wage law at the State level. The four no-law States, these are States that do not have State prevailing wage laws, obviously, I guess you know that if it is a federally assisted project, then it would have to have the Davis-Bacon Act, the Federal prevailing wage laws applies. But many States have their own laws; and Arizona, Utah, Idaho, and Colorado are States that at that time did not have such laws.

These States, often used by New Mexico, which is one of the have-law States in making other kinds of comparisons in their education system. For example, teachers' salaries are compared with these States. So they decided to compare the physical facility cost.

During the time period of the study, which ended in 1994, they found that elementary schools cost $6 per square foot less in the five States that had prevailing wage laws, the elementary school construction was $6 per square foot less. Middle school construction cost was $11 per square foot less in the States with prevailing wage laws. And high school costs were also $11 per square foot in the States with prevailing wage laws. Warehouse costs, they noted, I suppose in connection with schools they need to have warehousing for equipment, et cetera, warehouses $35 per square foot less in the States with prevailing wage laws. This is a summary of what the study found. It is a very thorough study which talks about various aspects of the Davis-Bacon law as it was applied in these situations. And I think it is important to note, because those of us who feel that the school construction initiative was important are not going to give up. We have to come back and wage the war to get these school construction initiatives back into the Federal budget.

Now, of course, the Federal budget should not take care of the building of schools at all levels. The Federal Government should not foot the total cost, and nobody has said that at all. States and localities will have to pay the bulk of the school construction costs.

Right now there is consideration in the New York State Legislature of a bond issue, it probably is going to be on the ballot in November, to build schools. It has popularity throughout the entire State, both the big cities and the rural areas, and upstate, downstate, throughout New York State there is a feeling that we have got to have some help in constructing some new schools, repairing some other schools. The process cannot go forward unless we have a new infusion of money. I think $1.5 million is the amount that is going to be on the ballot in New York State.

Across the country, other States will have to take initiatives. Localities will have to take initiatives. But there is need to have help from the Federal Government, also. The initiative proposed by the President of $5 billion over 5 years was a small one but it was a stimulant and it would encourage. Because the way that was going to operate, part of it required that you have matching funds at the local and State level.

There was some hope that part of it would be an outright grant that big cities like New York, Philadelphia, big inner-city communities with horrendous problems in their facilities would be able to get some outright grants. However it is fashioned, the Federal initiative is still needed. And it is a great tragedy that part of the reason that an initiative was left out of the budget and has gone down temporarily is the fact that charges were levied at it, that it would be very costly to have schools constructed with Federal money involved because Davis-Bacon prevailing wage regulations would apply.

That is not true. It would not drive up the cost of school construction

automatically. In fact, one of the few studies, thorough studies on record demonstrate that that is not the case. This is the study that I am reading from by Professor Peter Phillips of the University of Utah. And I quote from a section of Professor Phillip's work where he quotes another professor's summary of a study done at North Carolina State University by another professor, Steven G. Allen, who is published in the Quarterly Journal of Economics, an article entitled Unionized Construction Workers Are More Productive.

In this study, Mr. Allen is quoted as follows: ''Apprenticeship training in hiring halls probably raise union productivity compared to non-union workers, while jurisdictional dispute and restricted work rules lower that same productivity. Using broad methodology, and union productivity measured by value added employee is 44 to 53 percent higher than non-union.''

Let me repeat that. ''Union productivity measured by value added employee is 44 to 53 percent higher than non-union.'' The estimate declines to 17 to 22 percent when estimates of inter-area construction price differences are used to deflate the value added.

Basically, there is an increase in the value of the productivity of the union workers over the non-union workers. In other words, prior to adjusting for differences in regional cost of living and differences in regional construction material cost, union construction labor in the 1970's, which was the period of the Allen study, was roughly 50 percent more productive than non-union labor.

The wage rates and the material costs of the BLS in regional cost study were not altered to factor in the effect of differences in regional cost of living. Thus the, BLS study is quite consistent with Allen's work and their conclusions are similar. Wage rate differences are 50 percent across regions with differences in productivity and cost of living may not alter labor costs as a percent of total cost. Within a region such as New Mexico, for example, or intermountain west, where the cost of living and the material cost of construction are similar, 20 percent differences in wage rates and construction can be offset by differences in productivity between union and non union labor. Union contractors have greater economies of scale. This gives them a cost advantage in large commercial office buildings. But in school and hospital construction, non union contractors have lower cost at all output levels. Despite the cost differences, profits of non-union contractors and school and hospital construction are no higher than those for union contractors because the burden of higher contractor costs have shifted.

There are some other quotes in here about training. In the study done by Professor Phillips. He says that because of the non-union employer prices, new hands, and discounted wages that shield the employer from investing in human capital of new workers, the employer does not screen new workers extensively to forestall subsequent turnover.

□ 2200

''Failure to preselect new workers for aptitudes and attitudes consistent with a long-term attachment to construction work adds to the turnover among nonunion construction apprentices. In contrast, the joint apprenticeship boards of unions and union contractors do considerable preselection for both aptitude and attitude before letting a candidate into an apprenticeship program. This is because both the union contractors and the unions will invest in the union apprentices' training. Not wanting to lose their up-front investment, they seek to eliminate exit once the apprenticeship is begun.

''In the nonunion sector, workers may also leave apprenticeships if it becomes apparent that the employer offering training at a discounted wage is not delivering on the training that he promised to provide. Because employers are able to discount wages of apprentices below their current worth to the employer, it is tempting to engage in bait-and-switch tactics whereby training is promised but not delivered. Unscrupulous nonunion employers and contractors regularly do a bait-and-switch tactic by promising training and not delivering it. By saving on training costs, the employer can earn an additional profit from employing green hands at discounted wages. In the union sector, because employers and union journeymen invest in the training of apprentices, bait-and-switch tactics are less attractive. Because the apprentices' wage is not discounted as much below what they can earn elsewhere, the apprentices are not tempted to leave. Thus, economic theory predicts the observed pattern whereby the nonunion sector must begin training five apprentices to graduate one journeyman while the ratio in the union sector is close to one to one. Their investment can be as low as one to one.

''In basic terms, nonunion contractors have difficulty training because, one, the relationship between the contractor and the construction worker is often brief. This leads to a free-rider problem. Why should I train you when you are likely to go down the road and work for my competitor? I would just be helping him out and not myself. And, two, without an apprenticeship coordinator, there is no one policing the training to insure that on-the-job training takes place and is of decent quality.'' Thus, some contractors are tempted into what I said before was bait-and-switch, where they swindle apprentices out of their labor.

Let me just conclude my quotes from this study with this last statement on plausible savings on total construction costs. I am reading from a study that relates to Square Foot Construction Costs for Newly-Constructed State and Local Schools. I am reading from this because of the fact that the charge has been made that Davis-Bacon will inflate school construction costs and that charge was made so effectively until it helped to defeat in the negotiation the President's initiative on school construction funding. That initiative would have provided $5 billion over a 5-year period. Let me just quote from the study on plausible savings on net total construction cost.

''A plausible scenario is to assume that generally on public works projects, total compensation as a percent of net total construction costs range somewhere between 20 and 30 percent. That is total compensation, wages, no higher than 30 percent. If you repeal the prevailing wage laws, you would probably drive wage rates down by around 10 percent. On the face of it, this would result in a 2 to 3 percent total cost savings on a public works construction. However, as total compensation declines, the crew mix is likely to shift to a less skilled labor force. Now it takes more workers to complete the same job. Indeed, some proponents of prevailing wage law repeals make that argument explicitly.''

Some people say that it is better to have more construction employment by not having prevailing wages. But that backfires in terms of the quality of the work.

''Because crew size will rise as wage rates fall, net total cost savings will not fall as the wage rates fall.'' The important point they are making here is that ''the true potential cost savings will be much smaller than the fall in the wage rates, and it may be negligible. The only way to know is to measure in practice comparative construction costs under legal environments with and without prevailing wage laws, controlling for other factors such as building type and regional differences in cost-of-living.''

But the basic statement here is that it is not true. Wages are only between 20 to 30 percent of cost of construction of schools. Period. If you attempt to lower those costs by eliminating Davis-Bacon, all you do is lower the wage rate for the workers without really lowering the costs any more than 3 percent, if at all. What you do is run the risk of shoddy construction.

I would not want my children to go to a school that was built by a greedy contractor using nonunion labor, cutting corners, and not only having to use more workers but using workers who are basically careless and do not particularly care about what they are doing. I think that the danger of things happening with that building, that school building, are far greater, of dangerous kinds of accidents happening, faulty connections with the wiring, the water system being poorly connected. There have been cases where we have had the system in the bathroom connected to the drinking water; all kinds of mishaps have happened because of

unscrupulous practices of contractors trying to save money by using the lowest paid labor.

What I am saying is that the war against organized labor, the battle against Davis-Bacon certainly should be waged without destroying the school construction initiative. I think we should cease the war, we should have a truce. Just as we have come to some kind of bipartisan agreement on taxes and on the budget, let us come to an agreement that working families are not going to be put under the gun by the majority Republicans. Working families are not going to have to face situations where already stagnant wages in the construction industry are going to be pushed down further by the assault on Davis-Bacon. Working families should not have to face the assault on OSHA where the safety in the workplace, including construction workers, is lessened because of the assault on the Government agency responsible for enforcing safety regulations.

There was a study done, released a few days ago by a totally objective, highly credible body, the American Medical Association, which shows that 70,000 people were killed or injured in the workplace last year. Seventy thousand people were killed or injured in the workplace. Those figures are very close to the figures that are offered by the Department of Labor. The figures offered by the Department of Labor through OSHA are disputed. The majority Republicans on the Subcommittee on Workforce Protections insist that these figures are not valid, and they want to discount them. Here we have somebody totally out of the loop. I do not think the Department of Labor is biased toward unions or biased toward anybody. They are Government civil servants who do a good job and their figures are always accepted as being as close to the truth as you can get. However, here is another body, the American Medical Association, that has come up with a set of figures which is even greater. I think the Department of Labor statistics were still in the 65,000, 68,000 range. Here the American Medical Association has published figures which show 70,000. Their figure is about $110 billion was lost in the workplace as a result of safety problems and health problems. This is the American Medical Association, not the Department of Labor, not the AFL–CIO, they have their own figures; but the American Medical Association.

Let us stop the war on OSHA. There are good reasons to stop the war on OSHA. Let us stop the war on Davis-Bacon, stop the war on OSHA, stop the war against workers' overtime. Let us have a truce and let workers be paid in cash, those that want to be paid in cash, and if you want to go for upper middle income or the upper income, and they want time off, we can arrange to give them time off without jeopardizing the overtime payment in cash for people who are lower down.

We can stop the war on labor by not going forward with this $1.4 million slush fund that has been set up to investigate labor unions. Let us stop the war on labor in terms of trying to drive them into a situation where they have to go to their membership and get approval from every single member before they can take a political position. The political positions do relate to the welfare of the workers. If they are in a union and they vote to elect officers and the majority rules and whatever the majority decides to do, then that majority ought to be supported; or at least you cannot have a revolution of a minority of a few people dictating what positions that the majority takes. We do not do that in corporations, we do not do that with any other organization in our society; churches. Nobody is required to have total unanimity on positions before they can take a position, political or otherwise.

We should stop the war on Davis-Bacon by blowing up out of proportion a few incidents that relate to fraud and abuse. We have an Oklahoma case as I mentioned before, a single incident in Oklahoma is being used as an ongoing investigation to condemn an entire system based on an investigation involving only three possible fraudulent wage submittals. These allegations of widespread fraud have no single shred of proof. They have not been able to document any widespread fraud.

It is important to note that since the inception of Davis-Bacon, approximately six cases of fraud have been alleged and brought to the attention of the Department of Labor. During the last 33 years, prior to the new Oklahoma allegations, not one fraud-related survey case was brought to the Department of Labor for investigation. Since 1992 only one formal request for reconsideration of a wage decision has been received by the Department of Labor.

A recent GAO investigation showed that there have been many mistakes made in the surveys done by the Department of Labor but none of them were done intentionally. They have no evidence of fraud. By the way, many of the mistakes were made by employers who had payrolls and payroll sheets in front of them and they were supposed to get data from those sheets, and they made mistakes in submitting that data, not the unions and the workers as has been alleged.

Let me conclude by saying that it is unfortunate that the war against Davis-Bacon and the war against working families resulted in a casualty in the budget, the School Construction Act. There is a cause and effect there that I insist exists, that the overwhelming sentiment among the American people is that they want to do things for education. They would like to see schools revitalized. A flimsy charge that the cost of school construction would be driven up by Davis-Bacon and therefore we should not have Federal assistance with school construction would not survive unless it was pushed very intentionally, prosecuted and pushed very intentionally by the majority. Let us have a truce, let us do what we have done in the case of taxes and the budget and have a bipartisan approach to working out labor-management problems. Let us end the attack on labor, let us retire the slush fund and use it for some better purpose, and by all means let us not continue to perpetrate the myths that Davis-Bacon is an evil, that Davis-Bacon has not benefited not only the workers in construction but also the communities where they work as well as the American people as a whole.

A HISTORIC ACHIEVEMENT

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of January 7, 1997, the gentleman from Connecticut [Mr. SHAYS] is recognized for 60 minutes.

Mr. SHAYS. First let me thank the gentleman from Washington [Mr. METCALF], Speaker pro tempore, as we have the opportunity to address this Chamber for continuing to serve at a late hour here. I do not intend to take anywhere near the hour that would be allotted to me. I do know the House is going to be in session tonight as we wait for the rules, so our staff will be staying around for a bit. But I have not really had much opportunity to address this Chamber in a special order. Tonight is a night I am really grateful to have this opportunity.

I am grateful to have this opportunity because I think of the historic achievement that has been agreed to between this President, a Democrat President, and this Congress, a Congress controlled by Republicans, a Congress filled with 435 men and women of both parties, but a party in control of this Congress, the Republican Party.

□ 2215

I think in terms of my history as I was growing up and as a student in high school and college and thinking about our Founding Fathers, and they designed quite a system. They designed a system where you would not only have competing interests in a Chamber and in another Chamber, the Senate, and this check and balance with the judiciary, but you would have an executive who would not have the ability to do everything he or she wanted, a Congress that does not have the ability to do everything it, the majority party, wants. This is a system designed by our Founding Fathers, and they wanted it to be exactly what it is, a system that does not allow one unit, one branch, to gain too much power or one group within a branch to gain too much power.

So what did we have after the 1996 election? We elected a Democrat President. Frankly, by an overwhelming number the American people elected such a President, and they elected a Republican Congress, maybe not by the same margin, and they said very clearly in their message that they wanted us to work together.

Mr. Speaker, we have worked together, and we have a historic agreement, and it is for real, and it is not an agreement that is unable to take place because of a rosy scenario. This is an agreement where either the President and our own Congress said we would use inflated numbers and anticipate revenues that simply would be far in addition to what they would be in actual fact. This is an agreement that anticipates revenue growing at 2.1 percent a year. Now it is growing much faster now than that, but maybe in the fourth or fifth year it will not grow as much.

There are a number of us, certainly on our side of the aisle, who anticipate a very robust economy for the next year or two, and we intend to have that move us toward balancing the budget sooner than 5 years. Five years is the outer limit. There are many of us who feel we need to get our country's financial house in order sooner.

I know for one, as a Member of this body, finishing now by the end of this week my 10th year; I won in a special election and started in September 1987. I was elected in August, and I remember that for me, a State legislator at the time, I was amazed that Congress would continue to spend and spend and spend when we did not have the revenue to pay for it and we would continue to have our national debt go up and up and up.

Mr. Speaker, it has gone up tenfold in less than 22 years, 10 times, not double or triple, 10 times, and so there were Members such as myself, particularly Members more on this side of the aisle, who said we need to get our country's financial house in order. I am thinking of one Member in particular. It is our colleague the gentleman from Ohio, JOHN KASICH, the chairman of the Committee on the Budget, and I will never forget walking into the room, this Chamber, as the machine had closed for Mr. KASICH's amendment to begin to balance the budget.

Mr. Speaker, the year was 1989, and there were 38 Members, mostly Republicans, some Democrats, who supported JOHN KASICH and his effort to get our country's financial house in order.

I use the gentleman from Ohio, JOHN KASICH, and his effort as kind of the benchmark of what happened over time. Every year when JOHN KASICH introduced his amendment he got more people to sponsor it and more people to vote on it. It started out at 38, then it went to 50, then it went to 80 the year after, then it went to close to 100, then it went over 100, then it got closer to the middle range between 100 and 200, and then we got to a point where Tim Penny and JOHN KASICH teamed together. Republican JOHN KASICH and Tim Penny, a Democrat, were on a major amendment to save $90-plus billion in savings, in appropriated expenditures in particular. He got over 200. Every year there was progress.

So as one Member of this Chamber, I know that as a Republican you should not be surprised I would speak for another Republican, but this Republican deserves really the thanks of the American people, and he deserves the thanks of Republicans and Democrats alike because he truly helped steer us in the direction for what we have today.

Now people talk about the effort that he made over the last 7 months to balance the budget, to reduce the size of Government, to control the growth of entitlements and to have meaningful tax cuts to make this Government smaller and give the American people more of what they have been giving this Government. Seven months is just a little part of that story. The real story is his long journey in 1989, when more and more people sponsored and supported his efforts. He truly has been a leader in this Congress, and he will go down in history as a major part of this historic agreement.

I also want to thank the Speaker of the House, NEWT GINGRICH. I want to thank him, as unpopular as he may be in some areas, but I am not surprised because frankly a lot of good leaders are unpopular when they seek to do what needs to happen. NEWT GINGRICH, the Speaker of the House, is the first leader in my entire political career, and I have been in public office since 1974, when I served in the State house for 13 years, he is the first leader who has ever really truly asked a conference, a group of people, to do heavy lifting, to truly get our country's financial house in order.

So when we adopted the Contract With America, and almost all of us who got elected on the Republican side of the aisle had said we want to move forward with these 10 major reforms on the opening day of the session and 10 major reforms in the first 100 days, that commitment, that was a true effort to do some major things.

But we did not, for instance, just vote for a balanced budget amendment. In 1994, after the election and when we took over in 1995, we sought to balance the budget by making tough decisions in a whole host of programs to slow the growth of entitlements and to save them.

For instance, Medicare was losing too much money each year. The trust fund, we were told by the President's own people in charge of the trust fund on Medicare; that is, health care for the elderly and the disabled, that it would run out of money around the turn of the century because too much money was flowing out of the fund. We slowed the growth of the program so we admittedly in 7 years under our old plan had spent 60 percent more over 7 years than 50 percent per beneficiary. But we were slowing the growth to try to get a handle on a program that is very important to all Americans.

I guess what I really want to say because I do not want to speak too much longer: I am very proud to be part of this Congress, I am very proud the Republicans and Democrats could work together, I am very proud that this President recognized that he needed, frankly, to take some of his old legislative leaders out of this mix; Mr. DASCHLE and Mr. GEPHARDT were not part of the budget agreement because they clearly did not want an agreement, and he sought to have a true budget agreement with this Republican Congress.

So we are finally getting our country's financial house in order and balancing the Federal budget. We are saving our trust funds at least for the next 10 years, particularly in Medicare. And we are doing something very important, we are transforming this caretaking, social and corporate and agricultural welfare state into what I call a care and opportunity society. We are trying with all the power that we have to be a caring Government rather than a caretaking Government.

I salute the Republican Party for being determined to rein in entitlements and to cut taxes $91 billion net, but actually more than that. I salute the President for some of his spending priorities, but recognizing the President seemed to feel he won when he spent more and we seem to feel we would win when we slowed the growth of entitlements and cut taxes and made Government smaller.

But some of what the President wanted to spend more on, on education, health, the environment and housing, I happen to agree with; I think a good number of the constituents I represent, in the urban areas in particular, in Stanford, in Norwalk, and Bridgeport, the three major urban areas I represent.

I think this is a better agreement than most people ever expected, and for those who might be listening tonight and saying, you know, I will believe the tax cuts when I see them; well, turn on your TV set tomorrow and the next day. You will learn that we are going to lower the top rate of the capital gains from 28 to 20 percent, effective May 7, 1997. We are going to have that rate drop to 18 percent for any asset held more than 5 years, effective in the year 2001. We are going to have a $500 child tax credit, and excuse me; let me first say another capital gains exemption.

If you have a gain, and this was something the President wanted. It seems pretty high, but this is something the President wanted, along with the Members of Congress, a $500,000 exemption for capital gains in housing. If you hold a house for 1½ years and you have a gain of $200,000, you pay no tax. That is your home. You pay no gain on that. We have an estate tax that would go through that that basically increases the exemption from $600 to $1 million over the next 10 years, but if you have a family-owned farm or a family-owned small business, the exemption is going to rise immediately to $1.3 million. If you own a farm, if you own a small business, the child tax credit, you will see tomorrow and the next day, a $500 tax credit for kids 16

and younger beginning in 1999, $400 beginning in 1998, up to families of incomes of $110,000, and if you are single, up to $75,000.

You will see additional IRA's. You will see additional $31 billion of loss in revenue, of tax benefits for individuals choosing to send their children to the first 2 years of college, $1,500 off each year. The key is to make sure the colleges do not just increase their tuition, but it actually goes to the families and the kids. You will see businesses that will be able to benefit from the alternative minimum tax. You will see a slight increase in the tobacco tax, but it is going for health care.

We are finally getting a handle on Medicare, we are finally getting a handle on some other entitlements, and we are going to save this country not just for our kids, but our kids' kids.

I am very proud to be part of this Republican majority, I am proud of the work that JOHN KASICH has done, I am proud of the work that NEWT GINGRICH has done under tremendous criticism over his time as Speaker during the last 2½ years. It is a privilege to serve in the House of Representatives and represent the people of the Fourth Congressional District. It is a privilege to be on the Committee on the Budget and to serve with JOHN KASICH. It is a privilege to have NEWT GINGRICH as the Speaker of this House. I know many have been critical of his tenure over the last 2½ years, but I think history will be a very kind judge of NEWT GINGRICH.

U.S. ARCTIC RESEARCH PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following Message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

To the Congress of the United States:

Pursuant to the provisions of the Arctic Research and Policy Act of 1984, as amended (15 U.S.C. 4108(a)), I transmit herewith the fifth biennial revision (1998–2002) to the United States Arctic Research Plan.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 29, 1997.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0314

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. METCALF) at 3 o'clock and 14 minutes a.m.

CONFERENCE REPORT ON H.R. 2015, BALANCED BUDGET ACT OF 1997

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 2015) to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998:

[The conference report will be printed in the next issue of the RECORD.]

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. ALLEN, for 5 minutes, today.
Mr. KIND, for 5 minutes, today.
Mrs. TAUSCHER, for 5 minutes, today.
Ms. BROWN of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. UPTON) to revise and extend their remarks and include extraneous material:)

Mr. PORTER, for 5 minutes, today.
Mr. METCALF, for 5 minutes, today.
Mr. BLUNT, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous matter:)

Mr. TORRES.
Mr. CONYERS.
Mr. SKELTON.
Mr. KENNEDY of Massachusetts.
Mr. KLECZKA.
Mr. BROWN OF CALIFORNIA.
Ms. BROWN OF FLORIDA.
Mr. MENENDEZ.

(The following Members (at the request of Mr. UPTON) to revise and extend their remarks and include extraneous matter:)

Mr. WOLF.
Mr. EHRLICH.
Mr. LOBIONDO.
Mr. QUINN.
Mrs. ROUKEMA.

(The following Members (at the request of Mr. SHAYS) and to include extraneous matter:)

Mr. SKAGGS.
Mr. METCALF.
Mr. COBLE.
Mr. WEYGAND.
Mr. KUCINICH.
Mr. WHITE.
Mr. LAMPSON.

ADJOURNMENT

Mr. HOBSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 15 minutes a.m.), the House adjourned until today, Wednesday, July 30, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4431. 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; Vermont; Approval of PM10 State Implementation Plan (SIP) Revision and Designation of Areas for Air Quality Planning Purposes [VT–014–01–1216(a); A–1–FRL–5860–2] received July 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4432. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report, determination and certification on a chemical weapons proliferation sanctions matter; to the Committee on International Relations.

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. LIVINGSTON: Committee on Appropriations. Report on the Revised Subdivision of Budget Totals for Fiscal Year 1998 (Rept. 105–215). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 201. Resolution waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 105–216). Referred to the House Calendar.

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. COBLE (for himself, Mr. HYDE, Mr. CONYERS, and Mr. FRANK of Massachusetts):

H.R. 2281. A bill to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. DUNCAN, Mr. LIPINSKI, Mr. BLUNT, and Mr. LAHOOD):

H.R. 2282. A bill to amend title 49, United States Code, to impose restrictions on the operating rights of foreign air carriers of a foreign country that has restricted U.S. air carrier operations; to the Committee on Transportation and Infrastructure.

By Mr. CANNON (for himself, Mr. HANSEN, Mr. COOK, Mr. SALMON, Mr. SHADEGG, Mr. KOLBE, Mrs. CHENOWETH, Mrs. CUBIN, Mr. CRAPO, Mr. PASTOR, Mr. CUNNINGHAM, Mr. MCKEON, Mr. HERGER, Mr. ENSIGN, Mr. GIBBONS, Mr. ISTOOK, Mr. WATTS of Oklahoma, Mr. ENGLISH of Pennsylvania, Mr. LINDER, Mr. KIND of

Wisconsin, Mr. GOODLATTE, Ms. LOFGREN, Mr. GILCHREST, Mr. SMITH of Texas, Mr. MANZULLO, Mr. WICKER, Mr. FOX of Pennsylvania, Mr. PACKARD, Ms. DUNN of Washington, Mr. SMITH of New Jersey, Mr. SMITH of Oregon, Mr. SCHIFF, Mr. SESSIONS, Mr. HASTINGS of Washington, Mr. REDMOND, Mr. BARRETT of Nebraska, Mr. EHLERS, Mr. OXLEY, Mr. SNOWBARGER, and Mr. BONO):

H.R. 2283. A bill to expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah; to the Committee on Resources.

By Mr. KING of New York:

H.R. 2284. A bill to amend the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 to eliminate the restriction on assistance to Azerbaijan; to the Committee on International Relations.

By Ms. LOFGREN (for herself, Mr. CANNON, Mrs. TAUSCHER, Mr. DREIER, Mr. FAZIO of California, and Mr. DELAHUNT):

H.R. 2285. A bill to provide for the consideration, during fiscal year 1997, of petitions for classification under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act without regard to the numerical limitation applicable to such petitions, subject to a reduction in such limitation for fiscal year 1998, and for other purposes; to the Committee on the Judiciary.

By Mr. MCINNIS:

H.R. 2286. A bill to increase the rate of special pension payable to persons who have received the Congressional Medal of Honor; to the Committee on Veterans' Affairs.

By Mr. MEEHAN:

H.R. 2287. A bill to apply the rates of duty effective after December 31, 1994, to certain water resistant wool trousers that were entered, or withdrawn from warehouse for consumption, after December 31, 1988, and before January 1, 1995; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. GILMAN, Mr. DIAZ-BALART, Mr. MENENDEZ, Mr. BURTON of Indiana, Mr. SOLOMON, Mr. DEUTSCH, Mr. SMITH of New Jersey, Mr. ROTHMAN, and Mr. HYDE):

H.R. 2288. A bill to amend the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to require the Secretary of State to submit to the Congress reports relating to the exclusion from the United States of aliens who have confiscated property of United States nationals or who traffic in that property; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mr. GILMAN, Mr. DIAZ-BALART, Mr. MENENDEZ, Mr. BURTON of Indiana, Mr. SOLOMON, Mr. DEUTSCH, Mr. SMITH of New Jersey, and Mr. ROTHMAN):

H.R. 2289. A bill to provide for the withholding of United States assistance to countries that aid or are engaged in nonmarket based trade with the Government of Cuba; to the Committee on International Relations.

By Mr. SHAYS (for himself and Mr. PAYNE):

H.R. 2290. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve enforcement under such Act; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKAGGS:

H.R. 2291. A bill to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items; to the Committee on Resources.

By Ms. BROWN of Florida (for herself, Mr. TOWNS, Mr. MCCOLLUM, Ms. ROS-LEHTINEN, Ms. KILPATRICK, Mr. WATT of North Carolina, Mrs. MEEK of Florida, Mr. CONYERS, Ms. MILLENDER-MCDONALD, Mr. LEWIS of Georgia, Mr. CLYBURN, Ms. MCCARTHY of Missouri, Ms. CHRISTIAN-GREEN, Mr. FROST, Mr. DELLUMS, Mrs. CLAYTON, Ms. NORTON, Mr. BONIOR, Mr. BROWN of California, Mrs. MALONEY of New York, Ms. CARSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAYNE, Mr. FILNER, Ms. STABENOW, Ms. DELAURO, Ms. SLAUGHTER, Mr. RUSH, Ms. VELAZQUEZ, Mr. HASTINGS of Florida, Mr. FOLEY, Mr. DAVIS of Illinois, Mr. TORRES, Mr. ABERCROMBIE, Mr. WATTS of Oklahoma, Mr. SNYDER, and Mr. GOSS):

H. Con. Res. 129. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor Zora Neale Hurston; to the Committee on Government Reform and Oversight.

By Mr. HASTINGS of Florida:

H. Con. Res. 130. Concurrent resolution concerning the situation in Kenya; to the Committee on International Relations.

By Mr. SAXTON (for himself and Mr. ABERCROMBIE):

H. Con. Res. 131. Concurrent resolution expressing the sense of Congress regarding the ocean; to the Committee on Resources.

By Mr. SOLOMON (for himself and Mr. LANTOS):

H. Con. Res. 132. Concurrent resolution relating to the Republic of China (Taiwan's) participation in the United Nations; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 339: Mr. GOODLATTE.
H.R. 493: Ms. WOOLSEY.
H.R. 521: Mr. JOHN.
H.R. 551: Mr. FAWELL.
H.R. 632: Mr. BARCIA of Michigan, Mr. GIBBONS, Mr. WAMP, and Mr. THUNE.
H.R. 633: Mr. BATEMAN.
H.R. 695: Mr. HALL of Ohio, Mr. LIVINGSTON, Mr. HOEKSTRA, Mr. WISE, Mr. FILNER, Mr. MCDERMOTT, Ms. SANCHEZ, Mrs. THURMAN, Mr. TANNER, Mr. PASTOR, Ms. KAPTUR, Mr. LEWIS of Georgia, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. JEFFERSON, Mr. FORD, Mr. BARRETT of Wisconsin, Mr. FATTAH, Mr. BARCIA of Michigan, Ms. HOOLEY of Oregon, Mrs. NORTHUP, Mr. VENTO, Mr. BONIOR, Mrs. CLAYTON, Mrs. KENNELLY of Connecticut, Mr. PALLONE, Mr. OLVER, Ms. KILPATRICK, Ms. DELAURO, Mrs. MEEK of Florida, Ms. STABENOW, Mr. STEARNS, Mr. HEFLEY, and Mr. RADANOVICH.
H.R. 727: Mr. GIBBONS.
H.R. 777: Mr. FOGLIETTA and Mr. BERRY.
H.R. 793: Mr. BONIOR.
H.R. 795: Mr. MCGOVERN.
H.R. 815: Mr. PETERSON of Pennsylvania, Mr. LAHOOD, Mr. PETERSON of Minnesota, Mr. WATT of North Carolina, and Mr. WELLER.
H.R. 859: Mr. DICKEY and Mr. HILLEARY.
H.R. 873: Mr. KLUG.
H.R. 880: Mr. MCCOLLUM, Mr. DOYLE, Mr. HALL of Texas, Mr. MILLER of Florida, and Mr. BERRY.
H.R. 893: Mr. ANDREWS, Mr. MALONEY of Connecticut, Mr. DAVIS of Illinois, and Mr. TRAFICANT.
H.R. 991: Mr. LAZIO of New York.
H.R. 992: Mr. GOODE, Mr. MCINTOSH, and Mr. GIBBONS.
H.R. 1009: Mr. HALL of Texas.
H.R. 1114: Mr. ROTHMAN and Mrs. MEEK of Florida.
H.R. 1130: Mr. CLAY.
H.R. 1134: Mr. BUNNING of Kentucky and Mr. OWENS.
H.R. 1140: Mr. POSHARD and Mr. FROST.
H.R. 1232: Mr. CLYBURN.
H.R. 1257: Mr. LAZIO of New York.
H.R. 1270: Mr. SNYDER and Mrs. EMERSON.
H.R. 1333: Mr. WICKER.
H.R. 1507: Mr. ACKERMAN, Mrs. JOHNSON of Connecticut, and Mr. BECERRA.
H.R. 1560: Mr. KING of New York and Ms. MOLINARI.
H.R. 1608: Ms. PRYCE of Ohio, Mr. BOUCHER, Mr. BONIOR, Mr. GOODLING, and Mr. BURTON of Indiana.
H.R. 1614: Mr. BROWN of Ohio.
H.R. 1635: Mr. BUNNING of Kentucky, Mrs. CUBIN, Mr. DUNCAN, Mr. FOGLIETTA, Mr. HOYER, Mr. HYDE, Mr. KUCINICH, Mr. LEWIS of California, Ms. PRYCE of Ohio, Mr. BONIOR, and Mr. VISCLOSKY.
H.R. 1712: Mr. GIBBONS.
H.R. 1754: Mr. ACKERMAN.
H.R. 1763: Mr. LEWIS of Georgia.
H.R. 1801: Mr. LAMPSON, Ms. JACKSON-LEE, Mrs. TAUSCHER, and Mr. CAPPS.
H.R. 1836: Mr. HORN and Mr. BARR of Georgia.
H.R. 1839: Mr. MOLLOHAN and Mr. PRICE of North Carolina.
H.R. 1903: Mr. EWING and Mr. BARTLETT of Maryland.
H.R. 1908: Mr. WATKINS.
H.R. 1984: Mr. BURTON of Indiana, Mr. BACHUS, Mrs. CHENOWETH, Mr. LEWIS of Kentucky, and Mr. JENKINS.
H.R. 2004: Mr. ACKERMAN.
H.R. 2069: Mr. OWENS.
H.R. 2090: Mr. GEJDENSON, Mr. BOEHLERT, Mr. VENTO, Ms. MOLINARI, Mrs. LOWEY, Mr. ABERCROMBIE, Mr. FOGLIETTA, Mr. OLVER, Mr. TOWNS, Mr. FAZIO of California, Mrs. MALONEY of New York, and Mr. GILMAN.
H.R. 2102: Mr. PETERSON of Pennsylvania.
H.R. 2174: Mr. BERMAN, Mr. OLVER, Mr. FROST, Mr. BALDACCI, and Mr. BARRETT OF WISCONSIN.
H.R. 2182: Mr. HASTINGS of Florida, Mr. HILLIARD, and Mr. MCDADE.
H.R. 2185: Mr. FROST, Mr. FATTAH, Mr. BROWN of California, Mr. STARK, Ms. CHRISTIAN-GREEN, and Mr. UNDERWOOD.
H.R. 2191: Mr. WHITE and Mr. CASTLE.
H.R. 2200: Mr. BONIOR.
H.R. 2272: Mr. GEJDENSON, Ms. FURSE, and Ms. DELAURO.
H. Con. Res. 27: Mr. MARTINEZ, Ms. KILPATRICK, Mr. SNYDER, Ms. FURSE, Mr. THOMPSON, and Mr. ENGEL.
H. Con. Res. 68: Mr. BONIOR.
H. Con. Res. 80: Mr. MCDADE, Mr. ABERCROMBIE, Mr. ENGEL, Mr. BONO, and Mr. WEYGAND.
H. Con. Res. 106: Ms. PELOSI and Mr. MARKEY.
H. Res. 37: Mr. BALDACCI and Mr. GIBBONS.
H. Res. 144: Mr. LATHAM, Mr. KING of New York, and Ms. MOLINARI.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2159

OFFERED BY: MR. FORBES

AMENDMENT NO. 71: Page 94, insert the following after line 3:

PROHIBITION ON ASSISTANCE TO PLO AND PALESTINIAN AUTHORITY

SEC. 572. Notwithstanding any other provision of this Act, no funds appropriated or otherwise made available by this Act may be made available to provide assistance, directly or indirectly, for the Palestinian Liberation Organization or the Palestinian Authority.

H.R. 2159

OFFERED BY: MR. FORBES

AMENDMENT NO. 72: Page 94, insert the following after line 3:

PROHIBITION ON ASSISTANCE TO PLO AND PALESTINIAN AUTHORITY

SEC. 572. Notwithstanding any other provision of this Act, no funds appropriated or otherwise made available by this Act may be made available to provide assistance, directly or indirectly, for the Palestinian Liberation Organization or entities associated with it, or the Palestinian Authority.

H.R. 2159

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 73: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. None of the funds appropriated or otherwise made available by this Act under the heading ''NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS'' that are made available for the International Atomic Energy Agency shall be made available for programs and projects of such Agency in Cuba.

H.R. 2159

OFFERED BY: MR. SOUDER

AMENDMENT NO. 74: Page 16, line 25, after ''$625,000,000'' insert ''(decreased by $50,000,000)''.

Page 23, line 26, after ''$230,000,000'' insert ''(increased by $50,000,000)''.

H.R. 2159

OFFERED BY: MR. SOUDER

AMENDMENT NO. 75: Page 24, line 16, insert before the period the following: ''*: Provided further*, That not less than $50,000,000 shall be available only for the procurement in the United States of four UH–60 Blackhawk utility helicopters, including maintenance and support for such helicopter, to be made available to the DANTI anti-narcotics unit of the Colombian National Police for the purpose of carrying out counternarcotics activities''.

H.R. 2264

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 15: Page 44, line 24, after the dollar amount, insert the following: ''(decreased by $1,000,000)''.

Page 73, line 15, after the first dollar amount, insert the following ''(increased by $1,000,000)''.

H.R. 2264

OFFERED BY: MRS. CHENOWETH

AMENDMENT NO. 16: In the item relating to ''HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES'', insert after the first dollar amount (before the comma) ''(reduced by $9,000,000)''; and in the fifth proviso (relating to the program under title X of the Public Health Service Act), insert after the dollar amount ''(reduced by $9,000,000)''.

In the item relating to ''ADMINISTRATION ON AGING—AGING SERVICES PROGRAMS'', insert after the dollar amount (before the colon) ''(increased by $4,725,000)''.

H.R. 2264

OFFERED BY: MR. GOODLING

AMENDMENT NO. 17: On page 2, line 15, after the dollar amount insert ''(reduced by $21,000,000)''.

On page 2, line 16, after the dollar amount insert ''(reduced by $21,000,000)''.

On page 3, line 9, after the dollar amount insert ''(reduced by $21,000,000)''.

On page 23, line 20, after the dollar amount insert ''(reduced by $1,000,000)''.

On page 68, line 17, after the first dollar amount insert ''(increased by $25,000,000) and after the second dollar amount insert ''(increased by $25,000,000)''.

On page 78, line 18, after the dollar amount insert ''(reduced by $1,500,000)''.

On page 78, line 19, after the dollar amount insert ''(reduced by $1,500,000)''.

On page 85, line 5, after the dollar amount insert ''(reduced by $1,500,000)''.

H.R. 2264

OFFERED BY: MR. GOODLING

AMENDMENT NO. 18: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 516. None of the funds made available in this Act may be used to develop, plan, implement, or administer any national testing program in reading or mathematics that is not specifically and explicitly provided for in authorizing legislation enacted into law.

H.R. 2264

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 19: Page 44, line 5, after the dollar amount, insert the following: ''(increased by $4,782,000)''.

Page 73, line 15, after the first dollar amount, insert the following: ''(reduced by $14,045,000)''.

H.R. 2264

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 20: Page 64, line 7, after the first dollar amount, insert the following: ''(decreased by $6,000,000)''.

Page 64, line 7, after the second dollar amount, insert the following: ''(decreased by $21,000,000)''.

Page 73, line 15, after the first dollar amount, insert the following: ''(increased by $5,000,000)''.

H.R. 2264

OFFERED BY: MR. RIGGS

AMENDMENT NO. 21: Page 19, line 19, after the dollar amount, insert the following: ''(reduced by $9,800,000)''.

Page 44, line 5, after the dollar amount, insert the following: ''(increased by $19,600,000)''.

Page 44, line 16, after the dollar amount, insert the following: ''(reduced by $9,800,000)''.

H.R. 2264

OFFERED BY: MR. RIGGS

AMENDMENT NO. 22: Page 64, line 7, after the first dollar amount, insert the following: ''(reduced by $25,000,000)''.

Page 66, line 20, after the dollar amount, insert the following: ''(increased by $25,000,000)''.

H.R. 2264

OFFERED BY: MR. SOUDER

AMENDMENT NO. 23: In the item relating to ''HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES'', insert after the first dollar amount (before the comma) ''(reduced by $40,690,000)''; and in the fifth proviso (relating to the program under title X of the Public Health Service Act), insert after the dollar amount ''(reduced by $40,690,000)''.

In the item relating to ''NATIONAL INSTITUTES OF HEALTH—NATIONAL CANCER INSTITUTE'', insert after the first dollar amount ''(increased by $36,000,000)''.

H.R. 2266

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 10: Page 100, after line 15, insert the following new section:

SEC. . The Secretary of the Army may reimburse a member of the Army who was deployed from the United States to Europe in support of operations in Bosnia and who incurred an out-of-pocket expense for shipment of a personal item to or from Europe during the period beginning on October 1, 1996, and ending on May 30, 1997, if the shipment of that item, if made after May, 30, 1997, would have been provided by the Department of the Army through the Temporary Change of Station (TCS) weight allowance under the Joint Federal Travel Regulation, as in effect after that date.

H.R. 2267

OFFERED BY: MR. BARTLETT OF MARYLAND

AMENDMENT NO. 2: In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international organizations'' strike ''of which not to exceed $54,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the second proviso.

H.R. 2267

OFFERED BY: MR. BARTLETT OF MARYLAND

AMENDMENT NO. 3: In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international peacekeeping activities'' strike ''of which not to exceed $46,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the first proviso.

H.R. 2267

OFFERED BY: MR. DOGGETT

AMENDMENT NO. 4: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of such products.

H.R. 2267

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 5: Page 79, line 13, after the dollar amount, insert ''(reduced by $50,000,000)''.

H.R. 2267

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 6: In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''RELATED AGENCIES—UNITED STATES INFORMATION AGENCY—NATIONAL ENDOWMENT FOR DEMOCRACY'' after ''$30,000,000'' insert the following: ''(reduced by $30,000,000)''.

H.R. 2267

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 7: Page 95, line 15, after the first dollar amount, and page 96, line 1, after the dollar amount, insert ''(increased by $500,000)''.

H.R. 2267

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: At the end of the bill, insert the following after the last section (preceding the short title):

SEC. . None of the funds appropriated or otherwise made available by this Act may be used for activities to increase foreign market access for tobacco products.

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. KASICH: Committee of Conference. Conference report on H.R. 2015. A bill to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998 (Rept. 105–217). Ordered to be printed.