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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,
September 9, 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 each, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Kansas [Mr. RYUN] for 5 minutes.

RAILWAY ABANDONMENT CLARIFICATION ACT OF 1997

Mr. RYUN. Madam Speaker, I am here today to discuss one of the most fundamental rights contained in the Constitution, the right to own private property. My bill, the Railway Abandonment Clarification Act, protects private property owners whose land once held a railway. Specifically, it returns powers to the States to determine how to develop railways into trails.

It boils down to this: The farmer owns a piece of land. The farmer allows a railroad to lay a railway, that is, the ties and the tracks, across his land, and to use the land. He grants the railroad an easement, but keep in mind, the farmer still owns the land.

When the railroad stops operating its trains and removes the tracks and railroad bed, again, the farmer still owns the land. However, the problem is that the Federal Government currently tells farmers they cannot use their own land. Instead, the Government tells farmers that the land belongs to the public.

Now, let us talk for a moment about how in the world private land becomes public.

In 1983, Congress passed the National Trails Act, which took power from the States and determined that when a railroad removes its tracks, the land is not abandoned—no tracks, no ties, and yet, the land is still not considered abandoned. It seems to me that this is a prime example of the absurdity of Federal Government. The way this 1983 law is written, the Federal Government not only prevents the farmer from using his land, but it invites special interest groups to come and use the farmer's land for recreational purposes. These special interest groups are granted permission for interim use of the farmer's land. The Federal law tramples on the property owner's rights and it tramples on the rights of many State governments.

Kansas law, for example, says that when a railroad ceases to use its tracks on the farmer's property and the trains stop rolling, the use of the land automatically reverts to the rightful landowner.

The Founding Fathers wrote the fifth amendment to the Constitution to protect private property rights. While best known for its protection against self-incrimination, the fifth amendment also contains what we call the ''takings clause'' which states, ''no person shall be deprived of property without due process of law, nor shall private property be taken for public use without just compensation.'' This clause provides a constitutional shield that specifically rejects the idea that the Government can seize the property of landowners without compensation, regardless of what public good is accomplished.

In the first 10 years after the enactment of the National Trails Act, the Government took property from 62,000 landowners, and thousands more have lost their property in just the last few years. Not one of these aggrieved farmers, landowners, or homeowners has received any compensation for their loss. It is evident that our constitutional right to own property is eroding, and this must stop.

My bill will head us in the right direction. The Railway Abandonment Clarification Act ensures that farmers and property owners have the use of their own land. It conforms Federal railway abandonment law to the Constitution. It preserves a State's right to determine private property issues, and it continues to encourage trail development.

I want to make it clear that my bill does not repeal the National Trails System Act. It does return constitutionally granted powers to the States and allows them to determine how trails will be developed.

As a runner, I have covered many miles on trails, more than I care to count, and I appreciate good surfaces to run on. But my own desire to run on a trail should not come at the expense of a property owner, whose constitutional rights rest in the balance.

Again, the farmer owns the land, he owns the soil and everything beneath the ties and the tracks. The ties and the tracks belong to the railroad. When the railroad removes those ties and tracks, there is nothing left but the land owned by the farmer.

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Somehow, the Federal Government does not believe that Kansans and Americans know how best to use their own land. Instead of making the rights of private property a priority, the Government has made recreational use a priority.

This error in Federal legislation needs to be rectified. My bill would change the law and restore private property rights issues to the State, and ensure Kansas farmers and property owners the use of their own land by conforming the national railway abandonment law to the Constitution.

Madam. Speaker, I urge my colleagues to support this bill and to restore private property rights to Americans.

AUTOMATIC DEPORTATION CAN BE UNJUSTIFIED AND CRUEL

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

Mr. FRANK of Massachusetts. Madam Speaker, last year in a combination of procedural outrage and substantive outrage, we enacted into law, over the objection of myself and many others, provisions which made deportation automatic in a number of cases where deportation is inhumane, disruptive not just to individuals, but to other countries, and wholly unjustified.

No society has an obligation to tolerate within its midst people who are a danger to others, people who disrupt the lives of others. We have had deportation laws on the books to protect us in those situations, although they have not always been enforced with the vigor which should have obtained.

Last year, reacting to the terrorism and other things that happened, we passed legislation to try to improve our internal security. Much of that was sensible and I voted for it. Some of it was simply abusive, demagogic, and cruel. One example was what we did in deportation.

What we said was, in effect, if one has ever been convicted of a felony, one will be automatically deported, despite the virulence of the offense, and in particular, regardless of whether or not in the interim one had become a good citizen.

Let me give an example of what this outrageous law now requires. I recently received a letter, in July, just before we broke, from Michael Carter from the Center of Health and Human Services, a drug treatment center in my district. He told me about a client of his.

He says, this man has been in recovery for 6 years and he is receiving treatment. Due to recent changes in immigration laws, he is being deported due to a charge of possession of heroin in 1989. Since that time, he has had no further incidents, but he is being deported.

Let me read this essay from this dangerous criminal that this Congress is insisting be deported, and let me make it very clear, this is not the fault of the Immigration Service. They have to deport this man because we made it mandatory, foolishly, cruelly, and without justification.

Dear Congressman, I am a 31-year-old man that came to this country when I was 3 months. I was brought up an American and that is all I know how to be. In 1986, I lost three of my fingers in an industrial accident in work. I went through 3 years of surgery and physical therapy. Unfortunately, I found relief from my pain through the use of drugs. I know it was the wrong thing to do, but I got a false sense of comfort from it.

In 1989, I was arrested in Providence, Rhode Island, for heroin and I got 2 year's probation. I made it through those years without incident. I got help for my problem in therapy. I have never been in jail and I am still in therapy.

Let me just note here, as his counselor has said, he has since that time been free of drugs, free of any incident. He had a drug problem. He should not have had it; he acknowledges it. He was found guilty of possession, no violence, no theft; he hurt himself, no one else. He was sentenced only to probation. Now he is going to be automatically deported.

Let me read a little bit more.

Two years ago I applied for citizenship while I was going to trade school. Instead of citizenship, I was arrested. This month I was deported. I go back to court on the 4th of August. I graduated from the New England Tractor Trailer School of Rhode Island, and I have my class A driver's license. I have a corporation interested in giving me a job, but it is on hold.

Sir, I made some mistakes when I was a young man, a kid. But my convictions are 9 to 12 years old and I am showing you my record, and you will see I have had most of the charges dismissed. I have 3 young children, babies, age 3, 5 and 6 years of age. My oldest daughter has cystic fibrosis and she needs the care and love of both of her parents, sir.

I am not a bad person. I am not a terrorist. I am a man who made some mistakes when I was a foolish kid. Sir, I love my children very much, more than life itself, and I have the means to support my children very well with the career I intend to make for myself. I can go anywhere in this country and get a good job driving tractor trailers. I do not know how to write or read Portuguese. I know just enough language to get by.

Where am I going to live? How am I going to eat? I don't know the answers to these questions myself. I am terrified. All of my family is here. I don't know why they want to take a father away from his children. Did I do something that bad where my children are going to lose their father?

I am a 31-year-old Catholic that wants to work hard, pay his taxes, become a citizen, vote, raise my children the best I know how and help them live the American dream. Sir, in my heart and soul I am an American. I love this land and I would die for it.

But he is going to be deported. This is a man, now 31, who when he was very young, after an accident, became addicted to heroin. He should not have been addicted to heroin. He was sentenced to 2 year's probation. He completed that sentence successfully. He has now been in treatment. He has for 8 years been a good citizen. He has since that time brought three children into the world whom he is trying to bring up and protect.

By an arbitrary and thoughtless act of this Congress, well, I should not say thoughtless, unfortunately, thought went into it, he will be deported, no matter how good a citizen he is. No matter how clearly we can establish that he is no threat to anyone, he will be deported and he will be sent to a country which is a foreign country to him.

I hope we will, in this House, change the law and prevent this sort of injustice from being visited on this individual, his children, and other people.

CENTER FOR HEALTH AND
HUMAN SERVICES, INC.,
Fall River, MA., July 24, 1997.

DEAR CONGRESSMAN FRANK: ——— is my client. He has been in recovery on this clinic for 6 years and receiving treatment. Due to recent changes in Immigration laws, he is being deported due to a felony charge (possession of Heroin in 1989). Since that time he has had no further incidents. Due to the new law, having had a prior felony, Immigration wants to deport him.

Both he, his family, and I are asking for any assistance you might to be able to provide, to prevent this from happening.

——— is thirty one years old, a father of three US citizen children and has a wife soon to obtain citizenship. He had three fingers severed on his left hand and is partially disabled, but does have a CDL license, Class A.

He wants to work and provide for his family, however, if he is deported, he will not be able to parent his children for five years. Any assistance would be highly appreciated.

Thank you,

MICHAEL D. CARTER, MA, LMHC.

FALL RIVER, MA.

DEAR CONGRESSMAN FRANK: Im a 31 year old man that came to this country when I was the age of 3 months, I was brought up an american and that's all I know how to be. Anyway Sir, about two years ago I decided to go back to trade school, because in 1986 I lost three of my fingers in an industrial accident in work. I went through three years of surgery and physical therapy. Within the second year I unfortunately found relief for my physical and emotional pain through the use of drugs. I know now it was the wrong thing to do but I got a false sense of comfort from it. In 1989 I was arrested in Providence RI for herion. I got two years probation, and I successfully made it through those years without incident. I got help for my problem and therapy which I'm very grateful for. I never been in jail sir and I'm still in therapy which I'm very grateful. Two years ago I applied for my citizenship while I was going to school. But instead of my citizenship I was arrested by the I.N.S. This month I was deported, I go back to court on the 4th of August. I appealed this decision, I graduated from New England Tractor Trailor School of Rhode Island I now have my C.D.L. class A driver's license, I have a lot of corporations that are interested in giving me a job, a career sir. But because of what's happening to me it's on hold, Sir, I made some mistakes when I was a young man, ''A kid''. But all three convictions are nine to twelve years old. I'm showing you my record sir and you'll see I have almost 75 percent of the charges brought against me were dismissed because I didn't do wrong and I didn't do things the way they said I did and I proved

it. Sir I have three young children, babies ages three, five and six years of age. My oldest daughter has Cystic Fibrosis, and she needs the care and love of both of her parents. Sir I'm not a bad person, I'm not a terrorist. I'm a man who made some mistakes, when I was very foolish kid. Sir I love my children very much, more than life itself, and I have means to support my children very well with the career I intend to make for myself.

Sir I can go anywhere in this country and get a good paying job driving tractor trailers. Sir I love this country. I came to this country in 1966 and this country is all I know. I don't know how to write or read Portuguese. I know just enough language to get by. Sir where am I going to live, how am I going to eat. I don't know these questions myself, I'm terrified Sir. All my families are here in the U.S. I don't know why they want to take a father away from his children. Did I do something that bad where my children are going to lose their father for. Sir why even live anymore. I'm scared Sir. I'm sorry for the people who died in Oklahoma, but I didn't kill them. I didn't blow up the Trade Center. I'm sorry for the people who lost their children, the children who lost their father, the wife who lost her husband. But that's what the country is doing to me and my family. I'm a 31 year old Catholic that want to work hard, pay his taxes, become a citizen and vote, raise my children the best I know how and help them live the American Dream. Like my parents did, work hard and they became citizens of this great land. Sir in my heart and soul I am an American. I love this land and would die for it if I had to, to protect it and protect democracy here and in the world. I don't know if you can help someone like myself a statistic to the I.N.S., but a father and financier to my family. If you can help me in anyway, I thank you and am in your debt and prayers for my lifetime, ''thank you Sir.''

Thank you Congressman Barney Frank.

WHAT IS REALLY NEEDED FOR CAMPAIGN FINANCE REFORM

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

Mr. STEARNS. Good morning, Madam Speaker. The only thing more complicated today, Madam Speaker, than our current campaign finance system is the Tax Code. But the solution of ridding the ills of the current system is not by making things more complicated, as much of the legislation that is being offered today in Congress does.

Now, some have suggested that our first amendment rights should be curtailed in order to create some type of mythical level playing field for Federal elections. Now, the minority leader, the gentleman from Missouri [Mr. GEPHARDT], was quoted this year as saying, in Time Magazine, 1997, February 3, ''What we have here are two important values in direct conflict. Freedom of speech and our desire for healthy campaigns and a healthy democracy. You can't have both.''

Quite frankly, I find this viewpoint wrong. In fact, I believe one can have freedom of speech and healthy campaigns. The American people should never be forced to lose a part of their precious freedom in order to pursue a socially engineered campaign finance system.

The courts have been very clear that the Government cannot restrict the freedom of American citizens in an effort to implement strict expenditure and contribution limits. In Buckley versus Valeo the U.S. Supreme Court, in 1976, ruled that ''In the free society ordained by our Constitution, it is not the Government, but the people, individually as citizens and candidates and collectively as associations and political committees, who must retain control over the quantity and range of debate on public issues in a political campaign.''

What we need to do is to enforce the campaign finance laws that are already on the books and then work together to simplify the laws so the American people are being well served.

The modern campaign finance system was dramatically affected in 1908 during President Teddy Roosevelt's administration, when corporate contributions were banned. Congress then mandated in 1910 that Federal candidates disclose all campaign contributions.

Congress thoughtfully extended a corporate ban to include labor unions beginning in 1943. Corporations and unions, after these bans, could then only give to Federal candidates through Political Action Committees, PAC's. PAC's are separate, segregated funds that pool voluntary contributions from designated classes of individuals such as members of unions and employees of a company to give or spend in Federal elections.

Now, the Hatch Act in 1940 had also limited all campaign contributions to $5,000. The Hatch Act was then applied to union PAC's when union contributions were banned from Federal elections.

Now, as we all know, the flurry of campaign finance laws in the 1970's revolved around the Watergate scandal. The legislation from the 1970's imposed limits on contributions, required uniform disclosure of campaign receipts and expenditures, and established the Federal Election Campaign Commission, the FEC, as a central administrative enforcement agency. A part of these reforms that limited certain expenditures was struck down by the Supreme Court in the hallmark case of Buckley versus Valeo.

These laws imposed limits of $1,000 per individual every election on contributions to candidates, parties, and PAC's, and a $5,000 limit for PAC's every year. An aggregate limit was set on individuals and PAC's at $25,000 per year that could be given to all Federal candidates, parties, and PAC's.

Again, what is needed now is not to make the laws more complicated. Rather, simplicity is the path to strengthening our system and gaining credibility with the American people. We can also gain a tremendous amount of credibility with the American people by actually investigating and enforcing the current law.

So, Madam Speaker, this morning my message is, like the Tax Code, simplicity and enforceability are what is needed today in the campaign finance reform matter. No matter what laws are put in place, we will have smart people stretching those laws. We need to enforce the laws that are on the books and keep them simple and understandable.

IMMEDIATE FUNDING FOR EDUCATION

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, Democrats this week will continue our effort to improve our Nation's public schools. We believe strongly that every child in America should have access to quality public education. Unfortunately, the Republican leadership keeps trying to erode support for public schools. House Democrats' priorities for education include reducing overcrowding in schools, as well as rebuilding crumbling schools.

The dire need to invest in the physical infrastructure of our schools is a matter that every Member of this body has become very familiar with in the last several weeks, and I am referring of course to the delayed opening of the school year right here in the District of Columbia. Because of the decrepit physical conditions of many schools in the District of Columbia, the opening of the school year has been postponed by a minimum of 3 weeks. Talk has surfaced in recent days that the 3-week extension may not be enough, and this is indeed a sad state of affairs. Many school systems across the Nation, including schools in my home State of New Jersey, are badly in need of physical improvements and other upgrades to meet the challenges of the 21st century.

The General Accounting Office has noted that approximately one-third of all schools serving 14 million students are now in need of substantial repair or outright replacement. The GAO has also noted that half of the Nation's schools have at least one unsatisfactory environmental condition. Indeed, as school enrollment continues to grow in the coming years, the need for additional space and modern facilities will be more acute than ever.

For this school year, 1996–97, elementary and secondary school enrollment was a record 51.7 million. That record has been broken by this year's all-time high enrollment figure of 52.2 million. In other words, from last year to this year, the record was broken again.

To put it in perspective, there are more students enrolled in school now than there were when the baby boomers reached their peak school enrollment number in 1971. According to

the Department of Education, school enrollment is projected to climb to a whopping 54.6 million by the 2006 school year.

In addition to the need to repair decaying schools, we also need to modernize schools so our students will have the resources they need to compete in today's economy. The National Center for Education statistics have noted that only 4 percent of schools have enough computers to allow regular use by each student. Forty-six percent of schools lack the electrical wiring necessary for computers in all classrooms. A mere 9 percent of classrooms are currently connected to the Internet. More than half the Nation's schools lack the needed infrastructure to access the Internet or network their computers.

The Department of Education estimates that over the next 10 years, 6,000 new schools will be needed in response to the increases in student enrollments.

I wanted to mention, Madam Speaker, that in addition to the effects deteriorating schools can have on the health of children, we must also keep in mind the harmful effects that overcrowding and decaying schools can have on the quality of education to students. I know from my own experience in my own district, having gone around to some of the schools, how limited classroom space, cramming students in the gyms or labs or other facilities can really have a very negative impact on students' attitudes, as well as teachers' attitudes in the classrooms. For these reasons, Madam Speaker, the Democrats are making school construction one of our top priorities within our education agenda.

Last night I was joined in a special order by the gentlewoman from New York [Mrs. LOWEY] who has introduced legislation that proposes to provide local school districts with 50 percent intrasubsidies for new construction and renovation. The plan includes a $5 billion Federal jump-start and has the goal of increasing school construction by 25 percent over the next 4 years. This is the type of thing that we need.

We finished the budget about a month ago, and a big part of that was addressing the needs of higher education, more accessibility, more affordability for higher education. But right now there is this big gap in the whole effort to upgrade our education programs in this country, and a big part of that gap is the need for new schools and to upgrade existing, crumbling schools and to address the issue of overcrowding.

I want to pledge that we, as Democrats, are going to make this a major priority. We are going to pressure the Republicans, the Republican leadership, into addressing this issue and endorsing a plan similar to that of Mrs. LOWEY or some other plan that addresses the need for school construction. It is not something that is going to go away; it is something that is only going to get worse, and there is a need for a Federal partnership with local governments and State governments to address this issue.

CAMPAIGN FINANCE REFORM

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

Mr. ALLEN. Madam Speaker, I want to talk about campaign finance reform this morning. I want to say that campaign finance reform does not have to be a partisan issue. It is becoming a partisan issue, but it does not have to be. The question before this Congress is whether we are going to spend millions of dollars and months of time investigating and never get to the step of actually doing some legislating.

I believe that we came here to legislate reform and that we ought to do it. Investigations, millions of dollars and months of hearings, are not enough.

I said that campaign finance reform does not have to be a partisan issue. The freshmen have proved that. The gentleman from Arkansas [Mr. HUTCHINSON], a Republican freshman, and I from Maine, have been cochairing a bipartisan freshman task force composed of six Republicans and six Democrats.

After 5 months of hearings, after 5 months of negotiations, after 5 months of consultations with experts from outside this Congress, with people who represented organizations, who participated in the 1996 election in one way or another, with advocates ranging from those who want to take all limits off campaign spending to those who want to put more limits on candidate spending, after all of that activity, we came up with a proposal, with a bill. It is H.R. 2183. It is the bipartisan Campaign Integrity Act of 1997. It is truly bipartisan.

What does this act do? Well, quite simply, it takes the biggest of the big money out of politics. All of the hearings that are going on on the House side and on the Senate side involve what is called soft money. These are the $500,000, the $1 million contributions to the national parties, and they did not used to be able to be used for television ads, but that is what they are used for today; that is what they were used for in 1996. We need to stop that practice. We need to ban soft money.

The Campaign Integrity Act does that, H.R. 2183. We take the biggest of the big money out of politics by banning soft money. No Federal candidate, no Member of Congress, no Member of the Senate could raise soft money either for the national party committees or for State party committees.

We also make sure that we speed up the process of candidate disclosure so those of us running for office would have to report our contributions on a monthly basis and do so electronically.

Third, we make sure that people will not be able to run third party ads and not tell the public who they are. So there would have to be a filing with the Clerk of the House and with the Secretary of the Senate to make sure that third party independent groups identify who they are and identify how much money they are spending.

As I said, this act is truly bipartisan. The question is, when will the Republican leadership of this House allow a vote on the bipartisan Campaign Integrity Act? When will it happen? We are not asking for a vote next year, we are not asking that this issue once again be put off sometime into the indefinite future. We are saying, act now, do not just investigate now.

This issue will not go away. The American people will not let this issue go away, and this House should not go home, this House should not adjourn without having a vote on a bill to ban soft money.

I suggest to my colleagues that H.R. 2183, the bipartisan Campaign Integrity Act of 1997, is that bill. We need a vote on that bill and all we ask from the Republican leadership is a vote on this House floor.

EDUCATION AND CAMPAIGN FINANCE REFORM

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

Mr. ROGAN. Madam Speaker, I have been intrigued by the comments of my two colleagues who just preceded me in addressing the House, the gentleman from Maine [Mr. ALLEN] and the gentleman from New Jersey [Mr. PALLONE]. I am compelled, based on their commentaries, to make a few observations.

First, with respect to the challenge that was made to Republicans on the issue of supporting school construction, neither party has a monopoly on virtue on this particular subject. The question is, how are we going to fund school construction, and which party is truly standing for proposals that will increase school construction?

Back in my home State, when I was majority leader of the California State Assembly, we passed more money for education last year than had been appropriated in almost 30 years. Members then went home after the session and congratulated themselves for that accomplishment. But the reality was that the victory was somewhat Pyrrhic in nature, because in California the manner in which school construction is funded is impeded in two significant ways.

In California, like with the Federal Government, we pay construction contracts with a labor union prevailing wage. The California prevailing wage law works like this: if a school is being built in a rural area of the State, the government pays those with whom it contracts the highest union wage paid to workers in urban areas like San

Francisco or Los Angeles, where the cost of living is significantly higher. Rural government contracted construction workers earn wages and benefits averaging some $26 an hour on the cost of the contract. This has a significant negative impact on the number of schools that can be built or have infrastructure repairs.

We Republicans have tried to reform rules like this and make them more reasonable, because we know that only one-half of a school can be built under these windfall agreements for the market price of a whole school. We have not yet been able to overcome the political clout of the labor bosses who contribute heavily to our friends on the other side of the aisle. Is it a coincidence that we get very little support from these colleagues in our calls for reform?

The other thing that impedes school construction on a national and statewide basis is the degree and extent of the topheavy government education bureaucracies that siphon away money from schools.

As a Republican, I believe we ought to block-grant education dollars directly to our schools, and not pour them down the rathole of bureaucrats in Washington. Why should bureaucrats steal 30 to 40 percent of education dollars to feed their bureaucracies, and deny those funds to our children and teachers and local schools? With reform, we would have more school construction, we could pay teachers more, we could end the problem of oversized classrooms.

Why hasn't this occurred? Because time and again, those who support the status quo and derive political and financial support from the status quo obstruct reform. They would much rather see 30 to 40 cents of every education dollar go to pay bureaucrats in Washington or in State governments, rather than see that money returned to our local school districts and go directly to school construction and education needs.

I make a pledge to my friend and colleague from New Jersey, Mr. PALLONE: I will consistently vote in this Chamber at every opportunity to take money from bureaucrats and send it directly to the schools.

I return a challenge to him and to my friends on the Democrat side of the aisle. Our colleague, the gentleman from Pennsylvania, Mr. PITTS, will be bringing up a bill shortly in this Chamber, that is very simple: it would require 90 cents on every education dollar must go directly to the schools, and not to bureaucracies. I challenge them to support this bill, and let their rhetoric match their actions. My guess is that when this bill comes up for a vote, Republicans will almost unanimously vote for it. I also suspect we will not get significant support from our friends on the other side of the aisle. Why? Because they would have to stand up to those who profit from the status quo—those from whom they draw so much political financial support.

Finally, when my friend from Maine, Mr. ALLEN, talks about campaign finance reform, he joins the daily refrain from Members of his party proferring the same sentiments. Why is that in their indignation they never talk about the one real, meaningful degree of campaign finance reform injustice? I have yet to hear a single colleague from the other side of the aisle stand up and condemn the compulsory taking of union dues from working Americans, and having that money used for political purposes contrary to the wishes of those workers. They cry foul over hundreds of millions of dollars taken without permission from working Americans, and having that money funneled almost exclusively into the campaign coffers of Democrats, despite the fact that 40 percent of every AFL–CIO worker in this country is a registered Republican.

In California, if a Republican wants a job in a union shop, he or she must join that union as a condition of employment. When they join that union, money is taken from their paychecks without their permission to fund the political causes of the labor bosses. That is not right, yet these same ''guardians'' of good government who pontificate on campaign finance reform each day here have yet to condemn it.

If we are going to have meaningful campaign finance reform, let us start from the ground up and end a system of compulsory stealing of money from those who earn it at the expense of democracy—and freedom.

COMPASSION AND DEMOCRACY GO HAND IN HAND

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized during morning hour debates for 4 minutes.

Mrs. CLAYTON. Madam Speaker, the world lost two well-known, highly respected and dearly loved women in the last week, Mother Teresa and Princess Diana.

Mother Teresa. Mother Teresa, early in her life, committed herself to an order of the nunnery and that would have been sufficient in itself, because she had a high calling, and it was indeed commendable and honorable that she did that, but that is not the reason she was dearly loved.

Princess Diana was both titled and wealthy and had style. Again, those attributes and privileges were advantages for her, but again, that is not the reason there was such deep love and emotion for her. In both of their lives, I think we learned that the attribute of compassion was the quality that people endeared from them, or were endeared to them because of.

It was their compassion, their ability to reach out, their ability to be concerned, their ability to embrace others, to reach out beyond their own points of comfort. It was their ability to support and embrace the poor, their ability to support and embrace the lepers, to care enough for the aged or to hug a person with AIDS, their ability to welcome the unwanted, their ability, or certainly Mother Teresa's ability, to comfort the dying.

So as we give tribute to their lives, we have an opportunity, as legislators, to reflect to what extent do we reach out beyond our ability of comfort?

We are having the opportunity to appropriate resources. Do we appropriate resources that also will benefit the poor, the hungry; or have we, as legislators, in the recent years found it very fashionable to have the poor as a political football, to make them scapegoats for our frustration? Has it become very fashionable in this land of immigrants to now have a harsh reality, a harsh attitude? And the reality of that is to find ways to not extend the full service and benefit of our country.

In this country where we say equality and access and fairness are landmarks of our democracy, it has become fashionable to say that affirmative action is no longer the byword, fair play is only for a few and privileged.

I think we have an opportunity to reflect, as we reflect on their lives, what makes this country great. This is a great democracy. It is great beyond its great defenses. That makes us strong. It is certainly great beyond our technology and our great wealth. That makes us competitive and the envy of the world. What makes this democracy great is its compassion, its ability to open its arms to all of the people.

As we continue our legislative responsibility, I think we have the opportunity and the privilege, and I hope also the desire and the need to make sure the appropriations and the promulgation of policies and laws we make also reach to those who are unfortunate, the poor, the hungry, the unwanted.

There are two bills that I would commend to my colleagues to consider. One is Hunger Has a Cure. It simply is a bill now that has more than 100 cosponsors, and I encourage all my colleagues to consider it. It simply says that we care enough about those without food to make sure we provide it.

The second one is to make sure we have equal opportunity for minorities to have access to agriculture resources to end the discrimination that has been documented.

My bill simply says, it is agriculture, equity, and accountability.

I commend both of those bills in the spirit of compassion, fairness of opportunity, what makes this country great in the life of Mother Teresa and the life also of Princess Diana. It is an opportunity to remember our caring about people and our compassion.

FUNDING FOR IMPORTANT PRIORITIES AND OBEYING EXISTING LAWS FOR CAMPAIGN FINANCE

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

Mr. HAYWORTH. Madam Speaker, there is much that the lady from North Carolina had to say with which I agree, and we are honored to serve in this Chamber where we can both agree and disagree about a variety of subjects. I would simply hearken back to one of the most poignant and pointed observations ever made in this city just down The Mall when Dr. King came here in the early 1960's and dreamed of an America where his children would be judged not by the color of their skin, but by the content of their character.

And, yes, the appropriations process is very important. That is why I hope the gentlewoman and many others on the other side of the aisle will join with Members of the new majority to appropriate funds to those who most need the funds.

One example of that will come later in our Labor-HHS appropriations bill with an amendment I offer to put an additional $18 million into funding for Impact Aid school construction, because there is a Federal role to be played, both because of sacred and solemn treaty rights and obligations to native Americans, and also to the many children who are dependents of those in military service and who live on military bases both here in the United States and abroad.

To be sure, Madam Speaker, we confront many issues of great and grave importance in our constitutional Republic, but I would like to address one that I think has been discussed a great deal this morning during the morning hour, and that has to do with campaign finance reform.

Madam Speaker, it is ironic that so many of my liberal friends come to this floor now crying for campaign finance reform. Indeed, Madam Speaker, it is akin to having Bonnie and Clyde, during their heyday, call a press conference to demand that there be a cop on every block, on every street corner in America. That is the incredible irony.

Madam Speaker, there is one central truth with which we should all agree, and that is that everyone should obey existing laws. Indeed, Madam Speaker, as we read the revelations in recent headlines, it is becoming painfully apparent that there are serious questions involving members of the executive branch and the actions they have taken that appear to be in violation of those same campaign finance reform laws.

Indeed, Madam Speaker, one need only remember back a few months ago to hear the words of the Vice President of the United States when he deigned to claim that there was ''no controlling legal authority,'' end quote, to keep him from making fundraising calls on Federal property. Indeed, as records later revealed, the Vice President of the United States made several fundraising calls from his office on the White House grounds. That is in clear contradiction to existing law and to the precedents and the ethics of government where, Madam Speaker, as the gentlewoman from Missouri knows from her own experience, and indeed Members on both sides of the aisle know, we are told from day one that as Members of Congress, we are not here to solicit campaign funds on Federal property. We are not supposed to make use of the taxpayers' dollars to place money in the campaign till.

Campaign finance reform? Certainly. But reform begins with a recognition of existing law. That is why hearings continue in the other body; that is why hearings will take place under the aegis of this House, the Committee on Government Reform and Oversight, to check and to examine the many disparate claims and the disturbing revelations which we read of almost daily. That is why, despite the great hue and cry for campaign finance reform, we need in this House, we need in this Nation, to take charge and to examine the deeds of those who perhaps have not obeyed existing law.

CAMPAIGN FINANCE SYSTEM IS BROKEN AND OUT OF CONTROL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California [Ms. ESHOO] is recognized during morning hour debates for 1 minute.

Ms. ESHOO. Madam Speaker, 8 months ago the President asked the Congress to have a campaign finance reform bill ready for him to sign by the Fourth of July, Independence Day. I think perhaps the President should have then specified the year, 1997. What has happened? Nothing. No hearings, no markups, no bill, no reform, no action.

Our campaign finance system is broken. It is out of control. Hearings and news reports continue to expose a corrosive and insidious system, a system that has cast a shadow of public disrespect, of doubt, of disillusionment, not only on our system, but on this institution. And we know that we can do much better.

In fact, the American people insist on it; and they are right. They are ahead of this system, and they know that something can be done.

Yet despite the hearings, the headlines and the public pressure, the majority continues to defer action, deny a vote and disregard the will of the American people.

We insist that a campaign finance reform bill to ban soft money be brought to the floor of the House before the Congress adjourns this year.

LET US FIX WHAT IS BROKEN

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

Mr. FARR of California. Madam Speaker, what is really going on in Congress? We are hearing the Republican leadership, and the Republican committees in the House and the Senate are conducting hearings. They want to investigate and they want to smear.

However, Congress was elected to legislate. We are lawmakers. We can fix what is broken. Why is it that the Republican leadership does not want to fix what is broken?

The GOP has failed to meet every deadline on campaign reform. No hearings on the bills, either Democrat or Republican bills, no vote on the rules, no schedule, no nothing. We are elected to make the law. Every time the Democrats were in control, we passed campaign reform. It was either vetoed or filibustered before it got into law.

Why do the Republicans not want to use that power to pass campaign reform? The answer simply is, they want to hear and smear, not fix.

Madam Speaker, I ask one simple question: When do we get to vote on campaign reform?

AMERICAN CITIZENS WANT ACCOUNTABILITY IN CAMPAIGN FINANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from South Dakota [Mr. THUNE] is recognized during morning hour debates for 2 minutes.

Mr. THUNE. Madam Speaker, I too am very interested in the whole subject of campaign finance reform. As a first-time freshman Member of this body, I found out how difficult it is to try and run a campaign and to raise money.

As we talk about trying to reform the law and trying to figure out exactly what would be the best framework and structure in which to govern campaigns in this country, one of the things that is clear is, we have to find out what things are not working today. We have seen a lot of evidence of late that through the various investigations there are a lot of things that were done that were not consistent with the existing law. We have to find those out.

People get up on the other side and say, well, we need to change the law. Frankly, I think they would much rather change the subject.

I would simply ask the question, what is it that my colleagues would have us to change? John Huang, Charlie Trie, Webb Hubbell, what are the things that my colleagues would have us change about all this process?

As I have traveled the State, my State of South Dakota, some 77,000

square miles, people want a government that is accountable. They want to know that when they elect people to these offices that they can, in fact, trust that the job that they have elected us to do will get done and it will be done in good faith and honesty and integrity.

I am a cosponsor of a bill which I would like to see considered in this body. It is very simple. It says simply, first, no foreign contributions. That seems to be a fairly straightforward assumption.

Second, it says that 65 percent of the dollars that we raise to run campaigns should come from the State or district in which we live or reside. In other words, the people that can contribute to campaigns ought to be the people who can vote for us. That too, to me, seems to be a very simple premise of campaign finance reform.

Third, it would limit PAC contributions to 35 percent of the dollars that go into a campaign.

Those are three very fundamental, simple reforms that I think would clarify what the rules are of this process, and would enable us to have a campaign system that is much cleaner, much fairer, and that the people of this country will know that they are getting accountability from the government that they deserve.

TRIBUTE TO JUDGE GEORGE CROCKETT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Michigan [Mr. BONIOR] is recognized during morning hour debates until 9:50 a.m.

Mr. BONIOR. Madam Speaker, it is with great sadness that I learned on Sunday of the death of our former colleague, Judge George Crockett. Martin Weil in his obituary today in the Washington Post I think captured it very well. This is one of the more remarkable men to have lived in this century.

Judge Crockett was a man who represented Detroit's inner city in Congress for 10 years after compiling a long and often controversial record as a defender of civil rights and unpopular causes. He was described as a kind of folk hero to his constituents of Michigan's 13th District.

Milestones in his career included his service as the defense attorney in the celebrated conspiracy trial of 11 Communist leaders in New York almost 50 years ago. Judge Crockett was cited by the trial judge for contempt of court and served a prison term.

On Capitol Hill he was known for demonstrating the same willingness to stand up for cherished beliefs in the face of withering criticism that had characterized his long career as a lawyer and a judge. In the words of the 1986 edition of the Almanac of American Politics it said, Judge Crockett was a man of steely self-assurance and has done what he considers his duty in much less friendly environments than the House of Representatives.

While in the Congress, he was one of the first Members arrested at the South African embassy and protested against the white minority government. He was an enormously powerful man who had an incredible record in law and in labor work and as a judge. He raised a beautiful family.

My condolences go out to his wife and his children and his grandchildren. He will be sorely missed. He was a man who had a great impact on this country, and I extend the condolences of Members of this body to his family.

RECESS

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

Accordingly (at 9 o'clock and 50 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 [Mr. NEY] at 10 a.m.

PRAYER

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

We are grateful, O God, that we can be strong in our own faith, and yet be understanding of others; that we can express our own beliefs in word and deed, and yet be appreciative that all persons have the same freedom to express their faith; that we can be confident in our own convictions and yet be patient with those that see the world in different terms.

O loving God, who has given life and love to every person, we express our thanksgiving for the traditions of our Nation, that heritage of religious liberty that has blessed our faith and strengthened our Nation. Keep us all in Your grace, O God, now and evermore. 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.

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado, Mr. BOB SCHAFFER, come forward and lead the House in the Pledge of Allegiance.

Mr. BOB SCHAFFER of Colorado 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MILLER of California moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. MILLER].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 43, nays 347, not voting 44, as follows:

[Roll No. 371]

YEAS—43

Allen	Furse	Miller (CA)
Andrews	Gejdenson	Mink
Berry	Gephardt	Olver
Bonior	Hastings (FL)	Pallone
Coyne	Jackson (IL)	Pelosi
Davis (FL)	LaFalce	Radanovich
DeFazio	Lewis (GA)	Slaughter
DeGette	Lowey	Stark
DeLauro	Maloney (NY)	Stump
Dingell	Manton	Thurman
Doggett	Matsui	Torres
Eshoo	McDermott	Waters
Farr	McNulty	Woolsey
Filner	Millender-McDonald	Yates
Ford		

NAYS—347

Abercrombie	Bachus	Barrett (NE)
Ackerman	Baesler	Barrett (WI)
Aderholt	Baldacci	Bartlett
Archer	Ballenger	Barton
Armey	Barr	Bass

Bateman
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Flake
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
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
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pappas
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Redmond
Regula
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stokes
Strickland
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
Wexler
White
Whitfield
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—44

Baker
Barcia
Boucher
Carson
Chenoweth
Conyers
Cox
Crane
Dellums
Engel
Foglietta
Gonzalez
Goodling
Hefner
Hilliard
Hinchey
Hoyer
Leach
McCollum
McDade
McHugh
Moran (VA)
Nadler
Oberstar
Owens
Parker
Pomeroy
Quinn
Rangel
Reyes
Riggs
Sanders
Schiff
Schumer
Serrano
Skaggs
Stenholm
Sununu
Towns
Velazquez
Weldon (PA)
Weygand
Wicker
Young (AK)

□ 1022

Mrs. SMITH of Washington and Messrs. KINGSTON, RUSH, COOKSEY, CHRISTENSEN, EHLERS, REDMOND, DOYLE, and TAYLOR of North Carolina changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The results of the vote were announced as above recorded.

PERSONAL EXPLANATION

Mrs. CHENOWETH. Mr. Speaker, on rollcall No. 371, I was inadvertently detained. Had I been present, I would have voted ''nay.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NEY). The Chair will entertain fifteen 1-minute speeches on each side.

TIME TO CLEAN UP DEPARTMENT OF JUSTICE

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

Mr. BARR of Georgia. Mr. Speaker, when I served under President Reagan as U.S. attorney, one of my colleagues told me of a defendant, a public official who had just been convicted of corruption, who said, ''Mr. U.S. Attorney, we knew what we were doing was wrong, but nobody ever told us it was jail wrong.''

Well, Mr. Speaker, America was fortunate back then that we had U.S. attorneys and a Department of Justice that were concerned with people who were doing ''jail wrong'' things and prosecuted them. Now we have an Attorney General who is not only not concerned with prosecuting those who do wrong, but the best this Attorney General will do is to decide whether to decide whether to decide if we will have an independent counsel to investigate clear evidence of wrongdoing by the Vice President.

Mr. Speaker, America yearns for the days when wrongdoers faced a Federal justice system that actually went after the bad guys. The time has come to clean up the Department of Justice.

TRIBUTE TO WILLIAM PASCRELL, SR.

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

Ms. HOOLEY of Oregon. Mr. Speaker, I have the sad obligation today to join this House in mourning the death of the father of the gentleman from New Jersey [Mr. PASCRELL], my friend and colleague.

Mr. Speaker, I did not have the pleasure of meeting William Pascrell, Sr., but I understand that he embodied many of the personal qualities that we admire in this country.

William Pascrell, Sr., was the son of immigrants, a self-made man, a lifelong railroad worker. After retirement, he gave of his time freely to charity. We all know how difficult it is to lose a loved one, so I think I can speak for every Member of this House in saying that we are deeply saddened by this loss.

CONGRESS SHOULD CONSIDER ''RENO DIVORCE''

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

Mr. HAYWORTH. Mr. Speaker, those of us in the majority join with those in the minority mourning the death of William Pascrell, Sr. We pass along best wishes to the gentleman from New Jersey [Mr. PASCRELL] and to the gentleman's family.

Mr. Speaker, I listened with great interest to the comments of the gentleman from Georgia [Mr. BARR], a former United States attorney, and the gentleman from Georgia is absolutely right.

Mr. Speaker, there is a difference between deliberation and dilatory tactics. Sadly, this Justice Department, in deciding to decide to perhaps one day to decide if there should be independent counsel to check into the alleged wrongdoing of the Vice President, is delaying and stonewalling.

Mr. Speaker, with all due apologies to the gentleman from Nevada [Mr. GIBBONS], perhaps this body should examine its own form of Reno divorce to see what we can do under the Constitution to examine the actions or the inaction of this Attorney General because, Mr. Speaker, it is important that those elected to high office obey existing law.

DEMOCRATS COMMITTED TO CAMPAIGN FINANCE REFORM

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

Mr. PALLONE. Mr. Speaker, I want to join with the gentlewoman from Oregon [Ms. HOOLEY] in expressing sympathy for the gentleman from New Jersey [Mr. PASCRELL] on the death of the gentleman's father.

Mr. Speaker, Democrats are determined to bring campaign finance reform to the floor, despite the Republican leadership's reluctance to do so. The problem with congressional elections is that they cost too much, and increasingly the average American cannot run for Congress. The public feels that their vote does not count because of the influence wealthy people have through their ability to contribute large sums of money to a campaign.

My home State of New Jersey sets a very good example of a public financing system that we use for our Governor's race that is going on now. Contributions to the Governor's race, I should mention, are limited. But more important, the amount of private money is capped and then matched with public funds, so that the overall expenditures of the race remain basically even for Democrat and Republican candidates.

□ 1030

I would like to see the same type of system for congressional raises. I believe the public would support this as an alternative to the current race for dollars. Democrats, Mr. Speaker, will continue to press for campaign finance reform.

NATIONAL EDUCATION STANDARDS

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

Mr. TIAHRT. Mr. Speaker, I was saddened several months ago when I heard the President abandon the teachers in America. He called for 1 million volunteers to teach our children to read.

In Kansas, the teachers have not abandoned our children. They are teaching reading and writing and math and history and science and other important things. They have not turned from their job responsibility, even if the President has turned his back on them.

Now the President wants to create more government and establish national education standards. Sounds good. I am from the government and I am here to help. But we have done that before. We have national standards. It is for Pentagon procurement. We call them MILSPECS. They are very complicated. Because of those MILSPECS, we bought a $750 pair of pliers.

Now they want to transfer that technology to education. Let us not go there. The States have that responsibility and States like Kansas have established quality performance accreditation educational standards. Kansas has not abandoned educational standards. Let us not complicate education standards and get the equivalent of a $750 pair of pliers. Let the States do their job.

FAST TRACK TRADE AUTHORITY

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

Mr. TRAFICANT. Mr. Speaker, stating that exports to Mexico have increased, the President now wants fast track for all of Latin America. In a way that is true.

Check this out. Last month, Fruit of the Loom cut 2,400 jobs in Louisiana, citing no regulations and cheaper labor. As a result, Fruit of the Loom is exporting factories and machinery overseas. This is out of control, Mr. Speaker.

First, the President donates his boxer shorts to charity, then literally takes the tax deduction for it. Now the President wants to donate our BVDs, Mr. Speaker, and give us a training voucher for a job in Latin America.

Beam me up. This is not fast tracking. This is backtracking. I yield back the Constitution that mandates a two-thirds ratification vote of the U.S. Senate to enact a treaty, if anybody abides by the Constitution around here.

SCHOOL CHOICE

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

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, for America's poorest children education is their most direct path out of poverty. In fact, even children in truly horrible schools manage to escape destitution by dint of relentless determination and honest hard work. But children should not have to pass through metal detectors on the way through the schoolhouse door. If kids are more consumed by the fear of violence than the hope of earning an A on the next exam, the great challenges they face become even greater.

Confronted by school violence and disorderly classrooms, to whom can these children turn? I believe they ought to turn to their parents, of course. But what if their parents lack the freedom to pull their children out of harmful schools? While the status quo interests join together to say ''too bad'' or join together in offering more hollow promises, Republicans offer America's children hope in the form of school choice and education savings accounts.

Hope is too scarce a commodity to most of our Nation's poorest communities. School choice and education savings accounts level the playing field and offer hope by treating families like real customers and children like real Americans.

CAMPAIGN FINANCE REFORM

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

Mr. SNYDER. Mr. Speaker, on June 11, 1995, in a very famous photo, the Speaker of the House and the President of the United States shook hands and committed themselves to campaign finance reform. Over 2 years later, we have had over 85 bills introduced and none passed. Why is that? Because it is a tough issue. It is a very difficult issue that not only divides parties but divides us among our own parties.

I encourage the membership to take a look at H.R. 2183, the freshman bill. It is bipartisan. It does the doable. It stops the large donations from unions, corporations, and wealthy individuals, those huge soft money donations that threaten our system.

H.R. 2183, I believe, takes a step in the right direction, not a bill for all time but it is a good, important first step.

NUCLEAR WASTE POLICY ACT

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

Mr. GIBBONS. Mr. Speaker, the rhetoric surrounding H.R. 1270, the Nuclear Waste Policy Act of 1997, is often technical and rarely illustrative in a personal manner, where the impact will be the greatest. Many American cities around this country are going to be affected by this act. Typical American cities such as St. Louis, MO, will become nuclear refuse hubs as radioactive waste is transported and funneled from subsidized nuclear powerplants through St. Louis to the proposed nuclear storage site in Nevada. Residents of St. Louis should know that this waste will travel along Interstate 70, next to North Memorial Drive and the Mississippi River, meaning that if an accident were to occur and a small fraction of the shipping cask's contents were released, it would be sufficient to contaminate a 42-mile square area that would take 460 days to clean up. This would devastate downtown St. Louis, endanger the people living there, contaminate the Mississippi River, threaten every city and person downstream.

Mr. Speaker, my colleagues were sent to Congress to serve and protect their constituents, not mandate a physical, environmental, and economic disaster upon them.

BIPARTISAN CAMPAIGN FINANCE REFORM

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

Mr. ALLEN. Mr. Speaker, campaign finance reform does not have to be a partisan affair. It can be a bipartisan

affair. In fact, the freshmen of this Congress, six Republicans and six Democrats, worked on a task force and developed the Bipartisan Campaign Integrity Act of 1997. It takes the biggest of the big money out of politics and it does something else: It takes the contentious issues off the table.

There are those on the Republican side who simply want to do something about labor unions. But they know that is a deal breaker. There are those on the Democratic side who want to do something about candidate spending limits, but those over here think that is a deal breaker.

The fact is, we can take the biggest of the big money out of politics. We need to support the Bipartisan Integrity Act of 1997, the freshman task force bill. In this Congress we should legislate, not just investigate. I urge all my colleagues, especially those on the Republican side, to join the 11 Republicans and many Democrats who support this bill.

MOTHER TERESA

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

Ms. GRANGER. Mr. Speaker, several years ago a newspaper reporter assigned to cover Mother Teresa of Calcutta decided to follow her around for an entire day to see what a day in the life of the Saint of the Gutters was really like.

After visiting several hospitals and feeding the hungry, the reporter followed Mother Teresa to a sewer on the outskirts of town. The tiny woman proceeded to get down on her hands and knees in the middle of the sewer where she began talking to the destitute people living there. The reporter standing on the safety of the concrete street above looked down to Mother Teresa, shook his head and said, I would not do that for a million dollars. Mother Teresa looked up to the reporter and said, ''I wouldn't either.''

This story captures the essence of a great humanitarian, a woman who touched lives with her Missionary of Charities and saved souls with her message of Christ. Politically incorrect and yet morally courageous, this heroic woman touched the lives of millions with her conviction, her commitment, and, most important, compassion.

Mr. Speaker, I hope we can all join together in the memory of Mother Teresa and work to make America a little more like her, a place where individuals matter, character counts, a place where people love their neighbors and respect themselves and, most important, a place where service and sacrifice are not things people do for money but things people do for free.

MORE ON CAMPAIGN FINANCE

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

Mr. TURNER. Mr. Speaker, I rise in support of H.R. 2183, the bipartisan freshman campaign finance reform bill. Abraham Lincoln once wrote that with public trust, everything is possible. And without it, nothing is impossible. He recognized that a democracy cannot work unless people have confidence and trust in their government.

Over the last few decades, this essential trust has been undermined, not only by periodic scandals but by the everyday practice of raising huge sums of money from wealthy contributors and special interests. Year after year, both parties raise larger and larger amounts of what people in Washington call ''soft money,'' but my folks back home in Texas call ''hard cash.''

People cannot help but wonder whether their government is for sale to the highest bidder. The reforms that we propose are not intended to help or hurt either party. These reforms are designed to help restore the people's confidence in the independence of their Representatives and in the integrity of their government. The only way to regain people's confidence is to pass campaign finance reform.

STANDARDIZED FEDERAL TESTING

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

Mr. THUNE. Mr. Speaker, in the area of education there has been a lot of talk lately about the importance of testing. I would like to talk today about something we do not hear as much about. That is the importance of learning.

Some people think we do not have enough standardized testing. They think we need to spend more than $90 million on a new Federal test to tell parents how their kids are doing.

Right now schools in my home State of South Dakota and other States around the country already give students two standardized tests. Both of those tests are given in March and both take about a week to administer.

Now, President Clinton wants another standardized test. It would also be given in March and it would take about a week to administer. That means students back home in South Dakota would spend the entire month of March not learning but testing.

Think about it. Would you like to spend three solid weeks filling in the oval next to the correct answer with a No. 2 pencil? I cannot think of anything I would dislike more unless it is spending $90 million to do it. That is why I am urging my colleagues to vote for more learning in our schools and less pointless, redundant standardized Federal testing.

SUPPORT BIPARTISAN CAMPAIGN FINANCE REFORM

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

Mrs. MINK of Hawaii. Mr. Speaker, the people of this Nation have a right to expect that the Congress act upon issues that are raised. We are now investigating campaign financing, and every day we hear about this unregulated, unlimited, huge sums of money being poured into our national parties and other independent committees.

Almost all of the bills that have been offered for consideration have one provision in common, and that is ban the soft money contributions that are currently unregulated.

All of us run under a Federal election law that regulates our contributions, no more than $1,000 per election, no more than $5,000 in PAC contributions. Why is it not so simple for this Congress to pass a bill that bans soft money? There is absolutely no justification for our just sitting here and listening to this debate without action. The people have a right to expect this Congress to be responsive. We have the legislation before us to do it. Let us act today.

NATIONAL STANDARDS

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

Mr. ROGAN. Mr. Speaker, the issue du jour for the Clinton administration is to create national education testing standards. I find this ironic in light of today's newspaper account: Former Democrat Secretary of Health, Education, and Welfare Joe Califano has just published a comprehensive report on America's schools. He described them as a ''candy store'' for illegal drugs being available to our Nation's school children.

The Clinton Department of Education's response to this report was, in typical ostrich fashion, to ignore it. They replied that our schools are essentially safe and drug free, so ''let's get back to the issue of national standards.''

Mr. Speaker, it seems to me that the bipartisan ''national education standard'' we ought to be working for is safe schools that are drug free. How else can we guarantee our children a world-class education? That should be the first priority of President Clinton and his administration. We Republicans will happily work with him to achieve this national standard that we can all be proud of, and pass on a legacy to children that will endure the test of time.

TRIBUTE TO GEORGE W. CROCKETT

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

Ms. KILPATRICK. Mr. Speaker, I rise to pay tribute to Congressman

George W. Crockett who recently passed. Congressman Crockett was a fighter for justice, a student of the Constitution who believed that the Constitution should apply to all of America's people.

□ 1045

We honor you, Judge Crockett. I want you to know from the bottom of my heart, as my Congressman and for the people who are now in the 15th Congressional District, we will carry your spirit, we will continue the fight, and we too believe that the Constitution of the United States is for all of its citizens.

Rest assured that your memory will live, that your spirit will instill in us the power to continue, the power to fight, and the power that the Constitution really is for the people, by the people. May you rest in peace.

REJECT WHOLE-SCHOOL REFORM

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

Mr. SHADEGG. Mr. Speaker, as a parent there is no issue, absolutely no issue more important to me than the education of my children. For us as a Congress there ought to be no issue more important than education, and that issue is critically important to the American people. But, Mr. Speaker, the Labor-HHS bill, H.R. 2264, which we will debate today, holds in it a wolf in sheep's clothing on the issue of education.

I am deeply committed to education reform, but, Mr. Speaker, I believe that the parents and the teachers and the students and the administrators in my school and in any school district know how to reform my school and give our children the best education possible. This bill contains a wolf, a wolf which says, well, we are going to support school reform but only whole school reform, only top-down dictated Federal school reform. Do it by our model, and get the money; do not do it by our model and do not get the money.

We do not need top-down school reform. I urge my colleagues to reject whole-school reform.

VOTE ON CAMPAIGN FINANCE REFORM SHOULD BE SCHEDULED THIS MONTH

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

Mr. MILLER of California. Mr. Speaker, many of us this morning are demanding that Speaker NEWT GINGRICH schedule a vote on campaign finance reform this month. Rest assured that we will continue to make this demand until it is complied with.

This is not an issue that either party can avoid. Massive unregulated contributions of the so-called soft money have corrupted both parties and have corrupted this institution. Yet it is the Republican Speaker of the House and the Republican Leader of the Senate who are today standing in the way of reform.

Today, money in politics affects everything lawmakers do, even our health and safety. For example, the Meat Institute and the Grocery Manufacturers reportedly spent over $300,000 in the 1996 elections. And today they are in the Congress actively lobbying against new proposed meat inspection standards in the wake of the massive outbreak of E. coli.

America should make it clear to those in charge of this House; they should tell Speaker GINGRICH and tell those in charge of the Senate, Majority Leader LOTT, that they want him to ban soft money; that they want the Congress back so their voices can be heard and they want it done this month.

ENFORCE EXISTING LAWS ON CAMPAIGN FINANCE

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

Mr. KINGSTON. Mr. Speaker, it is unbelievable to hear Democrats talk about campaign finance reform and the need for it while they are strangely, strangely silent on the subject of criminal violations apparently by Members of their party in this administration.

Point in case. U.S. Code 18–1956 prohibits the solicitation or acceptance of laundered campaign contributions intended to conceal the nature, source, ownership or control of the funds. This prohibition would cover the tens of thousands of dollars donated to the Democratic National Committee by dirt poor Buddhists.

If they do not like that law, here is another one; 18 U.S. Code 600 prohibits promises of contracts or other benefits as consideration, favor or reward for political activities such as the Democrat Department of Commerce trade missions in exchange for political donations.

Or this, 18 U.S. Code 601 prohibits the withholding of a benefit or program of the United States from any person who refuses to make a campaign contribution.

There are dozens and dozens of laws that are already on the books that have apparently been violated and the Democrats have no interest whatsoever in trying to enforce the existing law. Let us do not try to confuse things. Let us enforce existing law, then move on to campaign finance reform.

TOBACCO INDUSTRY IS LEADING SOFT MONEY CONTRIBUTOR IN THE COUNTRY

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

Mr. DOGGETT. Mr. Speaker, if there is even a single violation of the existing laws, be it Democrat or Republican, prosecute it fully, but do not hide behind the latest tabloid news to thwart campaign finance reform.

To any American who wonders why we need that reform, thumb through the bipartisan budget agreement and come across title XVI, entitled Technical Amendments Related to the Small Business Job Protection Act and Other Legislation. Under that title turn to page 322 and learn that one of those small businesses that just got protection was $50 billion for the tobacco industry.

Anyone who thinks that is unrelated to campaign contributions is probably sitting at home waiting for the tooth fairy to arrive.

Ladies and gentlemen, the fact that the tobacco industry is the leading soft money contributor in this country demonstrates the need along with this provision to reform our campaign finance laws in time for the 1998 elections. But Speaker GINGRICH, one of the beneficiaries of the current system, refuses to schedule it for debate. That is why we will have yet another motion to adjourn because of the refusal to deal with this issue.

VOTE AGAINST NUCLEAR WASTE POLICY ACT OF 1997

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

Mr. ENSIGN. Mr. Speaker, I rise to voice my strong opposition to H.R. 1270, the Nuclear Waste Policy Act of 1997, which the Committee on Commerce is expected to address soon.

This legislation will have devastating impacts not only on the State of Nevada but on 43 other States in the Union. H.R. 1270 proposes sending thousands of high-level nuclear waste shipments from 109 locations across 43 States to a single repository in Nevada.

More than likely, these shipments will cross Members' districts, by their schools, their churches, hospitals and playgrounds in the process. Here is a very small sampling of the possibilities of that nuclear waste, as it travels across the country, if there is an accident.

Before we vote in support of H.R. 1270, we should ask ourselves: What if this was my district? The possible consequences are chilling. We must all be responsible stewards of our constituents' best interests and vote against H.R. 1270.

DEMOCRATS FAVOR MORE INFRASTRUCTURE MONEY FOR PUBLIC SCHOOLS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, the real issue is, I believe, my Republican colleagues have lost their way to school. Rather than filling up the Labor-HHS bill with all kinds of distracting issues dealing with education, they do not realize that our children are in crumbling schools, our children are in schools that are overcrowded.

School enrollment in the United States last year broke the all time high record set by baby boomers in 1971 and has continued to grow. A new Department of Education report found more than 52 million children enrolled in our schools, and yet Republicans rejected the idea of Democrats that wanted to infuse infrastructure money into our communities so that we could rebuild our schools.

Do my colleagues realize that our schools in America need extensive repair, that our children are being threatened by peeling paint, falling ceiling tiles, and crumbling walls? Our Republican friends will mess up the Labor-HHS bill and fill it with all kinds of amendments that are not relevant to providing protection for our children.

Yes, our Republican friends have lost their way to school. We, the Democrats, will find our way, continue to support public education, provide for moneys to improve and encourage our children to learn the right way, the safe way, and rebuild the falling infrastructure in our public schools. That is finding our way to schools in America and that is the side Democrats will be on.

LIMIT USE OF TAX DOLLARS FOR FREE NEEDLE EXCHANGE PROGRAMS

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

Mr. COBURN. Mr. Speaker, coming before us today is a bill that has an allowable thing for the Secretary of Health and Human Services to control, and it is called free needle exchange programs.

The reason I am up here talking about it is we know a whole lot about how to help people succeed. Our Government is getting ready to spend our tax dollars to help people fail by enabling drug addicts to have needles available to them, to violate the law, to use our tax dollars to have clean needles.

There have been two studies in North America on this subject. Both of them show there is an increased transmission of HIV associated with free needle exchange programs and that there is an increased usage of drugs. We know that that happens. We know that in alcoholism.

One of the precepts in treating alcoholism today in our country is do not enable the patient to fail by enabling their alcoholism. We need to apply that same thing when it comes to drug addiction in this country.

I hope that my colleagues will support this limitation on using American tax dollars for free needle exchange.

STOP THE ATTACK ON WORKERS' SAFETY IN THE COUNTRY

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

Mr. DAVIS of Illinois. Mr. Speaker, I am amazed at the continuous efforts to cut occupational safety and health, efforts to scale back protection for workers in dangerous, hazardous, and unsafe situations, efforts to take back and turn around those hard-won gains which have only come about as a result of tragedy after tragedy.

I have even heard individuals on the floor of this House talking about taking money from OSHA in order to help disabled children. And surely disabled children need all of the help that we can give them, but why run the risk of injuring, maiming, or even killing workers in order to help children?

I say let us stop the attack on workers' safety in this country.

SOCIAL SECURITY WILL BE SHORT OF FUNDS AS EARLY AS 2005

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

Mr. SMITH of Michigan. Mr. Speaker, I would like to talk about what I consider one mistake in our balanced budget agreement. I would start by asking the question: What tax has this Government increased 36 times since 1971? The answer is the Social Security tax.

More often than once a year we have been increasing the Social Security tax on American workers. It needs explanation. When Congress enacted the Social Security law in 1935, it was financed by a pay-as-you-go program, where existing workers pay in their tax to support the benefits of existing retirees. It has always been so. As there are fewer and fewer workers contributing their taxes to more and more retirees, Social Security keeps running short of money, and the tax is increased. It is not a sustainable program. That is why it is a mistake for this Congress, for this Government, for this President not to start working on long-term solutions for Social Security.

Dorcas Hardy, a former Commissioner, says we are going to be short again of enough money coming in from those workers as early as 2005. Last year I introduced the Social Security Solvency Act that holds seniors harmless and does not increase taxes on workers. The Social Security Administration predicts that the legislation would keep the System solvent for at least the next 75 years. Let us do something about it Social Security.

FEDERAL GOVERNMENT SHOULD PARTNER WITH STATE AND LOCAL SCHOOLS TO SOLVE EDUCATIONAL PROBLEMS

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

Mr. GREEN. Mr. Speaker, there are 52 million students in public schools today. Fifty-two million students. That is more than at the height of the baby boom generation. The question is are these students receiving the best education?

Students from kindergarten to high school need a positive learning environment, an environment where students can ask questions, and teachers are accessible for individual tutoring, where students and teachers want to teach and want to learn. Students are not receiving enough help and enough support to learn at an adequate level.

This is not the fault of the teachers. Look at the numbers. Fifty-two million students. There is a serious overcrowding problem. Schools are overcrowded, the buildings are unsafe. Thousands of students across our Nation go to school in buildings with leaky roofs and broken windows while students in the District of Columbia here wait until the roofs are fixed to start school.

Teachers are stretched to their limits. In some classrooms teachers are teaching more than 40 students. We need more teachers and more help for teachers. Teachers provide that personal contact and that mentorship. With an increase in teachers, they can accurately assess the needs of their students and focus on that learning.

These are concerns affecting children every day. We need to partner with our local schools and our States to make sure we solve our educational problems.

LOW-DOSE IRRADIATION FOR RED MEAT

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

Mr. GANSKE. Mr. Speaker, I want to talk about something important to the health of our citizens. In 1994, the Food and Drug Administration was asked to approve the use of low-dose irradiation for red meat. Irradiation kills bacteria like E. coli. It could prevent meat recalls and public scares like that we witnessed for Hudson Beef last month.

Statutorily, the FDA had 180 days to act on this petition. To date, they have failed to do so.

□ 1100

Mr. Speaker, I have a personal interest in this. As a physician, I know that low-dose irradiation is safe and it could prevent a lot of illness relating to ground beef. I also was sick from food poisoning last summer and I can tell Members that had I been

immunosuppressed or an elderly person, the result may not have been as good as it was.

Mr. Speaker, I will soon introduce legislation to protect American consumers by giving approval for the use of low-dose irradiation for red meat, hamburger, so that you can cook your hamburgers medium rare if you would like. It would amend the labeling requirements so that people would know that the are buying low-dose irradiated meat, and it would require restaurants to notify consumers of that choice. This is something we ought to do for the health of all of the people of our country.

MOTION TO ADJOURN

Mr. DOGGETT. Mr. Speaker, in view of the Speaker's failure to schedule campaign finance reform, I offer a privileged motion.

The SPEAKER pro tempore (Mr. NEY). The Clerk will report the motion.

The Clerk read as follows:

Mr. DOGGETT moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Texas [Mr. DOGGETT].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 29, nays 367, not voting 37, as follows:

[Roll No. 372]

YEAS—29

Allen
Berry
Conyers
Coyne
Davis (FL)
DeFazio
DeLauro
Dingell
Doggett
Eshoo
Farr
Filner
Frank (MA)
Gejdenson
Hastings (FL)
Lewis (GA)
Lowey
Manton
McDermott
McNulty
Miller (CA)
Mink
Pallone
Pelosi
Slaughter
Stark
Thurman
Torres
Woolsey

NAYS—367

Abercrombie
Ackerman
Aderholt
Andrews
Armey
Bachus
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
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
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Obey
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Redmond
Regula
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—37

Archer
Baesler
Baker
Bateman
Bono
Brown (CA)
Burr
Carson
Delahunt
Dellums
Engel
Foglietta
Gephardt
Gonzalez
Hilliard
Hostettler
Hoyer
Kennedy (MA)
Matsui
Meek
Moran (VA)
Norwood
Oberstar
Owens
Pascrell
Pomeroy
Quinn
Rangel
Reyes
Riggs
Sanders
Schiff
Schumer
Serrano
Tierney
Towns
Velazquez

☐ 1121

Mr. HEFNER changed his from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the further consideration of H.R. 2264, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, July 31, 1997, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2264.

☐ 1124

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1998, and for other purposes, with Mr. BEREUTER, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose on Monday, September 8, 1997, the bill was open for amendments from page 11, line 1, through page 25, line 8, and pending was the amendment offered by the gentleman from Indiana, [Mr. SOUDER].

Is there further debate on the amendment?

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I would like to explain the content and purpose of this amendment, which I strongly support.

This would increase OSHA's Compliance Assistance Program by 50 percent, $23 million over the recommended amount of $45 million. Compliance assistance funding has been increased, but the increase has been insufficient.

The increase in funding to this vital program would be offset by decreases to funding for Federal enforcement funding by $21 million, there is already $127 million for enforcement in the bill, and executive direction and administration by $2 million, of which there is $6.5 million in the bill.

So we would leave the bulk of the enforcement dollars there. We would leave the bulk of the administration dollars there, but would put the dollars toward what we promised to do when we got elected, and that is to try to work more with the businesses and the workers at the factories, at the small businesses and companies around this Nation, to avoid accidents, serious accidents in particular, rather than do the more harassing type of things that we have heard so many stories about on the floor.

We have heard a lot from Members here about the importance of health and safety laws. This is not a debate about health and safety laws, this is a debate about how best to protect the safety and health of our American workers. Is it better preserved by harassing or better preserved by working together with the businesses?

We try to address these concerns in this amendment through onsite consultation programs, by designated State agencies conducting general outreach activities and providing technical assistance at the request of the employers, training and education grants, fostering and promoting voluntary protection programs that give recognition and assistance to employers who establish occupational safety and health programs, and the OSHA Training Institute. This amendment would reduce the overhead and administrative costs. It is a clear tradeoff.

Mr. Chairman, I believe this is wanted. We have heard from Members of Congress during this debate that we have a tremendous backlog. Why not? In some States the demand for onsite State consultations for small businesses is so high that a small business owner who has asked OSHA for help can take up to a year for a consultation visit.

This is ridiculous. The businesses want to work to try to make their environment safe, but cannot find out what they need to do. We need to focus on prevention, rather than harassment.

Let me give you an example that we heard in the hearing with Mr. Dear and talked about, the head of OSHA, in an oversight hearing.

There was a question about roofers and whether or not in asbestos that if you are chewing gum while you are working on a roof, it increases your risk. There was a rule put in fining businesses if their employees were found to be chewing gum on the roof.

I am not sure what the point of this was, whether the businesses were supposed to hire a gum Nazi, who goes up on the roof to try to find out whether somebody is chewing gum, or every 20 minutes you haul the people down off the roof and have a mouth inspection.

Mr. Dear's reaction was, yes, this regulation seemed a bit petty. The focus should have been to have the companies tell the employees, look, it is true; if you chew gum, you might inhale more through your mouth than you should.

The problem comes when you put somewhat nonsensical rules in that are impossible to enforce, businesses just give up. Instead, we have what seems to be harassment on chewing gum or on other things, as opposed to focusing on the type of tragic deaths we have heard about here on the floor.

□ 1130

This amendment would try to address that. We have debated last evening and at the end of last week taking some of the OSHA funds, which is an increase, and nobody proposed to eliminate OSHA, to cut OSHA, and nobody was trying to wipe out the health and safety efforts in this country.

What we are saying is, we do not think there is any evidence, and nobody has disputed this, deaths have gone down whether or not Congress has increased OSHA, cut OSHA, or kept OSHA flat funding. The way OSHA currently works there has been no impact on the deaths.

We heard, well, we are going to try to do more in compliance. But we wanted to move the increase over to vocational education. We were defeated. We wanted to move the increase over to disabled students. We were defeated. We heard about these great efforts to try to do compliance. OK, here is an amendment that says, we clearly see from the facts that the spending on OSHA has not had an impact on the rate of deaths, so let us try to reform OSHA internally.

I believe that this amendment, like the others, is likely to get the support of the majority of this party. I do not know whether this amendment will pass, but an interesting thing is occurring. I want to make, again, this point. What is happening in these amendments in title I, and I think Members will see this in title II and I think they will see this in title III and in title IV, is that the majority of our conference is, to say the least, very uncomfortable with this bill. We are concerned about the specifics of this. Most of us in this party voted for the budget agreement.

The CHAIRMAN pro tempore. The time of the gentleman from Indiana [Mr. SOUDER] has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 1 additional minute.)

Mr. SOUDER. Mr. Chairman, as we go through this process we understand we are going to spend more money. Now, the question is, Will it be in new programs or old programs, and what will the priorities be within this? That is what we are attempting to do here. It is not a filibuster, but a genuine debate about the priorities. This amendment moves it to compliance as opposed to enforcement.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, businessmen are a lot like politicians. There are good ones and there are bad ones. This amendment risks torpedoing this bill. Make no mistake about it, it is a killer amendment as far as this bill is concerned.

Second and more importantly, it risks killing additional American workers, and it risks seeing more permanently disabled workers. It seeks to take a large amount of money from the enforcement provisions of OSHA, and moves it instead into the voluntary compliance programs at OSHA.

As I said twice before on this floor, Sylvio Conte, who used to be the ranking Republican on this floor before he died, Sylvio and I were the two Members of this House who held up all OSHA funding until OSHA agreed to establish a voluntary compliance program. I am proud of that. I am also proud of the fact that voluntary compliance has already increased in budgetary terms over the past 3 years by 80 percent. But I would point out that that has occurred at the same time that the enforcement provisions, the enforcement budget for OSHA, has declined by $10 million. I do not think it can afford to decline by more.

The result of this amendment will be to add literally decades to the time it takes for the small number of OSHA inspectors in each State to inspect each eligible business at least once. In Georgia it already takes 277 years for OSHA to reach every business and inspect it once. This will increase that number of years to 346.

Do Members really believe that is responsible protection for workers? In Missouri it will increase the number of years it takes to reach each business from 339 years to 424 years. I do not think that is responsible. I would point out, this amendment does not even apply to the gentleman's home State, the gentleman who offered the amendment, because this amendment only cuts Federal enforcement. It has no effect in States that have State-run programs.

So what it will mean is that it will cut enforcement protections in my

State by about 25 percent, it will cut enforcement inspectors by about that amount, it will do the same thing in the State of the gentleman from Illinois [Mr. PORTER] and in States like ours, but in States like Indiana, Iowa, Kentucky, or Minnesota, it will have no effect whatsoever. That makes no sense. I doubt that is the gentleman's intent, but that is the effect of it.

Second, I would point out, as I said earlier, there are good businessmen and there are bad businessmen, just as there are good politicians and bad politicians. The effect of this amendment is to spend a lot more money reviewing the practices of the good guys, and it gives OSHA a whole lot less capability to review the practices of the bad guys.

I want to give Members just one example of why we need the twin tools of enforcement as well as voluntary compliance. There was a corporation in Maine called the DeCoster Co. DeCoster participated in a voluntary compliance program under OSHA which allowed them to partner with OSHA, rather than be subject to their traditional inspection enforcement.

But sadly, the country found out that DeCoster was a ''bad apple,'' and they manipulated that program. The company transferred a single machine guard from machine to machine, taking pictures of each machine with the guard attached. It then sent those pictures to OSHA, claiming that the guards had been attached to all of the machines.

The company's actions were so egregious that the company was ultimately hit by OSHA for enforcement, and they were hit with a $3.8 million fine, and deservedly so.

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

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

Mr. OBEY. Mr. Chairman, the list of violations by that company is stunning. They failed to properly guard machines. They failed to lock up dangerous equipment when not in use. They failed to provide respiratory protection for workers. They failed to provide protective clothing.

DeCoster's workers were shipped in from south Texas and stranded in inhuman conditions. They were forced to live with sewers that were so backed up that they had to discard their used toilet paper in a trash can. They were given a chance by OSHA to comply voluntarily, and they misused and abused that chance, and that is why OSHA had to come in with enforcement actions.

Mr. Chairman, I would like to read just three paragraphs from a newspaper article entitled, ''A Shameful Legacy.'' It reads as follows:

The transgressions for this company date back nearly a decade when the Federal Government fined him in 1988 for 184 workplace violations, including hiring illegal aliens. Last year, OSHA inspectors found immigrant workers living in cockroach- and rat-infested housing and forced to work in hazardous settings. The violations included having workers handle chicken waste with their bare hands.

Former Labor Secretary Robert Reich called DeCoster's operation ''* * * as dangerous and oppressive as any sweatshop I've ever seen.''

Now, it just seems to me that the responsible thing for this Congress to do is exactly what the committee has done. We have provided an 11-percent increase in the voluntary compliance operations at OSHA. We have provided roughly a 1-percent increase for the rest of OSHA operations, which means that in real dollar terms, the rest of those operations will already suffer a real dollar reduction in terms of the services they are able to provide.

We have already had a 17-percent reduction in the number of inspections around the country under the new OSHA administration, under Joe Dear. This amendment is really a gutting amendment. It guts this bill. It guts the ability of OSHA to prevent additional fatalities by being able to inspect and fine where they need to.

Mr. Chairman, I would urge the House on both sides of the aisle to recognize the committee has produced a balanced approach to this problem, and I would ask the House to reflect that same balance when it votes on this amendment.

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

Mr. Chairman, I rise in support of this amendment. I think it spells out philosophically where we stand and where we think we should be going in this country in a different priority, and where the dollars are being spent within the setting of OSHA.

Nobody is asking for a cut or a reduction in OSHA spending in this amendment, but it is a question of whether we are going to allocate our dollars toward enforcement, or toward helping those good guy-bad guy businesses that my colleague, the gentleman from Wisconsin, was talking about, the good guy businesses, who are genuinely interested in the safety and well-being of their work force, helping them understand what they must do to reach that compliance.

I think it is real important that we note that the current numbers of spending are about $45 million for helping the good guy businesses, helping those people that are genuinely interested in improving the safety of the work force, they get about $45 million of the OSHA dollars, where the enforcement part is about $127 million.

This entire debate that has been going on in these amendments to this particular appropriation bill has been about priorities of spending. What we are saying here is that our priority is higher in helping those businesses that are genuinely interested in reaching compliance and the safety and well-being of their work force.

They want people to come in and show them areas where they could be safer and could provide a better workplace for their work force. There are not enough dollars currently to do that. That is why we are suggesting we reallocate dollars from one portion of OSHA to another.

I think this fits very much in line with what has been going on the last couple days as it relates to this particular appropriation bill. I would like to bring my colleagues up to speed on the last three amendments that we have voted on, and what the priorities of this conference and the other conference are, because I think it spells out where we stand and what we think is important in terms of where the Federal dollars are being spent. We had one amendment that suggested we take the increase in OSHA spending, and this is not a cut in OSHA spending, but we take the amount that was increased and we move it to vocational education.

The two conferences were very lopsided in their votes on this. The Republican conference voted 155 to 156 to move the increase in OSHA spending to vocational education; that is, take the increased dollars from OSHA and move it over to an education program. The other side voted 35 to 180.

There is a clear split here in the philosophy of these conferences as to which issue and which program is most important that we spend the dollars on; in this particular vote, an increase in OSHA spending, a move to education, the Republican conference voted 2 to 1 to go ahead and do that. The other side was almost unanimous the other way.

Another one we had, another amendment, was to increase spending, again in the OSHA area, and move that to help disabled children in the IDEA Program; that is, the Disabled Children Education Program. Again, it is a movement from the OSHA account, and again, not a cut in the OSHA account. But the new dollars that were being added to this, the increase in spending over last year's level, the idea is to move those dollars to this education program to help the most needy students in our country, the disabled students.

Again, the conferences were very split on this. The Republican conference voted 164 to 59, again, a 2 to 1 agreement within the Republican conference, that these dollars should in fact be moved over to help our disabled children. The other side was 3 to 200. So again, we see the different priorities here between the two conferences.

That is what this debate is all about. One conference agrees that the money should be spent to increase spending in OSHA, and again, there is no debate about whether it should be cut back, it is a debate about whether it should be increased, if those increased dollars should go to OSHA or they should go to help disabled students. Again, the conferences are very split, with the Republican conference voting 2 to 1 that the money should go to help the disabled

students versus an increase in spending in OSHA.

We had one more that took the increase in OSHA to another education program. That was 152 to 59 in the Republican conference, again, a 2 to 1 priority to put the money into education versus increase the amount of money spent on OSHA.

Now today we are really debating an amendment that is within the OSHA parameters itself: should the money go to the enforcement, which is what has turned off so many people in the country, or should OSHA be prepared to go into the businesses, tell them how to comply with the rules, help them see how to provide the safest workplace for their work force, and then allow them to meet those requirements; or should it be writing out fines and scaring businesses so that they are afraid to see the OSHA person.

Businesses out there are very interested in the safety of the work force. I come from the business world, and I know businesses are extremely interested in the safety of their work force. That is a top priority in virtually every business we saw.

What we wanted in the business world was the ability to provide the safest workplace possible for our work force. What we did not want was to be so overburdened with rules and regulations that we threw up our hands and said, we can't comply with these rules no matter what we do, and even if we try, the Government is going to come in here and fine us for something because they have so many rules nobody could possibly understand them.

□ 1145

That is what businesses did not want.

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentleman from Wisconsin [Mr. NEUMANN] has expired.

(By unanimous consent, Mr. NEUMANN was allowed to proceed for 1 additional minute.)

Mr. NEUMANN. Mr. Chairman, what this amendment is doing is getting us to the point where the businesses that would like to provide the safest workplace possible have the ability to do that, working in conjunction with OSHA. OSHA becomes a workplace-friendly assistant in providing the safety for the work force, as opposed to a threat with so many rules and regulations that nobody can abide by them.

Mr. Chairman, I would close my argument by reminding people that the enforcement part is getting 3 to 1 more than the compliance part, or the part that would actually help businesses provide the safer workplace.

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

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

Ms. PELOSI. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the gentleman from Wisconsin [Mr. NEUMANN] gave the House some interesting comparisons in the difference in voting patterns between the Democratic Caucus and the Republican Caucus.

I find those interesting, but what I think needs to be understood is that what the committee tried to do is not to find a Democratic answer or a Republican answer to these problems, but to find a bipartisan American answer, and it came up as the committee product and I think it ought to be supported.

Mr. Chairman, the gentleman says that OSHA ought to engage in voluntary compliance activities and not mandatory enforcement activities. My response is that they ought to do both, because we have, as I said earlier, good businessmen and bad businessmen. We have 6 million businesses in this country. We have only 900 Federal inspectors to review the activities of those companies. It seems to me that those numbers alone indicate that there is a lot of work to be done to protect workers' lives in both the voluntary compliance portion of OSHA's responsibility and the enforcement compliance portion.

Mr. Chairman, I would hope that Congress would recognize its obligation to also support both.

Ms. PELOSI. Mr. Chairman, reclaiming my time, whatever the good intention of the gentleman from Indiana [Mr. SOUDER] to have this legitimate discussion about how funds are spent at OSHA, the gentleman from Wisconsin [Mr. NEUMANN] made it very clear that once again we see this within the context of the Republican majority trying to gut the ability to have safety in the workplace.

Mr. Chairman, while hiding behind children in America, disabled children at that, the Republican majority is trying to say: Give us a few crumbs for these children, while we jeopardize the economic security and the safety of their parents in the workplace.

Mr. Chairman, the argument made by the gentleman from Wisconsin [Mr. NEUMANN], and others on the Republican side, ignore completely the reforms of the Clinton administration as far as OSHA is concerned. I put some on the RECORD yesterday, and would just only like to add a few more to say that compliance assistance is a major emphasis of the new OSHA under the Clinton administration.

The new OSHA uses commonsense enforcement to emphasize results, not redtape. The old OSHA practice of setting standard priorities was haphazard. The new OSHA instituted a priority planning process to focus on the most important issues.

Why, then, does the Republican majority want to gut the ability to promote safety in the workplace? This amendment slashes Federal funding for workplace safety and health by 16.5 percent. It would lead to a cut in about 300 FTE's in OSHA's enforcement efforts. OSHA's staff of compliance officers could be cut by 25 percent. I repeat, despite the good intentions of the gentleman from Indiana [Mr. SOUDER], OSHA's compliance staff would be cut by about 25 percent.

Mr. Chairman, experience shows that without credible OSHA enforcement presence, fewer employers will request consultation assistance and be willing to engage in a cooperative effort to partner with OSHA. In fact, the National Association of Occupational Safety and Health Consultation Programs, which as the Chairman knows represents the State agencies to help private business with consultation, they have said that firm, fair, and effective enforcement of workplace safety and health standards is essential to reducing occupational fatalities, injuries, and illnesses. That is why they oppose this amendment.

They also say enforcement and consultation are complementary approaches to the same end. Any effective strategy for achieving overall safety and health compliance must include both approaches in balance.

Mr. Chairman, that is what the bill of the gentleman from Illinois [Mr. PORTER] strives to do, and I rise in defense of the committee bill. The Souder amendment would transfer $25 million from the OSHA Federal enforcement account. Enforcement and compliance assistance are both important. The committee bill strikes an appropriate balance.

Since fiscal year 1995, compliance assistance funding has increased by 79 percent. At the same time, funding for enforcement has decreased by 5 percent. Removing the careful balance between compliance assistance and enforcement has consequences in terms of protecting American workers from death and injury.

The CHAIRMAN pro tempore. The time of the gentlewoman from California [Ms. PELOSI] has expired.

(By unanimous consent, Ms. PELOSI was allowed to proceed for 1 additional minute.)

Ms. PELOSI. Mr. Chairman, I urge my colleagues to oppose the Souder amendment. Protect American workers. Keep funding priorities in balance. Support the bipartisan committee bill and reject once again, for the fifth time since Friday, this attempt on the part of the Republican majority to gut enforcement of safety in the workplace.

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

Mr. Chairman, I rise in strong support of this amendment as making simply good sense for America, urging OSHA to work with employers to ensure safety, rather than to threaten employers.

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

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

Mr. NEUMANN. Mr. Chairman, I just wanted to respond to the comments that we just heard and put some of this in perspective. I think it is sad when

we start using words like ''gutting'' and ''slashing,'' when in fact there is no change to the OSHA funding level in this particular amendment proposal. There is no change to funding at all.

Mr. Chairman, the only question is whether it goes to the enforcement part or to the part that helps businesses provide compliance and provide a safe workplace. Mr. Chairman, I heard the gentleman from Wisconsin [Mr. OBEY] say that we need both. We definitely need to do both of these, and for a change I absolutely agree with the gentleman. We do need to do both.

Mr. Chairman, what this amendment is doing is creating more of a balance between how much we spend in each place. We are currently spending $127 million on enforcement and only $45 million on the other portion of this, or the compliance portion. What this amendment is doing is trying to create a stronger and a better balance between these two so that the OSHA group can become a group that is worker friendly and that can actually accomplish the goal of providing a safer workplace for our work force.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, let me briefly state that I think this amendment strikes the right balance. I said, in discussing a similar OSHA amendment last evening, that as a young man I worked on a construction site and I was dependent upon the people who managed that site for my safety. If they were negligent, if they had dangerous practices, I could have been injured on that site.

Mr. Chairman, I think worker safety is important to all Americans. One of my colleagues recently commented that the last thing any employer in America would ever do would be to call the Federal agency charged with worker safety and invite them in to help look at a job site and improve safety on that job site. Why? Because they would be desperately afraid that that organization, OSHA, rather than working to solve the problem, rather than giving them advice on how to avoid future injuries, would simply punitively punish them for what they had done, slap fines on them, slap them on the wrist and issue a critical report.

Mr. Chairman, we need a balance. Human conduct is easy to understand. We need to achieve goals with both the carrot and the stick. This is a measure to say let us give a little bit more incentives. Americans, humans respond to incentives. This says let us shift some of this money to incentives to protect workers rather than just punitive measures.

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

Mr. SHADEGG. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, to reiterate this point, because we heard this last night, this is what Mr. Dear wants to have OSHA go to. We are not trying to wipe out the agency. He wants to move to working more toward businesses. We started that process and we are merely accelerating a process that the committee acknowledges that they want to do. Nobody accuses them of slashing and gutting.

Mr. Chairman, we have to make some adjustments in the rhetoric here on the floor. In consultation visits with the State money for grants, we have made 26,000 visits, which is $1,200 a visit. When they do the inspection, they made 35,000 for $125 million, which is $3,000 per inspection.

Mr. Chairman, we can reach more of these businesses. It will not take 277 years to get to every business in America. Furthermore, not every business in America is a violator. If we fund more for conferences, more for consultations, more for working with businesses, then we can have a declining amount in enforcement focused on those who are not following through. So when we have the follow-up to see whether the people have worked with it, and the checking, we can have more targeted enforcement because we will have more people understand.

Mr. Chairman, that is what we are doing. We need an adjustment in the rhetoric on the floor in this debate.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, it seems to me that we can improve the climate on job sites across America by this kind of measure. My brother is in the construction business in Tucson, AZ. He builds homes. And he, rather than having a working relationship with OSHA, lives in daily fear of OSHA. That is not the kind of model we ought to be encouraging. That is not the kind of structure which will enhance to the greatest degree possible worker safety in this country.

Mr. Chairman, I commend the gentleman from Indiana and I join him in his amendment. I think it does strike the proper balance for worker safety in this country, which is achieved through both incentives to improve worker safety and punishments for those who choose to be negligent, choose to have unsafe work sites, and choose to cause injuries by their own negligent conduct.

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

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

Mr. OBEY. Mr. Chairman, the gentleman indicates that we ought to set OSHA up so that businessmen can respond to positive incentives.

The CHAIRMAN pro tempore. The time of the gentleman from Arizona [Mr. SHADEGG] has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. SHADEGG was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, I was under the impression that what we learned when we reformed welfare is that there are some people who respond to positive incentives and some people who respond to negative incentives, and we need to have both in order to make the world work.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, that is precisely what I believe the gentleman's amendment does. It strikes a proper balance between incentives and punishment. And, indeed, that is what he seeks to do by the amendment, and that is what I believe he is doing.

Mr. OBEY. Mr. Chairman, if the gentleman would continue to yield, and if I could complete my thought, I was simply going to say that I think that many businesses respond to those positive incentives because they know that if they do not, they have the possibility of fines coming at them. That is why we are trying to preserve the balance between the programs.

Mr. SHADEGG. Mr. Chairman, again reclaiming my time, I guess I have a more positive view of human nature than does the gentleman from Wisconsin [Mr. OBEY]. I do not believe that those businesses across America respond to worker safety challenges just because they are afraid of OSHA. Indeed, I believe employers across America genuinely care about safe working conditions for their employees.

Indeed, the businesses I know recognize that skilled and valuable employees who become injured are a grave loss to them. That skilled and valuable employees who are lost to a job site because of an injury, they do not fear the OSHA penalty. Of course that is something that causes them problems, but they fear the economic impact they lose by the loss of that employee. I do not think it is appropriate to give them as a motive the belief that all they do is respond positively because of their fear.

Mr. OBEY. Mr. Chairman, if the gentleman would again continue to yield, that is not what I am suggesting. What I am suggesting is that there are plenty of both types of businessmen and we need to be able to respond to both types.

Mr. SHADEGG. Mr. Chairman, again reclaiming my time, what I think this amendment shows is that we believe there is not a proper balance. We believe there ought to be more incentives.

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

Mr. Chairman, continuing the discussion that we have been having here this morning, I would rise to suggest that while the majority of businesses in fact want to do the right thing regarding their employees, it makes economic sense, it makes good sense as employers who care about their employees. The reality is that this is about balance. And when, in fact, there is a problem, when, in fact, someone is knowingly proceeding to create a situation that is dangerous for workers, OSHA has to have the ability to respond and to protect workers and, as well, protect the majority of businesses by standing up to those that proceed in a way that hurts workers.

□ 1200

We have heard this morning various comments and discussions about what Joseph Dear has been doing and OSHA, what has been done, no question about it, moving on the right track, reinventing OSHA, moving more toward the notion of education and voluntary compliance, and those are the kinds of things that we want to see done.

I am in full support of that. I want very much to see that continue as an emphasis. But I think that it is important to understand what Mr. Dear himself believes about this amendment. I would like to read a statement that he has just issued this morning:

When I began the task of reinventing OSHA in 1993, one of the first realizations we at the agency had was that in order to be fully effective, OSHA must utilize a full range of tools and options. We carefully crafted a program that was a balance of compliance assistance and enforcement, knowing that a credible enforcement effort is necessary to ensure that employers would not look upon the agency as merely a paper tiger.

The effort in the House to shift 16 percent of OSHA's budget, $23 million, from enforcement to compliance assistance does not serve either the program or America's workers well. Under the new OSHA, serious violators know they will face serious consequences. The Agency has demonstrated it does not penalize those employers who take workplace safety and health seriously and act in good faith. It is unthinkable that the new OSHA's proven track record, short though it may be, should be cutoff at this critical juncture with the shortsighted shift in priorities.

I would agree. I would urge my colleagues to vote ''no'' on this amendment.

Frankly, as a member of the Committee on Agriculture, I understand as well, working on food safety issues, that there is a direct relationship between what my constituents are concerned about in food safety as consumers and what happens in terms of OSHA. When we look at the fact that we have now through Hudson Foods seen the largest recall in the history of the country in meat, and we know that they were, in fact, under investigation by OSHA for violations on safety, there is a relationship. There is a relationship when they are cited for their place of employment not being kept clean and orderly or in a sanitary condition and that pieces of chicken and chicken fat were allowed to accumulate on the floors and under elevated platforms in the fillet and cut-up department, thus causing slip and fall injuries.

I would suggest it not only causes slip and fall injuries but that it also caused sanitary problems that related to what was happening there at the plant that resulted in the recall of meat and the safety of the public being jeopardized as it related to food safety.

There is a relationship. When Hudson was cited for drainage not being maintained when they used their wet processes, it is not only a safety issue, it is a food safety issue and a worker safety issue.

I would urge my colleagues to vote ''no'' on this amendment. I appreciate the fact that the focus that is desired by my colleagues is on education and on voluntary compliance. I support that. But it is very important that we have a balance that allows in those situations, which I believe are few but serious, it is critical for the health and safety of the public and American workers that OSHA have the ability to step in and protect health and safety.

Mr. SOUDER. Mr. Chairman, will the gentlewoman yield?

Ms. STABENOW. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I believe I heard the gentlewoman state a figure that was beyond where the amendment went. The amendment only takes 20 percent of enforcement and moves it to compliance. It leaves 80 percent of compliance dollars there at the Federal level and the State compliance dollars there, so there is nearly $200 million of the $220 million left in enforcement. It increases the compliance only $20 million. I wanted to make it clear that 80 percent of the enforcement is still there.

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentlewoman from Michigan [Ms. STABENOW] has expired.

(By unanimous consent, Ms. STABENOW was allowed to proceed for 1 additional minute.)

Ms. STABENOW. Mr. Chairman, I appreciate the fact that the dollars are still there for enforcement. My concern is that this amendment would cut OSHA's enforcement staff by 25 percent. I think, given the climate in which we are in, the concerns about food safety, the concerns about worker safety, the injuries and deaths that are still occurring across the country, I would suggest 25 percent is too much and it goes in the wrong direction and we need to maintain the balance.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose the amendment.

Mr. Chairman, we have heard a lot during the discussion on this amendment about moving funds from Federal enforcement to Federal compliance assistance. I have to tell my friend from Indiana and my colleague from across the border in Wisconsin that that is exactly what I have been doing as chairman of the subcommittee for the last 3 years. We have consistently moved more money into compliance assistance and taken the money from Federal enforcement and made a better balance.

The gentleman from Arizona said we have got to find balance in this. How do we find balance? Do we do it by simply saying, ''I know what balance is?'' ''Balance is more my way than anyone else's way?'' No, we find it by sitting down between majority and minority and working out where there is an acceptable balance. In doing so, we must recognize that the minority has a greater concern with those businesses that violate the law and do so, as some do, intentionally. We have a greater concern with trying to find a cooperative way to have business and government work together.

I believe that we have found, through the process of negotiation, the right balance in this account. We have increased money for compliance assistance overall by 22 percent, and the increase for enforcement is only 1 percent in the bill.

This funding decision has moved us further in the direction of compliance assistance. We have done so consistently over the last 3 years. I think the amendment is simply one that would do exactly what I believe cannot be done, and that is lose the bipartisan basis upon which this bill has reached this point and eventually, I would be afraid, lose the bill entirely.

I would say to the gentleman that we have done what the gentleman wants us to do philosophically and that this amendment can only provide mischief and lead to the bill being defeated, which I think would be a terrible mistake.

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

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

Mr. OBEY. Mr. Chairman, I would like to recite the numbers to demonstrate the change that has occurred since the gentleman from Illinois [Mr. PORTER] has become chairman.

The enforcement portion of OSHA's budget has declined by 5 percent in those 3 years. The compliance portion of the budget has been increased by 80 percent, from $45 to $81 million. I think that is a very large swing in emphasis which continues under this bill. I hope that the House will recognize the good efforts made by the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman.

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

Mr. PORTER. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, the Compliance Assistance Program, which I realize is only part of all the compliance efforts, is $45 million and it was $30 million, or roughly $34 million prior to the $11 million increase. So the increases sound larger, but, in fact, the dollar amount of a smaller increase in enforcement is about two-thirds of the dollars of the increase in compliance.

When we came in, in the authorizing committee and were first working with OSHA reform, we were proposing much more dramatic changes. I understand that inside this you have moved it in the right direction. Part of what this debate is about is that at one point we were talking like 75/25. Now we are talking such small, incremental changes and what we are, in effect, doing is upping that incremental change but still leaving the disproportionate balance for enforcement at almost 3 to 1, exact opposite of what we started with.

This amendment in trying to respond, many of us wanted to move the dollars over to education. But if we are going to keep it in OSHA, then we think that we should have accelerated that process. We are not disagreeing on the thrust of where you and the ranking minority member were going, but we believe it should of occurred at a faster rate.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana [Mr. SOUDER].

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

RECORDED VOTE

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 255, not voting 14, as follows:

[Roll No. 373]

AYES—164

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilirakis
Bliley
Blunt
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Campbell
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Deal
DeLay
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Foley
Fowler
Frelinghuysen
Gallegly
Ganske
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kingston
Klug
Largent
Latham
Lewis (KY)
Linder
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Moran (KS)
Myrick
Nethercutt
Neumann
Norwood
Nussle
Packard
Pappas
Paul
Paxon
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Riggs
Riley
Rogan
Rohrabacher
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Thornberry
Thune
Tiahrt
Traficant
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Wicker

NOES—255

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Callahan
Camp
Capps
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Herger
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Obey
Olver
Ortiz
Oxley
Pallone
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Shaw
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Taylor (NC)
Thomas
Thompson
Thurman
Tierney
Torres
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Whitfield
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—14

Baker
Cannon
Carson
Cox
Dellums
Gibbons
Gonzalez
Hilliard
Oberstar
Owens
Quinn
Schiff
Serrano
Towns

□ 1227

Mr. PASCRELL and Mrs. JOHNSON of Connecticut changed their vote from ''aye'' to ''no.''

Mr. EWING and Mrs. KELLY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Mr. Chairman, on rollcall No. 373, I was unavoidably detained. Had I been present, I would have voted ''no.''

□ 1230

AMENDMENT OFFERED BY MR. SHADEGG

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

The Clerk read as follows:

Amendment offered by Mr. SHADEGG:

Page 24, line 2, after the dollar amount, insert the following: ''(reduced by $25,000)''.

Mr. SHADEGG. Mr. Chairman, let me begin by bringing my colleagues two bits of what I think will be good and welcome news. The first is that having gone through more than 2 days I believe of debate on title I to this bill, this is the last amendment to title I and with luck we can debate it with relative speed.

I want to compliment the members of the committee and the subcommittee. At two separate points in this legislation, the bill sets what I think are important standards for the expenditure of the moneys being appropriated. I think it is critical that we do that. Our task here is to ensure that the moneys that we take from taxpayers and allocate to various programs are spent in the most effective and efficient way possible. To ensure that, at two separate points in this bill, the bill sets a limit on the maximum amount of money which may be paid to an employee or a contractor of the National Institutes of Health to perform under a grant of $125,000. At a separate point in the bill, it sets a similar limit. This limit is imposed upon independent contractors and administrators who are performing work for the Job Corps, and it says that no one shall be paid under the funds appropriated in this bill at a rate of more than $125,000, as a contractor or administrator, as their salary for one year.

Mr. Chairman, the amendment before us simply says that while I agree that a cap of $125,000 is an appropriate limit for a researcher at the National Institutes of Health, I submit that it is an excessive salary and a misuse of the funds appropriated under this bill to pay an administrator or a contractor under the Job Corps program, whose function is to educate and train children, a salary of $125,000 a year. The amendment says that the salary for an administrator or a contractor within the Job Corps, whose job it is to inspire and train our youth, should not be excessive.

Why is it important that we change that number? Because every dollar that goes to administration within the Job Corps program is taken away from education and training. I think it is appropriate that we say, let us use those dollars to the greatest extent possible to educate and train the disadvantaged youth within the Job Corps program. Let us not use them to pay what is in America today an excessive salary.

And so the amendment I have offered says that the maximum amount allocable under the legislation for one year's

salary for an administrator within the Job Corps or a contractor or employee performing that function would not be $125,000 a year, but rather would be $100,000 a year.

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

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

Mr. OBEY. Did the gentleman say that this is the last amendment to title I?

Mr. SHADEGG. I did.

Mr. OBEY. In that case on this side of the aisle, we would be delighted to accept the gentleman's amendment.

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

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

Mr. MILLER of Florida. Mr. Chairman, we will be delighted to accept the amendment, too.

Mr. SHADEGG. Mr. Chairman, I am thrilled with the willingness to accept the amendment, and I accept that.

The CHAIRMAN pro tempore (Mr. BEREUTER). The question is on the amendment offered by the gentleman from Arizona [Mr. SHADEGG].

The amendment was agreed to.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, and the Health Care Quality Improvement Act of 1986, as amended, $3,616,068,000, of which $225,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided,* That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals: *Provided further,* That of the funds made available under this heading, $2,500,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further,* That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further,* That no more than $5,000,000 is available for carrying out the provisions of Public Law 104–73: *Provided further,* That of the funds made available under this heading, $203,452,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further,* That $299,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further,* That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408: *Provided further,* That, of the funds made available under this heading, not more than $4,600,000 shall be made available and shall remain available until expended for loan guarantees for loans made by non-Federal lenders to health centers under section 330(d) of the Public Health Service Act as amended by Public Law 104–299, and that such funds be available to subsidize guarantees of total loan principal in an amount not to exceed $53,300,000: *Provided further,* That notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $105,624,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $6,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed $85,000,000: *Provided further,* That the Secretary may use up to $1,000,000 derived by transfer from insurance premiums collected from guaranteed loans made under title VII of the Public Health Service Act for the purpose of carrying out section 709 of that Act. In addition, for administrative expenses to carry out the guaranteed loan program, $2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided,* That for necessary administrative expenses, not to exceed $3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

Mr. OBEY. Mr. Chairman, could I interrupt to ask which page the Clerk is on? I think Members had been under the impression that we were still reading title I.

The CHAIRMAN pro tempore. The Clerk is currently on page 29.

The Clerk will resume reading.

The Clerk read as follows:

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, and XIX of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21 and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $2,343,737,000, of which $20,000,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided,* That in addition to amounts provided herein, up to $48,400,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further,* That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: *Provided further,* That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further,* That the Congress is to be notified promptly of any such transfer.

In addition, $45,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out section 40151 of Public Law 103–322.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $2,513,020,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $1,513,004,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $209,403,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $874,337,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $763,325,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $1,339,459,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,047,963,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect

to child health and human development, $666,682,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $354,032,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $328,583,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $509,811,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $269,807,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $198,373,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $62,451,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $226,205,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $525,641,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health $744,235,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $211,772,000.

AMENDMENT NO. 34 OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I ask unanimous consent to have an amendment that I have at the desk read.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. OBEY. Mr. Chairman, reserving the right to object, I would like to know which amendment that is.

The CHAIRMAN pro tempore. The gentleman from Wisconsin reserves the right to object.

Will the gentleman from Oklahoma identify the amendment for the Clerk?

Mr. COBURN. Yes, Mr. Chairman, page 25, 26, and 37.

Mr. OBEY. I am sorry, Mr. Chairman, we are already past that point in the bill and I am constrained to object.

The CHAIRMAN pro tempore. Objection is heard.

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

Mr. Chairman, it is important, the whole purpose for this bill is to make sure that we have a fair and open and honest debate on what is occurring in this bill. I have been standing at this point patiently trying to be polite as we read this bill, wishing to be recognized and not interrupting. Although I may not have followed the exact protocol of the House, nevertheless I have been standing here prepared to offer this amendment which was preprinted, which was available.

This is an amendment that should be considered by this House. The reason it should be considered is there are several thousand people in the United States who are HIV positive who will not be able to get drug treatment. This amendment brings money for those people. If this body wants to on a technical error deny people triple drug therapy that will prolong their life and delay the onset of AIDS, then so be it. But it is a shameful act if in fact we do not consider a debate or a characterization of this amendment.

AMENDMENT NO. 34 OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I ask unanimous consent that this amendment be heard and considered on the floor of this House. Lives are depending on it, thousands of lives are depending on it. It is unconscionable that we would not even debate additional moneys for people who will die should this therapy not be available to them. I would beg and plead with the gentleman from Wisconsin that he would allow consideration of this amendment.

The CHAIRMAN pro tempore. Pending the request, the Clerk will designate the amendment for clarity.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. COBURN:

Page 25, line 18, after the first dollar amount, insert the following: ''(increased by $34,868,000)''.

Page 26, line 22, after the dollar amount, insert the following: ''(increased by $51,000,000)''.

Page 37, line 1, after the dollar amount, insert the following: ''(reduced by $2,388,000)''.

Page 41, line 8, after the dollar amount, insert the following: ''(reduced by $22,668,000)''.

Page 44, line 16, after the dollar amount, insert the following: ''(reduced by $4,812,000)''.

Page 45, line 11, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

The CHAIRMAN. Is there objection to consideration of the amendment?

Mr. OBEY. Mr. Chairman, reserving the right to object, I would simply make this point. I stood on the floor just a moment ago and interrupted the Clerk to make certain that Members understood exactly where she was, because I did not want Members to miss their opportunity to offer amendments. I did that as a courtesy to Members who I knew had amendments, but it is not my responsibility to then do their job for them. Their job is to be ready to offer the amendments at the appropriate point in the bill. I went out of my way to try to alert people to the fact that the Clerk was in title II. I cannot help it if the gentleman did not respond to that.

The fact is that we have already almost doubled the account the gentleman wants to add some more money to. We went in this bill from $167 to $299 million. That is hardly a failure to meet our responsibilities.

The fact is that this committee has already well responded to this issue. I would further point out that the House has been informed that this bill is going to be debated this week and next week. We have not attempted in any way to cut off debate, but we are certainly not going to allow the gentleman to ignore the rules of the House for the purpose of extending debate after we purposely engaged in a courtesy that alerted people to where the Clerk was in the bill. At this point, I am sorry, but I object.

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

Mr. OBEY. Further reserving the right to object, I yield to the gentleman from Oklahoma.

□ 1245

Mr. COBURN. Mr. Chairman, I would say to the gentleman from Wisconsin [Mr. OBEY], there is no question that I am not a career legislator, and there is no question that I do not have the Parliamentary skills of a skilled, long-term legislator like the gentleman. But there is nothing wrong with the intent of my heart and my desire to bring forth an issue that has to do with life and death, although my skills as a legislator are somewhat less.

Mr. OBEY. Mr. Chairman, I reclaim my time under my reservation to say I have not questioned the gentleman's heart or motives in any way. I attempted to do him a courtesy. He did not take advantage of it. That is not my fault.

I am not going to allow Members to get around the rules in order to continue to engage in a protracted filibuster, and I do object.

The CHAIRMAN pro tempore (Mr. BEREUTER). Objection is heard.

Mr. COBURN. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN pro tempore. Does the gentleman yield back the time on his pro forma amendment or does he wish to proceed?

Mr. COBURN. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. COBURN] has 3 minutes remaining.

Mr. COBURN. I would like to continue discussing this amendment.

The CHAIRMAN pro tempore. The gentleman from Oklahoma is recognized for 3 minutes.

Mr. COBURN. Mr. Chairman, this debate is characterized by the gentleman from Wisconsin [Mr. OBEY] as a way to delay this bill. That is completely false and not true. This amendment comes at the heart of everything that I have been trying to do on the HIV epidemic in this country, and to not allow an amendment to offer additional treatments, lifesaving treatments, is wrong.

Yes, this committee did increase that funding, but there still are going to be

30,000 Americans who will not have triple drug therapy available to them. Unfortunately, most of them will not be associated with what we most often identify with, because many of the ones that have been in programs that have been there long-standing will have the treatment.

The people that will not get this treatment are going to be African-American women, they are going to be IV drug users, they are going to be people who have no means whatsoever to fend off this disease. We have spent billions of dollars researching this disease, and now we bring forth an amendment.

I stood at this stand trying to be polite, failing to interrupt. My mistake, there is no question, I would say to the gentleman from Wisconsin [Mr. OBEY], but I did not intend to go around the rules of this House. I did not intend to be an obstructionist. I intended to offer this amendment to save the lives of people who will not, will not, have these drugs available to them.

If, in fact, this House says that we should not offer this amendment because we did not interrupt at the proper time while somebody else was speaking in an attempt to be orderly and to be appropriate, then so be it. I find that disgusting. I find it unconscionable that our House would not consider this amendment, if in fact it is unimportant to this body to treat everyone in this country who has HIV.

If it was any other disease that was killing people, the No. 1 killer between 25- and 44-year-old people in this country, this body would not have any question about considering any amendment at any time to make sure that that took place.

The fact that this is viewed as only an obstructive amendment and is not taken for the purposes for which it was offered is offensive to me, but, most importantly, it is offensive to those poor people who will not be treated.

Mr. Chairman, this is a genuine amendment. It takes money from programs and brings them down to the President's own request. It takes no money below anything that the President asked for. It uses those moneys that were in excess to help people who do not have insurance, who are unaided by any other way, to allow triple drug therapy for them in the treatment of this deadly and dreaded disease.

I would beg the House to reconsider the position. I would ask the gentleman from Wisconsin [Mr. OBEY] once again to reconsider his position. If not, then I will be resigned to the will of the House, but I am embarrassed and ashamed of the position of the House.

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

Mr. Chairman, I simply want to repeat some facts and make a point. The program that the gentleman seeks to add money to has already been increased by the committee under the leadership of the gentleman from Illinois [Mr. PORTER] this year in this bill from $167 million to $299 million. I challenge you to find a larger percentage increase in a large program in the bill. It will be very difficult to do.

I think, under the circumstances, the gentleman from Illinois [Mr. PORTER] and the subcommittee, and the full committee that reported this bill to the House on a bipartisan basis, have more than responded to the need.

Now, the gentleman is perfectly entitled to his view that there ought to be more. But the fact is the newspapers have been full of accounts from Members who are offering these amendments, including the gentleman, that they intend to keep us here for a long, long time on this bill.

The rules of the House require Members to be here in a situation in which they are prepared to offer their amendments at the proper time. Because it was apparent to me that we were already in title II, even though it was a Parliamentary disadvantage to the committee and to myself, I interrupted the Clerk's reading in order to note to the House that we were already far ahead into title II.

That should have alerted the gentleman. I extended a courtesy to him. The gentleman should be thanking me instead of attacking me.

Mr. Chairman, I would simply say that I have tried to be courteous to Members on both sides, and I have tried to extend many courtesies, including the opportunity to strike the last word many times, when the normal course of events in the House and the normal rules would not provide for that.

With all due respect, I am sorry the gentleman did not offer his amendment at the proper time, but the rules are meant to eventually enable the House to produce legislation. I think we have been more than fair to those who have been taking a good deal of time. I think the committee has been more than fair to the program at hand.

This subcommittee takes a back seat to no one, certainly the gentleman from Illinois [Mr. PORTER] does not, the gentlewoman from California [Ms. PELOSI] does not, and other Members, when it comes to dealing with this problem.

I would say that I think the most sensible thing for the House to do at this point is to move on. There are a good many other amendments, and I have already been informed by the gentleman and others that we will be here for at least 2 weeks on a bill that was expected to take 2 days. I think I have been very patient, but I do not intend to be a sap.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

I want to associate myself with his remarks about the fine work of the subcommittee under the leadership of the gentleman from Illinois [Mr. PORTER], and our ranking member, and the gentleman from Wisconsin [Mr. OBEY], to increase the funding for the ADAP program by $132 million. These funds for drugs for people with HIV and AIDS is very, very important.

The gentleman's attempt to put in an amendment to increase that number, while taking money from other areas that affect people with AIDS, I think is not well-founded.

Had the gentleman offered the amendment, I would have opposed it. As one who has had over 13,000 people die of AIDS in my district, I believe I have some standing on this issue. I certainly want the highest figure, and the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] worked for the highest figure, and will continue to work with the administration for an even higher figure by the end of the day, but not at the expense, for example, of the Office of Civil Rights, which works to end discrimination against people with HIV–AIDS and against a number of other functions within our bill.

Mr. Chairman, I have frequently said this bill is lamb-eats-lamb. That is to say, everything in it is good; there is no place to go get an offset. Unfortunately, the gentleman's offsets are not productive, and, indeed, work counter to the interests of people with HIV–AIDS.

Mr. Chairman, once again I commend the gentleman from Wisconsin [Mr. OBEY] for his courage on this issue.

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

Mr. Chairman, I think what we have reached here is a situation where this House can decide fundamentally do we want to allow Members to be heard on what are critical issues in this bill or do we want to adopt a gag procedure that says we are not going to allow you to address issues having to do with treating AIDS patients, issues with how our title X family planning amendments are going to be passed, issues that are very important in constructing this bill and determining what the will of the House is.

What I would like to do, Mr. Chairman, is once again try to do this in an effort of accommodation, without having to disrupt the procedures of this Committee of the Whole or the Whole House, and ask unanimous consent that we return to page 25, line 18, and proceed to consider the bill from that point forward.

Mr. OBEY. Mr. Chairman, once again, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. MCINTOSH. Mr. Chairman, in that case, I move that the Committee do now rise.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. MCINTOSH].

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

RECORDED VOTE

Mr. MCINTOSH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 42, noes 375, not voting 16, as follows:

[Roll No. 374]

AYES—42

Aderholt
Bachus
Barr
Barton
Bryant
Cannon
Chenoweth
Coburn
Combest
Doolittle
Duncan
Graham
Hastert
Herger
Hilleary
Hostettler
Jones
Largent
Manzullo
McIntosh
Neumann
Norwood
Pappas
Pitts
Riley
Rogan
Royce
Ryun
Sabo
Scarborough
Schaffer, Bob
Shadegg
Shimkus
Smith, Linda
Snowbarger
Souder
Strickland
Thune
Tiahrt
Wamp
Weldon (FL)
Yates

NOES—375

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

NOT VOTING—16

Bentsen
Bono
Brown (CA)
Carson
Dellums
Foley
Gonzalez
Hilliard
Johnson, Sam
Ortiz
Owens
Schiff
Serrano
Solomon
Towns
Wolf

□ 1321

Mr. OBERSTAR and Mr. MCDERMOTT changed their vote from ''aye'' to ''no.''

Messrs. PITTS, DOOLITTLE, CANNON, SHIMKUS, SCARBOROUGH and BARR of Georgia changed their vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Illinois [Mr. PORTER], chairman of the Subcommittee on Labor, Health and Human Services and Education, in a colloquy.

Mr. Chairman, I know that the gentleman from Illinois is aware of the food safety initiative that the President has made a top priority as a result of increased incidence of food-borne illness in the United States. I know, from serving on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that we have provided $28.8 million to improve inspections done by the Food and Drug Administration and expand preventive safety measures.

The other significant component of the food safety initiative is found in the bill we are considering today for the Centers for Disease Control and Prevention. The major contribution the CDC will make to the food safety initiative deals with surveillance. We need to not only monitor the food supply, but to develop a rapid response to outbreaks due to food-borne illnesses.

Mr. Chairman, the CDC received an allocation of $2.4 billion in this year's bill, which is $86 million more than the administration requested. I know by tradition the committee does not specify how the CDC must use the additional funds; however, it is clear that the committee has provided the resources necessary to fully fund CDC's portion of this new and promising food safety initiative.

Mr. Chairman, I would ask could the gentleman from Illinois comment on the committee's view of the importance of the $10 million of the additional funding provided for the CDC going toward the agency's involvement in this food safety initiative?

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

Mr. FAZIO of California. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, it is appropriate, I believe, to highlight, as the gentleman from California does, the importance of food safety activities conducted by the Centers for Disease Control and Prevention. As the gentleman mentioned, the committee bill increases funding for the CDC above the President's request, including the funding for the infectious diseases program which supports CDC's food safety efforts.

Mr. Chairman, we understand from the CDC that with the funds provided in the committee bill, the agency would increase funding for food safety by $10 million to a total of $14.5 million. The committee strongly supports the CDC in its efforts. The importance of food safety activities has been reinforced with recent headlines about disease outbreaks traced to food-borne infectious agents.

AMENDMENT NO. 16 OFFERED BY MRS. CHENOWETH

Mrs. CHENOWETH. Mr. Chairman, I offer an amendment to a portion of the bill already passed, and I ask unanimous consent just to discuss it.

The CHAIRMAN pro tempore (Mr. BEREUTER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mrs. CHENOWETH:

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)''.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Idaho [Mrs. CHENOWETH]?

Mr. OBEY. Mr. Chairman, reserving the right to object, I am happy to yield to the gentlewoman from Idaho to discuss her amendment under my reservation, and then I want to explain why it is that I am going to do what I am going to do.

Mrs. CHENOWETH. Mr. Chairman, I wish I were clairvoyant across this body so that I would understand what the gentleman from Wisconsin wants to do. But I do know, having watched the gentleman, not only from the time that I have been in this body but before that, I really feel that in his heart the gentleman would be sympathetic to this particular amendment, and I think that most House Members would be.

Mr. Chairman, this amendment is fairly benign. It is something that we are all very, very concerned about, and that is that we increase funding for senior citizens' meals in senior citizens centers. We do that by transferring out of title X family planning, which would be declined by $9 million. That would bring it back to where the 1997 levels were, and then we would be able to increase senior citizen congregate meals $4.75 million, which again would simply establish the meals and the funding for the senior citizen meals at 1997 levels.

□ 1330

Like I say, not being clairvoyant, I am not quite sure what the gentleman from Wisconsin has in mind, but I believe that my amendment is consistent with his thinking and his actions in the past.

I very much appreciate this consideration. Our senior citizens are having a very, very difficult time on fixed incomes. Most of the time, the time that they spend in the senior citizen centers is the only time that they can get out of the house and be able to spend time with their peers and having enjoyable times.

Mr. OBEY. Mr. Chairman, reclaiming my time under my reservation, let me recite again for Members who have come to the floor what the situation is.

After the adoption of the last amendment to title I, the Clerk began to read title II. There were a number of Members on both sides of the aisle who were entitled to offer amendments in title II. I stood and asked the Clerk to stop reading to make clear to the House where she was in the bill so that Members who had amendments could be alerted to the fact that they should be offering their amendments at that time.

I cannot recall a single instance in which a committee manager has done that before in the years I have been in this House. I did it even though it disadvantaged the committee because I wanted to be fair to Members who were offering amendments. No amendments were offered. We passed some 10 pages of that section.

At this point there are a number of amendments that are no longer eligible to be offered at this point in the bill.

The Chenoweth amendment, the committee had determined that we were going to accept the Chenoweth amendment, if the gentlewoman offered it, because we regarded it as a reasonable amendment in contrast to the other amendment that engendered controversy, which tries to increase an account which we have already increased by almost 100 percent in the bill.

As a courtesy to the majority, I am willing to withdraw my objection to consideration of the gentlewoman's amendment, but not without an appreciation of the fact that the committee has bent over backward to be fair to each and every Member who had an opportunity to offer an amendment.

It is the responsibility of this committee, when we are informed through the press and on the floor by two gentlemen last night that they intend to keep us here for more than 2 weeks on this bill, it is our responsibility to move the bill forward wherever we can. Despite that fact, in this instance I am willing to withdraw my objection to this amendment but only this amendment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mrs. CHENOWETH. Mr. Chairman, I think that a number of us here, when the bill moved much quicker than we expected, as I was watching television this afternoon and saw the gentleman from Wisconsin [Mr. OBEY] make his remarks calling attention to the fact of where we were, and I fully recognize that the gentleman from Wisconsin [Mr. OBEY] did that, my heart stopped. Once I got it going again, I came right over here to the floor.

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

Mrs. CHENOWETH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to point out that memories are short.

Last year, Mr. KENNEDY, on our side of the aisle, came to the floor asking to offer an amendment which the Clerk had just passed by two paragraphs. He was denied that opportunity to do so by the majority. So were a number of other Members who missed their amendments. So that is the normal order of things around here.

Members are expected to know their own business, and we are not engaging in any action that has not been engaged in under the rules of the House, and correctly so by the majority.

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman. I just wish that I did have the parliamentary experience and skill on the floor of the House that Mr. KENNEDY does have and does possess. But there are a number of us who missed a step this afternoon. For that, we are deeply sorry and deeply grateful that we can move ahead.

Mr. Chairman, what are senior congregate meals?

Let me tell my colleagues. Again, I repeat, for many senior citizens, especially those who are alone or on fixed incomes, senior centers provide a place to congregate and an excuse to get out of the house and be able to socialize.

Just as important, senior centers provide low-cost, hot, nutritious meals. But without adequate funding for the congregate meals program, few local senior centers could afford to provide these very much needed hot meals.

I have been in close touch with our senior citizens. Here, in fact, coming from McCall, ID, are just some of the signatures, line by line by line, of the senior citizens' signatures from just one senior citizen center. This is so important for our seniors. They have given so much to our country.

The fact that we would extend more funding to family planning for healthy, vigorous teenagers and cut the funding for senior citizens is something that I think, on second thought, that we really do not want to do. I appreciate the Members of the House for their consideration on this. I especially appreciate the gentleman from Wisconsin for his consideration.

I have received hundreds and hundreds and hundreds of signatures in support of funding for nutritious meals for our senior citizens. My amendment is the essence of our American agenda. It is fiscally proper and morally responsible, Mr. Chairman.

So why is title X funding being increased?

Well, I cannot answer this, but I believe it is the priorities of the American people that we make sure that our senior citizens are fed well, healthy, and nutritiously. The thing that we have got to remember is that title X programs have been shown to be inefficient, ineffective, and riddled with criticism and controversy.

Since title X was enacted, the teenage out-of-wedlock rate has actually doubled and the teenage abortion rate has actually doubled and the increase of sexually transmitted disease has increased to a point where 1 in 4 sexually experienced teenagers are infected every year.

Mr. Chairman, when we get back to our districts next week and visit our elderly constituents of the local senior center, will we be able to look into their eyes and tell them that abortion counseling is more important than hot meals to be served at our senior centers?

I think we all feel about the same way on this, that our seniors need to not only be cared for; we need to live up to our promises with our senior centers and to our senior citizens. But they need to be honored and respected

in the manner that I believe this amendment will do.

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

Mr. Chairman, let me say to the gentlewoman from Idaho that I determined, and the gentleman from Wisconsin [Mr. OBEY] agreed earlier, that we could accept this amendment and we do accept it. I certainly agree with the gentlewoman's remarks regarding the senior citizens' programs. I do not agree at all with the gentlewoman's remarks regarding title X.

But the point I would like to make is that it is very difficult when you are reading a bill paragraph by paragraph or section by section to return to an earlier part of the bill when someone misses the point at which they are to offer an amendment. Once you do that, you have to do it for everyone who misses the opportunities the rules provide, and pretty soon you have chaos on the floor. You do not have an orderly procedure and no one knows where you are.

I would say to the gentlewoman from Idaho that I believe that the gentleman from Wisconsin is being very gracious in allowing this amendment to be taken up at this point, and that I hope all Members on both sides of the aisle will be very vigilant in watching as we read the bill so that we can have amendments offered at the proper time.

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

Mr. Chairman, I rise in support of the Chenoweth amendment. I do want to say, I appreciate our colleagues on both sides of the aisle for not objecting to consideration of this amendment at this point. I think it perhaps proves the point that the gentleman from Oklahoma [Mr. COBURN] and I were making, that these are very vital and important issues and ought to be addressed on the floor of the House.

I cannot tell my colleagues how important this program is that the Chenoweth amendment seeks to obtain additional funding for. Last Christmas, Ruthie and I both volunteered with a program run out of our local hospital that delivers hot meals to indigent senior citizens who otherwise would have no hope for having a nutritious meal. To see the love and thanks in their eyes as we rang the doorbell and delivered those meals told me how important this program is for those citizens in this country.

I have to, frankly, agree with the gentlewoman from Idaho [Mrs. CHENOWETH], it would be difficult for me to go back home and say, we chose to have family planning services above those meals. I think she is doing us a great service by bringing this amendment forward, setting forth clearly that this House is in strong support of those programs for meals for senior citizens at the centers and in their homes.

I want to commend her on that effort and, again, thank Members on both sides of the aisle who allowed this issue to come forward. Hopefully, we will be able to see a full discussion of all of the issues that we have in this bill so that we can truly say that the House of Representatives today and in the coming days has debated the priorities in one of the most important funding bills of our entire government.

As we have said earlier in the debate, there are some fundamental differences about whether we want to continue to fund programs that primarily affect people here in Washington or do we want to send this money out to programs that are doing good things for real Americans outside of the beltway?

My choice is for the latter, and I will continue to support amendments that seek to redirect priorities in this bill in that manner.

Mr. Chairman, that is the remainder of my comments on this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I rise today in strong support of the amendment to H.R. 2264 offered today by my friend and colleague from Idaho, Mrs. CHENOWETH. The amendment will restore the unjustified cut in funding for the Older Americans Act's Congregate Meals Program included in H.R. 2264.

As we make the tough choices needed to balance our budget, we cannot forget the needs of our senior citizens, most of whom live on fixed incomes and have limited means.

The importance of Congregate Meals for the senior citizens of New Jersey and across this Nation cannot be overstated. In 1996, the Mercer County, New Jersey Office on Aging reported that 1,483 persons received almost 119,839 nutritious meals provided in part under the Older Americans Act. For many of these senior citizens, the meals provided at the 13 senior centers in Mercer County represented their main meal for the day. There is abundant evidence that senior citizens who live on their own suffer from poor nutrition and depression, and the Congregate Meals Program is critical to keeping people healthy and out of expensive long-term care institutions.

Equally important is the fact that Congregate Meals often form the nucleus of senior citizen outreach efforts. The meals are social events by which seniors are connected with other critical services. The Mercer County Office on Aging informs me that the Congregate Meals Program serves to draw in senor citizens to their 13 senior centers. A senior who arrives at the center to eat a nutritious meal will also improve their social skills and learn about other services and opportunities.

The situation is much the same in Ocean County as well. I have received word from Phil Rubenstein, executive director of the Ocean County Office of Senior Services, that tomorrow approximately 600 individuals will eat a meal and enjoy the company of others at a Congregate nutrition site.

Unless the cuts in this important program are restored, senior citizens centers across this country will have a harder time conducting their outreach efforts, and seniors will suffer from reduced opportunities to receive other important services as well.

In conclusion, cutting Congregate Meals is extremely shortsighted and will only serve to undermine the effectiveness of an array of senior citizen services provided under the Older Americans Act. I urge all of my colleagues to support the Chenoweth amendment to H.R. 2264.

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the amendment offered by the gentlelady from Idaho.

Mr. Chairman, let me emphasize something I have said time and time again here on the House floor: Senior nutrition programs are Government and local partnerships that work. They provide humanitarian assistance to old Americans who are grateful for the helping hand of their neighbors.

Congregate Meals programs, in particular, give seniors the opportunity to get out of their homes, socialize, and eat nutritious, low-cost meals. In short, they allow seniors to feel like they are a part of the community.

At a time when the senior population in our country is growing rapidly, Congress needs to expand its support for senior meal programs. It makes good fiscal sense to support them—because a dollar spent on senior nutrition programs goes a long way. In fact, Federal funding for Congregate Meals and Meals On Wheels actually saves money in the Medicare and Medicaid programs.

Mr. Chairman, I urge my colleagues to vote for the Chenoweth amendment, and help restore funding for Congregate Meals programs to fiscal year 1997 levels.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Idaho [Mrs. CHENOWETH].

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

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

The CHAIRMAN pro tempore. Does the gentleman from California [Mr. MILLER] withdraw his point of order?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The point of no quorum is considered withdrawn.

Does the gentleman from California withdraw his demand for a recorded vote?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The amendment is agreed to.

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

Mr. Chairman, I am pleased that the gentleman will join with me in a colloquy. I am very grateful for the hard work that he and his subcommittee have put into this 1998 Labor, HHS and Education appropriations bill. My constituents and I are very pleased with the increased attention to health issues and funding in this bill.

Mr. Chairman, I want to bring to the gentleman's attention one issue of great concern to the residents of the Sixth District of Arizona, the growing incidence of osteoporosis.

As you know, Mr. Chairman, osteoporosis affects 28 million Americans. The problem is especially acute in Arizona, where fully 14 percent of the residents are afflicted with osteoporosis. For these reasons, I

would ask the gentleman that as he goes into conference on the Labor, HHS and Education appropriations bill, that he give consideration to the Senate report language suggesting an osteoporosis public education campaign. Such a campaign would target young women to assist them in maintaining appropriate health behaviors that can have a significant effect on bone strength that can last a lifetime. Funding for such a campaign would come from the amount designated by the bill for the Office on Women's Health.

Mr. Chairman, I would ask that the gentleman consider the startling trends in osteoporosis as we proceed to conference and that the gentleman keep the affected families in mind.

Again, I thank the gentleman for his time and consideration of this important issue.

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

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

Mr. PORTER. Mr. Chairman, the gentleman from Arizona is correct. The prevalence of osteoporosis is startling. The American public should be made aware of the health benefits of proper diet and exercise that can affect long-term bone health.

□ 1345

The gentleman should know that my wife, Kathryn, is also very interested in this issue. She has recently written the Secretary of Health and Human Services in support of the gentleman's intended effort in this regard, and I will take the gentleman's request under advisement and thank him for his work on this issue.

Mr. HAYWORTH. Mr. Chairman, again I thank the chairman of the subcommittee.

The CHAIRMAN pro tempore. If there are no further amendments at this point, the Clerk will read.

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment made in order under the rule, which I would like to bring up at this time.

The CHAIRMAN pro tempore. The Clerk will designate the amendment if it is in order at this point.

Mr. ISTOOK. Mr. Chairman, I understand there may be another Member that has an amendment that would, in the normal course of things, precede mine, so I would reserve my right to bring it up before we conclude title II.

The CHAIRMAN pro tempore. Does the gentleman ask unanimous consent to withdraw his amendment, because the gentleman's amendment is not in order at this time?

Mr. ISTOOK. Yes, Mr. Chairman, at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $436,961,000: *Provided,* That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: *Provided further,* That $20,000,000 shall be for extramural facilities construction grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $27,620,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $161,171,000, of which $4,000,000 shall be available until expended for improvement of information systems: *Provided,* That in fiscal year 1998, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

AMENDMENT NO. 24 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer amendment number 24.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Ms. JACKSON-LEE of Texas:

In the item relating to ''NATIONAL INSTITUTES OF HEALTH—NATIONAL LIBRARY OF MEDICINE'', insert after the first dollar amount (before the comma) ''(reduced by $2,500,000)''.

In the item relating to ''OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', insert after the first dollar amount (before the comma) ''(increased by $2,000,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is of great interest to our community and this Nation, as we talk about the education of our children and providing them with opportunities, that we also give them the ability not to start their matured, adult life too early. My amendment goes to the general concern in this Nation of increasing the funding by $2 million to prevent teenage pregnancy. In particular, this amendment deals with the Centers for Disease Control and Prevention with the intent to provide the CDC more dollars for their CDC teen pregnancy prevention program.

The concept of this program I find very valuable and interesting, in that it works to enhance coalitions in the community that would work together to provide the necessary skills and tools for our young women, our teenage girls, our preadolescents to themselves prevent teenage pregnancy.

For example, this program deals with youth development, involving building the special talents of individuals, leadership training, job skills opportunities and achievement, prevention skills development, including family life and planning of education through school health education and after-school programs, educational enhancement, community service, and role modeling.

It also does something that is extremely important for a young girl just about to cross the precipice of adolescence, the creation of supportive environments including enhancing constructive parent-child communications, school policies and norms, community opinion leaders' support, and dialog between individuals.

For many of us who may think that the teenage pregnancy issue will go away or has gone away, let me simply say to my colleagues that every year approximately 1 million teenagers in this country become pregnant and 90 percent of those pregnancies are unintended.

The teenage pregnancy rate for women under 20 has increased by more than 20 percent since the early 1970's. Of the 1 million teens who become pregnant, about half give birth, about 40 percent choose abortion, and the remaining 10 percent miscarry.

How many of us have heard the tragic stories on prom night, where teenagers have given birth at their prom night, which should be an exciting night of joy and enthusiasm but turns into a criminal offense and sometimes the ending, tragically, of a newborn baby; and of course, the terrible devastation on family and that young teenage mother.

There are significant social and economic costs associated with premature parenthood for the child, the parent, and for society at large. Fewer than 60 percent of teen mothers graduate from high school by age 25. When we begin to talk about welfare reform, this is where we should begin.

In my district, Mr. Chairman, I am very proud that we have begun to convene those who are proposing to coalesce around these very issues of teenage pregnancy prevention. They are already working individually, and I have convened them over the last year and intend to have them work together.

Mr. Chairman, I would hope that we would continue to emphasize this coalition effort and that Texas Southern University, under the guidance of Dr. Bobby Henderson, will be part of this pivotal responsibility.

Because of that, Mr. Chairman, I would like to raise a question with the gentleman from Illinois [Mr. PORTER] on this very important issue of teenage pregnancy prevention and my amendment and the issue of the importance of teenage pregnancy prevention.

I am offering an amendment to include an extra $2 million to this, recognizing the $13.7 million and, as well, recognizing the very hard work of this committee. It is my intention in the spirit of conciliation to withdraw this amendment; however, my district has a very high concern with the issue of teenage pregnancy and I want to implore of the committee, the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY]. I would like to raise the question that although the committee does not traditionally segregate funds, I do want to note that Houston, the fourth largest city in the Nation, does not have this CDC teen pregnancy prevention program designated.

I would like to work with the gentlemen to engage this city, the fourth largest city in the Nation, with several groups that are working on teenage prevention, that they may be organized in a coalition and might be eligible for such funds under the CDC teen pregnancy prevention program.

I rise today to offer an amendment to H.R. 2264, the Labor-HHS-Education appropriations bill. This amendment increases funding by $2 million for the Centers for Disease Control and Prevention with the intent that these funds be used for their teen pregnancy prevention program and offsets that increase with a $2 million reduction in the $3.6 billion funding for the Health Resources and Services Administration.

The teen pregnancy program operated by the CDC is a demonstration program in operation in 13 communities around the country. This pregnancy prevention program works with existing programs in these communities to help them develop a unified effort to prevent teen pregnancy. They identify problems, strengths, and offer solutions for resource shortages that are community based. They do not try to change the message of the community pregnancy prevention programs, but instead work to amplify their messages by molding them into one voice.

Currently, the teenage pregnancy program at CDC is funded at $13.7 million. With the additional funds, the teen pregnancy program will be able to expand their work into other communities. This $2 million is important to our fight to prevent teenage pregnancy.

Every year approximately 1 million teenagers in this country become pregnant and 90 percent of those pregnancies are unintended. The teen pregnancy rate for women under 20 has increased by more than 20 percent since the early 1970's. Of the 1 million teens who become pregnant, about half give birth, about 40 percent choose abortion, and the remaining 10 percent miscarry.

There are significant social and economic costs associated with premature parenthood for the child, the parent, and for society at large. Fewer than 60 percent of teen mothers graduate from high school by age 25—compared to 90 percent of those who postpone childbearing. According to one study, early childbearing reduced schooling by 1 to 3 years.

In addition to lower educational status, early childbearing has an impact on the economic status of teens by affecting employment opportunities, marital options, and structure. Teen mothers are four times as likely as women who have their first child after adolescence to be poor in their twenties and early thirties and are more likely to have lower family incomes later in life.

Teenage girls have a higher risk of pregnancy complications—including maternal mortality and morbidity, miscarriages and stillbirths, premature births, and nutritional deficiences—than adult women.

The personal impact of teenage childbearing is two-fold, diminishing the opportunities of both the mother and the child, for the children of teenage parents are more likely to become teenage parents themselves, thus perpetuating the cycle of poverty.

In addition to the personal and societal costs of teen pregnancy the economic costs are terrific, totalling more than $20 billion each year. This amount could be halved if childbearing were postponed until the mother was age 20.

Early childbearing may be delayed with education and a supportive environment. Teens who have healthy parent-child communications, high self-esteem, and high educational aspirations are more likely to postpone childbearing.

It is critical to our children's future that we focus our attention on preventing adolescent pregnancy. I would now ask my colleagues to support this amendment. However, because we have agreed to work with the chairman and ranking member to help Houston and the 18th Congressional District in the area of funding for teenage pregnancy prevention. I now withdraw this amendment.

Mr. PORTER. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, we would certainly be more than willing to work with the gentlewoman. I do not know the mechanism by which CDC designates the places where the program is to be conducted, but I certainly am willing to work with the gentlewoman.

The CHAIRMAN pro tempore. The time of the gentlewoman from Texas [Ms. JACKSON-LEE] has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 1 additional minute.)

Mr. PORTER. Mr. Chairman, if the gentlewoman will continue to yield, I would certainly be willing to work with the gentlewoman and with the CDC to see that we can address this need in the gentlewoman's community.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I thank the gentleman and thank the ranking member, Mr. Chairman.

In conclusion, I might note that the different locations are west and east, and in the State of Texas we only have one, and in the fourth largest city in the Nation we do not have such a program. I would look forward to working with the gentleman from Wisconsin [Mr. OBEY] and appreciate both his kindness and his very hard work on this legislation.

Mr. Chairman, in the spirit of working with the ranking member and compromising on this issue, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

Mr. INGLIS of South Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Illinois in a colloquy, if I may.

I would like first to thank the gentleman from Illinois [Mr. PORTER] for his fine work on this usually contentious piece of legislation. I know he and his staff have worked long hours to craft this piece of legislation, and I appreciate all of his hard work and dedication.

I want to engage the gentleman in a colloquy regarding the Centers for Disease Control AIDS prevention funds. Let me first say that I believe we should all have compassion for the victims of AIDS. I support continued funding for AIDS treatment prevention and care. However, it seems to me that the Federal AIDS education campaign has emphasized condoms first and treated abstinence as a largely unrealistic goal, even though medical experts agree that it is the most medically sound response.

I believe the focus should be changed to personal responsibility on the part of those infected. I am specifically concerned about the viability of groups such as PFOX, the Parents and Friends of Ex-gays. PFOX is a national organization that reaches out to men and women who want to leave the gay lifestyle. PFOX's ultimate message is that homosexuals have options. No one has to be gay and enter its subculture, instead, they can be heterosexual or live a life of abstinence. My question relates to the eligibility for CDC prevention funds.

Are there any restrictions in this bill that would prevent those funds from being allocated to groups or organizations such as PFOX that advocate abstinence as a means of AIDS prevention?

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

Mr. INGLIS of South Carolina. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would say to my friend from South Carolina that as long as those organizations meet the usual eligibility requirements for CDC AIDS prevention grants and receive high scores in the peer review process, there is nothing in this bill to restrict them from receiving CDC funds.

Mr. INGLIS of South Carolina. Reclaiming my time, Mr. Chairman, I would ask, second, would it be permissible for me to enter into this record an encouragement of the Centers for Disease Control to consider allocating funds to groups, such as PFOX, that promote abstinence as a means to prevent the spread of AIDS?

Mr. PORTER. Mr. Chairman, if the gentleman would again yield, certainly that would be permissible, and I would encourage these groups to apply for AIDS prevention funds.

I would like to emphasize, the committee encourages CDC to support local grantees that advocate a wide range of AIDS prevention measures, including abstinence and other effective techniques.

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for his time.

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

Earlier we had a discussion about several amendments to this bill that

would have affected funding in title X, the family planning program; and I must inform my colleagues on the House floor that there are still some additional amendments that Members would like to see considered here.

I appreciate the consideration which was given to the gentlewoman from Idaho [Mrs. CHENOWETH] and her very important amendment to take funding from that program and fund a program that had been reduced in funding to provide meals to senior citizens.

Some of the other amendments that I think are critically important in this area have to do with policy preferences that really should be debated by this Congress. For example, should we be fully funding research to prevent breast cancer in this country?

I think it is a critical issue. More than 1 out of 10 women will be struck with breast cancer sometime during their lives. My mother-in-law is currently undergoing treatment for a recurrence of breast cancer. We need to talk to those women and act to reassure them that this Government is doing everything possible to ensure that research is being done to find the cause of breast cancer, to find treatment that works and to make sure that that is widely available and known in the scientific community.

I think these issues are very important, and I guess I would ask my colleagues to be considerate as we are moving forward in discussing what are legitimate differences of priorities in these spending bills and allow us to move forward with amendments and not adopt a procedure that would gag some of the very important ones.

We do not have hundreds of amendments that have been passed over. It is not as if it is going to make it impossible to reach final consideration on this bill, but it is a very important question on priorities within this title that, due to the procedural restrictions in the way it is being discussed, may not be addressed.

I would ask my colleagues to allow us to move forward with those amendments. There are not many, but there are a few very, very important ones that we need to address in this Congress.

Mr. Chairman, let me also say that I think that this whole debate has been very helpful in crystallizing some of the fundamental differences in approach. Many of us believe that the budget agreement is something that the Congress and the President, that we all need to live up to, but that within that agreement there are serious questions on priorities.

Do we want to fund programs that primarily fund bureaucracies here in Washington or do we want to take those funds and redirect them to programs that get outside the beltway in the area of education, funds that will get to our schools so that they can implement programs to help the disabled and students who need their education improved; in the area of health, making sure we do research at NIH that will benefit patients and not create bureaucracies at the Department of HHS; in the area of labor, to make sure that what we are doing there in regulatory agencies actually improves safety in the workplace, improves conditions of American workers so that they have a chance to have a good job and a good opportunity that will be safe for them.

These philosophical debates fall into a general category of who do you trust. Do you trust the bureaucracies in Washington or do you trust people, local government, private institutions, State governments to do what is best for their communities?

□ 1400

I think it is an important debate that we have in this Congress. Frankly, it is a debate that has been glided over as we have discussed in the last few months the budget agreement, because people got lost in terms of numbers and funding and appropriations and tax cuts and they lost track of that more fundamental question that we want to redirect our attention to here in Congress and, that is, what is the appropriate role of the Federal Government in these different programs.

Mr. Chairman, as we move forward, I understand there will be disagreements about particular amendments, I understand that some people may question motives. I would ask them not to, but to take seriously what is being discussed in each of these amendments and vote their conscience, so that we can go back to the American people and say, this Congress has discussed these issues and we look forward to continuing that in the coming days, in working with the chairman of the subcommittee and the ranking member on the other side of the aisle, to make sure that we have a full and healthy debate, not only on the details but on those general philosophical questions.

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

Mr. MCINTOSH. I yield to the gentleman from Illinois.

Mr. PORTER. I would say to the gentleman, he started by talking about medical research and particularly research on breast cancer. I am sure that the gentleman is aware that despite in 1996 a need to cut $9 billion from the discretionary——

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentleman from Indiana [Mr. MCINTOSH] has expired.

(On request of Mr. PORTER, and by unanimous consent, Mr. MCINTOSH was allowed to proceed for 3 additional minutes.)

Mr. PORTER. Mr. Chairman, if the gentleman will continue to yield, that despite the need to make very deep cuts in spending in this bill and despite a budget resolution that would have made very deep cuts in funding for the National Institutes of Health, 80 percent of whose money goes to local academic medical research centers all across America, we raised funding for NIH by 5.7 percent. This increase occured while everything else in the bill was being cut. Last year we increased NIH by 7.5 percent and this year increased it by 6 percent. The increases for the National Cancer Institute were higher than the NIH average and we have placed biomedical research at a very, very high priority in crafting the Labor-HHS bill.

I would also say to the gentleman that as he was speaking, I was told that the amendments that were passed over are now being redrafted in a reach-back form that the gentleman from Indiana believes is in order. If so, those will be able to be heard. I also want to assure him that our purpose here in providing the process and debate is to shape this bill and that we want to provide everyone who wishes to participate in that process every opportunity, within the bounds of the other business that the House must conduct, to do that. I hope at the end of this process we will all have looked back on the process and said it was done in a fair way, it was done in a way that gave us an opportunity to participate and that we can live with the result.

Mr. MCINTOSH. Mr. Chairman, reclaiming my time, let me say I appreciate the efforts of the chairman to assist in redrafting those amendments so they can be discussed on the House floor at the appropriate moment in the bill, and his staff has been suggesting ways in which we can do that. I am told that, yes, the two should be able to be redrafted and be able to be offered at a later time and at an appropriate point in debate. I do appreciate the general notion that the gentleman has worked very hard to increase funding for medical research. I would, however, remind the House that the entire bill, when looked at from that perspective, is increasing on the order of 10 percent, and so our efforts are to even go beyond the good work that the chairman has done in getting funds for that medical research and suggest ways that perhaps we can find even more funds from programs that in our view at least are perhaps lower priorities and should not be increased. I know we have a philosophical disagreement on title X.

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

Mr. MCINTOSH. I yield to the gentleman from Illinois.

Mr. PORTER. The bill is not being increased by 10 percent and a great deal of the increase in the overall bill is from entitlement programs.

The CHAIRMAN pro tempore. The time of the gentleman from Indiana [Mr. MCINTOSH] has again expired.

(By unanimous consent, Mr. MCINTOSH was allowed to proceed for 30 additional seconds.)

Mr. MCINTOSH. Mr. Chairman, I yield to the gentleman from Illinois to finish his point.

Mr. PORTER. About 7 percent.

Mr. MCINTOSH. Seven percent on the discretionary programs. Our goal essentially in this area is to help the chairman even do better and perhaps go beyond that 7 percent in the medical research area, because we view that as a key priority, where the Government can help people. It is not a huge bureaucracy, it is a research program that as the chairman pointed out, 80 percent of it is beyond Washington and being done in some of our best medical universities around the country.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $298,339,000: *Provided,* That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only: *Provided further,* That the Director may direct up to 1 percent of the total amount made available in this Act to all National Institutes of Health appropriations to activities the Director may so designate: *Provided further,* That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: *Provided further,* That NIH is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: *Provided further,* That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further,* That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $223,100,000, to remain available until expended, of which $90,000,000 shall be for the clinical research center; *Provided,* That, notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the clinical research center may be employed which collectively include the full scope of the project: *Provided further,* That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $2,151,943,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $101,588,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided,* That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $47,412,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $71,530,429,000, to remain available until expended.

For making, after May 31, 1998, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1998 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

PARLIAMENTARY INQUIRY

Mr. COBURN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. COBURN. Mr. Chairman, if I might inquire as to when in the debate amendments would be allowable that are restraining amendments or limiting amendments or blocking amendments as far as prohibitions. Could we have a ruling of the Chair?

The CHAIRMAN pro tempore. If the gentleman could identify those amendments by name and number.

Mr. COBURN. Manzullo-Coburn in terms of needle exchange. Coburn in terms of CDC, use of funds.

The CHAIRMAN pro tempore. The Chair would advise that the Istook amendment, for example, is made in order at the end of title II under the unanimous consent request that is functioning as a rule for consideration of this bill. That would come at the end of page 63. The Chair would entertain comments about the other amendments that are thought to be pending but is not prepared to engage in a parliamentary decision at this point.

Mr. COBURN. Might we have a decision as to an amendment that prohibits the use of Federal funds on needle exchange programs; should that come at the end of title II as well?

Mr. PORTER. Mr. Chairman, it is our understanding that that comes in the general provisions of the bill at the end. That was our understanding.

Mr. COBURN. May we have a ruling that that is where that would come?

The CHAIRMAN pro tempore. Would the gentleman identify the name and the number of the amendment?

Mr. COBURN. It is Coburn, and I believe it is 35.

The CHAIRMAN pro tempore. The gentleman from Oklahoma is advised that it comes at the end of the bill. Amendment 35, that would be on page 102.

Mr. COBURN. I thank the Chair.

Mr. Chairman, there is another amendment, a Coburn-Ackerman amendment, that prohibits the use of CDC moneys for blind testing for infants for HIV testing.

The CHAIRMAN pro tempore. This would be the Coburn amendment No. 36?

Mr. COBURN. I believe so.

The CHAIRMAN pro tempore. That was also drafted to come at the end of the bill. That would be on page 102.

The Clerk will read.

The Clerk read as follows:

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1999, $27,800,689,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $63,581,000,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 191 of Public Law 104–191, not to exceed $1,679,435,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended, together with such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: *Provided,* That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to and available for carrying out the purposes of this appropriation.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1998, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary:

Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles, I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the first quarter of fiscal year 1999, $660,000,000, to remain available until expended.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,000,000,000, to be available for obligation in the period October 1, 1998 through September 30, 1999.

For making payments under title XXVI of such Act, $300,000,000: *Provided*, That these funds are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $415,000,000: *Provided*, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 104–134 for fiscal year 1996 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1997 and 1998.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $1,000,000,000 to become available on October 1, 1998 and remain available through September 30, 1999: *Provided*, That of funds appropriated for each of fiscal years 1998 and 1999, $19,120,000 shall be available for child care resource and referral and school-aged child care activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $2,245,000,000: *Provided*, That notwithstanding section 2003(c) of such Act, as amended, the amount specified for allocation under such section for fiscal year 1998 shall be $2,245,000,000.

POINT OF ORDER

Mr. SHAW. Mr. Chairman, I make a point of order against the social services block grant provision in title II of the bill on the grounds that it violates clause 2(b) of rule XXI of the rules of the House.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. SHAW. Mr. Chairman, clause 2(b) of rule XXI states that no provision changing existing law shall be reported in any general appropriation bill. Specifically, in the social services block grant provision of title II of the bill, the amount to which States are entitled under section 2003(c), beginning on line 24 of page 41 of the Social Security Act, is reduced from $2,380 million to $2,245 million. This change of authority over the entitlement amount falls under the jurisdiction of the Committee on Ways and Means and clearly violates rule XXI 2(b), which prohibits legislating on an appropriations bill. Therefore, the point of order applies, and I urge the Chair to sustain the point of order.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. PORTER. Mr. Chairman, we concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded and sustained. The provision is stricken.

The Clerk will read.

The Clerk read as follows:

CHILDREN AND FAMILIES SERVICES PROGRAMS (INCLUDING RESCISSIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A and 1110 of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100–485, $5,565,217,000, of which $537,165,000 shall be for making payments under the Community Services Block Grant Act: *Provided*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

In addition, $99,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211 and 40241 of Public Law 103–322.

Funds appropriated for fiscal year 1998 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by $6,000,000.

Funds appropriated for fiscal year 1998 under section 413(h)(1) of the Social Security Act shall be reduced by $15,000,000.

FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, $255,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, $3,200,000,000.

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, for the first quarter of fiscal year 1999, $1,157,500,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, $810,545,000: *Provided*, That notwithstanding section 308(b)(1) of such Act, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, $159,636,000, together with $5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,921,000.

AMENDMENT NO. 15 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. BURTON of Indiana:

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)''.

Mr. BURTON of Indiana. Mr. Chairman, this is a noncontroversial amendment, I believe. My cosponsor is the gentlewoman from Colorado [Ms. DEGETTE].

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This regards the We The People program, and the goal of the We The People Program is the most fundamental of American purposes, the perpetuation of American democracy. The We The People Program is conducted across our Nation in elementary, middle, and high schools, preparing students to take their civic obligations very seriously.

The program's material grounds students in the basic text of American democracy, including the Declaration of Independence, the Constitution, the Bill of Rights, and the Federalist Papers, and follow the development of American constitutional principles throughout our Nation's history.

Since its inception 9 years ago, more than 22.6 million students have studied and benefited from the We The People Program, and at least 70,000 teachers have utilized their materials. The $5.5 million funding level provided for in this amendment was originally proposed in the President's budget and

was supported by 62 Members from 32 States that signed a letter to the gentleman from Louisiana, Chairman LIVINGSTON, supporting the $5.5 million level.

Members other than myself who have testified on behalf of this program include the gentleman from North Dakota [Mr. POMEROY], the gentleman from California [Mr. THOMAS], the gentleman from Alabama [Mr. BACHUS], the gentleman from Massachusetts [Mr. NEAL], and the gentleman from Indiana [Mr. HAMILTON].

Every Federal dollar for this worthy program secures at least $10 in matching support from the private sector. There is a 10 to 1 ratio from the private sector for this program.

The CBO has scored this amendment as revenue neutral or negative. This is offset by a transfer of funds from another area on page 44, line 24, where we are decreasing the amount by $1 million and adding $1 million after the first dollar amount on page 73, line 15.

Mr. Chairman, we believe this is a worthwhile project. It is one that everybody in the country I think would support, almost without exception. Young people today really need to know about the Constitution. They really need to understand what the Federalist Papers were all about. They need to understand the Bill of Rights. This program shows by its history that it is very worthwhile and benefits everybody in this country, but particularly our young people.

Ms. DEGETTE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise to urge my colleagues to support the Burton-DeGette amendment, and I want to thank the gentleman from Indiana [Mr. BURTON] for his support and efforts on behalf of We The People. I can think of no better lesson for the students of this country than the value of bipartisanship where we can find it, and this amendment is a great example in this regard.

I know firsthand how well this program works, because there is a high school back in my district in Denver, East High School, whose students have done extraordinarily well in the We The People competitions over the last decade. East High School has been among the top 10 finalists seven times in the last 9 years, and they won the competition in 1992. This year they came to Washington once again and won honorable mention by placing in the top seven of the national competition.

I know about East High School's great achievements because for several years in the early 1990's I was a volunteer coach for the East High School Bill of Rights team, and I will tell you that these high school students, even though I was a practicing attorney, often knew a lot more about the Bill of Rights as a result of the We The People program than I did. So I am a strong proponent of this program, and I believe that not only should it be continued at the high school level, but extended to junior high schools as well.

Mr. Chairman, a lot of times we as policymakers all ask ourselves the question, how do you solve the problem of a disenchanted and cynical electorate? I do not think there is a magical solution, but I think programs like We The People come very close to providing as good a remedy as we will ever get.

In an era where political ambivalence, voter apathy, and distrust of government characterizes too many of our constituents, it is essential that we should support a program for high school and junior high school students to learn about their government and learn how important players they can be.

The $1 million in the Burton-DeGette amendment provided to We The People will allow it to expand its Project Citizen Program designed for students in grades 6 through 9, the optimum age, according to researchers, for building student interest in civic life and politics.

Project Citizen calls on students to work together on a class project to identify and study a public policy issue of particular interest to them. Project Citizen focuses students' attention on behalf of State and local governments, which are often neglected in civics courses and textbooks, even though they are the levels of government most often utilized and immediately affecting the lives of citizens.

The increased funding will be used to fully implement the Project Citizen Program in all 50 States and help it become as quality a civic education program for middle school students as the We The People Program is for the high school students.

When we first started working on this program at East High School, very few schools actually participated. In the 10 years since the program began, though, over 75,000 teachers have implemented the We The People Program in the classroom. I think that this growth in 10 years speaks for itself about the success of the program. This program, I believe, can really change attitudes toward government and toward what government can do in our society.

Mr. Chairman, for those reasons, I really again applaud my colleague from Indiana [Mr. BURTON] for offering this amendment with me, and urge my colleagues to accept the Burton-DeGette amendment.

Mr. PORTER. Mr. Chairman, will the gentlewoman yield?

Ms. DEGETTE. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, we accept the amendment.

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

Ms. DEGETTE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, on this side we also accept the amendment.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to commend the gentlewoman from Colorado [Ms. DEGETTE] and the gentleman from Indiana [Mr. BURTON] for offering this amendment. This program is a valued program, and it does teach children about the Bill of Rights and about our civic system of government in this United States.

I must also say that I think the same students studying the Government would be surprised to find out that here in the people's House, we are unable to get an issue as important to the electoral process and to the participation of the American people within the electoral process, a matter of campaign finance reform, scheduled in the House of Representatives.

These very same people who are studying about the Bill of Rights and the Constitution of the United States and guaranteeing one man-one vote, a fundamental finding of the Supreme Court, will find out that it is not one man-one vote, not one person-one vote, but it becomes something other than that when you engage in the soft money exploitations of the campaign laws of this country.

We are witnessing hearings now that continue to discover the overwhelming amounts of soft money that have been plowed into campaigns, some disclosed, which we are finding about; unfortunately, much of it not disclosed, that we have not yet found out about, soft money that has flowed to both parties, that dramatically amplifies the voice of those individuals giving soft money to both parties, entities such as the Philip Morris Co., R.J. Nabisco, Federal Home Loan, Union Pacific, Southern Pacific, Atlantic Richfield, Walt Disney, Chevron, Coca Cola, Boeing, AT&T, the telecommunications corporation, and Anheuser-Busch. The list goes on and on and on.

What it adds up is millions and millions of dollars that have been funneled to each party, to overwhelm the basic limitations that we have in this system to try to make sure that individuals can participate with meaning in the election of Members of the House of Representatives.

So while I strongly support this amendment and this program, and I commend the authors of this amendment for bringing it to the floor, I think that we ought to fully understand that it is not all as these young people will study.

The hard-ball realities of politics is that there is a filibuster going on in this House against bringing campaign finance reform to the floor of the House so the body can work its will, so we can have competing proposals on the floor, so hopefully we can get rid of the soft money that has become sewer money, that is undermining the processes in this House, that is undermining our electorial process, and, in fact, caused people to stay away from the elections in this country because they do not believe that their vote counts, they do not believe that their voice matters, they believe that the big special interests are those who win day in and day out.

It is very hard to argue against the public on that matter, because the fact of the matter is that the big special interests are engaged in both parties. They are betting on both black and red. If they were at the roulette table, they cannot lose. They cannot lose.

The fact of the matter is it ought not to be allowed to continue, and we ought to have the right in this House before we get out of this House this year, in this month of September, we ought to be able to have a free and open debate on campaign finance reform. But we are not able to have that.

Therefore, continuing the process against the actions of the Republican leadership here to bottle up campaign finance reform, I will be asking for a vote on this amendment, and I encourage Members to support this worthy amendment dealing with the program of We The People.

Ms. FURSE. Mr. Chairman, I rise today to support the Burton-DeGette amendment to increase funding for civic education by $1 million, from $4.5 million to $5.5 million. The ''We the People * * * Citizens and the Constitution'' civic education program is a proven educational program which provides teacher training and resources with the goal of preparing elementary, middle, and high school students to become contributing members of the American civic culture. The program focuses on the U.S. Constitution and the Bill of Rights and fosters civic competence and responsibility among students.

The ''We the People * * * Citizens and the Constitution'' civic education program has been especially successful in my district. This year students from Lincoln High School in Portland, OR placed third in the national competition, and last year Lincoln High placed first in the country. It is an honor to represent these hardworking students and to support continued investment in this program.

The ''We the People * * *'' program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history and our lives. I urge my colleagues to support the Burton-Gette amendment and continue the expansion and success of civic education for our children.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

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

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

The CHAIRMAN pro tempore. Evidently, a quorum is not present.

Does the gentleman from California insist on his point of no quorum?

Mr. MILLER of California. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. Pursuant to clause 2, rule XXIII, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 375]

ANSWERED ''PRESENT''—409

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
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
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Ganske
Gejdenson
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 (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

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The CHAIRMAN pro tempore. Four hundred nine Members have answered to their name, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN pro tempore. The pending business is the demand of the gentleman from California [Mr. MILLER] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 417, noes 3, not voting 13, as follows:

[Roll No. 376]

AYES—417

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
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
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello

Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
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 (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
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Reyes
Riggs
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Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
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
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—3

Bass
Ensign
Thomas

NOT VOTING—13

Becerra
Berry
Boehner
Carson
Dellums
Gonzalez
Hilliard
Owens
Schiff
Serrano
Smith, Linda
Torres
Towns

□ 1453

Messrs. THOMAS, BASS, and ENSIGN changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BEREUTER). The Chair will advise Members that their failure to be in the Chamber in a timely fashion is delaying the proceeding of the Committee, and the Chair requests their cooperation.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $16,345,000, together with not to exceed $3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $14,000,000.

AMENDMENT OFFERED BY MR. SOUDER

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

The Clerk read as follows:

Amendment offered by Mr. SOUDER:

Page 45, after line 11, insert the following:

REVISION OF AMOUNTS

The amounts otherwise provided by this title are revised by reducing the amount made available for ''Health Resources and Services Administration—Health Resources and Services'' (and the amount specified under such heading for the program under title X of the Public Health Service Act to provide for voluntary family planning projects), and increasing the amount made available for ''National Institutes of Health—National Cancer Institute'', by $40,690,000 and $36,000,000, respectively.

POINT OF ORDER

Mr. OBEY. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. OBEY. Mr. Chairman, I make a point of order that the amendment violates clause 2, rule XXI. The Congress cannot, through a reachback amendment, add funding to an unauthorized account. And when the Congress itself periodically authorizes legislation, they vacate the generic authorizations, and it seems to me under these circumstances that the amendment is out of order.

The CHAIRMAN pro tempore. Does the gentleman from Indiana [Mr. SOUDER] wish to be recognized on the point of order?

Mr. SOUDER. Mr. Chairman, I believe that the amendment is germane. I understand the concern. I would like to address the House on the point of order.

The CHAIRMAN pro tempore. The gentleman may be heard on the point of order.

Mr. SOUDER. Mr. Chairman, the question of the point of order goes back to our earlier discussion, which was there was a group of amendments that we intended to offer at an earlier point, and when one failed, several failed. We have tried to craft an amendment that we felt would be in order by inserting a different section.

Mr. Chairman, my amendment would move funds from title X over to the National Cancer Institute for breast cancer research. I am disappointed because, as we tried to search through, it was not completely clear as to whether it would be able to withstand a point of order. I am terribly disappointed that the minority party would object and exercise this point of order to stop us from moving funds to breast cancer and from title X.

□ 1500

I am disappointed because I think we have tried to work together through this bill and we have tried to recraft the amendment to make it in order.

The CHAIRMAN pro tempore (Mr. BEREUTER). Are there other Members who wish to be heard on the point of order?

If not, the Chair is prepared to rule.

Under the precedents of July 12, 1995, as recorded in House Practice at page 142, and July 16, 1997, an amendment adding matter at the pending portion of the bill to effect an indirect increase in an unauthorized amount permitted to remain in a portion of the bill already passed in the reading is not ''merely perfecting'' for purposes of clause 2(a) of rule XXI.

The Chair is not aware of an authorization of appropriations for the National Cancer Institute beyond fiscal year 1996, 42 U.S.C. 285a–8.

The Chair finds that appropriations for the National Cancer Institute have been the subject of periodic authorization as first cited in section 417(B) of the Public Health Services Act. Consequently, reliance on organic law as the source of authorization is no longer well placed.

Because the most current statutory authorization lapsed with the fiscal year 1996, the proposal to appropriate

for the National Cancer Institute is not authorized.

The point of order is sustained.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Page 45, after line 11, insert the following:

REVISION OF AMOUNTS

The amounts otherwise provided by this title are revised by increasing the amount made available for ''Health Resources and Services Administration—Health Resources and Services'' (and the amount specified under such heading for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act), reducing the amount made available for ''Agency for Health Care Policy and Research—Health Care Policy and Research'', reducing the amount made available for ''Administration for Children and Families—Refugee and Entrant Assistance'', reducing the amount made available for ''Office of the Secretary—General Departmental Management'' from general Federal funds, and reducing the amount made available for ''Office of the Secretary—Policy Research'', by $34,868,000, $2,338,000, $22,668,000, $4,812,000, and $5,000,000, respectively.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. OBEY] reserves a point of order.

The Chair recognizes the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, this amendment would shift $35 million from various programs that have been funded above the President's request, programs that have been funded above the President's request in the State AIDS drug assistance programs. The funds would be redirected primarily from administrative accounts that do not directly benefit people into an ADAP program which directly benefits hundreds of thousands of people infected with HIV.

As assistance to those who have HIV, this program provides medicine for lower income, uninsured individuals who are HIV positive but do not qualify for Medicaid. Pressures on the State ADAP groups have led 35 States to implement emergency measures in the last year leaving 23 States to cut patients or restrict their access to medically necessary drugs in fiscal 1997.

In 1996, for the first time in the history of the HIV epidemic, AIDS deaths declined. They declined because of triple drug therapy. Unfortunately, that decline was not manifested or recognized in women. AIDS deaths actually increased. Unfortunately, that decline was not recognized in minority populations or in children. Those deaths actually increased.

What this amendment is designed to do, although the chairman of this committee has worked hard to increase the funding, there will still be between 30,000 and 70,000 Americans who are HIV infected, who are uninsured and low income, who will not have availability of these drugs.

When I am in Oklahoma, at least once a month I work in a free clinic. Routinely we cannot have available funds through ADAP for people with HIV to receive triple drug therapy. Does this solve all the problem? No. The moneys that are taken for this program are coming from moneys that have been appropriated above what the President of the United States requested for the various areas which it has been taken and are moved to help those people who otherwise will not have an opportunity to have this drug therapy.

I said earlier, if this was any other disease other than HIV, where a million people were infected and did not know they were, where 350,000 Americans have died and another 350,000 are living with AIDS, there would be no question that this body would fund medicines for every one of them. To oppose this amendment on the basis of saying we have done enough is not a good enough answer to the people in Oklahoma, to the people in New York, to the people in Florida who do not have this therapy. They deserve to have this therapy, regardless of how they contracted this disease. It can prolong their life. It can vastly improve the quality of their life.

Let us talk about where this money comes from: $2 million comes from the Agency for Health Care Policy and Research overhead associated with that; refugee and entrance assistance, $22 million comes from that. Do we have more of an obligation to those coming into our country than we have to our citizens born here and infected with this virus that we are not going to have available drugs for?

Finally, it comes from the Office of the Secretary of Health and Human Services, General Department, Management and Policy Research, a total of almost $10 million.

I would ask this body to consider this question: If you had a friend who could not afford to spend the $6,000 to $7,000 a year to buy these drugs and we are spending money in other areas in this bill, we are increasing bureaucratic overhead, we are increasing salaries of bureaucrats while those, the poorest of the poor, those with the inability to pay for themselves are dying because we choose not to fund this appropriately.

Mr. Chairman, had I been able to find moneys, other moneys funded above the President's request, this request would have been much larger. And it breaks my heart that we cannot find the moneys to take care of the people in this country that have this dreaded disease.

I beg this House to support this amendment, to not listen to the AIDS action groups who want to continue to fund their programs as long as their little group is funded when those who are of minority status, when those who are women who have done nothing to contract this disease do not have available to them a way to have this disease treated.

We all hope some day for a cure for this disease. We do not have a cure. But we certainly have a way to buy time for those that cannot afford these medicines.

I beg the Members of this body to not say we have done enough. We have not done enough. Tell that to the first person who is not going to get this treatment.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin [Mr. OBEY] insist on his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order.

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

Could I ask the gentleman from Oklahoma a question. Does he represent Okmulgee?

Mr. COBURN. Mr. Chairman; will the gentleman yield?

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

Mr. COBURN. Yes, Mr. Chairman, I do.

Mr. OBEY. Mr. Chairman, let me say, I was born in the gentleman's district. I was born in Okmulgee.

Mr. COBURN. Mr. Chairman, I knew the gentleman had redeeming qualities.

Mr. OBEY. Mr. Chairman, my father was the only man in America who moved to Oklahoma during the Depression to get a job. I was born there by accident.

I would simply say that I do not think the folks in Okmulgee would vote for this amendment if they fully understood it.

This bill already increases funding for AIDS drugs from $167 to $299 million. That is an increase of 79 percent. Last year, this committee also increased funding for this program by $117 million. That means that this committee in 2 years time, under the leadership of the gentleman from Illinois [Mr. PORTER] has raised this account from $50 to $299 million. I would say that that is going a far piece to meet our responsibilities in this area.

I would also point out that the area that the gentleman chooses to take the money from, the major area, is an especially savage source for his money. We had a major debate in this country last year on welfare reform. We, I think, properly cut back on the benefit levels that we were going to provide for immigrants. I do not think that our immigration policy ought to be used as a substitute for an international welfare policy.

But refugees are a far different matter. Refugees come to this country, whether they came to this country because they were Russian Jews escaping the Soviet Union or whether they came to this country because they were Hmong refugees who fought and bled and died to help our GI's in Vietnam and in Laos and lost their country because of it.

When those refugees come to this country, they come to this country not because a local government or a State government has asked them to but because the Federal Government has told them to come.

We have cut back aid to refugees when they come to this country from the first 36 months that they live here to 8 months. The gentleman's amendment would cut that back some more.

I want to talk to my colleagues for a moment about one group of refugees who I do not think we should be savaging by the gentleman's amendment. That is the Hmong. That is spelled H-m-o-n-g. They were known as the Montagnards in earlier times. They were used by the CIA as operatives during the Vietnam war and as secret battlefield allies in our secret Laos campaign.

They made great personal sacrifices for this country, including the loss of their homes and the loss of their lives to assist our country. They rescued downed Americans pilots. They sabotaged the Ho Chi Minh Trail at our request. They guarded high-technology mountaintop navigational facilities in Laos at our request, which allowed all-weather air strikes against North Vietnam. And they fought as ground troops for 10 years to reduce the opportunity for the North Vietnamese to fight Americans in South Vietnam.

Ten percent of their entire population died as a result, including women and children and the elderly. And they lost their homeland to Communist forces. They were forced to live in refugee camps, some of them for many years. Some of them are just now, after that long agonizing period of time, finally coming to the United States. Those refugees should not be dumped on to the shoulders of local property taxpayers or State governments. Gov. Pete Wilson is correct when he objects to the fact that the United States makes immigration and refugee policy and then dumps the consequences on States and local taxpayers.

The United States for very good reasons determined that these Hmong refugees had sacrificed their all.

The CHAIRMAN pro tempore. 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, they sacrificed their all on behalf of America's troops in Vietnam, America's pilots in Vietnam and Laos. Now the reward that they would get under this amendment is to have scaled back further the benefits which some of these folks get in return for the favors they did to the United States.

□ 1515

I think that that action on our part would be unconscionable, and so I would ask the gentleman to recognize that the source of his money is wrong; and in my view, the gentleman from Illinois [Mr. PORTER] has already more than amply funded the account into which he wants to put the money, and I would ask on a bipartisan basis that we reject the amendment.

Mr. BURR of North Carolina. Mr. Chairman, I move to strike the last word.

The gentleman from Wisconsin is correct, the chairman of this subcommittee has done an unbelievable job of trying to raise the funding of what is a very, very crucial health issue in this country, and I commend the gentleman from Illinois [Mr. PORTER] for his work and I commend the gentleman from Wisconsin [Mr. OBEY] for, in fact, his work also.

But when we are faced with the reality that there are 1,000 new patients utilizing ADAP per month, then, quite honestly, the growth that we have was not quite enough.

The chairman was very responsive to the request of a number of Members for a specific amount, and as this year has gone on, and this process, quite honestly, we realize that it is not enough; that as States, 35 as the gentleman from Oklahoma has stated, start putting conditions on those who quite frankly will die without this potential treatment that will not cure them, but it will slow the growth of the disease until possibly we can find a cure, then in fact the gentleman from Wisconsin is right, to some degree we are prioritizing where the American people's money is spent.

Prioritizing it when we take it away from bureaucrats in Washington is a relatively easy thing; where we give a benefit to some and not to others, that becomes much tougher. Hopefully, Congress will see in the future that if we eliminate more bureaucrats, we do not have to make choices between those who get and those who do not.

But, in fact, we have a very distinct population that we know are sick, that in fact the population that is affected is shifting from predominantly males now to women and infants, to those that we are going to be emotionally tied to in the future; that their hope for life is on our ability to recognize the progresses of science and of medicine and to make sure that in fact no person who is sick is deprived of a way to access that medicine.

We will have individuals in this country without additional funding for ADAP that will fall through the cracks. They will not and cannot be recognized for Medicaid payments. And in fact, 16 States instituted waiting lists for access to certain protease inhibitors. Thirteen States have capped ADAP enrollment. Fifteen States capped or restricted access to protease inhibitors. Eleven States reduced the numbers of drugs covered by ADAP.

To my colleagues on the floor, I would only say there is a wrong trend. For those of us who have to deal with health issues, the gentlewoman from California [Ms. PELOSI] and others on the minority side have worked tirelessly to make sure that the concerns and the real health problems of many in this country have been addressed. And they are not limited just to those with HIV; they span across party lines.

And I would suggest to my colleagues this has no party affiliation; this is an issue about health. My only concern is that for those patients, be it those with HIV or others who have visited my office this year, who will not be back next year because we have stymied the development of new drugs or because we have underfunded those that we have, will in fact be the losers, not those of us here, not the American taxpayer. In fact, the loser is the one who we could not get the treatment to.

This is about treatment, it is about compassion, it is about prioritizing where the Federal dollars are spent.

I am confident that this body will in fact make the right decision and increase this funding even more so that in fact those who are most at risk will receive the benefit they are due.

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

Mr. Chairman, I rise with a great deal of sorrow to speak against this amendment because despite the perhaps good intentions of our colleague, the gentleman from Oklahoma [Mr. COBURN], for offering it, it smacks of so much cynicism that I oppose it very, very sadly.

It seems that for the first half of the week, or beginning last Friday, the Republican majority decided to exploit the good intentions of the American people and the attitude of the American people toward disabled children in order to have a political advantage for the Republicans. And now they are trying to exploit the appropriate sentiment that the American people have for people with AIDS by introducing this most unproductive amendment.

As I say, perhaps the maker of the motion and those who support it come to the table with good intentions, but the appearance of this amendment is one that really does violence to all of the hard work that has been done by our chairman, the gentleman from Illinois [Mr. PORTER], by our ranking member the gentleman from Wisconsin [Mr. OBEY], and so many people who have worked so very hard to increase the funding for AIDS prevention, research and care and nondiscrimination against people with HIV/AIDS.

As has been indicated by our ranking member, the gentleman from Illinois [Mr. PORTER] has increased the funding in this bill for AIDS and ADAP, ADAP is AIDS Drugs Assistance Program, by over $132 million. Is that enough? No. Do we need more? Yes. But that is an issue that should have been taken up in the budget talks, when we were giving tax breaks to the wealthiest people in America and funding defense programs without question, instead of going into what I call our lamb-eat-lamb bill of Labor, Health and Human Services and Education.

So that instead of trying to grandstand on the misery of people with HIV and AIDS, we could be increasing the funding without having it come at the expense of women's health, which is

cut in this amendment. Women's health which saw a significant increase in fiscal year 1997 funding could suffer reductions in programs encouraged by the subcommittee, including National Centers of Excellence in Women's Health, implementation of the National Women's Health Information Center and the Missiles to Mammogram program. Or reductions in minority health, which would adversely impact a variety of programs aimed at improving the health status of disadvantaged populations.

And the list goes on and on. As we cut the administration of the Secretary's office, we decrease the ability of the Department to meet the needs of the people of our country.

But do not only take my word for it. Those people who are in the trenches every single day, helping to meet the needs of people with HIV/AIDS, for example, AIDS Action, on behalf of 2,000 community-based organizations which they represent, urge opposition to the amendment. And they say, ''Although additional funds for ADAP is needed, the majority of the offsets for this amendment come at the expense of other important public health programs. Chairman PORTER has carefully crafted a bill that addresses the entire AIDS portfolio. In the broadest context of AIDS health care services, this amendment would upset that delicate balance.''

Or then we have a message from NAPWA. NAPWA is the National Association of People With AIDS. It does not represent groups, it represents individuals, and it opposes the amendment by saying, ''While new resources are desperately needed for the ADAP program, we should not have it at the expense of the needs of refugees or even the needs of the Federal agency that has to administer these funds.''

Or the National Organization Responding to AIDS, NORA. NORA is a coalition of over 175 health, labor, religious, professional, and advocacy groups which collectively represent the broadest possible consensus of issues concerning HIV and AIDS policy legislation and funding. NORA opposes the amendment by saying, again, ''Although additional funding for ADAP is certainly needed, the offsets would come from other public health programs, such as health care for the homeless, migrant health centers and other health programs which serve vulnerable populations. The additional offsets from administrative and policy research accounts help ensure that scarce Federal resources are spent effectively, and they should not be kept back.''

The organizations that day-to-day work with people with HIV/AIDS urge prevention programs advocate for more research and certainly advocate for more funding for the ADAP program, and all oppose the amendment of the gentleman from Oklahoma. I certainly welcome the opportunity to put forth on this floor at any chance we get, the fact that there is need for more funds or for ADAP, and certainly in conference and certainly at the end of the day we should have more funding, but not at the expense of women's health and not at the expense of minority health.

I urge our colleagues to vote ''no'' on the Coburn amendment.

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

Mr. Chairman, I would simply say this in response to the gentlewoman from California, that the gentleman from Oklahoma [Mr. COBURN] is the one who is in the trenches. Here is a man who understands what is going on with the AIDS epidemic in this country, and he has come to the floor today to pour out his heart and his soul to make sure that money is used for the people for whom the money has been intended. And I think it would be grossly unfair to say that the gentleman is exploiting the very people whom he is trying to help.

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

Mr. MANZULLO. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I think there are some very basic questions we have to ask in this country. We have an epidemic that involves well over 1 million people, almost one-half of 1 percent of our population.

We talk about priorities, for example, how many Montagnards are going to come into the country this year? The funding level is $3 million above last year. I doubt that one new Montagnard will come into the country this year that the gentleman from Wisconsin [Mr. OBEY] explained that that money was for. The fact is that this money will treat 6,000 people. It will prevent them from dying.

Now, we hear that the AIDS Action Council and NAPWA and NORA oppose this. They are the groups that have the money. They do not have any problem because they are taking care of their groups. This is for money to go to States to buy drugs for those people who are not currently being served by any of these organizations. Yes; they are outside of it. They are the people that are the least advantaged in this program.

The question I would like to ask is, Why is it not good enough to fund this for everyone who has HIV that cannot get treatment? I cannot use his name, because I am a doctor bound not to divulge, but I have a patient and he cannot get treated. The drug companies have been very beneficial in trying to get us medicines, so this young man, 27 years of age, is going to die in less than a year because he has moved from HIV to full-blown AIDS because he cannot, George cannot have the money because Oklahoma is out of money, because the money is not available for him to have it.

Despite what we do for the hundreds of people that come in that have HIV, that do not have the material means to get it, the drugs, we do not have enough.

To say that we are cynical and that we are exploiting the very people that we are trying to help, I have been a practicing physician for 15 years, I have delivered babies, and one of my most favorite patients, 8 years old, just died of AIDS. Her mother was HIV positive when she was born. We did everything to try to save her life.

It sorrows me greatly that my intentions are questioned, that I would be accused of exploiting people, that my honor in terms of trying to correct this epidemic and the efforts that I have made, that my motives would be questioned.

I think it is very unfortunate that a statement such as that is made on the floor of this body. Never have I accused anyone in this body who has, from their heart, tried to make changes in the laws of this country to help people, accused them of being exploitative. I think it leads us away from where we need to be.

There are 1 million people with HIV in this country. We have an obligation in this epidemic to do everything to stem the tide, and that means treat these 6,000 people who presently do not have the medicine. That is all we are talking about, 6,000 lives that will not be here next year when we decide we need to get more money.

Six thousand lives, give them a chance to live. Give them the same opportunity that somebody that is hooked in with NAPWA, that is hooked in with NORA, that is hooked in with some of the preexisting, set organizations.

The fact is, there are a lot of people running out there that do not have that ability, do not have that access.

□ 1530

It is working well in the communities that have a large number of people with HIV. It is not working well in the communities that do not. In the States that are lower population, there are tons of people who are not getting treatment.

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

Mr. Chairman, I want to stand again to thank the gentleman from Illinois [Mr. PORTER], our chairman, for working so hard in a bipartisan way to bring our committee together and the caucus together to support what I believe has been a very fair bill. Again, we have had a difficult time in this committee and we have for all the years I have been serving on it because we have to make a lot of tough choices. For those, the gentleman from Oklahoma [Mr. COBURN], I want to say with great respect to our colleague who has been working in the trenches and understands the pain and suffering out there, we understand it and our chairman understands it as we go through those difficult decisions. Our chairman has been

an extraordinarily supportive advocate, probably the most strongest advocate for the National Institutes of Health, working to prevent the scourge of AIDS, working to focus attention on research so we can finally end the pain and suffering.

I would like to ask the gentleman from Oklahoma [Mr. COBURN] as we are making these difficult decisions why on July 11, 1996 he voted for an across-the-board cut for the Labor-HHS appropriations bill. I want to remind the gentleman that the across-the-board cut had a definite negative impact on AIDS research and prevention, and as we fight to establish priorities, we have to be very careful that when we support an across-the-board cut as the gentleman did on July 11, 1996, this directly negatively affected the work that we are doing in that regard.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. I would be happy to answer that. I was involved in trying to get an across-the-board cut in every appropriations bill in 1996. The purpose for that is to try to control the spending so we could balance the budget. There is no question it affected priorities of mine just like it affected priorities of other people who voted on that. The decision that I made was simply, is it a more valiant effort to try to save money so we will have money to spend in something like this in the years to follow. The fact is we are going to steal another $300 or $500 billion from our children over the next 5 years in this supposed balanced budget agreement.

Mrs. LOWEY. Reclaiming my time, I just want to remind the gentleman again and my colleagues that as we work so hard to balance our priorities, across-the-board cuts can negatively impact the important work that the National Institutes of Health is doing and in providing for the invaluable dollars we need to buy these important drugs.

I would just alert him that we welcome him as a supporter to these very important issues, and again I would urge my colleague to vote down this amendment because for those of us who care deeply about this issue, this again is a shameful and cynical way to deal with our priorities. I just want to remind the gentleman that that vote cost $12 million in prevention money, $30 million in research and $20 million in care.

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

Mrs. LOWEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentlewoman for yielding. Let me simply remind once again that this committee in the past 2 years has already increased the account the gentleman wants to put money into from $50 million to $299 million. He would seek to increase that money even more and he would seek to do so by gouging the refugee account, which is there to meet our obligations to refugees who have met their obligations of friendship to the United States. I would urge the defeat of the amendment.

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

Mr. Chairman, I did not even know about this particular problem, or even the program until my staff brought it up, a program in which multiple drugs are applied to help people with AIDS, and that it is one of the most exciting measures that individuals have to keep life sustained. I would like to sincerely thank the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Illinois [Mr. PORTER] for what they have done in this bill. It is a pretty well balanced bill. I sincerely would like to thank the gentleman from Wisconsin [Mr. OBEY], who in his opposition to this bill spoke clearly on the issue, went through any politics, and it was very well done. But, Mr. Chairman, the one thing that is probably the most disheartening portion of this entire body is where instead of going to the issues, we start throwing politics into it. Tax breaks for the rich, the gentlewoman from California brings up. When we take a look and we throw politics into it or if a Republican does something that is not caring, and if it is a Democrat that wants to go after AIDS money, then it is caring for the children. Well, this is. I think the gentleman has got an issue in which he believes in on an issue-oriented basis and he is fighting for it.

When we take a look at education and the politics, being subcommittee chairman when they say the Republicans are cutting education. For example, the President wanted the direct lending program. It costs $5 billion more a year, and we wanted to eliminate it but yet they said we are cutting education instead of talking to the issues.

On this particular issue, there are certain areas in which I believe the Federal Government has got a direct responsibility. No, I do not think the Federal Government ought to give money for the National Endowment for the Arts. That is a difference in issue. But I do believe that where we have a function that is not a States rights issue, it is in medical research. States cannot do that. They do not have the wherewithal to do it. We give it to the universities to take care of problems like the gentleman is trying to take care of. When we talk about 6,000 people that are going to be helped by this amendment and their life is going to be sustained, to bring politics into it to me is one of the worst things. Either you believe in it or you do not. I happen to believe that the gentleman is well-intentioned.

I am going to support the amendment. I really did not know how I was going to support on the issue, and I listened back and forth to the debate and I thought the gentleman from Wisconsin [Mr. OBEY] gave a very convincing argument based on the issues and not on politics.

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

Mr. CUNNINGHAM. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I thank the gentleman for yielding. I want to frame this issue for what it really is. We have a lot of money out there being spent for AIDS treatment, AIDS programs, for people with AIDS. But we do not have a lot of money out there for people who have HIV right now, who do not have AIDS yet. As a matter of fact, we do not even know who half a million of them are. The purpose of this amendment is for those people that we do know who they are. This is for 6,000 people who know they have HIV, who cannot get drug treatment. That is what this is about.

The contrast is we have a group that says we have done enough. How much is doing enough when somebody is going to die between now and next year? When 6,000 people are going to die? If this was not this epidemic that got such a tainted reputation from its start because it was associated with life-styles and it became associated with life-styles, this is a disease, it does not care if you are gay or straight, if you are a man or a woman, or what color your skin is, if you are a newborn baby or an older woman, it does not like us. To say we have done enough, that 6,000 people between now and this time next year are not going to get the drugs to prevent them from converting to full-blown AIDS, I think it is just regrettable. It is regrettable that we are going to use the argument, we are going to let the politics of AIDS guide what we do on this, the politics that allow an extra 500,000 people to become infected, the politics that says we are not going to treat this as an epidemic and treat it in public health standing. We are not going to allow that to happen.

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

Mr. Chairman, I worry that this debate is not really about increasing funding for AIDS patients, but instead it becomes a cynical attack on other very deserving programs. For one thing, how anybody could say that we on this side of the aisle are stating that this is enough, they do not know the gentlewoman from California [Ms. PELOSI]. Have my colleagues ever heard the gentlewoman from California say we have done enough for AIDS prevention, AIDS research, and AIDS care? Never. This is not what this is about. This is about taking one deserving program and pitting it against another for funding and, on emotional value, against other deserving programs.

We know there is an AIDS epidemic. But let us talk about funding AIDS programs by cutting the B–2 bomber program, $2.2 billion for each B–2 bomber that will not even fly in the

rain. Would that not be a good way to fund AIDS programs, AIDS research, AIDS care, and AIDS prevention?

Let us talk about AIDS prevention. Why are we not talking about education and programs that teach our children about safe sex and about contraception? Why are we not talking about needle exchange programs so that we will prevent AIDS in the first place? Let us stop talking about pitting one deserving program against another. Refugees are deserving. Civil rights programs are deserving. Veterans are certainly deserving. AIDS patients need care, we need the research, and we need to take care of every single AIDS patient in America. This is America. We have enough. We could take care of every AIDS patient if we chose, and we could do it without pitting these funds against other deserving funding programs. We must have the will. That is what is missing. It appears that we do not have the will to take care of deserving people unless we take away from other deserving programs and other deserving populations.

I say, Mr. Chairman, let us vote against this amendment and let us make sure we support all deserving programs and not pit one against the other.

Ms. PELOSI. Mr. Chairman, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentlewoman from California.

Ms. PELOSI. I thank the gentlewoman for yielding and for her very eloquent statement about the difficult choice that is presented.

I do want to say though to the gentleman from Oklahoma [Mr. COBURN] that the issue between the House and the Senate on the amount of funding in the bill for the ADAP program is not resolved between the House and Senate. The Senate conference may present an opportunity for there to be more funding available from the defense budget to put into the ADAP program and I would hope, listening to his eloquent presentation about the need for more ADAP funds, that he would be an advocate with us for receiving that funding from transferring it from the defense budget for domestic priorities as is possibly suggested.

Mr. COBURN. If the other gentlewoman from California might yield for a moment, first of all, I was one of the Republican conservatives who voted against the B–2 bomber, and I have every time. I would love to see that money.

Ms. PELOSI. I did want the gentleman to also know that again, reiterating what the gentlewoman from New York [Mrs. LOWEY] said, that it was a blow to us when the gentleman voted for the across-the-board cut, over $50 million cut. Actually it adds up to $52 million. The exact amount of this amendment, he cut in an across-the-board cut last year. So when an amendment of this kind comes along proposed by someone who supported a cut of exactly this amount of money in prevention, research and care at the expense of minority health, women's health and other worthy programs within this piece of legislation, it raises questions.

□ 1545

Those questions can easily be answered when we go into conference or negotiate with the Senate about what our 602(b) allocation will be and the opportunity of funding coming from the defense budget to the 602(b) for this Labor-HHS bill. I would hope that the recognition of need will not go away. It will still be there.

May I just say another thing. The gentleman said there is no help for people with HIV. ADAP drugs are administered to people with HIV, and, in fact, the best prospects are when people take these drugs earlier, because the immune system has not been as devastated as it would be in a person who has a more veteran case of AIDS or HIV.

So, in any event, I hope the gentleman will be with us to take money from defense to meet this very important need that he calls to the attention of the body.

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

Mr. Chairman, I rise to state very simply that I support the amendment of the gentleman from Colorado [Mr. COBURN]. It is a very easy thing to do. We are dealing with an area here of people's lives, and it is a simple matter of a ''yes'' on this vote saves 6,000 American lives, and a ''no'' on this vote will not allow these people to be treated.

I am very disappointed and disheartened that we cannot have an honest debate on a simple amendment without politicizing it when people are particularly trying to do good for the American people from the bottom of their heart. So I encourage my colleagues on both sides of the aisle simply to help save these 6,000 lives and vote ''yes'' on this amendment.

I do not take argument particularly with the gentleman from Wisconsin [Mr. OBEY] about where the money comes from. I spent a year of my life in the Central Highlands and I knew a lot of Montagnards, and I can assure Members that I would want them to be treated with the greatest respect and care. But I am also fairly certain that it has been many years since the Montagnards tried to come back into the United States.

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

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

Mr. OBEY. Mr. Chairman, the fact is that many of them are coming to the United States right now because those refugee camps have just been closed down. They are entering California, Minnesota, Wisconsin, thousands of them.

Mr. NORWOOD. Mr. Chairman, reclaiming my time, I would ask the gentleman, how many thousands came into the country last year?

Mr. OBEY. I do not know last year. Three thousand to four thousand will come in this year.

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

Mr. NORWOOD. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I think it is a great question. Are we going to support 3,000 to 4,000 Montagnards or are we going to allow 6,000 people to have HIV drugs that will prevent them from having AIDS? That is a legitimate debate, I do not deny that.

But the questions that were raised a moment ago that this money was taken from deserving programs, let us talk about where the money is coming from again. Almost $10 million from the Office of the Secretary, the General Department of Management and Policy Research. That is a good thing for Americans to spend their money on, while 6,000 people die?

I agree that if this body thinks that that is what we should do, then that will be the will of the House. I do not believe that is what the minority party believes. They do not believe we ought to spend $10 million additional, above what the President requested, on general policy research and general department management, instead of spending extra money to help people live with HIV and prevent them from dying.

So we are really not contrasting deserving programs. We are talking about people who do not have available to them drugs, and, because they do not, they will not be with us a year from now.

Mr. Chairman, I do not want to leave this body saying I voted to spend money on a bureaucrat and let 6,000 people die in the streets of this country from AIDS, when we could have prevented it. That is what the real debate is. The debate is about people with HIV and whether or not they ought to get help versus bureaucrats and the spending of the money on the government on things that will not impact someone's life.

So, again, I would ask consideration for this. I would yield back to my friend from Georgia, [Mr. NORWOOD], and thank him for allowing me the time to speak.

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

Mr. Chairman, I would say to the gentleman from Oklahoma [Mr. COBURN] and others on our side of the aisle who have offered amendments that I am very flattered.

They have offered to put money back into special education: A program we have increased by $1.1 billion over the last 2 years. They have offered to put money back into biomedical research: A program we have increased by $1.6 billion over the last 3 years. And here, Mr. Chairman, the gentleman from Oklahoma [Mr. COBURN] wants to put

money into the Aids Drug Assistance Program [ADAP]: A program and account that we have increased 600 percent in the last 3 years, from $50 to $299 million.

The President requested $167 million for the ADAP account. We thought that that was inadequate, and increased it by $132 million, 79 percent, to a total of $299 million. The funding level, however, is not a ceiling, it is a floor. Money can be spent for drugs under Ryan White, title I, the Big City Account; it can be spent under title II, the States Account; it can be and is spent under Medicaid.

All of those sources make funding available for AIDS drugs. Members know very well that if we were actually short of money for protease inhibitors that would keep 6,000 people alive, we would come to the floor of the House and provide it in supplemental funds.

Let me say to the gentleman, his amendment takes most of the money out of refugee resettlement. That program is an unfunded mandate upon the States and local communities. We will ultimately have to spend money for refugees under general assistance payments, exactly what we should not do.

Refugees come in to the United States as a result of Federal policies. We ask the States to share in the cost of assimilating them, and now we are going to cut the amount of money that is available to them. We have already cut the program, I might say, from originally providing 36 months of assistance. We are now down to 8 months of assistance. All of those now uncovered costs are pushed over on the States and local communities. I think it is wrong to cut that account.

The amendment also cuts HHS policy research by $5 million. That sounds good. The committee increased that program by $5 million for a very specific purpose, to fund an objective study of welfare reform outcomes by the National Academy of Sciences. We believe that such a study is very important for welfare reform. I think a rigorous evaluation of what is going on in this new program is critical for congressional oversight. I think it is money very well spent.

You say that we are increasing funding for the Agency for Health Care Policy and Research. We are not. However, you would take out $2.4 million. We provided a modest amount of funding for AHCPR at the request of our own authorizing committee chairmen.

The gentleman from California [Mr. THOMAS] and the gentleman from Florida [Mr. BILIRAKIS] sent us a letter saying the President's request for AHCPR represents barely the minimum level of commitment needed for AHCPR to carry on its critical research activities. I believe, in fact, that the gentleman from Oklahoma [Mr. COBURN] serves on that subcommittee that is chaired by the gentleman from Florida [Mr. BILIRAKIS]. I am surprised the gentleman would propose to cut a program that the subcommittee chairman strongly supports.

Mr. Chairman, in the end, I believe that we have done everything that we possibly can to provide funding for people who are HIV infected. We would never think of not providing the funding that is needed for protease inhibitors. We have provided everything in the bill that is necessary. There are additional funds available under title I, title II, and certainly under Medicaid.

I think the gentleman's amendment is simply superfluous. But I would say to the gentleman, I am very flattered that he would like to increase an account that we have already increased by 600 percent.

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

Mr. PORTER. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I guess I would just like to inquire, is it the gentleman's belief that there are not people in our country today under the funding proposal we are putting forward who are not going to get treatment for HIV that cannot afford triple drug therapy?

Mr. PORTER. Mr. Chairman, reclaiming my time, I believe we will do everything necessary to provide the funds that are needed for anyone that is HIV infected and is entitled to be served under Ryan White, and that we are providing funds, as I say, from at least four different sources for these drugs.

Mr. COBURN. Mr. Chairman, if the gentleman will yield further, according to the National ADAP monitoring project, there will be 280,000 individuals eligible for this. The cost is $6,000. So what we are really talking about is we need well over $1 billion, if we are going to truly offer it to everyone that needs it.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois [Mr. PORTER] has expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. PORTER was allowed to proceed for 2 additional minutes.)

Mr. PORTER. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, so the question that comes is, are there people that are going to be out there that are not going to have available treatment?

Mr. Chairman, the gentleman from Illinois, Chairman PORTER has done a wonderful job in increasing this, there is no question. But I do not think we have gone far enough.

I am willing to join with the other side to find further ways to fund it. If we could transfer money from the B–2 bomber to do this, I will vote for it. Unfortunately, as you all well know, we cannot do that.

So I would say this is not cynical. This is not some sleight of hand. The fact is there are people out there that are not going to get treated, and we ought to rise to the occasion and do it.

Mr. PORTER. Mr. Chairman, reclaiming my time, obviously, this amendment will cost States and localities $23 million in additional mandated costs for refugees. I think that this is our responsibility. As I said, if funding for AIDS is not sufficient through any of the four different accounts I mentioned, Members can be assured that we will do everything possible to provide it.

Mr. Chairman, I urge the amendment's defeat.

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

Mr. Chairman, I will be brief and probably will not use all my time. I want to keep this whole thing brought back into perspective a little bit.

I have been sitting listening to this debate for the last couple of days, talking about spending dollars here and spending dollars here and spending dollars here. I just want to remind everybody in this place that that is dollars that we are spending coming from the hard-working families out there in America. The institution we are in is going to collect those dollars out of the paychecks of hard-working families out there in America in order that they can spend those dollars on all the different programs.

For all of my colleagues listening today, I want them all to remember and to understand that there are a lot of us here that have not forgotten that all of these dollars that they are talking about spending are coming from hard-working people out in America.

We are very concerned when we see a spending increase in a particular bill of $5.2 billion, or 7 percent, in one portion of the budget. Many of us out here are concerned that the overall spending level is too high, but that is what was agreed to in the budget agreement, and that is what has brought on this debate about which programs the money should be spent on.

Mr. Chairman, for my colleagues, I would like them all to know many of us are very, very concerned, and remember through all of these debates that this is the people's money that we are spending, and these dollars that they are talking about spending on various programs are coming from the people through their hard-earned work that are collected in taxes and brought out here to Washington, DC.

Mr. Chairman, I just rise because we have been going on in these debates for quite some time, and it has all been about what we are going to spend the people's money on. We have not forgotten these are tax dollars collected from the people.

Mr. Chairman, I support the amendment.

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

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

Mr. PORTER. Mr. Chairman, I think it is also well to remind ourselves that this bill in fiscal year 1996 carried the

greatest level of deficit reduction in the House of any piece of legislation; $9 billion in cuts on a $70 billion base. The reason that there is an increases in this year's bill of the magnitude the gentleman has just described is that this increase was part of an agreement between the majority and the minority, between the Congress and the White House. In that agreement the majority got tax cuts that it sought and restraints in entitlement increases in the future that it sought, in return for certain agreements to provide for priorities that the minority sought.

So the reason that the allocation for this account is as high as it is, is simply because it is carrying out a balanced budget agreement. We are bringing this bill to the floor within the context of bringing the budget into balance, which is, I know, your No. 1 priority, but also for all the time I have been in Congress, my No. 1 priority.

Mr. NEUMANN. Mr. Chairman, reclaiming my time, I certainly respect the Chairman [Mr. PORTER]. I did not rise to object to what the gentleman is doing, but rather, after listening to this debate about spending money so long out here, I felt it was time somebody stood up and reminded everyone this is the taxpayers' money being spent, and we are still very, very concerned about the level of spending.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

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

RECORDED VOTE

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 282, not voting 10, as follows:

[Roll No. 377]

AYES—141

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Blunt
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Engel
English
Ensign
Ewing
Forbes
Gallegly
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Granger
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Istook
Johnson, Sam
Jones
Kasich
Klink
Largent
Lewis (KY)
Lucas
Manzullo
McInnis
McIntosh
McKeon
Mica
Moran (KS)
Myrick
Nethercutt
Neumann
Norwood
Nussle
Pappas
Parker
Paul
Paxon
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Ramstad
Redmond
Riley
Rogan
Rohrabacher
Royce
Ryun
Salmon
Sanford
Scarborough
Schaffer, Bob
Sessions
Shadegg
Shuster
Smith (MI)
Smith (OR)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Wicker

NOES—282

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Campbell
Capps
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cox
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Goodlatte
Goodling
Gordon
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Tanner
Tauscher
Thomas
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Whitfield
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—10

Carson
Dellums
Dickey
Gonzalez
Hilliard
Owens
Schiff
Serrano
Towns
Velazquez

□ 1619

Messrs. RODRIGUEZ, GREENWOOD, HALL of Texas, MURTHA, BILIRAKIS, GUTKNECHT, WEYGAND, SAXTON, and INGLIS of South Carolina changed their vote from ''aye'' to ''no.''

Messrs. HUNTER, CRAPO, GOSS, HUTCHINSON, and HILLEARY, and Ms. DUNN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the remainder of title II is as follows:

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of $125,000 per year.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board

on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Congress is promptly notified of the transfer.

(TRANSFER OF FUNDS)

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. Funds appropriated in this Act for the National Institutes of Health may be used to provide transit subsidies in amounts consistent with the transportation subsidy programs authorized under section 629 of Public Law 101–509 to non-FTE bearing positions including trainees, visiting fellows and volunteers.

SEC. 211. (a) The Secretary of Health and Human Services may in accordance with this section provide for the relocation of the Federal facility known as the Gillis W. Long Hansen's Disease Center (located in the vicinity of Carville, in the State of Louisiana), including the relocation of the patients of the Center.

(b)(1) Subject to paragraph (2), in relocating the Center the Secretary may on behalf of the United States transfer to the State of Louisiana, without charge, title to the real property and improvements that as of the date of the enactment of this Act constitute the Center. Such real property is a parcel consisting of approximately 330 acres. The exact acreage and legal description used for purposes of the transfer shall be in accordance with a survey satisfactory to the Secretary.

(2) Any conveyance under paragraph (1) is not effective unless the deed or other instrument of conveyance contains the conditions specified in subsection (d); the instrument specifies that the United States and the State of Louisiana agree to such conditions; and the instrument specifies that, if the State engages in a material breach of the conditions, title to the real property and improvements involved reverts to the United States at the election of the Secretary.

(c)(1) With respect to Federal equipment and other items of Federal personal property that are in use at the Center as of the date of the enactment of this Act, the Secretary may, subject to paragraph (2), transfer to the State such items as the Secretary determines to be appropriate, if the Secretary makes the transfer under subsection (b).

(2) A transfer of equipment or other items may be made under paragraph (1) only if the State agrees that, during the 30-year period beginning on the date on which the transfer under subsection (b) is made, the items will be used exclusively for purposes that promote the health or education of the public, except that the Secretary may authorize such exceptions as the Secretary determines to be appropriate.

(d) For purposes of subsection (b)(2), the conditions specified in this subsection with respect to a transfer of title are the following:

(1) During the 30-year period beginning on the date on which the transfer is made, the real property and improvements referred to in subsection (b)(1) (referred to in this subsection as the ''transferred property'') will be used exclusively for purposes that promote the health or education of the public, with such incidental exceptions as the Secretary may approve.

(2) For purposes of monitoring the extent to which the transferred property is being used in accordance with paragraph (1), the Secretary will have access to such documents as the Secretary determines to be necessary, and the Secretary may require the advance approval of the Secretary for such contracts, conveyances of real or personal property, or other transactions as the Secretary determines to be necessary.

(3) The relocation of patients from the transferred property will be completed not later than 3 years after the date on which the transfer is made, except to the extent the Secretary determines that relocating particular patients is not feasible. During the period of relocation, the Secretary will have unrestricted access to the transferred property, and after such period will have such access as may be necessary with respect to the patients who pursuant to the preceding sentence are not relocated.

(4)(A) With respect to projects to make repairs and energy-related improvements at the transferred property, the Secretary will provide for the completion of all such projects for which contracts have been awarded and appropriations have been made as of the date on which the transfer is made.

(B) If upon completion of the projects referred to in subparagraph (A) there are any unobligated balances of amounts appropriated for the projects, and the sum of such balances is in excess of $100,000—

(i) the Secretary will transfer the amount of such excess to the State; and

(ii) the State will expend such amount for the purposes referred to in paragraph (1), which may include the renovation of facilities at the transferred property.

(5)(A) The State will maintain the cemetery located on the transferred property, will permit individuals who were long-term-care patients of the Center to be buried at the cemetery, and will permit members of the public to visit the cemetery.

(B) The State will permit the Center to maintain a museum on the transferred property, and will permit members of the public to visit the museum.

(C) In the case of any waste products stored at the transferred property as of the date of the transfer, the Federal Government will after the transfer retain title to and responsibility for the products, and the State will not require that the Federal Government remove the products from the transferred property.

(6) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the transferred property with facilities management or dietary duties:

(A) The State will offer the individual an employment position with the State, the position with the State will have duties similar to the duties the individual performed in his or her most recent position at the transferred property, and the position with the State will provide compensation and benefits that are similar to the compensation and benefits provided for such most recent position, subject to the concurrence of the Governor of the State.

(B) If the individual becomes an employee of the State pursuant to subparagraph (A), the State will make payments in accordance with subsection (e)(2)(B) (relating to disability), as applicable with respect to the individual.

(7) The Federal Government may, consistent with the intended uses by the State of the transferred property, carry out at such property activities regarding at-risk youth.

(8) Such additional conditions as the Secretary determines to be necessary to protect the interests of the United States.

(e)(1) This subsection applies if the transfer under subsection (b) is made.

(2) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the Center with facilities management or dietary duties, and who becomes an employee of the State pursuant to subsection (d)(6)(A):

(A) The provisions of subchapter III of chapter 83 of title 5, United States Code, or of chapter 84 of such title, whichever are applicable, that relate to disability shall be considered to remain in effect with respect to the individual (subject to subparagraph (C)) until the earlier of—

(i) the expiration of the 2-year period beginning on the date on which the transfer under subsection (b) is made; or

(ii) the date on which the individual first meets all conditions for coverage under a State program for payments during retirement by reason of disability.

(B) The payments to be made by the State pursuant to subsection (d)(6)(B) with respect to the individual are payments to the Civil Service Retirement and Disability Fund, if the individual is receiving Federal disability coverage pursuant to subparagraph (A). Such payments are to be made in a total amount equal to that portion of the normal-cost percentage (determined through the use of dynamic assumptions) of the basic pay of the individual that is allocable to such coverage and is paid for service performed during the period for which such coverage is in effect. Such amount is to be determined in accordance with chapter 84 of such title 5, is to be paid at such time and in such manner as mutually agreed by the State and the Office of Personnel Management, and is in lieu of individual or agency contributions otherwise required.

(C) In the determination pursuant to subparagraph (A) of whether the individual is eligible for Federal disability coverage (during the applicable period of time under such subparagraph), service as an employee of the State after the date of the transfer under subsection (b) shall be counted toward the service requirement specified in the first sentence of section 8337(a) or 8451(a)(1)(A) of such title 5 (whichever is applicable).

(3) In the case of each individual who as of the date of the enactment of this Act is a Federal employee with a position at the Center and is, for duty at the Center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) If as of the date of the transfer under subsection (b) the individual is eligible for an annuity under section 8336 or 8412 of title 5, United States Code, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the

pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date of the transfer.

(B) If the individual is not eligible for such an annuity as of the date of the transfer under subsection (b) but subsequently does become eligible, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date on which the individual first became eligible for the annuity.

(C) For purposes of this paragraph, the individual is eligible for the annuity if the individual meets all conditions under such section 8336 or 8412 to be entitled to the annuity, except the condition that the individual be separated from the service.

(4) With respect to individuals who as of the date of the enactment of this Act are Federal employees with positions at the Center and are not, for duty at the center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) During the calendar years 1997 and 1998, the Secretary may in accordance with this paragraph provide to any such individual a voluntary separation incentive payment. The purpose of such payments is to avoid or minimize the need for involuntary separations under a reduction in force with respect to the Center.

(B) During calendar year 1997, any payment under subparagraph (A) shall be made under section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (as contained in section 101(f) of division A of Public Law 104–208), except that, for purposes of this subparagraph, subsection (b) of such section 663 does not apply.

(C) During calendar year 1998, such section 663 applies with respect to payments under subparagraph (A) to the same extent and in the same manner as such section applied with respect to the payments during fiscal year 1997, and for purposes of this subparagraph, the reference in subsection (c)(2)(D) of such section 663 to December 31, 1997, is deemed to be a reference to December 31, 1998.

(f) The following provisions apply if under subsection (a) the Secretary makes the decision to relocate the Center:

(1) The site to which the Center is relocated shall be in the vicinity of Baton Rouge, in the State of Louisiana.

(2) The facility involved shall continue to be designated as the Gillis W. Long Hansen's Disease Center.

(3) The Secretary shall make reasonable efforts to inform the patients of the Center with respect to the planning and carrying out of the relocation.

(4) In the case of each individual who as of October 1, 1996, was a patient of the Center and is considered by the Director of the Center to be a long-term-care patient (referred to in this subsection as an ''eligible patient''), the Secretary shall continue to provide for the long-term care of the eligible patient, without charge, for the remainder of the life of the patient.

(5)(A) For purposes of paragraph (4), an eligible patient who is legally competent has the following options with respect to support and maintenance and other nonmedical expenses:

(i) For the remainder of his or her life, the patient may reside at the Center.

(ii) For the remainder of his or her life, the patient may receive payments each year at an annual rate of $33,000 (adjusted in accordance with subparagraphs (C) and (D)), and may not reside at the Center. Payments under this clause are in complete discharge of the obligation of the Federal Government under paragraph (4) for support and maintenance and other nonmedical expenses of the patient.

(B) The choice by an eligible patient of the option under clause (i) of subparagraph (A) may at any time be revoked by the patient, and the patient may instead choose the option under clause (ii) of such subparagraph. The choice by an eligible patient of the option under such clause (ii) is irrevocable.

(C) Payments under subparagraph (A)(ii) shall be made on a monthly basis, and shall be pro rated as applicable. In 1999 and each subsequent year, the monthly amount of such payments shall be increased by a percentage equal to any percentage increase taking effect under section 215(i) of the Social Security Act (relating to a cost-of-living increase) for benefits under title II of such Act (relating to Federal old-age, survivors, and disability insurance benefits). Any such percentage increase in monthly payments under subparagraph (A)(ii) shall take effect in the same month as the percentage increase under such section 215(i) takes effect.

(D) With respect to the provision of outpatient and inpatient medical care for Hansen's disease and related complications to an eligible patient:

(i) The choice the patient makes under subparagraph (A) does not affect the responsibility of the Secretary for providing to the patient such care at or through the Center.

(ii) If the patient chooses the option under subparagraph (A)(ii) and receives inpatient care at or through the Center, the Secretary may reduce the amount of payments under such subparagraph, except to the extent that reimbursement for the expenses of such care is available to the provider of the care through the program under title XVIII of the Social Security Act or the program under title XIX of such Act. Any such reduction shall be made on the basis of the number of days for which the patient received the inpatient care.

(6) The Secretary shall provide to each eligible patient such information and time as may be necessary for the patient to make an informed decision regarding the options under paragraph (5)(A).

(7) After the date of the enactment of this Act, the Center may not provide long-term care for any individual who as of such date was not receiving such care as a patient of the Center.

(8) If upon completion of the projects referred to in subsection (d)(4)(A) there are unobligated balances of amounts appropriated for the projects, such balances are available to the Secretary for expenses relating to the relocation of the Center, except that, if the sum of such balances is in excess of $100,000, such excess is available to the State in accordance with subsection (d)(4)(B). The amounts available to the Secretary pursuant to the preceding sentence are available until expended.

(g) For purposes of this section:

(1) The term ''Center'' means the Gillis W. Long Hansen's Disease Center.

(2) The term ''Secretary'' means the Secretary of Health and Human Services.

(3) The term ''State'' means the State of Louisiana.

(h) Section 320 of the Public Health Service Act (42 U.S.C. 247e) is amended by striking the section designation and all that follows and inserting the following:

''SEC. 320. (a)(1) At or through the Gillis W. Long Hansen's Disease Center (located in the State of Louisiana), the Secretary shall without charge provide short-term care and treatment, including outpatient care, for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment. The Secretary may not at or through such Center provide long-term care for any such disease or complication.

''(2) The Center referred to in paragraph (1) shall conduct training in the diagnosis and management of Hansen's disease and related complications, and shall conduct and promote the coordination of research (including clinical research), investigations, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of Hansen's disease and other mycobacterial diseases and complications related to such diseases.

''(3) Paragraph (1) is subject to section 211 of the Department of Health and Humans Services Appropriations Act, 1998.

''(b) In addition to the Center referred to in subsection (a), the Secretary may establish sites regarding persons with Hansen's disease. Each such site shall provide for the outpatient care and treatment for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment.

''(c) The Secretary shall carry out subsections (a) and (b) acting through an agency of the Service. For purposes of the preceding sentence, the agency designated by the Secretary shall carry out both activities relating to the provision of health services and activities relating to the conduct of research.

''(d) The Secretary shall make payments to the Board of Health of the State of Hawaii for the care and treatment (including outpatient care) in its facilities of persons suffering from Hansen's disease at a rate determined by the Secretary. The rate shall be approximately equal to the operating cost per patient of such facilities, except that the rate may not exceed the comparable costs per patient with Hansen's disease for care and treatment provided by the Center referred to in subsection (a). Payments under this subsection are subject to the availability of appropriations for such purpose.''.

SEC. 212. None of the funds appropriated in the Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on resisting attempts to coerce minors into engaging in sexual activities.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 1998''.

AMENDMENT NO. 3 OFFERED BY MR. ISTOOK

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 105–214 offered by Mr. ISTOOK:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. . (a) Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

(b) None of the funds appropriated in this Act or any other Act for any fiscal year may be made available to any provider of services

under title X of the Public Health Service Act if such provider knowingly provides contraceptive drugs or devices to a minor, unless—

(1) the minor is emancipated under applicable State law;

(2) the minor has the written consent of a custodial parent or custodial legal guardian to receive the drugs or devices;

(3) a court of competent jurisdiction has directed that the minor may receive the drugs or devices; or

(4) such provider of services has given actual written notice to a custodial parent or custodial legal guardian of the minor, notifying the parent or legal guardian of the intent to provide the drugs or devices, at least five business days before providing the drugs or devices.

(c) Each provider of services under title X of the Public Health Service Act shall each year certify to the Secretary of Health and Human Services compliance with this section. Such Secretary shall prescribe such regulations as may be necessary to effectuate this section.

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

Mr. ISTOOK. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I ask unanimous consent to limit the time for the debate.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. MANZULLO: Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. ISTOOK. Mr. Chairman, this is an amendment that goes to the heart and soul of what happens in the families in the United States of America, what happens with our most precious possessions and involvements, our children and the role between parent and child.

Mr. Chairman, this goes to the heart of what families do with their children, what we teach our children, and the role that we undertake as parents, and, unfortunately, how one of the major programs in this bill interferes with that.

One of the most important things that most of us teach our children is that certain things should be reserved for marriage. We are talking, of course, about the sexual conduct of teenagers. We are talking about the fact that the out-of-wedlock teenage birth rate has doubled since the adoption of a particular Federal program, a program that allows counseling and contraceptives and condoms and IUD's and birth control pills and other chemicals to be given to youngsters.

Mr. Chairman, I am talking about people as young as 13 and 12 years old even, and their parents never know about it and their parents are never notified, they are never involved. Two million dollars a year of our tax money goes to this program. One and a half million teenagers a year go to the so-called title X clinics. A third of the caseload that they handle is teenagers.

Now, if my child is involved in something they should not be, if they were using drugs illegally, if they were involved in a gang activity or something against the law, I would be notified. Yet, even though for any other type of medical treatment a teenager is required to get the consent of their parent, Federal law creates an exception if they are going to go into a federally funded clinic and get birth control and contraceptives.

Now, Mr. Chairman, what happens is very fascinating. Some people try to paint a picture that teenagers do what they have always done. But what is not known is since Federal law has cut teens off from so much of the advice and counsel of their parents, it is not just teens and teens.

Mr. Chairman, look at some of the headlines from Charleston: ''Bus driver guilty in teen seduction''; from Austin: ''Older fathers and teen mothers and tougher laws''; Omaha: ''Going after men who prey on minors''; the Rocky Mountain News in Denver: ''Adult men blamed in teen pregnancies''; Chicago: ''Older men who impregnate teens targeted.''

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The Washington Post, ''California cracks down on men to curb underage pregnancies.''

You see, studies in recent years have shown that 60 percent of young women who have sex before the age of 15 were coerced by males an average of 6 years older than them, and that two-thirds of births to teenage girls across the country is a situation where the father is not a teenager but they are 20 or older.

Sexual predators who prey on young women have the opportunity given to them to give them that extra little bit of reassurance and keep the relationship going because they simply take them to a title X clinic, a Federal clinic, where they are given the contraceptives and their parents are never told about it. A situation that under the laws of almost any State in the country would be illegal, that might be labeled sexual abuse or child abuse or molestation or statutory rape, is totally ignored.

We have laws on the books in just about every State saying that if there is this kind of activity involving a minor, you are supposed to report it. But we have a Federal regulation that says what they do in the title X clinics is absolutely confidential and cannot be shared with anyone, not law enforcement, not the parents.

This amendment fixes that. It says, if there is a situation, such as I described, involving an underage child, title X providers must report that and comply with State law the same as anyone else who deals with services to our young people. It says, before any contraceptives are going to be given to a minor in a title X program, their parent will be notified 5 days before that is disseminated.

Mr. Chairman, this is not a requirement for parental consent, but it is a requirement of notification to fix this problem.

Mr. Chairman, I would certainly urge adoption of the amendment.

AMENDMENT OFFERED BY MR. CASTLE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ISTOOK

Mr. CASTLE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment No. 4 printed in House Report 105–214 offered by Mr. CASTLE as a substitute for the amendment offered by Mr. ISTOOK:

At the end of title of the bill, insert after the last section (preceding the short title) the following section:

SEC. . None of the funds appropriated in the Act may be made available to any entity under the title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

Mr. CASTLE. Mr. Chairman, ironically enough, considering the discussion which we have going on today pursuant to a Republican amendment, title X of the Public Health Act, the National Family Planning Program, was enacted in 1970. It was sponsored by then-Congressman George Bush and it was signed into law by then-President Nixon, two good Republicans.

The program, as we know, provides grants to public and private nonprofit agencies who support projects which provide a broad range of family planning and reproductive services as well as screening for breast and cervical cancer, sexually transmitted infections, and high blood pressure. It also supports training for providers and information and education programs, and a research program which focuses on family planning service delivery improvements.

More than 4.3 million clients were served through a network of over 4,200 centers funded, in part, by the program. Almost 60 percent of the health care providers are operated by State, county, and local health departments.

By law, none of the funds provided under the National Family Planning Program may be used for abortions. Today, we have an amendment before us, presented by the gentleman from Oklahoma, which would require parental notification with a 5-day waiting period, or consent.

I know all of us would like to think that every teenager out there has a wonderful relationship with loving parents, but the fact of the matter is that many teenagers simply do not. There are young people out there who are afraid of their parents. There are young people out there who do not have parents. There are young people out there who, frankly, have nobody who they can turn to if a circumstance

arises in which they need help in the kind of parlance that we are talking about with respect to title X.

So there are young people who unfortunately would rush out and have unprotected sex if they knew practicing safe sex would come at the price of having a parent or their parents find out.

Studies show, and this is important, that if parental involvement were mandated, 80 percent of teens would no longer seek care at facilities, but fewer than 1 in 100 would discontinue sexual relations. That is an incredible ratio when we consider it. This would, obviously, lead to higher pregnancy rates and more abortions.

I know the gentleman from Oklahoma feels very deeply about this issue and cares as much as I do about young people. But his parental notification/consent amendment would effectively drive a stake in the heart of the family planning program and it would encourage even more irresponsible behavior.

I understand the desire to get parents involved in their kids' decisions. I could not agree more with that. My amendment does that. It encourages family planning providers to encourage the involvement of parents when teens seek contraception and other family planning services. I think that is a very important step.

Mandated parental notification/consent would scare teens into doing something stupid, like having unprotected sex in secret, rather than having their parents find out that they wanted to do the right thing, they wanted to be safe.

Leading medical groups, including the American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, and the American Academy of Family Physicians, all oppose mandatory parental notification for young people seeking family planning services.

I believe that the substitute will do nothing to prevent the victimization of children.

First, currently, if evidence of rape, sexual abuse, incest or any other crime is uncovered, title X personnel direct the client to appropriate care providers and notify appropriate legal authorities. It has always been the law that recipients of title X funds are in no way exempt from State-imposed criminal reporting requirements. Our substitute amendment strengthens the Federal role in stopping the sexual predators who prey on minors.

Under my amendment, title X grantees must counsel their clients on how to resist and avoid such coercive sexual relationships. This will not only help young people avoid such situations, but it will also help more counselors identify these situations and provide the proper assistance to end them.

As I have indicated, we agree on the goal of parental involvement. We all want children to abstain from sexual relations at a young age and feel like they could approach their parents on this and every other subject. We would like to think that they all have good and open relationships, but that is not reality. Reality is that that is not the way it is. And the truth of the matter is that a lot of these kids need help. And if they do not get that help, the problems are going to be a lot greater than if they do get that help.

So my judgment is that we need to listen carefully to this debate. I think it should be a full and extensive debate. But we need to understand the import of what the Istook-Manzullo amendment would do. It would lead to a situation in which children are simply going to refuse to go for planning, in which case there is going to be unwanted pregnancies and more abortions.

Mr. HYDE. Mr. Chairman, I rise in support of the Istook-Manzullo amendment.

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

Mr. HYDE. Mr. Chairman, I do not expect to use the full 5 minutes. This is essentially a rather simple question. It is not a simple subject but the question is simple.

When I first came to Congress, 1975, it is a long time ago, the fashion in political advocacy was to use the word ''defense.'' Everything that had a ''defense'' in it was going to have a leg up in passage. The Defense Education Act.

In the Clinton era, the key phrase was ''change.'' We all campaigned as agents of change.

Lately, family values has become a universal aspiration. We all stand foursquare for family values. One family value is parental responsibility. Any program that deliberately bypasses parents to provide birth control devices to minors, in my judgment, is an egregious violation of family values.

It is little less than legitimating promiscuity. What kind of a lesson do we teach? We teach youngsters, young ladies in particular, young women, to conceal from their parents the fact that they are engaged in sexual activity and we, the clinic, will facilitate, if not condone, that activity by providing condoms, drugs, or pills.

We legislate as though every family or most families are dysfunctional. I submit there are dysfunctional families but they are the minority and not the majority. Sexual activity has serious, serious consequences, the movies on cable television notwithstanding.

We frustrate family values by legitimating the concealment from parents of a child's participation in activity of the most sensitive, intimate, and consequential nature. We should be strengthening parental rights, not diminishing them.

I suggest a vote for the Manzullo and Istook amendment is the appropriate one. I think if you vote for Istook and Manzullo and vote against the Castle amendment, a gentleman for whom I have boundless admiration but do not agree with him in this situation, oppose the substitute and vote for Istook and Manzullo, and then if you do that, you can campaign for family values with a straight face.

Mr. OBEY. Mr. Chairman, I rise in support of the Castle amendment.

Mr. Chairman, first of all, let me say that there is virtually no Member of this House, certainly on that side of the aisle, for whom I have more respect than the gentleman from Illinois [Mr. HYDE]. I have a great deal of fondness for him personally as well.

I want to say that I very much enjoyed the opportunity to work very closely with him just a couple of weeks ago in fashioning a new compromise on this bill which expands the effect of the Hyde amendment to cover HMO situations. I think that the gentleman from Illinois [Mr. HYDE] correctly indicated that there was a problem with HMO's who tried to get around the Hyde amendment, and I am pleased that we were able to work with him to expand that amendment. I think that should help unify the House behind this bill.

In this instance, however, I differ with the gentleman's judgment, although I did not on the other question, because I think here the issue is not what we want our children to do but how we think we can best affect what it is they do. This is not a question about goals. It is a question about approaches. It is a question of what you think works, at least in my view.

I think the virtue of the Castle amendment, and I would urge Members to just read the language, because what the Castle amendment says is that none of the funds in this bill may be used unless clinics certify that they encourage family participation in the making of these decisions and that they also provide counseling to their clients on how to resist efforts at coercive sex from adults.

I think that is important. If there are sexual predators walking around communities, the answer is not to screw up the ability of these clinics to provide needed services. Those services which will, in my judgment, help to prevent abortions. The answer is to throw the book at those sexual predators and keep them in jail.

Now, I thought that when we passed legislation such as the welfare reform bill that we were trying to send a message that we expect people to recognize personal responsibility. I do not believe we ought to take off the hook the predators who engage in the kind of acts cited by the gentleman from Oklahoma by saying: ''Oh, it was the fault of the clinics because they did not have the right procedures.'' It was the fault of the individuals who engaged in that conduct!

Let me simply say that I wish that every family in America worked in a way that enabled young people to talk to their parents. The problem is, and I run into a lot of them, the problem is that there are a lot of families that do not work that way. These youngsters

on some occasions are going to wind up engaging in inappropriate sex either with consultation with some adult or they are going to engage in it with consultation with no adult at all.

□ 1645

If, for those children, that is the choice, then I would prefer that they at least have some opportunity to talk to an adult, because the consequences are not only unwanted pregnancies, there are also unwanted abortions and an increase in sexually transmitted diseases.

I would also like to make a point that the American Hospital Association and the American Public Hospital Association have reviewed the text of this amendment and they indicate that their reading of it is that the parental consent requirement applies not just to title X funds, but to all funds used to provide contraceptives, including State and privately raised funds. That means if a hospital or clinic fails to abide by the parental consent requirements, they believe that they would have to forfeit all Federal funds.

I do not think we want to see that happen, and so I would respectfully urge that we support on a bipartisan basis the Castle amendment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word, and before I get to the meat of my comments, I want to point out that that amendment that I rise in support of calls for a parental notification, not consent. So we need to debate the facts here.

I encourage all my colleagues to support the Istook-Manzullo amendment and reject the Castle amendment. If we really do support family integrity, the United States, and indeed going back into history, British law has a longstanding tradition of parental rights where parents have the authority and control over raising their kids.

We, in this country, beginning with this program as it began in 1975, began in a direction that is in direct violation of that principle in the sense that now the Federal Government is funding a program that will allow minor children, females, to go in and see a physician and get contraceptive services, to include injections of medications, placement of IUD's, without parental consent, with absolutely no knowledge of their parents.

Some of these interventions are not without risks. As many of my colleagues know, prior to coming here, I was a full-time practicing physician. One of the drugs that is dispensed, for example, in these clinics, is injections of a drug called Depo-Provera, a drug that has associated with it the potential complications of thromboembolic disease, which is blood clots, blood clots in the legs, blood clots traveling to the lungs.

These clinics can place IUD's. IUD's are associated with a tremendously enhanced risk of infectious complications, and all of this can be done without parental consent.

Our children cannot get aspirin from a school nurse without parental consent; our children cannot get their ears pierced, but they can go into a title X clinic and get access to these medical services.

The supporters of this policy as it has existed for the past 20 years claim that, oh, it is necessary because these young girls are sexually active and they have to have access to these services; and if they have to tell their parents, it is going to cause a lot of conflict, and some of them come from difficult homes, et cetera.

There used to be a time in this country where the kinds of conflict that would be introduced by these young girls talking to their parents about this issue would be considered healthy, it would be considered good. But now we want to intervene and say no, no, no, we just want to give them these services.

Now, I would, perhaps, be somewhat sympathetic to the supporters of the existing policy if, indeed, this program was having some kind of a positive impact, but we all know what the impacts have been. Actually, the teen pregnancy rate in this country has gone up dramatically, and, indeed, probably what is more significant is the incidence of venereal disease and the long-term complications of those venereal diseases, such as infertility, which has just gone up 5-, 10-, 15-fold over the last 25 years. If we talk to any practitioner who engages in that practice, he will tell us that is a tribute to the high rate of promiscuity.

Let me close by just saying this. We cannot have our cake and eat it too. We cannot say, I support family values, I am opposed to all this sexual activity for teenagers, but, yes, we have to fund contraceptive services to be done in a fashion where parents do not even know.

I just want to point out that this amendment calls for parental notification. And, in addition, I just want to add one more important thing, a point that was made by the gentleman from Oklahoma, in that many, many of these girls are having sexual activity with men who are over the age of 18. In most States that is statutory rape, and in some instances, these children have been seduced and are, in effect, being abused.

As a matter of fact, I believe we are going to hear the story about a specific case of that occurring in the district of the gentleman from Illinois [Mr. MANZULLO], where a young girl was seduced and was being sexually abused and getting contraceptive services with the assistance of this man who was abusing her.

In my opinion, this policy, as it has existed for the past 20-plus years, is a direct affront to the principle of standing up for family values and believing in the rights of moms and dads to have a role to play in the care of their children; and I would encourage all my colleagues to support the amendment of the gentleman from Oklahoma and oppose the Castle substitute.

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

Mr. Chairman, I rise in strong support of the Castle substitute and in strong opposition to the Istook amendment.

The Istook amendment would do great harm to our efforts to lower the number of unintended pregnancies and abortions and to our efforts to reduce the incidence of sexually transmitted diseases, including HIV/AIDS in our young people.

On the face of it, it may seem reasonable to require parental consent and notification for contraceptive services, but the Istook amendment ignores the realities of the young people who seek care at these clinics. The vast majority of these teens are already sexually active, have been for almost a year, on average. Most end up seeking services because they are afraid that they may be pregnant or that they have a sexually transmitted disease.

Minors who go to clinics are strongly encouraged to involve their parents and many do bring a parent with them on subsequent visits.

Much has been made of the new Istook amendment, with some confusion as the true impact of the latest modifications. Today's version would require parental consent or written notification with a 5-day waiting period before minors could receive contraceptive services. It is clear that the effects of this amendment would be the same as in the original version.

If teens are required to obtain written parental consent or notification for any title X services, many of them are going to avoid the program completely. It is important to remember that some contraceptives provide protection from STD's, sexually transmitted diseases. The opportunity to provide accurate, potentially life-saving education on the transmission of HIV and other STD's could also be lost if teens avoid these services because of parental consent requirements. And delays in services will only lead to unintended pregnancies, more abortions, and higher rates of STD's and HIV.

As has been mentioned, the medical community is also overwhelmingly opposed to parental consent and notification requirements for minors. The American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics and the American Public Health Association all agree that contraceptive services should be available to adolescents without their parents' consent or knowledge.

Now, the Castle substitute properly requires that title X programs encourage parental involvement when teens seek family planning services. It also provides counseling to minors to prevent coercive sexual activity. In its letter endorsing the Castle substitute, the American Medical Association states,

We believe that the substitute amendment properly balances the need for a strong patient-physician relationship with parents', families', and society's overwhelming concerns with preventing unintended pregnancies among minors.

That is a direct quote.

So, Mr. Chairman, I urge my colleagues to vote ''yes'' on the Castle substitute and to vote ''no'' on the Istook amendment. Let us act responsibly by encouraging parental involvement while also protecting the health of our Nation's youth.

Mr. PORTER. Mr. Chairman, I now ask unanimous consent that debate on this amendment and the Castle amendment thereto close in 3 hours; that half of that time be allocated to the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO] or their designee; that the other half be allocated equally to the gentleman from Delaware [Mr. CASTLE] or his designee and the gentleman from Wisconsin [Mr. OBEY] or his designee.

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

Mr. ISTOOK. Mr. Chairman, reserving the right to object.

For clarification, the gentleman phrased it as 3 hours from now. By that, does the gentleman mean 1½ hours per side? If there is something else delaying the business, it would not be counted against either side; so that 1½ hours, divided, would be the time the gentleman mentioned?

Mr. PORTER. Yes, Mr. Chairman.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN pro tempore. This amendment will be debated for 3 hours divided, 1½ hours controlled by the gentleman from Oklahoma [Mr. ISTOOK] or his designee, 45 minutes controlled by the gentleman from Delaware [Mr. CASTLE], and 45 minutes controlled by the gentleman from Wisconsin [Mr. OBEY].

Mr. PORTER. Or their designees in each respective case, Mr. Chairman.

The CHAIRMAN pro tempore. Or their designees. That has been stated.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. WATTS], my corepresentative.

Mr. WATTS of Oklahoma. Mr. Chairman, across our Nation parents are engaged in a daily struggle for the hearts and minds and souls of their children. Their struggle is with an American culture which, under the protection of our constitutional freedoms, too often expresses these freedoms in a message of moral, ethical and sexual liberation that reaches even our youngest children.

Through television and advertising, through the Internet and other sophisticated methods of communication, our children are bombarded with these messages, sometimes subtle, sometimes overt; messages which celebrate immoral behavior, messages which promote promiscuity, messages over which we, as parents and adults, have little or no control.

The struggle against these influences is particularly difficult to working parents who have discovered that between the hours of 3 p.m. in the afternoon, when school lets out, and 6 o'clock in the evening, when they get home from work, we have allowed the development of an adult-free, supervision-free culture. Studies have shown this is the time when teenagers experiment with drugs, commit juvenile crime, and engage in sexual activity.

In this battle, one would think the Government should be an ally for the family, but in the case of the title X program, it most certainly is not. On the contrary, title X allows the child to lead an independent sexual life without any regard for the rights and responsibilities that parents have to intercede to counsel, to guide, to protect, and to raise their own children. The Government usurps that function and legitimizes the chasm between parent and child.

In this regard, the Istook-Manzullo amendment seeks only to allow parents to be informed of their child's decision concerning this critical part of their development as a human being. This seems to me such a minimal request when one considers the extraordinary responsibilities of parenthood. If we expect individuals to be responsible as parents, we must guarantee them their rights as parents.

I confess that it amazes me that this fact is subject to debate considering that if my daughter's school nurse wanted to give her an aspirin, it is mandatory that they notify the parents or the guardian.

□ 1700

However, if a health clinic wants to give her birth control pills, the parents do not have to be notified or if some adult man is having sexual activity with my daughter, something happens, again they do not have to notify the parents. I think that is crazy for Government to intervene and take the rights of parents and say that their parent or guardian, the person that is responsible for that child, they should not be notified.

I commend my colleagues from Oklahoma and Illinois for their leadership on this issue. This is a vote to help American families regain control over their lives. I encourage a ''yes'' vote on this very, very important amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I rise to strongly oppose the Istook-Manzullo amendment and to support the Castle-Porter substitute. The United States has a teen pregnancy rate of twice as high as England, France, Wales, and Canada. One million young women under the age of 20 become pregnant each year. This costs our fellow taxpayers and ourselves $7 billion annually. Only 36 percent of sexually active teens seek services from family planning clinics after they suspect pregnancy. Requiring parental consent or parental notification for contraceptive services will lower the number of teens seeking this service and therefore increase the cost of unplanned pregnancies, increase the incidence of sexually transmitted diseases and increase the rate of abortions.

This is pro-abortion legislation of my good colleagues, the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO], because that is what the result of their proposal is going to be. Twenty-three States, including California, have laws that explicitly allow contraceptive services for teens without parental consent. As one can see, the results of this amendment would be to violate States rights, which surprise me, coming from these two gentlemen, and increase the cost to the taxpayers, which also surprises me. This would be hypocritical at a time when Congress is working to give more power to the States and reduce the strain on taxpayers.

From every perspective, the Istook-Manzullo amendment is simply bad public policy and to overcome bad public policy, I urge my colleagues on both sides of the aisle to strongly support the Castle-Porter substitute and to get around to solving the problem rather than simply have ideological issues that make no sense in the real world.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the gentlewoman from New York [Mrs. LOWEY], a member of the subcommittee.

Mrs. LOWEY. Mr. Chairman, let me begin by saying how disappointed I am that the gentleman from Oklahoma [Mr. ISTOOK] is violating the agreement that our chairman and ranking member agreed to in order to keep the bill free of controversial and extreme amendments. Mr. Chairman, the Istook amendment represents the latest attack by family planning opponents against our Nation's flagship program. Two years ago family planning opponents tried to zero out funds for the title X program. Fortunately, they failed. Last year family planning opponents, led by the gentleman from Oklahoma [Mr. ISTOOK], offered an amendment very similar to today's. Thankfully the amendment also failed.

We must defeat the Istook amendment once again. The Istook amendment would deny contraception to minors unless they have the consent of their parents or waited 5 days after their parents were notified before obtaining contraception. Some of my colleagues are making a distinction between notification and consent, but who is kidding whom? The 5-day waiting period before contraception can be obtained is no different than parental consent. That is why the AMA, the

American Academy of Pediatricians, Child Welfare League, Public Health Association, Social Workers and Nurses Association all oppose the mandatory parental notification restrictions in the Istook amendment. Because they know, they understand that parental notification laws drive minors away from seeking basic health services. But the Istook amendment does not just prohibit the use of title X funds for contraceptive services to minors. It could also bar programs from using any Federal, State, or private funds for this purpose. This is so important, Mr. Chairman, that 24 States have passed laws assuring that minors can get access to contraceptives.

Furthermore, hospitals, community health centers, and other organizations that receive title X funds could face the loss of all Federal funding if they provide contraception to minors without abiding by the Istook parental notification consent restriction regardless of which funds they use. That is why the American Hospital Association and the National Association of Public Hospitals are opposed to the Istook amendment.

Let me say as my colleagues did, as a mother of three, a grandmother of one, soon to be, please God, a grandmother of 2, we would like all youngsters to have parents such as many who spoke this evening. It would be wonderful if all parents had that kind of relationship with their youngsters. Unfortunately, it just does not exist in this country. In fact, we would prefer that teens would abstain from having sex altogether. But unfortunately we understand that minors will not change their behavior. There is a lot of work we can do to help them move to change their behavior, but what we are going to see if this is passed, many teenagers will forgo contraception rather than facing their parents, and that is unfortunate but it is the fact, and in fact studies show that 80 percent of teens seeking family planning services have already been sexually active for nearly a year. In fact, my colleague said that Federal law cuts children off from contact with parents. What the substitute does is encourage the contact with parents, but we have learned that mandating it just does not work. What we are going to create is more teenage pregnancies unfortunately.

By denying contraceptive services to tens of thousands of teens, the Istook amendment will simply result in higher rates, not only of teen pregnancy, of STD's and more abortions. If teens are required to obtain parental consent for contraceptive services, they will also avoid STD and HIV screening and routine gynecological exams.

Our Nation already leads the Western world in teen pregnancies. Millions of teens have some kind of STD and the incidence of AIDS among teens is alarming. We need to address these problems, but not by making title X services more difficult to obtain.

Mr. Chairman, we have a real teen pregnancy crisis in this country, and the Istook amendment will only make it worse. Opponents of family planning are exploiting a tragic situation in Illinois to gather support for their position. If the 37-year-old teacher in question is found guilty of carrying on an illegal and amoral relationship with a teenager, he should be prosecuted to the full extent of the law. We are in agreement on that. Let us not exploit that situation for this purpose, because there is no connection. If school authorities knew about the relationship, they should be held responsible. We should not be blaming the title X program for this man's actions.

Title X clinics are now required to report cases of rape, child molestation, and abuse. Clinic personnel would have been required to report this illegal relationship had they known about it. Let us stop exploiting this tragedy in the name of national policy. I urge my colleagues to support the Porter substitute instead. The Porter substitute will require that title X programs encourage the involvement of parents when teens seek contraception and other family planning services. By encouraging parental involvement rather than mandating it, we can ensure that teens will not pass up necessary health care services. This is the same language that passed the House last year.

The Porter substitute also requires that young women seeking title X services receive counseling on how to resist and avoid coercive relationships with male sexual predators. We cannot be tough enough on sexual predators and by voting for the Porter substitute, we can help to stop them. Let us remember, Mr. Chairman, if the Istook amendment passes, teens will not stop having sex but they will have more unintended pregnancies. Let us not make the teen pregnancy crisis in this country worse.

Mr. ISTOOK. Mr. Chairman, I yield myself 30 seconds in response.

Mr. Chairman, contrary to what the speaker has represented, there is not any requirement for title X providers to report these situations. The Congressional Research Service, which provides the information for us in Congress, double checking the laws for us, confirmed that in writing to me, and I have it if anyone would want to look at it.

Further, when we talk about the escalation of teen pregnancies, actually, Mr. Chairman, it is since the adoption of title X that the teen pregnancy rate out of wedlock has exploded in this country. Slow increases turned into a doubling after title X was adopted.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. CRANE].

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

Mr. CRANE. Mr. Chairman, I thank the distinguished gentleman from Oklahoma for yielding me this time. I want to compliment him and my distinguished neighbor, the gentleman from Illinois [Mr. MANZULLO]. The case that the gentleman from Illinois will get into in some detail occurred in a portion of my old district that I lost apparently just on the eve of the molestation of that little girl by that pervert teacher. But a thing that I think is important as a father of seven daughters is, I certainly would want to be notified and communicated with in a similar type circumstance. I think as a parent I have an absolute right to be notified, and that I make that kind of a decision for a minor child. I think a minor child, as in the case that the gentleman will elaborate on more fully later, a minor child involved in this kind of situation at the age of 13 is hardly in a position to be making any kind of significant judgments about what is proper behavior. One needs the parental consultation and involvement.

I would urge my colleagues, because it does not sabotage the remainder of title X, but it does put that important qualification in there, and I would urge my colleagues to support the Istook-Manzullo amendment.

Mr. ISTOOK. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. MANZULLO].

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

□ 1715

Mr. MANZULLO. Mr. Chairman, all laws have faces, and every statute we pass in this body has a consequence. Let me tell you about a consequence as a result of title X that has occurred in the district that I represent.

She was 13 when she was first molested by her 37-year-old teacher. The relationship went on for a year and a half. He, tired of using condoms, took her to the McHenry County Illinois Health Department, at that time she was 14, where, without the knowledge of her parents, she was injected, her arm pierced by a hypodermic needle containing the powerful drug Depo-Provera.

This happened on at least two or three occasions at the age of 14. Under no circumstances could she consent to sexual relations, so the people who gave her the shots knew that she was being statutorily raped, and there was no report of that made.

She became anorexic and her parents finally asked her what happened, and today she is in therapy 5 days a week, because, for a year and a half, this little girl's incident was not reported to the authorities because of the confidentiality requirement under title X.

All acts have consequences. Depo-Provera, the very chemical that is used in the State of California for sexual predators who voluntarily want to be chemically castrated, Depo-Provera, the very chemical whose side effects include blood clotting. Depo-Provera, the controversial hormonal agent injected into her arms, without the knowledge of her parents. Depo-Provera, drugs being ingested, given to

children as young as 12 years old, and it happened 6,500 times in the past 2 years in the State of Illinois.

This is what is happening in these title X clinics. And I do not blame the health providers. I blame the U.S. Congress, which has said over the past several years that parents have absolutely no role to play in their children's sexual involvement.

A child being injected with such a powerful drug. In fact, the ACLU said that they objected to the California prisoners who wanted voluntary chemical castration based upon the cruel and unusual punishment because of the tremendous side effects of that drug. That is what is going on in America today.

This amendment does two things: No. 1, it restores the parent as the person in charge of the household. No. 2, it sends a message, that the confidentiality requirements of title X do not shield health care providers from reporting that children that young are involved in sexual activities.

That is what this amendment is about. If, as they say, well, the title X providers are already covered by this particular reporting law, then do not worry about it, the next State may not. If it applies, it applies; if it does not apply, it does not apply.

But we guarantee under Federal mandate that the rape that is taking place in this country, that the Guttmacher Institute, which is the research arm of Planned Parenthood, is saying that little girls are becoming younger in age and their sexual partners are becoming older in age.

We have wholesale rape going on in this country. We are saying the U.S. Congress should make it a policy that whoever takes Federal funds is bound by the State reporting laws.

Yes, if she had gone to a high school clinic or principal or teacher, that person, under penalty of 1 year in jail, would have had to report that to the authorities.

What this law does is very simple: It allows for unrestricted information and counseling. It requires a title X clinic to provide notification to the parent or legal guardian for minors seeking contraceptive services and devices. It allows for judicial bypass as an exemption for emancipated minors. It attempts to include parents in the conversation.

In McHenry County, IL, where there is no requirement for parental notification, 52 percent of the children receiving these services already have parental involvement, and included in that 48 percent was this precious 14 year old who was in daily counseling because nobody reported that, at age 14, it is illegal for her to have sex in the State.

What the amendment does not do, it does not prevent the treatment of or testing for sexually transmitted diseases. That answers the question of the gentlewoman from New York [Mrs. LOWEY]. Parental notification is not required for minors to be treated for STD's. It does not deny services to teens, and it does not require parental consent.

This is a very reasonable amendment. This amendment says the following: Who is in charge of the children of this Nation? Is it the U.S. Congress or is it the parents?

The amendment says something else, that anybody who receives one dime of Federal dollars is bound by the same State reporting laws as the States are.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, teenage pregnancy is indeed a serious problem, and many of us have been engaged in efforts to resolve that problem. The approach you take depends on where your own perspective is in assessing this critical issue. Teenage pregnancy not only is a problem for the teen parents and their immediate family, but it is, indeed, a problem for society. Some of us have been engaged in this for years.

Yes, teenage pregnancy has gone up over the years, but to blame the title X program is really not to understand the complexity of teenage pregnancy. Teenage pregnancy is the result of a premature act just like any other premature act that teens may involve themselves in where the consequences are less detrimental. It engages not only the family, it also engages the church and the community. Until we understand that young people want something to say yes to, they will always say yes to something, perhaps to whatever comes along, sometimes the wrong thing. We must provide positive options for them to choose.

To try to correct this problem by blaming title X as the reason for the failure of society, the failure of parents to be engaged with the child, is certainly not to understand the complexity of the problem. We all should be concerned, all of society, just as there are things that all of us should do.

I support parents being involved. I encourage family involvement. I am a mother of four, a grandmother of four, and I hope to be a grandmother of five soon, and I have had now some 8 teenage forums where I bring people together to say we have a collective responsibility.

I am here to say that the Istook amendment does not respond to that collective responsibility. It is very narrowly focused, though well-intended.

Yes, parents should be involved. Good parent relationship is the right way to go. But if we believe this we are in denial of reality, particularly if you want to engage young people.

My heart goes out for the situation in Illinois. I would be enraged, too. But should I blame the whole society for the perverted act of one individual? How cruel of me to condemn all of the people, because indeed one made a mistake.

Title X is not perfect, but it certainly cannot be given credit for the large increase in teenage pregnancy. All of us collectively should take our share of the responsibility for this problem as well as providing ways to resolve it.

The latest statistics for my State show that the teen pregnancy rates are down. This includes lower rates in the counties I targeted for my teen pregnancy prevention forums.

Mr. Chairman, let me say, as has been spoken before, I think there would be some consequences that even the sponsors of the Istook amendment would not like, if it were enacted into law. Indeed, you are trying to get parents to be notified. Notification and parental consent are not one and the same, however to a teenager they are usually synonymous.

The hospitals are interpreting that the effect of this amendment would mean that they would be denied funding for Medicaid and other Federal programs. Hopefully, that is not the case.

Already there are 24 States where, indeed, the violation of the law requires consent of contraceptives for minors. So what would this bill do in those 24 States?

The unintended consequences also show that you are pushing your young people to abortion. There are no good answers to teen pregnancy. The good answers are to get engaged with young people early, by providing positive options and not just focusing on where they can get contraceptives.

Certainly, we want to all be for preventing teenage pregnancy, but this is the wrong way. I urge a strong ''no'' vote on the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

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

Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle-Porter amendment. We all want parental involvement in the critical issues of family planning, but I fear that enactment of a policy requiring parental notification or consent for some title X services may well just have the opposite effect.

Confidential access to reliable and timely information regarding family planning and other primary care services is crucial for young people. Studies indicate that requiring parental notification for young people receiving family planning services would mean that many teens would delay or avoid altogether perhaps seeking these services and would be derived of a reliable source of information.

I fear by requiring parental notification, Congress may unintentionally increase the number of unintended pregnancies, sexually transmitted diseases, and AIDS cases.

Mr. Chairman, leading medical groups with the best credentials, including the American College of OB–GYN's, the American Academy of Pediatrics, and the American Academy of

Family Physicians oppose mandatory family notification, and all for good reasons. Whatever a family's economic or social background, many teenagers are unable to speak to their parents about these issues. What we all want is for our children to make smart and informed decisions and involve us as parents in every stage of their physical and intellectual growth.

However, if they do not, and some may not, I think that we would all agree that we want them to have access to means that would protect their health and their futures and provide them with reliable information.

I urge my colleagues, Mr. Chairman, to adopt the language of the Committee on Labor, Health and Human Services, as included in the bill, and most specifically support the Castle-Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I think it is important to note, and this has not been mentioned by the speakers, that this amendment clearly permits the judicial bypass that is typical for States when they say a child needs a service which the parent is not providing, to get around the problem of parents that may not be responsible.

But, Mr. Chairman, I would submit that we should not be presuming that the parents of 1½ million teenagers per year are irresponsible and, therefore, nobody should get parental notice.

Certainly also the amendment only applies to providing contraceptives. It does not prohibit, for example, disseminating information or treatment for sexually transmitted diseases.

Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. JONES].

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

Mr. Chairman, I rise in strong support of the Istook-Manzullo amendment. This common sense approach simply requires parental notification before a title X clinic can distribute contraceptive drugs and devices to a minor.

I am one that has always believed that a parent should be notified of their child's health-related needs. A majority of parents in my district and throughout this country are in strong support of this amendment.

We are not denying a minor's choice in visiting a clinic. We are simply requiring a parent to be notified. Unfortunately, some of my colleagues have misinterpreted the amendment and believe it requires parental consent for children to visit title X clinics. That is absolutely wrong.

Americans are increasingly enraged with the breakdown of the social institutions of our society. I believe this is evident with the recent case in Illinois.

As you have just heard, a young female student was taken to a title X clinic by her junior high schoolteacher to receive numerous injections of a contraceptive drug. Further, this teacher had been sexually molesting the child for 18 months. This is sick and this is outrageous. Rightfully so, the child's parents were horrified and are pursuing legal action.

Unfortunately, I believe this is just the tip of the iceberg when it comes to the breakdown of our social structure and, more importantly, the loss of parental involvement. In my opinion, the Istook-Manzullo amendment is very much needed to help repair the social fabric of this country by allowing parents to be involved in their child's life.

□ 1730

Mr. Chairman, this Nation was founded on Judeo-Christian values. Family ties and values have been a part of this foundation. This amendment strengthens that tie. I encourage my colleagues to support this amendment, and help restore the rights of parents across this Nation.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, teenage sex is wrong. That is the message I carry to my district. I stand with those who have called for total abstinence. That is what I taught my children.

I only wish that were the rule. I have to think beyond my own middle-class upbringing and paradigm, the values that I live by. I am forced every day, because of the people I represent, to think AIDS, think HIV, think STD's, think teen pregnancy.

By the time many youngsters get to the title X clinic, they have already had a pregnancy. A third of them got there because they already thought they were pregnant. I am glad they got there in time. Most who come have been active for almost a year, sexually active for almost a year.

We simply have to face the extraordinary, varied nature of family life today. Most families do not look like yours and mine. Increasingly they do not. In my district there are families that are deeply religious, and for whom sex before marriage is simply unimaginable. There are others for whom sex before marriage is the rule. The Istook amendment wants me to forget about the most troubled, the most vulnerable to pregnancy.

Mr. Chairman, in my district, AIDS, which used to be characterized as a gay disease, is becoming a black disease. I cannot sit by and let that happen. Seventy-two percent of the reported cases in 1996 were of black people in my district, many of them teens. It is impossible to pretend today that families need only to get together and they can straighten this out. I wish, how I wish.

There is no family life for many I represent, much less communication within a family. Dozens of organizations in the field understand this. That is why they oppose this amendment. Mr. Chairman, I ask Members to oppose it as well, and to vote with the Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield 5½ minutes to the gentleman from Oklahoma [Mr. COBURN].

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

Mr. COBURN. Mr. Chairman, I think everybody involved in this debate is genuinely concerned that we reduce transmission of sexually transmitted diseases, that we reduce teen pregnancy in this country. We all want the same thing. We want a result. What our debate is about is how do we get there.

As somebody who has delivered 1,500 teenagers, I hope Members will take the time to hear what I have to say. I am not talking about opinions, I am talking about the experience of 15 years of dealing with teenagers. This weekend I delivered two 16-year-old girls. I delivered babies for them.

I want to tell the Members what the real truth is. First of all, out of those million teenage pregnancies that occur in this country, over half occur because of statutory rape; people, adult men, having intercourse with minors, illegally violating the law in every State in this country. So half of them result because we have not decided that we are going to enforce that regulation. That is No. 1.

No. 2, if you have a teenager who goes to any type of family planning clinic, 12 percent within the first year will be pregnant, with the best training, the best conditioning, because teenagers uniformly are irresponsible. Even if they have been taught what we know about how to prevent pregnancy, they do not concentrate as hard as they should. Many of them fail to remember to brush their teeth, let alone to take the birth control pill that was given to them at that clinic.

For those young women who are going to be sexually active, we should provide it. But there are some other things we ought to know. As we do that, we have over 12 million new cases of sexually transmitted diseases in this country every year. Last year NIH released that data. Of that, 3 million occur in our adolescent teenagers in this country. Two-thirds of those diseases are incurable.

A condom offers no protection against human pappiloma virus, the No. 1 sexually transmitted disease. CDC cannot even get a handle on it, it is so pervasive. At California, Berkeley, they did a study just of the coeds there. Forty percent of the women there are infected with this disease. That was in 1992. That was in 1992.

So we have a big problem. I do not want to challenge anybody's motivation in how we solve this. I think we need to redefine the debate. Let us redefine this debate on how we solve this problem, and look at the different components of this. Part of it is we need to start enforcing the statutory rape laws. We ought to talk about that.

Should the Government be in the place in terms of alcohol consumption? Should we start an alcohol consumption clinic funded by the Federal Government to prevent our children from consuming alcohol as adolescents, because some parents are not going to do a good job of that?

I do not like title X because I do not think it is effective. As a doctor who asks patients who come into my practice when they are teenagers, I had a 14-year-old I saw Saturday morning, pregnant. I asked her, had she used anything. She had been to the health department and had gotten everything they had wanted her to, but she still got pregnant.

But regardless of that, we are going to have title X. This body has decided that. But should we not say, parents, your child has made a decision to become sexually active, and we are going to help them? But we want them to know that. So we have a great opportunity for intercedence in a parent.

Will it always be positive? No. Is there opportunity for negative, that they might not come back? Yes. Is there a greater opportunity that we might help those children? I think there is. I think we should decide on the side of doing, at least having the faith to give the parents the opportunity to do it. If it does not work, we can always change it. We can change it in 1 year.

In 1996 we said, we were going to do a study to find out if family planning works. Guess what, it is 2 years later from the 1995 debate. We all talked about it and said we will do this. We have not done a study, so everybody is going on the basis of opinion. There is not a study.

The gentleman from New Jersey [Mr. FRELINGHUYSEN] mentioned a study. I said I wanted to see the study. I wanted to read it. I have read everything I can on sexually transmitted diseases and teenage pregnancy. I have never seen any study like that, not in a reputable journal anyway.

Everybody's intentions are the same thing. No matter what happens on this vote, let us resolve to all get together on this debate and design something so we know what the facts are, rather than go on our opinion or our gut or whatever.

I may be dead wrong because my patient population may be wrong, but let us get together. Let all of us get together and work together to solve this problem. We can do it, and we should.

Mr. CASTLE. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding time to me. I would like to start off by making a comment about America in general, what makes this country successful.

I would say the hallmark of the Nation, of this democracy, is human initiative using good judgment. It is not the Government dictating any policy. I say that as a general rule of thumb for individuals across this great Nation, in the diversity of situations they find themselves in.

Most are very positive, very loving, filled with commitment, compassion, humility, and discipline. But there are exceptions to that. It is the initiative, that we want people to take responsibility to solve their problems.

All of us here want to solve the problems of unwanted pregnancy, of statutory rape, of sexually transmitted diseases, and all of these things. Everybody on the House floor right now is committed to do that. None of us have all the right answers. None of us are absolute in our knowledge and absolute in our certainty how to resolve those human issues that will be around for generations and generations and generations to come. This is just a small, little piece of the puzzle.

This discussion is going to do some positive good to help resolve the nightmare that some people go through. But human initiative, in my judgment, is the key: How do we resolve this problem?

I would say to my good friend, the gentleman from Oklahoma [Mr. COBURN], the doctor, who is a very knowledgeable person, and I take a lot of his advice home to my family, that teenagers are not uniformly irresponsible. Many of them are. Many of them come from very irresponsible homes, irresponsible communities, but especially irresponsible homes. Teenagers are on the brink of beginning to reflect the nature of their home life.

So what we are trying to do here is to discuss the difficult issue of raising children, and that is very difficult. Parents, we would hope every single one of them would be good parents by being responsible, by exposing their children to other adults that are responsible, by having a good home life with friends and neighbors and other family members from the extended family, and that is a wonderful environment.

The problem is, there are some homes that are not like that. As a school teacher for many, many years, I have had students come to me in desperate situations because they have been sexually abused by their parents, or parent, or physically abused or mentally abused. And the difficulty that the Istook amendment would place upon them is untenable.

All of us want to resolve this problem, and certainly we want the parents to be responsible, and certainly we want the parents, the responsible parents, notified; and the responsible parents are going to know about these situations because they are going to create around them an environment of support from the school to the church to the synagogue to the mosque to the neighborhood to the police department to you-name-it. Those are responsible people, exchanging their lives and information, and sharing things with other people.

It is the isolated situations, whether it is in a home that has difficulty with poverty or whether it is in the wealthiest of families, there are families where children are isolated from the community and need our help and need our judgment.

So the hallmark of America is human initiative, using good judgment. I encourage my colleagues to vote for the Castle amendment, because I think it begins the process of doing that.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in support of the Istook-Manzullo amendment. My question is, what did parents do, mothers and fathers do, before title X? What did they do before Congress got involved in trying to manage the raising of their children?

I just looked at the chart a little while ago, and it looks like since 1970, teenage pregnancy rates have doubled. Sexually transmitted diseases have exploded on the scene. So can we stand here today in the halls of Congress and pat ourselves on the back for title X, and for what a great job has been done in stopping teenage pregnancy, in stopping sexually transmitted diseases? Can we do that?

For 200-plus years mothers and fathers in this country were able to take care of their children. It is amazing that this great body can be so presumptuous to think that they can do a better job. I think the statistics prove that they have not been able to do a better job. It seems like that would be the face of it.

What is wrong with allowing parents to be put back in the decision-making process when it comes to their children? It is not your children, it is the children of the parents of this Nation.

□ 1745

Like I said, they were certainly able to do a pretty good job until we got involved in it.

Mr. Chairman, under current title X regulations, clinics across the country are free to provide contraceptive devices without notifying the parents, and this violates the most fundamental right of being a parent, the right to be involved in their children's life when making crucial decisions.

Yes, there are bad parents out there, but, lo and behold, the majority of parents in this Nation are good parents. But my colleagues are painting with a broad brush and saying that all parents are bad. All of them; that parents in this Nation cannot make good decisions for their children.

Mr. Chairman, I say for 200-plus years they were able to do a darn good job. But, no, big government, this Government had to get involved. What is wrong with taking a look now at where we are? Just like the gentleman from Oklahoma [Mr. COBURN], my colleague the doctor, a little while ago said, let us stop, let us take a look at it.

Mr. Chairman, I have just sponsored a bill, the Family Impact Act, that proposes when Federal agencies put forth new regulations, we stop and see how those regulations are going to affect the family. Do my colleagues not think we need to stop now just for a little while and see how title X has affected the family? How not notifying parents about particular problems, like those mentioned by the gentleman from Illinois [Mr. MANZULLO], mentioned a little while ago, has affected the family? Stop and say: What is wrong with this picture? What should we do now?

Mr. Chairman, I would like to think that if we are going to be helpful in this Nation to our children and our parents, that we would at least take a look when things are not going right and say what can we do to correct it?

Well, this amendment corrects the problem. It makes sure that parents are involved. It does not mandate that children must get their parents' permission to use contraceptives, but it does make sure that they are notified. What is wrong with that? It simply requires that they provide information to the parents if their child asks for contraceptive drugs or devices.

It also protects the child by requiring title X providers to report evidence of child abuse, child molestation, sexual abuse, rape, or incest to the proper State authorities.

Mr. Chairman, it is time that this Government makes sure that parents are once again involved in the raising of their children. Is that not the least parents should have? Like I said, I think they did a good job until this institution got involved. We need to look and see where we are and where we need to go, and I think this is a good step in this amendment.

Mr. Chairman, I urge Members to support the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, in this body we are supposed to at least make sense. That is why I rise in support of the Castle amendment, which makes sense, and oppose the Istook amendment, which makes absolutely no sense.

Why does it make no sense? I believe that the Istook amendment will actually increase teen pregnancy. It seems to me pretty ridiculous to pretend that all homes are loving, supportive. We would all wish they were. But most of us know that not all homes are that way, that there are some homes where a child would be in actual physical danger of trying to get the parents' consent or knowledge.

We have heard some horrible, horrible cases here today. I want to remind my colleagues of a case in Oregon where the father of a young woman raped her. When she told her teacher of that rape, he killed her. So what about those families where the sexual predator is in the family?

Now, the Castle amendment makes absolute sense because it will reduce teen pregnancy. I want to talk a little bit about a program we have in Oregon called STARS. It teaches abstinence and it allows teenagers to talk about abstinence, but it also teaches teenagers how to say ''no''. No to sex. No to coercion. No to abuse.

Mr. Chairman, that program has been introduced into Oregon by our first lady, Sharon Kitzhaber. It is utilized in half of the counties in Oregon, but it has been in practice in Georgia for 5 years. Mr. Chairman, let me tell my colleagues what that program has done in 5 years. In 5 years, this program, which would be like one of the ones the gentleman from Delaware [Mr. CASTLE] is asking be included, that program has reduced teen pregnancy by 33 percent.

So if we want to make sense, if we want to reduce teen pregnancy, do like the gentleman from Delaware. If we do not want to make sense and we do not care about teen pregnancy, really, truly, then we would go with the gentleman from Oklahoma.

Mr. Chairman, I urge Members to support the Castle amendment, make sense, and reject the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I have been reading over the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] as to when a provider can provide contraceptive drugs or devices. It says if the minor is emancipated under applicable State laws, which is redundant as far as I can see; if the minor has the written consent of a custodial parent or custodial legal guardian, which is where that language came in; if a court of competent jurisdiction has directed that the minor receive the drugs or devices. I cannot imagine a minor going to court, a 14-, 15-, 16-year-old going to court. And then the key provision, and in fairness to them it says the provider has given actual written notice to a custodial parent or a custodial legal guardian notifying the parent or legal guardian of the intent to provide the drugs or devices at least 5 business days before providing the drugs or devices.

Mr. Chairman, I ask my colleagues to put themselves in the mind of a child. It could be a 16-year-old child or a 15-year-old child, whatever it may be. The studies show us that this child has been having sexual activity for a period of 1 year. This is a child almost inevitably that has not told the parents. This child has stated he or she will go on having sexual activity and they want some sort of protective devices, contraceptives or whatever they may be, and they go to Planned Parenthood, or they go to some sort of an outlet of a State, or whatever it may be. At that outlet they are counseled.

Mr. Chairman, by our legislation we would encourage family participation in the decision of the minors. It provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities, and that is how it should be. Frankly, that same child is simply not going to get into a situation in which it has to have written notice sent to a custodial parent. That is not going to happen. That means that that child is not going to receive any counseling whatsoever. The child is not going to receive any encouragement to see his or her family. The child is not going to receive any counseling with respect to coercion by an older person, such as the Illinois case, in the chances of sexually transmitted diseases, the chances of pregnancy occurring out of wedlock and the consequences of that become much greater as a result of this legislation.

It is a simple matter. We have to think this out very carefully. I do not have a single question in my mind about the authenticity of the feelings of the individuals involved, but I think they have reached the wrong conclusion and they have set up more difficulty than they have provided relief for. So I believe we should support the Castle-Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, actually the points raised by the gentleman from Delaware [Mr. CASTLE] are already covered amply by the legislation. For example, counseling does not require any sort of parental notice nor consent. In fact, if the child has a sexually transmitted disease, it requires treatment. Also, there is no need of parental notice or parental consent because there is an immediate health care need. It is only when they are seeking contraceptives that it comes into play.

Furthermore, the urging of family involvement is already the law and has been for several years. The amendment adds nothing there. And, finally, the bill already contains language that says you are going to counsel minors on resisting sexual advances and so forth. The Castle amendment adds absolutely nothing to what is already in the bill.

Mr. Chairman, I yield 6 minutes to the gentleman from Colorado, [Mr. BOB SHAFFER].

Mr. BOB SHAFFER of Colorado. Mr. Chairman, I find it surprising, frankly, that this debate takes place to the extent that it does and with the passion that it does.

Mr. Chairman, I wish to address a number of points. The credibility that really eludes the arguments of the opponents of the Istook amendment is rooted in a number of points that I wish to address.

First of all, Mr. Chairman, I ask that Members remember this is an appropriations bill. One would think that this was a bill over a particular activity or another piece of legislation. But what this really is about is about cash and about funding and about funding a particular activity through the title X clinics.

One of the comments that was made by the opponents of this amendment

was that if adopted, it would, quote, deny contraceptive services. Mr. Chairman, I point out that this amendment only ensures that public funds are not spent in a way that undermines parental authority. In fact, contraceptive services to children, for those who support that kind of thing, can continue on with the Istook amendment.

In fact the proponents of the substitute amendment, which favors contraception for children, suggests that the groups like the AMA, the American Academy of Pediatrics, the Hospital Association, the American Association of Public Hospitals, the American OB/GYNs all support the concept of contraception for children and oppose the Istook amendment.

Well, these groups are fine organizations. They are in many cases privately funded organizations. Let them pay for contraception for children if they really and truly do believe the importance of it.

What is at debate here today, again, is not whether this activity is legal or should or should not take place. What is in question is the extent to which our Federal Government should subsidize an activity that is so offensive to so many and does undermine the principal authority of parents and families throughout our country.

Mr. Chairman, in my district out in the eastern plains of Colorado, there are tens of thousands, perhaps hundreds of thousands for whom contraception alone is an offensive proposition. They believe that it in fact violates their religious precepts that they practice as a part of their daily life. Frankly, they are not asking to impose that belief on anyone else.

But just as there are those who hold those beliefs and ideals dear, and abide by them daily, there are others who believe that contraception for children is a good idea. Now, those individuals are in fact imposing their values, their brand of morality, on all of the rest. They are in fact taking the cash on April 15, the income taxes of hard-working individuals who find this activity abhorrent, they take their cash and they spend it in a way that violates that public trust.

Mr. Chairman, my wife and I are raising three daughters and a young boy, and if I ever found out that my government was providing advice and contraceptive services to my children without my knowledge, I can only say that it would be very difficult to forgive those who allowed that to take place. I believe I would find a way to do that eventually, but it would be difficult and it is difficult for every parent in this country to handle that as well.

Mr. Chairman, it is more difficult still to understand that it is possible today, in fact likely today, and in fact is occurring today, that that scenario will duplicate itself and repeat itself and the very parents who are offended by that activity are bearing the costs themselves.

Yes, right here in America, parents are paying as taxpayers for agents of the Government to teach their children values that are contradictory to those which are taught in the home. We should not allow that to occur.

It has been said by those who are in favor of contraception for children that the United States leads the world in sexually transmitted diseases. That was not always the case. It has only been the case since we have allowed the Federal Government to intrude into the bedroom on children, to subsidize the sexual activities of children.

Mr. Chairman, how often have we heard that: Keep government out of the bedroom? We should not use taxpayer dollars to ease children into a bedroom. We should not use taxpayer dollars to equip them for an activity for which they are not fit to engage. We should not use taxpayer dollars to teach a false sense of security for an activity that can kill them, that can scar children, that can devastate their futures and which drives a wedge even further between children and their parents.

Mr. Chairman, if we want children to learn, we buy them books. If we want children to brush their teeth, we buy them toothbrushes and toothpaste. If we want them to obtain jobs, we teach them how to work. If we want them to be baseball players, we buy them baseballs and baseball gloves.

If we want them to stop fighting, we take away the clubs. If we want them to stop shooting, we take away the bullets. If we want them to stop taking drugs, we take away the needles. If we want them to have sex, all we have to do is give them the tools, as we do today, to have sex, to think that they are responsible, to treat them like married adults, when actually they are foolish children.

□ 1800

One other opponent of the Istook amendment said that in order to understand this issue and vote the way they think we ought to vote, we only need to put ourselves in the mind of a 15-year-old. As a Member of Congress, I say hell no. We are the U.S. Congress. We are sent here to represent a country and honor the values of this great Nation, not to think like children, not to pass foolish pieces of legislation that take cash from parents and use it to pry their authority away from their family obligation and their rights as parents. We should pass the Istook amendment and honor that sacred institution of our families.

Mrs. LOWEY. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman.

I want to make it very clear that for those of us who strongly support family planning, we strongly support abstinence on the part of children and in no way are we encouraging sexual activity.

What we are trying to do is to prevent sexually-transmitted diseases. We are trying to prevent teenage pregnancy. That is why we are so strongly supportive of family planning, because 80 percent of the youngsters who go to these family planning clinics are already sexually active.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in support of the Castle substitute. I do so because I believe that the Istook-Manzullo reporting requirements are duplicative and unnecessary.

Furthermore, I have heard some strange logic here this afternoon. The logic that says, if individuals are already involved in sexual activity, and we know it, facing the truth is oftentimes painful, but the fact of the matter is, many of our young people today have already begun to become sexually active before seeking information, advice, or family planning information.

The real fact of the matter is, when we deny those individuals the services that they need, we are relegating them in many instances to a lifetime of poverty, of misery, of despair, of the inability to care for children that they have, in fact, produced. The reality is that we are increasing the need for welfare.

There is no way that young mothers, 18, 19, 20 years old, can take care of three or four children. And we would deny them information because we know that many teenagers are not going to share with their parents the fact that they are sexually active.

I support Castle because it is a vote for realness.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Utah [Mr. COOK].

Mr. COOK. Mr. Chairman, I rise in support of the Istook-Manzullo amendment to title X.

I am from Utah, a State with a reputation for strong families and meaningful parental involvement. Our laws recognize a parent's right to have a voice in the choices children make. Our elected officials ponder ways to strengthen the families, realizing that strong, healthy families are the best solution to most ills in our society.

Our public education system recognizes and respects the vital, clear voice of parents. And yet, our children can get birth control devices from federally funded agencies without the knowledge of their parents. This troubles parents in my district. This troubles me.

Whether Congress intended this or not, the current title X policy undercuts parental involvement in this most critical area of a youngster's life, their sexuality. In Utah, teens must have parental consent to play on sports teams or participate in field trips, yet they can obtain birth control devices without notifying their parents.

It is important to note here that we are talking about parental notification, not parental consent. I am a pro-life Congressman. I am anxious that Federal policy not subtly encourage abortions. Some have argued that notifying a parent of a child's request for

birth control will lead to more abortions. I disagree. I think alerting parents to their youngster's sexual activity will do more to halt unwanted pregnancies and abortions than just dispensing free birth control devices.

We have tried that. We have been trying it for decades. During the years we have freely dispensed birth control, teen pregnancy rates have doubled. The number of teens seeking abortions have soared accordingly. Sexually transmitted diseases have reached epidemic proportions.

What further proof do we need that our existing policy is not working? It is time to be doing what we should have been doing all along, bringing parents back into the loop.

I have been disappointed to hear the misleading rhetoric surrounding this bill. This bill is pro-children. This bill is pro-family. This amendment is pro-safety. We are requiring recipients of title X funds to report child abuse, molestation, rape, or incest. These crimes should never go unreported, regardless of the wishes of a frightened child. Failure to report these crimes is failure to protect a child. Just giving youngsters birth control and some pamphlets in those horrific circumstances is like putting a Band-Aid on a hemorrhaging wound. The crime must be stopped. The criminal must be punished. The victim must be helped.

This bill not only ensures responsible, caring parents a voice in their children's life; it also ensures youngsters meaningful protection against abusive parents and sexual predators. The full protection of the law, not just the protection of a birth control device.

I urge passage of the Istook-Manzullo amendment, Mr. Chairman.

Mr. CASTLE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. GREENWOOD].

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

I have to begin by saying that my heart is with, in many ways, the makers of this amendment. My heart is with the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO], because I understand what they want to do. They want to protect our children from the elements of our culture that would undermine the values that we try to teach them at home. They do not want a world in which our kids are sneaking behind our backs and getting information that rightly ought to come from us.

As the gentlemen know, I have two daughters. They are 10 and 12. My wife and I are engaged in this struggle every single day. We are considered the fuddy-duds in our neighborhood, I think, because my daughters are always saying, how come everyone has their ears pierced already and we cannot? How come everybody can wear makeup to school and we cannot? How come you will not let MTV come into the house? I called the cable station and I do not let MTV come into the house. So that is pretty square, I guess.

We work real hard in our family on communications with our kids because we know that if we can establish communications about these issues, I stayed up late the other night with my daughter, 12-year-old, on the question of makeup. And I said, it is bigger than makeup. I will tell you what I am afraid about. I am afraid that people on Madison Avenue and people in Hollywood, in order to sell a product, are trying to create an image. And kids your age feel that if they do not fit that image that is provocative, 12 or 13 or 14 years, that there is something wrong with you. I am afraid of these people stealing your childhood away from you.

That is why we have these discussions. We communicate like that every day in our family.

If we succeed at this level when we are talking about pierced ears and makeup, then I think we will succeed when the heavy issues come like sexuality, going out to parties, and dating, and all of those things that have me scared to death already.

The parents in America that succeed at doing this, for them this language is moot. It does not matter. We do not need the government, for those of us, for parents who have succeeded, we do not need the government establishing communications. We do not have to mail a letter, nobody has to mail a letter to me saying your daughter is over here because I am going to know what my daughter is doing, if I succeed.

But we also know that really good parents who try hard do not succeed at this. It is hard to talk about. It is hard for any kid. Think of it yourself. How many of us can honestly say that when we were 15, 16, and 17 we could sit down at the table and talk about sexuality over dinner? Let us not pretend, by the way, that that is what happened in this country for 200 years. Silence was the order.

But some parents will not succeed. And for those parents who also, just like I do, hope that our kids are abstinent and do not get involved in sexuality before they are mature enough to do it, we hope that they will be abstinent until they are 18, at least until they are married, that this is not an issue. But what we know is that 56 percent of young ladies under the age of 18 are already sexually active. And it is higher with the males, 73 percent.

So what are we going to do about that? We know that that is going on. There are a lot of variables that determine whether a teenager is sexually active. It has to do with how they communicate with their parents. It has to do with how they respond to peer pressure. It has to do with what kind of a situation they are in.

But do you know what does not have any influence on whether a kid is sexually active? The availability of birth control. They do not refrain from being sexually active if they cannot get birth control, and they do not become sexually active because they can. That is not the way this works. That is not the way the birds and the bees work.

Kids become sexually active or they do not become sexually active for a lot of reasons. And the kids who can talk to their parents are in great shape. But if we tell kids who cannot talk to their parents and who are sexually active that we are going to send a letter home to mom and dad or you cannot come into this clinic and get contraceptive services, I wish that would solve the problem. I wish those kids would say, OK, no more sex. We are finished, cannot get the pill. I wish that that would work, because that is what the framers of this amendment hope happens. But it will not happen. That is not what happens. They continue to be sexually active.

We know the story. They become pregnant; they get sexually transmitted diseases. They have no one to talk to. They have abortions. That is the bottom line. That is what happens with this language. None of us wants that.

There has been a lot of criticism of family planning clinics in this country, a lot of talk about what has happened with the teenage pregnancy rate. It has gone down 8 percent since 1991. These clinics are working. We should protect the work that they do with the Castle amendment.

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

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

Ms. HARMAN. Mr. Chairman, I rise in support of the Castle-Porter substitute.

Mr. Chairman, I rise in support of the Castle-Porter substitute and against the underlying amendment.

As a mother of four, including a young adult daughter and teenage daughter, I want my children to seek my advice, if not my approval on health-related matters, particularly those related to reproductive issues. But their willingness to talk to me or their father is based on trust and respect and cannot be mandated by law.

At the same time, as a policymaker, I want to reduce the instances of unwanted pregnancies and cases of sexually transmitted diseases. Would requiring parental consent for family planning services achieve that goal? Clearly not.

Instead, it would create a barrier and overturn statutes in 49 States by imposing a one-size-fits-all Washington policy. More importantly, studies show that 80 percent of sexually active teenagers would stop seeking family planning services if parental consent were required. The result would be more unintended pregnancies, possibly more abortions, and certainly more cases of sexually transmitted diseases.

The difficulty we face as parents and policymakers is finding the balance between policies that encourage the active involvement of parents in their children's decisions and policies

that reduce teen pregnancies. The substitute amendment offered by Messrs. CASTLE and PORTER is the preferable, though far from perfect, approach.

The Castle-Porter substitute requires that title X grantees encourage the involvement of parents when teens seek contraception and other family planning services. To be sure, some may claim that title X grantees could easily provide the certification required by the amendment without genuinely making the effort to encourage teenagers to discuss their situation with their parents.

But I have met with many title X grantees and I know that they share the concern which has been expressed by both the proponents of the Istook-Manzullo amendment and the Castle-Porter substitute—that only through strong family bonds and only by encouraging teenagers to seek contraceptive advice can we reduce unwanted pregnancies and some of the other health risks facing sexually active young people. And they all make a very concerted effort to achieve both goals.

Support the Castle-Porter substitute which will reduce unwanted pregnancies and cases of sexually transmitted diseases while encouraging to the greatest extent practicable family involvement in the decisions of our children.

Mr. ISTOOK. Mr. Chairman, I yield myself 40 seconds.

I think the thoughtful comments of the gentleman from Pennsylvania [Mr. GREENWOOD] deserve some response.

When he says good parents do not need this because this never happens in good families, of course it happens in good families. Good families want to get involved when something happens that is a surprise to them.

If we say that availability of birth control has no affect on sexual activity, I lived through the 1960's and the early 1970's. I know all the writings that are out there saying that the availability of the pill and so forth and birth control had a huge affect on sexual activity in America.

I do not think that we can say, here is a hammer, here is a nail, here is a board. But believe me, I am not encouraging you to have it. I do not think that would be realistic.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, I rise today in strong support of the Istook-Manzullo amendment and in opposition to the Castle substitute.

I am deeply concerned about the incident that occurred in Illinois, and even more concerned about current law allowing this type of atrocious behavior to continue to occur unless something is done and something is done soon.

I am distressed that it takes the exposure of such an atrocious situation for an issue such as this to receive appropriate attention. I am encouraged that this amendment is on the floor today, and I urge every Member to support the Istook-Manzullo amendment.

Currently, there are nearly 1.5 million teenagers using the title X program. This means that the parents of 1.5 million teenagers receiving federally funded services pay taxes for those purposes. I think it is not rational to believe that those parents do not want to be informed when their children are being supplied with possibly potentially harmful contraceptives.

□ 1815

As the father of the two most beautiful little girls in the world and as a Member of Congress responsible for allocating taxpayer dollars, I find this issue extremely troubling.

This amendment is critical for parents to be just that, parents. Unfortunately, the title X program virtually eliminates the role of parents in their children's receipt of medical care, and potentially harmful medical care at that.

Opponents of this amendment claim this amendment would result in higher pregnancy rates and more abortions. I find this difficult to understand in light of the fact that teen pregnancy rates have doubled since the title X program was created. At best, there is no correlation between the funding of this program and a reduction in the teen pregnancy rates, and in fact, it may be concluded that this program has actually facilitated its increase.

Parents have been deleted from the picture and clinic employees are now responsible for providing contraceptives without any interest or legal procedure to actually question the teenager about his or her sexual activities.

This amendment, the Istook-Manzullo amendment, would simply require clinics to report to the proper authorities any abuse, rape, incest or molestation that title X clinic patients have experienced, and would allow parents to simply be informed of any contraceptives their minor child is receiving. This amendment does not prevent the treatment, counseling or testing for sexually transmitted diseases under current law. Parental notification is not required for minors to be treated for STD's.

In addition, it does not deny any services to teens. It does not even require parental consent, but it will at least let a parent know when their 13-year-old daughter is coming into a clinic for a Depo-Provera shot while some 25-year-old monster waits in the car. I think parents deserve at least that much.

Simply put, I encourage all of us to consider how much longer we will continue to allow child molesters and rapists to hide behind the Federal morass of title X regulations.

Mr. Chairman, it seems that in this body we continue to legislate based on the lowest common moral denominator. We are saying that because there are parents, a minority to be sure, a minority of parents that in some way cause problems for their children when they find out their children have been sexually active; or in the case of the lady from Oregon talking about the father that killed his daughter when she reported the sexual molestation, that we must bring everyone in the country under that same concept of regulation.

Mr. Chairman, I would say that not every parent is like the parent in Oregon or not even close. Many of us as fathers and mothers want to know about these situations when they come into our children's lives. And the idea that we can set up this because we need this for the children is to say that, for example, we need to eliminate the status of minors altogether.

If we believe that there is a case in America or some cases in America whereby some parents may not act responsibly when informed of these things, why can we not extrapolate from this and say, let us do the same thing for alcohol abuse. Let us simply not notify the parents, but have a clinic operator inform the child and counsel the child. Or tobacco use, how about we not tell the parent that the child is involved in tobacco use because the parent may be averse to that?

No, Mr. Chairman, in this country we continue to recognize the importance of parents in the lives and decision-making of their minor children. This bill does not stop funding of a program that, at best, has no correlation to reducing pregnancy rates. This does not even talk about consent. We are not asking that I give my consent if my daughters receive Federal family planning.

Mr. Chairman, this is a responsible amendment, and I seek that the membership elect to accept the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I want to take just a moment to answer a question one of my colleagues asked about, what did parents do before 1970? I was at the University of Kentucky in the 1950's, and I can answer that question. I think I should.

Women who got pregnant in those days died from botched abortions or they died from septicemia or they became sterile, unable to have children in the future, or they were sent away to what was called a Florence Crittenden home with other women who had, in the jargon of the day, ''got themselves in trouble,'' to wait 9 months until their babies were born.

And their families told their friends and everybody else they had moved away with a relative for a little while. It was common. They had no opportunity again to go back and finish their education. They were from the ''good'' families. Poor women just had no options.

The men involved got off without any problem because it was a case of spontaneous generation, the woman had ''gotten herself into trouble.'' They continued their education and lives, and had every opportunity to become titans of industry. The women were disgraced.

That has changed, and I am happy for it.

I wish that every child in America lived in an ideal home, but they do not. But even in ideal homes, in good homes, where 99.9 percent of everything is discussed, there comes a time every now and then when a child may not want to talk this over with their parents.

It is a tragic thing that happened in Illinois, it is a case of statutory rape, and of course it must be prosecuted. In my district we do that; and if my colleagues do not prosecute in their districts, I want to recommend it to them.

But this amendment has a far broader reach. It says that none of the funds in this act or any other act for any year can be made available to any title X provider if they do not fulfill this amendment. That means they risk the loss of Medicare funds, Medicaid funds, graduate medical reimbursement, disproportionate share payments, and everything else that we do for health care facilities in this country.

Because of the broad-reaching nature of this amendment, it has been strongly opposed by the American Medical Association and the hospitals.

Now, let me say one thing that is very important here. I think this law would preempt State laws on this issue because 24 States have laws that mandate confidentiality between providers and adolescents. What we say here over and over again on this floor, what I hear is, we should never enforce anything from Washington; the States know best, the local areas know best. In this case we are saying, no, that is not the case. No, no, Washington knows best on this issue after all.

Now, States deserve to have their considered laws on doctor-patient communications remain intact, and I urge my colleagues in the strongest possible terms to reject the Istook-Manzullo amendment, as well-meaning as it may be, and to support Castle-Porter.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Mr. Chairman, I want to respond that the Congressional Research Service has supplied a memo dated July 28, 1997, stating the title X regulations do not require that title X providers report cases of incest or statutory rape.

We are trying to change that law. We are trying to make it mandatory on the part of title X providers, that they have the same reporting requirements as State people do. It is just that simple.

So it is incorrect to state, as many Members on the other side have said, that title X providers are already required to report these violations.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. LARGENT].

Mr. LARGENT. Mr. Chairman, let me say first of all that I am really proud to call myself a Member of Congress. It is a privilege and an honor, and with that privilege comes a great deal of responsibility.

But I also have to tell my colleagues that I am even more proud to be known as a father, a dad. I have four children, three of them teenagers. And with that privilege of being called a dad come even greater responsibilities.

I have to tell my colleagues that it really saddens me that we even have to debate this issue. As a Member of Congress, in fact, I am embarrassed; as a parent, I am offended.

Let me just say flat out what this debate is about. This is about, is it right to notify parents when their children receive counseling, contraceptives, sexually transmitted disease inspections or testing; is it right?

Just think about that, as a parent. To use tax dollars that moms and dads from all over this country are sending to Washington, DC, should we use those tax dollars to do those things to our children and not let their parents know about it? Just on the very surface of the debate, it is laughable. And I want to tell my colleagues again that, as a parent, I am offended.

If we listen, just below the surface of the debate, of those that are opposed to letting parents know what is happening to their children, the message, the underlying message is that we cannot trust parents.

That is the message: We cannot trust parents. So the debate is really about this.

Who cares the most about my children? Is it people here in Washington that want to hand my children contraceptives or examine them or offer these services to them or is it me? Who can protect my children the best, me or my fellow colleagues?

I want to tell my colleagues, I do not believe any of them care or love my children as much as I do. I do not care who they are, there is nobody here in Washington that loves my children more than I do. And yet there are many people that are trying to impose what they think is right for my children and other people's children in this country on us as parents, and that is wrong. And that is what this entire debate is all about.

Understand, this is about just letting parents know. This is not about asking for their consent.

I get calls all the time. I cannot say all the time; I have often received calls from my children's school, from the school nurse. The school nurse will call to say that my daughter has a headache, and the nurse needs to get my consent to give her two aspirin. The nurse thinks she should administer those to her, but she needs my consent. Is it OK with me.

Not only do they have to notify me, they have to get my approval to give her two aspirin. And yet my daughter could go to a federally funded clinic, be tested for sexually transmitted diseases, be given condoms, given counseling, and I would not even know about it. They would not have to call and ask for my permission, not even notify me; and that is wrong.

I want to tell my colleagues what is happening all across our country to a lot of different institutions of authority, and I want to say that the family institution is an institution of authority, but what is happening is not hammer blows against those institutions of authority. Whether it is the Government or our schools or law enforcement or families, it is not hammering against those institutions of authority; it is a slow erosion.

This is one of those ways to slowly erode away the authority of parents in their children's lives, their ability to direct their children's lives, to counsel them, as parents, to provide protection for them. This is one of those things that is slowly eroding that authority away. And when we erode authority away, we erode respect away from parents.

It is no wonder we have the problems with teenage crime and violence and pregnancy that we have today, because we continue to erode the authority of all parents.

So the question is this, and I will finish by saying the question is this, and I want to say up front that I do not question the motives of anybody involved in this debate on either side. I really do not, because I believe in my heart that every Member of Congress is seeking the answer to this question. And that question is this: How can we best help kids in our country today?

I believe every Member of the Congress is trying to answer that question in this debate that we have before us; and I will tell my colleagues that the conclusion that I have reached, and the reason that I support the Istook-Manzullo amendment is this: I have concluded that the best way we can protect the children of our country today is to involve their parents, because I believe parents care the most for their children. So we need to help those parents by at least allowing them to know what is happening to their children.

I urge support for the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. HEFNER].

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

Mr. ISTOOK. Mr. Chairman, may I inquire how much time remains on each side?

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 43¼ minutes remaining; the gentleman from Delaware [Mr. CASTLE] has 29½ minutes remaining; the gentlewoman from New York [Mrs. LOWEY] had 26½ minutes remaining before yielding.

The gentleman from North Carolina [Mr. HEFNER] is recognized for 3 minutes.

Mr. HEFNER. Mr. Chairman, I have a tremendous amount of respect for the gentleman from Illinois [Mr. PORTER]

and for the gentleman from Delaware [Mr. CASTLE], and it has been interesting to listen to this debate. And I listened to the gentlewoman from Kentucky, who comes from a rural district as I come from a rural district in North Carolina, and she talked about what has changed, and she was right.

Back when we were growing up, and I am a lot older than most people here, but when a girl got herself in trouble, it was always a woman that got herself in trouble. The guy was not particularly involved in it. It was always the woman that got herself in trouble and she bore the brunt of it for the rest of her life, if she was even allowed to live in the community.

□ 1830

We are not here today to encourage people to be promiscuous. We are not here to say that family planning is telling our children to be promiscuous, to go out and have sex with everybody that comes along. It is obvious that family planning centers, and I have talked to the people that work there, and they strongly urge people to have abstinence. They do not say every time that you go to a family planning clinic you have got to go have an abortion.

The gentleman from Oklahoma said that the people that were talking about supporting the Castle amendment are urging people, the kids, not to trust their parent. I have four grandkids. I love them just as much as he loves his kids. But these kids I am talking about are the ones that have parents or families that are split, maybe they are living with an aunt or a grandmother, and can you imagine the frustration and the fear in a 14-year-old when they come to a problem where they do not know what to do? They want to go someplace and talk to somebody. It is terrible. And the kid says, ''I don't have anybody to go home and talk to. I don't have anybody to notify.'' What are you going to do? Are you going to give a waiver and go through the courts?

This is a serious business that we are talking about. If everybody was raised in a good, solid home where the mom and dad loved everybody and you could talk about it, it would be one thing, but I am concerned about the ones that do not live in this environment. They are the ones that bother me.

We are certainly not encouraging people to be promiscuous. We are certainly not doing that. We love our kids just as much as you do. But this amendment in my view is wrongheaded. The Castle amendment addresses it in an absolute, rational way, and this is what we are trying to get, to the point that we are trying to get to. But I just want Members to know that all family planning institutions are not folks that advocate abortion. I might say this. Most of the people that are supporting the Istook amendment do not support family planning. Let us get that straight right now.

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

I would just like to make a point. I thought the gentleman from Oklahoma [Mr. LARGENT] made a very good point. He said he does not question anyone's motives and I certainly do not either. This has been a fair debate. I certainly do not even begin to question anyone's motives. But he raised the issue, and I think this is at the heart of it. How can we best help kids today? We may be talking about kids from good families but for some reason have a tremendous fear of talking to their parents about this at all. We may be talking in many instances about kids who have troubled circumstances in one way or another or are afraid to talk to parents. Do we want them in a situation in which they get no professional guidance whatsoever with respect to what they might do sexually for the remainder of their lives? Or do we want them to get some sort of guidance?

We have to understand that in the State clinics, which I have seen, and I assume in Planned Parenthood and other places, that the advice that I have seen is generally one of counseling, of trying to persuade kids to practice abstinence, to get away from sex in every way possible, and any kind of a device or whatever is always something that is only done at the end and that is the way it should be, and I think often these kids need counseling and help, to talk to their parents, to talk to guidance counselors in school or whatever it may be. I wonder what a kid would think. Would a kid go to a clinic if indeed that clinic has some sort of a notification provision? Admittedly, the notification provision is for the supplying of certain equipment in this circumstance and not just counseling, or would it go to a circumstance where the child, he or she, would feel welcome and could get some help? I would judge that that child is much, much more likely to go to a clinic in this circumstance. And I think most parents, even though they would rather be notified themselves and be the ones giving the guidance, they would probably rather have them have good advice and counseling than have nothing whatsoever.

For those reasons, I still believe strongly that the provisions in the Castle-Porter amendment are the ones which should prevail but are also the ones that are in the best interests of the young people of this country.

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

Mr. CASTLE. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I appreciate the comments of the gentleman from Delaware [Mr. CASTLE]. I think when we talk about some parents being responsible and some parents not being responsible, we know it is true. I believe the vast majority of parents are responsible. So much of the concern is that in order to provide what we see as help to those who have irresponsible parents, that standard is applied in the case of responsible parents and provides an inducement, an incentive, if you will, that can help draw their children into that. It is the fact that the current law does not distinguish.

Mr. CASTLE. Mr. Chairman, let me reclaim the few seconds that are left. I believe in the case of responsible parents in most instances we are going to find those children are never going to go to any of these clinics or receive that advice, they are going to go to their parents or get help otherwise. In certain circumstances that could happen, but for the most part it is in more troubled circumstances. We are going to see this child reach out for help. That is my belief. I think it is documented. I admit that I have not seen a lot of studies on it, but I think by common sense we can reach that conclusion.

Mr. ISTOOK. Yielding myself 15 seconds, Mr. Chairman, I can certainly relate that from experience. I know of parents who I personally know are extremely responsible parents, and yet their children have been drawn into that nevertheless. I do not think we could make that assumption. But I appreciate the opinion of the gentleman, as I know he appreciates mine.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle substitute.

Mr. Chairman, I rise to oppose the Istook amendment to deny important health care services and information to young people who may have no other way to get the help they need and in support of the Castle substitute.

I believe we all share the goal of reducing teen sexual activity and teen pregnancy. We all agree that achieving this goal begins in the home and is the primary responsibility of parents. And we all agree that abstinence is the best approach to encourage young people to take. But let us not bury our heads in the sand and pretend we live in a perfect world where every teenager can turn to a parent for this assistance. The effects of mandating parental consent can have devastating results. Rather than promoting parental involvement, mandatory notification laws can have the unintended effect of increasing health risks to adolescents because many kids will avoid proper health concerns to avoid telling their parents.

Title X-funded clinics already encourage teens to talk with a parent about sex, health, and contraception. Requiring parental consent under all circumstances takes away the ability of medical personnel to exercise their judgment as to when family involvement would be inappropriate or nonexistent. The mainstream medical community including the American Medical Association agrees that contraceptive services, prenatal care, and HIV/AIDS diagnosis treatment should be available to teens on a confidential basis.

Family planning is a necessary investment. Each dollar spent on family planning saves about $3 in medical care. Denying services to thousands of youth will simply result in higher rates of sexually transmited diseases, more

unintended pregnancies, and more abortions. Right now, publicly funded family planning programs, including title X, help prevent 386,000 unintended pregnancies to teenagers annually. These programs help avoid 155,000 teenage births and 183,000 abortions. If teens are required to obtain the consent of parents for contraceptive services, they will avoid seeking any title X services.

I urge support for the Castle substitute which would require that title X programs encourage the involvement of parents when teens seek contraception and other family planning services. By encouraging parental involvement rather than mandating it, we will ensure that parents have the primary responsibility in these matters, but we will also ensure teens continue to have access to necessary health care services.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado [Ms. DEGETTE].

Ms. DEGETTE. Mr. Chairman, each year publicly funded family planning prevents 386,000 unintended pregnancies to teenagers, it prevents 155,000 teenage births, and it prevents 183,000 abortions. If we are going to stand here and try to say with a straight face that parental notification of birth control is going to prevent teenagers from having sex, we are living in an Ozzie and Harriet world that has not existed in this country, if it ever existed, for 40 or 50 years. If we want to prevent these unintended pregnancies, if we want to prevent unintended disease and if we want to prevent all of these things from happening, we need to have family planning service.

I happen to believe, as all of us do, that children should not have sex as teenagers and that we should teach abstinence-based sex education to our teenagers. But let us be realistic. Parental notification is not going to stop teenagers from having sex. What it will do is take that chart that has been shown by the proponents of the Istook amendment throughout the afternoon and evening and it is going to take that line that shows increased unwanted teenage pregnancies and it is going to put that line right off the top of that chart. That is not what any of us want here today.

Just listen to some of the comments that teenagers themselves have made in my district when they were asked the question of what would happen if they had to talk to their parents before getting birth control. These are teenagers, some of them came from good homes, but did not feel they could talk to their parents, and some came from bad homes where they might have been victims of incest or child abuse.

One 17-year-old said: ''I don't think it's a good idea, because more teens will do it unprotected rather than having their parents know that they are having sex.''

Another honest girl told the surveyors that, quote, ''I wouldn't have come here if I had to have a parent with me and I think a lot of other people wouldn't, either.''

Let us listen to the word from the teenagers. I too have two young daughters, and I care more about them than I care about anything in this world. I love my daughters, I talk to them every day. Luckily for me, they are not 12 yet, but they are 3 and 7. I am heartsick at the idea that one of them may have sex before they are ready, before they are an adult. I am even more heartsick at the thought that one of my precious girls might have an unintended pregnancy or, worse, a fatal disease because, for whatever reason, they did not feel that they could come to my husband or to me. For that reason, I urge Members' opposition to the Istook amendment.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. PITTS].

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

Mr. PITTS. Mr. Chairman, today we heard the tragic story of the 13-year-old girl from Illinois who was molested by her 37-year-old gym teacher for a period of 18 months while a title X family planning clinic provided the contraceptives. Mr. Chairman, we should not allow this tragic child abuse to happen again. Our current law aids and abets child molesters. This Congress must protect our Nation's daughters. Federal law requires that taxpayer-funded title X clinics provide contraceptives regardless of whether a child's parents know she is seeking birth control. If this 13-year-old's parents had been notified, her molester could have been stopped.

The Istook-Manzullo amendment will stop the use of Federal funds in the title X family planning program from being used by sexual predators to molest young girls. This amendment does two things. First, it requires title X clinic staff to follow State law when reporting any evidence they discover that a child is a victim of abuse, sexual molestation, rape or incest, and, two, it requires title X clinic staff to give parents notice, that is not consent, that is just informing the parents of the child's decision, before giving a child contraceptive drugs or devices only.

This year the California general assembly passed a law which requires parental consent for body piercing. By 73–3 in the general assembly, 26–4 in the Senate, they passed this law. This is the same girl who would be provided an IUD to be implanted or birth control pills or an injection with Federal funds. The Alan Guttmacher Institute reported that 6 out of 10 girls who had sex before age 15 were coerced by males an average of 6 years their senior. Mr. Chairman, I ask Members today, when is Congress going to stop supporting sexual predators? I urge Members to vote for this vital amendment to protect our Nation's daughters and oppose the Castle substitute.

Do not be fooled. The Castle substitute does nothing to stop the molestation of our daughters. The case in Illinois would still have happened under the Castle language. Vote for Istook-Manzullo, vote to strengthen parental rights. Vote against legitimizing promiscuity.

Mr. CASTLE. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I thank the gentleman not only for yielding the time, but most especially for his tremendous leadership in offering the substitute amendment and his leadership on these very, very critical issues.

Mr. Chairman, we should start out by admitting to ourselves that this particular amendment, this subject matter, does not belong in an appropriations bill. It is a matter that belongs before an authorizing committee. It is a matter that should not be taken up here, and it is a matter that, unlike an appropriation, would make under its terms a permanent change in the authorizing law, a permanent change in U.S. law.

Mr. Chairman, in my judgment, confidential access to family planning services is absolutely critical to providing teenagers appropriate medical care and timely advice. I believe that the Istook-Manzullo amendment would be destructive of that happening. It would create a barrier between teenagers and health care services, and would, in effect, destroy any chance to get the kinds of services that prevent pregnancies, help to prevent sexually transmitted diseases, and in the end help to prevent abortions.

Most teenagers that go to a family planning clinic, as has been said often here on the floor, are sexually active when they go there.

□ 1845

Some are pregnant, unfortunately. Others want to get contraceptives so that they do not get pregnant.

Ideally, all of these teenagers would talk to their parents about their health care decisions. Ideally, every parent should have an open and honest relationship with their children in which they can communicate about sexual matters and questions of sexual activity.

We would all hope that the world was an ideal place where this would obtain. Unfortunately, we know very well it is not. In the real world, many children cannot or do not talk to their parents. These children simply do not have an adequate relationship with their parents, and, in some cases, a parent is actually sexually abusing the child.

Unfortunately, the Istook-Manzullo amendment will not instantly turn a dysfunctional parent-child relationship into a positive, open relationship, and, unfortunately, we have to deal with the world as we find it, the real world, and not an ideal world.

If you are talking about title X clinics, you are talking about clinics that serve poor women. Yes, there are some women who go to title X clinics that are not poor, but the overwhelming

majority of them come from poor families and they are in poor areas. These clinics are not being accessed by people who have good relationships with their parents. In many cases they are from broken families, from families in poverty, from circumstances that simply do not work to provide for parental consent.

The proponents of the amendment talk about the circumstances of a 14-year-old girl. They talk about it as if the title X clinic were the cause of her relationship with a high school teacher 20 years older than she.

The fact of the matter is that this relationship existed for more than a year before the title X clinic was ever involved. The title X clinic did not cause this relationship; the title X clinic did not facilitate the relationship.

It is extremely unfortunate that this occurred, and obviously we all deplore it, but at the bottom line the title X clinic may have prevented a 14-year-old child from becoming pregnant.

I believe that, in the end, and while it is well-intended, the Istook-Manzullo amendment will increase sexually transmitted diseases, will increase unwanted pregnancies, will increase, therefore, abortion, and I believe, will not help the situation, however well-intended it is.

I believe that the amendment will drive teenagers away from seeking the kinds of counseling, the kinds of advice, the kinds of knowledge that they need to avoid sexually transmitted diseases, and it will not lead to the kind of results that the sponsors wish.

Mr. Chairman, I want to say one thing relating to the question of sexual abuse which has come up over and over again. There is not one State in the Union that does not require anyone with knowledge of a sexually abusive condition to report that to the authorities. If sexual coercion is going on, everyone, today, must report it to the authorities, and this amendment would add nothing to that requirement that already exists.

Unfortunately however well-intended the amendment is, it would not only not work, it would not only not help teenagers, but it would actually destroy any chance they have of coming to grips with becoming an adult in a responsible way.

I would urge Members to support the Castle substitute, which is well-drafted to provide exactly what is needed in these circumstances, and to oppose the Istook-Manzullo amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 1¼ minutes.

Mr. Chairman, I heard the gentleman from Illinois [Chairman PORTER] say, well, the program should not be done on an appropriations bill.

The problem is, title X has not been authorized by Congress. Its authorization expired 12 years ago, and there is no other opportunity except through appropriations bills to affect it.

We heard a claim that it is providing services to poor women. Actually, Mr. Chairman, the so-called confidentiality requirement is used to provide services to any socioeconomic group, because they say, ''Do you want us to tell your parents?'' They say ''no.'' ''OK, then we cannot count your parents' income. We will only count your income as a teenager. What is it?''

Of course, it is not anything beyond the poverty level, because you are only talking about a young lady or a young man.

Finally, I know of no case in the entire country, despite the underage children that go in there, where a title X clinic has ever reported a case of incest, has ever reported a case of statutory rape, has ever reported a case of child molestation or abuse.

Mr. Chairman, they have never reported these. And that is the essence of the problem. They do not report them. I do not know of a single case. If the Chairman knows, I am sure he will advise us.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I would simply say I do not know of the statistics in that area, but I do not think people go into the title X clinic and say, ''I am being sexually abused.''

The Castle amendment would have people counsel young people about that exact question and see if they can determine that. So I think that it will accomplish a great deal more than would ever be accomplished under the amendment the gentleman has offered.

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

Mr. PORTER. I yield to the gentleman from Illinois.

Mr. ISTOOK. Mr. Chairman, in response to that, the language of the Castle amendment only repeats what is already in the bill. The Castle amendment does not add anything or change anything. Those requirements are already in the bill.

As I say, I know of no case where a title X clinic has ever reported things. But they do know what their laws are on what is the age of sexual consent in their State, and they are not paying attention to them.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. TIAHRT].

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

Mr. TIAHRT. Mr. Chairman, I rise in support of the Istook-Manzullo amendment and in opposition to the Castle substitute.

The opponents of the amendment, the Istook-Manzullo amendment, sent out a ''Dear Colleague'' which reads:

> Under the Istook amendment, a clinic must notify a parent in writing if a teen requests contraceptives. Five days later, the teen may return to the clinics for contraceptives. Parents who do not consent will prevent their teenagers from returning to the clinics.

Mr. Chairman, this is inaccurate. The parents do have the right to consent or the right to do nothing, and the child still gets the contraceptives.

What it does require is that title X clinics report to proper authorities any child abuse, child molestation, sexual abuse, rape or incest, and that means that no parent involved in an incestuous relationship will receive notice. Rather, they will be reported to the proper authorities.

It does allow for unrestricted information and counseling, which is duplicative in the Castle amendment, and it requires the title X clinic to provide notification to the parents or legal guardians for the minor seeking contraceptives. It does allow for judicial bypass and an exemption for emancipated minors, but it does attempt to include parents in the process.

It does not prevent treatment or testing from sexually transmitted diseases. Parental notification is not required for minors to be treated for STD's, and it does not deny any services to teens. It does not require parental consent, only notification.

This is about trust really. It boils down to trust. Are we going to trust kids and parents or do we trust government?

This is not about somebody else. This is about us right here on the floor. It is about you, and it is about me, and it is about Jessica, my 16-year-old daughter, who some of you met in Pennsylvania at the Hershey retreat.

So I ask, how does this affect me? How does this affect the rest of America? I believe most parents would do the right thing when notified. They would talk to their kids.

I know that I love my children more than any clinic can. But will all parents react properly? Probably not, according to most people's judgment. But, you know, this is not a risk-free society. It never will be. But they will be faced with a very important issue, the reality of what is going on in their children's lives.

If you do not trust yourself or those parents, this amendment will cover that. It has already taken into account that they can consent, again, for the children to get contraceptives and counseling, or they can simply do nothing and allow the clinic to provide this.

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

Mr. TIAHRT. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I do not think notification would ever occur, because I think in almost every case the teenager would simply not go to the clinic. They would not get the counseling, they would not get the information, they would not know about sexually transmitted diseases, they would not get contraceptives. It simply would cause the clinic to stop functioning and stop providing those services.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, what I think it will do, Mr. Chairman, is it will force the parents to deal with the issue, and the children too, and that is not a thing

that is occurring now. It is my hope the parents will do the right thing. They will talk to the kids about commitment, about personal responsibility, about the value of lasting relationships and abstinence. But if we do not notify the parents, we cannot give them a chance.

So let us put our trust in people and not in the Government. Let us trust ourselves, not some institution.

I know there is a great deal of concern about less than ideal families.

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

Mr. TIAHRT. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Chairman, if the gentleman would yield for a question, I am confused about this. One does not need consent, but one has to have notification. In what form would be the notice of notification? Would that be a card or a telephone call or what? Or would the kid be sent to take a letter home to their parents, or what?

Mr. TIAHRT. Mr. Chairman, reclaiming my time, I do not know how the regulation is written.

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

Mr. TIAHRT. I yield to the gentleman from Illinois.

Mr. MANZULLO. Mr. Chairman, the Secretary of HHS would be authorized to issue regulations as to the form of written notice.

Mr. HEFNER. A written notice to the last known address?

Mr. MANZULLO. That is correct.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, I think that the real underlying issue here is who do we trust? Do we trust people or are we going to put our faith in government?

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Istook-Manzullo amendment, because, quite simply, this amendment puts the life and the future of young women all across this country in danger.

Mr. Chairman, it is time to stop pretending that unwanted pregnancies and sexually transmitted diseases just go away if we do not talk about them. It is time to recognize that teen pregnancy and teen abortion rates actually drop when young people have access to the preventive reproductive health care that they need.

Mr. Chairman, I find it ironic that those who call for greater responsibility from our youth are the same people who would deny young women the tools they need to be responsible. It is equally ironic that the Congress would consider interfering with young women's health care, when almost every major medical and public health organization in this country opposes the parental consent requirements in this amendment.

Mr. Chairman, who do we listen to? If the Istook amendment passes, who will young women, those who do not have safe, supportive families, who will they turn to for sound medical advice? Who will help them avoid unwanted pregnancies and disease? Who will help them make responsible choices about their future?

Mr. Chairman, let us stop playing with the lives and the futures of young women. Let us defeat the Istook-Manzullo amendment and adopt the Castle substitute.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from New York, [Mr. HOUGHTON].

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

□ 1900

Mr. HOUGHTON. Mr. Chairman, we are really talking about title X. Title X goes back to 1970. This is something that George Bush was very much involved in, and President Nixon signed into law. It has been very successful, as Members know, not only in terms of the things we have been talking about, but in terms of testing for breast and cervical cancer and infectious diseases. It really has been an extraordinary program. The thing I hate to do is to sort of tamper with it.

I am a grandfather of 15 children. I identify with the parental understanding and consent and all things like that; but I think the thing that bothers me is that when you thrust the Government right in the middle and say, ''This is mandatory,'' it destroys the very fabric of the family. It destroys the thing which we have been trying to do. It destroys, undercuts the very statistics we are all so proud of.

It seems to me that if we are going to march down this road, we want to do it in a practical, in a sensitive, in a really profamily way, so we let the families and the churches and the friends and the communities work their will and their influence on children. And therefore, I am very much in favor of the Castle amendment.

Mr. MANZULLO. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi [Mr. PARKER].

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

Mr. Chairman, I have enjoyed this debate today. I do not question the motive of anyone on either side. For in excess of 30 years we, as a society, have done everything in our power to try to change the look of this country. We have tried with social engineering to do everything that we could to make people act in a different way. I submit that we have failed miserably.

The status quo that we are talking about today says that what we want to do is continue the same process, the same path we have been walking down, and if we continue to do that, we are going to get the same results.

It would seem to me that somewhere along the way we, as a body, should try our best to take the families that we have in this country and strengthen them. It seems to me we should be supportive of families, that we should uplift them, that we should be able in some way to help them in such a way that they can make it through rough times.

It seems to me it is a very odd scenario that we, as a body, have made the determination that what we should do is interject lies and deceit in this family relationship. There are those who say, well, there are a lot of families out there that are dysfunctional. That is true. But if we expect the worst of people, that is exactly what we are going to get.

I will tell the Members this: This amendment cannot do anything nearly as bad as what we have had happening for the last 35 years. We have gotten more pregnant teenagers, we have gotten more people pregnant out of wedlock, we have gotten more communicable, sexually transmitted diseases in this country than at any other time in our history. It is getting worse every year.

I think it would be a wise move on our part to move away from the lies and deceit that we have interjected in these relationships and we want to constantly interject in these relationships, and do something positive for a change. The moral relativism that has occurred with the advancement of the policies that are in place now is ridiculous. It has been hurtful for every family.

I think we should do something revolutionary. We should put some truth into relationships. We should allow the truth to be told to parents, and then we would, I think, see a positive difference. I must tell the Members that what we are doing now has been the most hurtful thing to our families of any other policy we have ever advocated.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 3½ minutes to the distinguished gentlewoman from California [Ms. PELOSI], a member of the subcommittee.

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, I rise in strong opposition to the Istook-Manzullo amendment and in strong support for the Castle-Porter amendment, and commend them for their leadership in bringing this very important amendment to the floor.

Listening to the debate, it is clear that an amendment of this kind and a discussion of this kind of issue goes right to the heart of American families. It strikes fear into our hearts, we who are parents, and I am the proud mother of five children.

The very idea that our children may be sexually active before they are married is something that is not anything that we would support, so we all promote abstinence and support building families and truth in relationships; and where there is truth in relationships, where parents have engendered that

truth, there probably is not a problem. But where there is a problem, title X is an answer.

Listening to the debate and listening to my colleagues sincerely put forth their ideas, it is clear to me that it is time for this House of Representatives to have a discussion of the facts of life, because they are being ignored in this debate.

The facts in relationship to this issue are these: There are effective methods to reduce adolescent sexual activity and pregnancy, but sticking our heads in the sand is not one of them.

The restrictive amendment proposed by the gentleman from Oklahoma [Mr. ISTOOK] will deny many teenagers contraceptive services. It will not cause them to be less sexually active. The fact is, it will cause them to be less responsible in their sexual activity. Certainly we promote abstinence, but certainly we recognize that not all young people follow that lead, and they need more advice and counseling.

Studies show that if restrictive parental involvement of this kind, and not of the kind very smartly put forth by the gentleman from Delaware [Mr. CASTLE], studies show if the restrictive parental involvement were mandated, 80 percent of teens who do seek contraceptive care now would no longer seek that care, and less than 1 in 100 would stop sexual activity. The National Center for Health Statistics recently reported that the birth rate among teenagers has fallen since 1991, due both to fewer teenagers having sex and better contraceptive use among those who are.

There are reasons why the medical community is firm in its opposition to the Istook amendment. The American Medical Association, the American Academy of Pediatrics, and the American Academy of Family Physicians all oppose mandatory parental consent.

The substitute, the Castle-Porter substitute offered today, encourages parental involvement which is appropriate and helpful for many teens. It recognizes that mandatory notification or consent does nothing to prevent either sexual activity or unintended pregnancies.

I call the Istook amendment the classic law of unintended consequences, the consequences of more sexually transmitted diseases, more teen pregnancies, and more abortions, unfortunately. And of course, the other services that are provided at title X clinics would not be provided, as well.

I urge my colleagues to support the Castle-Porter substitute and oppose the Istook amendment.

Mr. MANZULLO. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from Idaho, Mrs. HELEN CHENOWETH.

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

I listened very carefully to the gentlewoman from California as she put forth her very eloquent debate on this issue. She is right, because the crux of this whole issue really is truth in relationships. It is a very, very important thing in this day and age.

I think one of the reasons why I am so strongly supportive of the Istook-Manzullo amendment is because the relationship between the parent and the child, as far as how the Government interacts in that relationship, must be strengthened.

The Government needs to take a position of showing ultimate respect for the parents with regard to their relationship with the children, unless there is reasonable cause to believe that that relationship is horribly abusive. And in many cases the relationship is abusive; we always want to stand guard against an abusive relationship like that.

Mr. Chairman, it is a very sensitive thing for young women to have to approach their parents and say, gosh, Mom, I am pregnant. That is a very difficult moment in a family's life together. But being a woman who before coming to Congress was engaged in counseling other women in other situations, I have found time and time again that once that hurdle is overcome, that the relationship between mother and daughter or the relationship between father and son or father and daughter or daughter and father actually strengthens.

Nine times out of ten the parents, of course, after finally getting their breath and realizing, yes, this is taking us off into a new passage, rally around with all the natural instincts of parents with that child to help them through this very difficult time.

Mr. Chairman, let us run this picture back again. When teenagers may approach their parents and say, I want to become more sexually active and I feel that I am ready for this, the fact is that the parents then have the chance to be able to counsel with their own child as to what their best judgment would be as parents.

The fact is, and I so agree with the gentlewoman from California about the fact that our young people need to understand that there are consequences to actions, yes, they do, but they need to understand that within the context of what is being taught in the home and in the churches, as well as in society and in the schools.

So I very strongly support the Manzullo-Istook amendment because I strongly believe it does two very, very important things: First, it strengthens States' rights in that it says, it simply says, notwithstanding any other provision of law, no provider of services under title X of the Public Health Services Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest. So again, the Federal Government should, under its rightful responsibilities, uphold State law.

I find this amendment to be somewhat benign, except in the fact that I do believe that it strongly enhances the ability of parents and children to handle their problems as a family.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. SHAYS].

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

Mr. Chairman, this is not a debate I was eager to get involved in, because it is a very sensitive issue. You are always afraid you might say the wrong thing when you speak from your heart. But that is the way I want to speak.

I know our children are having children. I have conducted a number of hearings on my Subcommittee on Human Resources. I know that 82 percent of all teen pregnancies are unintended. I know that more than half of the unintended pregnancies end in abortion. I know the teen birthrate in the United States is the highest of any industrial nation.

I also know that I wrestle with, as I think all Members do, the issue of values. I want our children to have values and want our society to have values. I strongly disagree with people in this country who think we cannot teach values. I think a decision to not have values is a decision not to teach values.

So I stand before the Members as someone who really wants our children to know what to do and what not to do. I want our Government to contribute to that, and not to be conflicting with it.

But I rise in support of the Castle-Porter substitute amendment to the Istook-Manzullo parental notification amendment because, with all my heart and soul, I believe that if the amendment stands without the substitute, we are going to have more sickness, we are going to have more disease, we are going to clearly have more pregnancies, and we are going to have more abortions. I think that is ultimately the result.

I support family planning assistance. The Istook amendment will not prevent young people from having sex. We are not going to outlaw sex. It is still going to happen.

□ 1915

But the Istook amendment will deter teens from seeking contraceptive services. Approximately 86 percent of teens coming to title X clinics for family planning services have already had sex. Title X family planning clinics offer a wide range of services, including contraceptive, socially transmitted disease screening and treatment, HIV screening, and routine gynecological examinations. Requiring parental notification for contraception will deter too many teens from seeking these very important services.

So I do not reluctantly oppose the Istook amendment; I strongly oppose it. I believe the Castle substitute to the amendment is essential if we want less sickness, less disease, less pregnancies, and less abortions.

Mr. Chairman, I really believe that what we are trying to talk about in

values really begins with what a parent teaches his or her child. And this is an area that gets a little more dicey, but frankly those children who have been involved in sexual activity are in a circumstance where they need help. Unfortunately, in many cases they do not think they can turn to their parents.

Mr. MANZULLO. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, this is a core, gut issue. As a father, I can only echo the thoughts of the gentleman from Oklahoma who spoke earlier tonight, that it is embarrassing and disappointing that this Congress will insert itself between a parent and a child.

Listening to the debate, I am frustrated. I get to the boiling point of anger, believing that there are those in this House who believe that it is this Congress' responsibility and right to intervene between a parent and a child and that this Government is better at teaching values and better at solving these kinds of problems than what a parent, a family, a church can do. It is actually a frightening thought.

Mr. Chairman, all this amendment does is say that as these decisions are made, a parent has a right to be notified before the Government starts handing out contraceptives, before the Government starts handing out advice.

Mr. Chairman, my kids going into this type of an agency, they do not know my kids' names, they do not know the background, they do not know the parental values, they do not know the issues going on at home. Heaven forbid that they would start dealing with this issue with my kids.

What makes us believe that this government was ever given the right to raise our kids and teach them about these issues? There is absolutely no right for the Federal Government to become involved in these issues.

Mr. Chairman, all we are asking for is parental notification. What we have today is a relationship and a process which destroys the relationship between a parent and the child. It encourages a veil of secrecy between children and their parents.

If title X is so good, and if title X solves so many problems, why do we not change the focus of title X and instead of focusing on the kids, let us go to the parents? What makes us afraid of taking this approach and selling it to parents and saying here is a program, here is a set of values, here is a set of issues that we think your kids ought to know about. Sign them up today and we will help you raise your kids. Why do we start with the kids and go to the kids and break the relationship?

If we are worried about the families, why are we engaged in activities of breaking down the family structure rather than going to the parents and saying, you know, we know a lot about these issues. There are programs in the Federal Government that are here to help. They are so good, we are not ashamed to come to you as parents and to talk with you as parents to help you get the kind of advice and the information necessary to raise your kids.

But instead of going to the parents, no, we are afraid to go to the parents because we know that most American parents do not support this kind of an approach and this kind of intervention with their kids.

It is time for us to be building families, not to be putting programs in place that destroy families and tear down the relationships between parents and kids. It is no surprise to me that this administration also is the administration that eliminated the parental impact statement or the family impact statement.

Mrs. LOWEY. Mr. Chairman, I yield myself 30 seconds to respond.

Mr. Chairman, I just want to say to the gentleman from Michigan [Mr. HOEKSTRA] that many of us are very frustrated and angry at the rising rate of teenage pregnancy. And if the relationship between the parents and the children were so good, then there should not be any concern about those children going to the title X clinics.

So let us work together to promote abstinence, because I share the gentleman's concerns and I am very angry at the rate of teenage pregnancy, which is now escalating over the last 10 years.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from New York [Mrs. LOWEY] for her leadership, and I thank my colleagues who have come to the floor.

Mr. Chairman, I want to make a simple statement. First of all, as a parent of a daughter, I would offer to say that all of us would hope our family relationships, our ability to communicate and show nurturing and love to our children, leaves the door open for those children to come to us with their most intimate secrets. All of us as parents pray every day that we will never have the tragedy that faced the young lady at her prom in New Jersey, the tragedy of the young couple who are now being charged for a tragedy that occurred with an alleged stillborn baby. Those are the end results, the tragedies of America.

Mr. Chairman, this amendment would require that a minor attain the consent of a custodial parent or legal guardian before receiving contraceptive drugs or devices from a provider receiving funds under title X. Notice that I said parent or legal guardian. That means that the legal guardian may not have a blood relationship with that child.

There are issues of incest and poor relations and frustration and fright. If there is a good relationship, we can be assured that our child will be there to ask us for advice and guidance. More importantly, we will be there to talk to our child about what happens in life as they move toward maturity and the feelings in their body.

But yet now we are asking for the long hand of the government to intrude in a process that is confidential. Title X is a confidential provider and a confidential process. In fact, the Federal law requires that parents are encouraged to participate, but yet there is this confidentiality that allows that child to be protected away from incest and threat.

Mr. Chairman, I would encourage my colleagues to defeat this amendment and support the Castle-Porter substitute to encourage our children to be protected.

I rise today to voice my opposition to the Istook amendment to H.R. 2264, the Labor-HHS-Education appropriations bill. The Istook amendment requires that a custodial parent or legal guardian be notified before their child receives contraceptive drugs or devices from a provider receiving funds under the title X family planning program. The amendment also contains a provision permitting the courts to give consent for a minor to receive such drugs or devices if parental consent cannot be obtained.

I agree with my colleague, Mr. ISTOOK, that adolescents should be encouraged to seek their parents' advice and counsel when facing difficult choices regarding family planning and prevention. Indeed, Federal law already requires title X providers to encourage family participation in reproductive health decisions. The Government, however, cannot mandate healthy family relations where they do not already exist. While many teens do discuss their situation with a parent, not every teen is able to speak openly with his or her parents.

This amendment will prove harmful to teens by deterring them from seeking needed health care to prevent teen pregnancy. Studies confirm that when parental involvement is mandated by law, particularly in the case of family planning, adolescents are likely to delay or avoid seeking needed care.

In one of these studies, it was reveled that if parental involvement were mandated, 80 percent of the adolescents surveyed would no longer seek care. However, less than 1 in 100 of those same adolescents would discontinue sexual relations. In another such study, 58 percent of high school students surveyed in three public schools in central Massachusetts reported having health concerns they wished to keep from their parents. Approximately 25 percent of the students said they would forgo seeking certain types of medical treatment if there was a possibility of parental disclosure by physicians.

Every year, approximately 1 million teenagers in this country become pregnant, and 86 percent of births to unmarried teenagers are unintended. Such high rates of teen pregnancy are a burden to us all—to the teenagers, to their children, and to society as a whole. Fewer than 60 percent to teen mothers graduate from high school by age 25—compared to 90 percent of those who postpone childbearing. Further, teen mothers are four times as likely as women who have their first child after adolescence to be poor in their

twenties and early thirties and are more likely to have lower family incomes later in life. Additionally, teenage girls have a higher risk of pregnancy complications—including maternal mortality and morbidity, miscarriages and stillbirths, premature births and nutritional deficiencies—than adult women.

The personal impact of teenage childbearing is twofold, diminishing the opportunities of both the mother and the child for the children of teenage parents are more likely to become teenage parents themselves, thus perpetuating the cycle of poverty.

Given the reproductive health crisis currently facing American youth, it is clear that continued access to confidential reproductive health services is critical. Restricting access to these services will make it more difficult for at-risk teens to escape poverty and will put adolescents' lives, health, and future fertility at risk.

I urge my colleagues to join me in opposing the Istook amendment. We must not interfere with the goal of preventing teenage pregnancy.

Several organizations oppose the Istook amendment, they are:

American Hospital Association, American College of Obstetricians and Gynecologists, American Academy of Pediatrics, American Academy of Family Physicians, American Public Health Association, and American Medical Association.

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

Mr. Chairman, I have been concerned about this issue for some time as a Governor. When I became Governor of Delaware, we had the highest infant mortality rate of any State in the country. This is a State that is reasonably wealthy.

I am the cochairman, with the gentlewoman from New York [Mrs. LOWEY], of the Congressional Advisory Panel for the National Campaign to Reduce Teen Pregnancy. It is a tremendous concern.

One point that I just want to discuss here tonight is the correlation that we are hearing between the advent of family planning and the increase in teenage pregnancy and sexually transmitted diseases, and sex in general, in this country. I just do not happen to believe that.

Mr. Chairman, I do not have the percentages, quite frankly, of how many people actually go to these clinics. But I imagine it is a very small percentage of young teenagers who are involved in sex or who become pregnant in any way whatsoever. But obviously with permissiveness in society across the board, with a greater disregard of marriage than we have had heretofore, we have some tremendous societal problems that we have to address.

Mr. Chairman, so to say that these two are directly related to each other I think is really going too far. And when you think about that and realize what is the best way to deal with our poorest children, because basically the title X clinics are for poor children, they charge fees if you have income above a certain level. It is for our poor children, a lot of whom have family problems.

Do we want to encourage the kids to go in there and get advice and help? And the answer is yes. We want to do everything we can to get the kids in the door, to get the advice of these counselors and the help of these counselors. It is that simple.

Again, Mr. Chairman, I cannot stress enough how much I believe in the faith and the intent of those on the other side of this particular issue. But I believe with all my heart that the way we are going to help teenagers the most, the way we are going to help them with respect to dealing with this problem, is to make this an inviting and a warm circumstance. The best way to do that is to pass the Castle-Porter amendment which will address the issue that way.

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

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I have four children. All of them are boys, except for two. It is ''except for two'' that bothers me now, even though they are of age. They are grown. Laura and Rachel are very fine, well-adjusted kids, and I am thankful for this. Their mother and I both are.

But what I see here is that the parents have all the responsibility, but our government is trying to take the authority away, so that if there is something wrong, it is the parents. But we are taking the authority away and showing no respect that the kids can give to them as parents.

Look at what we do in our schools. We thrust the government in between the parent and the child. Let us say on prayer in schools, at home and in church parents who choose to do so will talk to their kids about prayer. They send them to school and the people say no, your parents may do that, but that is not correct. That is not the thing to do.

We send our kids to school and we say to them, obey your teachers, obey the school officials. This is the way things are supposed to be done. The schools send the kids home and say disregard your parents.

Mr. Chairman, we are in an uphill battle now as far as trying to get more values back into our Nation and we cannot do it through the government. We cannot. And the circumstance we have right now is that we have circumstances where grown adults hear from kids without the parents knowing about it. They learn of things like statutory rape, and they stay quiet. They do not tell the parents, they do not tell the authorities, because they have this feeling that if they do, the kids will not confide in them later.

What we need to start having to happen is that for kids to start confiding in their parents. We need to stop thrusting the government in between the parents and the kids.

Mr. Chairman, I urge my colleagues to please vote for the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, 10 years ago, when I was mayor of the city of Alexandria, which is just across the Potomac River from us, perhaps the toughest thing that I had to do was to establish a family planning clinic for teenagers. I say I felt I had to because of the intolerably high incidence of teenage pregnancies and abortions and sexually transmitted diseases.

So we availed ourselves of all of the data. We talked with the students and parents at length. We had this very same debate that we are having today, except that it lasted a year. Mr. Chairman, we came to the conclusion that if we required parental notification, we might as well save our time and effort and money, because the students were not going to use it.

Now, let me say, frankly, it has not been a panacea. We still have nearly 50 percent of the older teenagers who have had sexual intercourse at least once. The national figure is about 40 percent.

□ 1930

But what it has done is to reduce the number of teenage pregnancies. It has reduced the number of abortions. It has reduced the number of sexually transmitted diseases. It has improved the health of our student body. And although the information is only anecdotal, from talking with the parents, I know that there are far more parents who are communicating with their teenagers because of the existence of that family planning clinic, because the first thing they suggest is abstinence, and then the second thing they urge is to talk with their parents. It is working. That is what family planning clinics all over the country do.

One of the statistics that we have to bear in mind, and it was the case in Alexandria, is that nearly 90 percent of the teenagers that go to these family planning clinics are already sexually active. So we are not talking about encouraging any sexual licentiousness. What we are talking about is being responsible, doing what is in the best interest of our young people. Support the Porter-Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in support of the Castle amendment. I would say that this has been a worthy discussion. It is clear that we are all united in wanting good law and government to strengthen families. We are united in wanting trust and good communication between parents and children. We are united in wanting to reduce teen pregnancies, sexually transmitted diseases, and abortions.

It is, indeed, extraordinarily difficult to decide how to accomplish these goals from Washington, but what I want to point out to my colleagues

about this amendment is slightly different than that debate and dialogue that has proceeded here for the last hour and a half.

According to lawyers for the American Hospital Association and the National Association of Public Hospitals who have reviewed the text of the amendment, they believe it is written more broadly than was first thought. The parental consent requirement applies not just to title X funds but to all funds used to provide contraceptives, including State and privately raised funds. So if a hospital or a clinic fails to abide by the parental consent requirements in this bill, it forfeits all Federal funds which it might be receiving from title X, Medicaid, breast and cervical cancer screening funds, community health center funding or any State or private funding.

On the other hand, in 24 States it is a violation of State law to require a parent, guardian, or judge to consent to contraceptives for minors. Therefore, this amendment puts hospitals in between. They must violate State law or run the risk of losing their Federal funds in 24 States.

Now, that is the reading of the amendment by the lawyers for the American Hospital Association, the National Association of Public Hospitals.

Mr. MANZULLO. Mr. Chairman, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Illinois.

Mr. MANZULLO. Mr. Chairman, the problem is that they have read it as parental consent. Ours is parental notification. The gentlewoman has used ''consent'' during the course of the argument. I am sure that is the way they phrased it.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I think that is probably my mistranslation of the dialogue that has been taking place over the course of yesterday and today. They mistake that because many of us believe that notification in this instance is essentially equivalent to consent. But if I may then correct my words to say ''parental notification'' requirement, it is still the same.

In other words, I believe that my central message is still accurate, that this amendment will put hospitals in 24 States in a very difficult position. They will either have to violate State law or run the risk of losing all of their Federal funds.

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes and 15 seconds to the gentleman from Utah [Mr. CANNON].

Mr. CANNON. Mr. Chairman, the issue we face today is an emotional issue. Like my friend and colleague from Arkansas, I have several children, seven to be exact, all of whom but two are also boys. In my case, like my friend, the gentleman from Arkansas [Mr. DICKEY], I have a Laura and a Rachel. I also have a Jane, Emily, Elizabeth, and another possibly on the way.

As we consider the issue before us, it is in the context, of course, of this growth in unmarried teens having pregnancies leaving us a legacy of single family homes, higher welfare costs, and extensive juvenile crime. Everyone agrees that something should be done.

On one side some believe that easy access to contraceptives will make the problem go away. Others, including me, believe that the fundamental problem is the diminished role of the family, not the lack of pharmaceuticals. Families are the building blocks of our society and even the best clinician can never be the equal to a caring parent when a child begins to think about sex. That is why I support the Manzullo-Istook amendment and why I oppose the Castle amendment. It sets forth a simple minimal standard when it comes to taxpayer-funded contraceptives for our children; that is, that parents must be at least notified before services are provided.

As legal and moral guardians of our children, we as parents have a right to know. We require parental consent before giving immunization or providing surgery to minors. We must at least notify one parent before a child is given birth control. Parents, not clinic workers, must be able to help their children with such sensitive decisions, and parents deserve the opportunity to make their views known to the child before the child makes a life altering decision.

This measure reaffirms and reinforces our central role as parents in the lives of our children. If this Congress believes that Government should strengthen families, not pull them apart, we will reinforce parental authority by supporting this amendment.

One of the unintended consequences of this law, title X, birth control funding, is that the Federal Government becomes the widely recognized schoolmaster who our children then look to in making decisions about morality. That is the impropriety of our current situation and why I support the Istook-Manzullo amendment.

PARLIAMENTARY INQUIRY

Mr. MANZULLO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. CRAPO). The gentleman will state it.

Mr. MANZULLO. Can the Chair advise as to who has the right to close?

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. OBEY] or his designee, the gentlewoman from New York [Mrs. LOWEY], would have the right to close.

Mr. MANZULLO. This is on the substitute amendment. It is not the committee position. Therefore, would not the person who provides the amendment have the right to close?

The CHAIRMAN pro tempore. At this point the debate has essentially become fungible between the amendments, and the Chair is perceiving the debate to be, therefore, on the first degree amendment. Therefore, a member of the committee in opposition to the first degree amendment would have the right to close.

Mr. MANZULLO. What does that mean, Mr. Chairman?

The CHAIRMAN pro tempore. It means that the gentlewoman from New York [Mrs. LOWEY], as the designee of the gentleman from Wisconsin [Mr. OBEY], would have the right to close.

Mr. MANZULLO. I thank the Chair.

Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, in 1965 the out-of-wedlock birthrate was 6 percent. Today, it is 32 percent. We have had an explosion of illegitimacy in the country at the same time as contraceptives have been widely available without restriction to children. All of the sociological data indicates that these kids are not having kids because they do not know the facts of life or do not have access to contraceptives. They are getting pregnant because they are choosing to get pregnant because our society has consistently sent them the message that they should do what is expedient ahead of what is right, precisely the kind of policy that the gentleman from Oklahoma [Mr. ISTOOK] is trying to change.

Mr. Chairman, these kids do not need condoms. They desperately need to be told the truth, that for them sexual experimentation is physically, emotionally, and spiritually dangerous. They are much more likely to get that message from their parents than they are from the Government. If we have not learned that lesson from the last 30 years, then experience has truly gone through us without stopping.

Support the Istook amendment. Oppose the Castle amendment.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Connecticut [Ms. DELAURO], a member of the subcommittee.

Ms. DELAURO. Mr. Chairman, I would like to begin by making my position clear. I think that parents should be involved in their children's lives and in their decisions. The Castle-Porter substitute ensures that clinics encourage teens to discuss these decisions with their parents, and I support that language.

I urge my colleagues to examine the Istook amendment, a misleading amendment. The gentleman from Oklahoma [Mr. ISTOOK] claims his amendment requires parental notification but not consent. He claims that under his amendment teens will have the same access to testing for sexually transmitted disease that they do now. But the facts show that he is wrong.

Despite protestations, the Istook-Manzullo amendment is a parental consent amendment. The bill requires parental notification in writing 5 days before a teen can return to a clinic and receive birth control. This is, in effect if not in name, a parental consent amendment. If teens think their parents will be told, they will not come to the clinic in the first place. This amendment will scare teens away from getting the contraceptives that they need to avoid pregnancy.

Medical organizations, including the American Medical Association, make no distinction between parental notification and consent. In fact, they oppose both. They point out that if parental notification or consent is required that the youngsters will not go to the clinics. Those are not my words, this is the American Medical Association.

Teens are screened for sexually transmitted diseases, many of which have no obvious early symptoms, especially for women, only after they go to a clinic for birth control. They do not go to clinics to be screened for sexually transmitted diseases, they go for contraceptives and are then persuaded to be tested. By the way, it is important to know that State law requires that the knowledge or incidence of rape that may be reported in that State clinic must be reported by the clinic. State law determines that.

That is why all six living Surgeons General, those who served under Presidents Nixon, Ford, Carter, Reagan, Bush, and Clinton, oppose parental consent. In 1994, the six Surgeons General wrote in opposition to a Helms parental consent amendment: ''We support the efforts of public health professionals and health care providers to encourage minors to involve their families in all aspects of health education and health services. We would strongly oppose a Federal mandate that requires parental consent as a condition of receiving Federal funds.''

In fact, the amendment is even more far-reaching. Lawyers for the American Hospital Association and the American Public Hospital Association who have reviewed the text of the amendment have pointed out that the parental consent requirement applies not just to title X funds but to all funds used to provide contraceptives, including State and privately raised funds. If a hospital or clinic fails to abide by the parental consent requirements, it would forfeit all Federal funds which it might be receiving, including Medicaid, breast and cervical cancer screening funds, et cetera.

But in 24 States, it is a violation of State law to require a parent, guardian or judge to consent to contraceptives for a minor, in 24 States. Therefore, hospitals must violate State law or run the risk of losing all of their Federal funds, even those which care for seniors, the disabled and others who, in fact, have nothing to do with family planning. Let me be clear once again, I support parents' rights to guide their children. The Istook amendment will undermine that objective.

As the six Surgeons General wrote, ''there are data showing that adolescents will forgo counseling, education, and services if parental consent is required. A policy of this nature would sharply reduce the hope of reaching those teenagers who are most at risk and reduce the ability of health professionals to encourage family involvement or assist adolescents in taking responsible action.''

□ 1945

Whether we call it parental consent or whether we call it parental notification, the Istook-Manzullo amendment will, in fact, increase teen pregnancy, teen abortion, and sexually transmitted disease.

I urge my colleagues to vote ''yes'' on the Castle substitute and to oppose the Istook-Manzullo amendment.

Mr. MANZULLO. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I hear people say, oh, they are already required to follow the law and report statutory rape or incest or child molestation or sexual abuse or whatever we want to call it. Title X is providing services to 1.5 million teens each year. It has been in existence for 27 years.

I have not heard of one single instance where any of these teens pulled into the program, adolescents as young as 12, 13 years old, has ever, ever, ever, ever, in 27 years, had a title X provider report a case that it is statutory rape, it is child abuse, it is incest. Not a single instance in 27 years.

It is time we fix that. The amendment fixes it.

After all, title X was adopted in 1970. The birth rates for unmarried teens has doubled since title X because it provides a false sense of security that it is OK and safe for them to have sex.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to the Istook amendment.

This is a difficult issue for me. As the parent of two daughters, if one of my daughters were receiving advice from a family planning clinic, I would want to know. But a reality is that most of our young people do not consult their parents or any adult about their sexual activity. In fact, studies show that 80 percent of teens who currently seek family planning advice at clinics would stop going if they had to ask their parents. Only 1 percent of those kids would stop sexual relations.

This amendment would effectively increase the number of abortions, increase teen pregnancies, increase the spread of sexually transmitted disease and increase the spread of AIDS. Whether we are asking for parental consent or parental notification, the result is the same: Confidentiality is crushed and, with it, the intent of the program.

How many times a day do we ask our teenagers to act responsibly? Let us give them the freedom to do as we ask. We can encourage our young people to consult their parents, we can ask parents to be there for their children, but we as a government simply cannot mandate these sorts of relationships.

Mr. Chairman, I urge a ''no'' vote on the Istook amendment and a ''yes'' vote for the Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership on this issue.

When I was in school I learned that one of the worst ways to confound logic was to use generalizations. Whenever we generalize, we make a mistake, and there has been a lot of that in this debate.

My good friend, the gentleman from Michigan [Mr. HOEKSTRA], talked with great passion about his concern that this language, the Castle language, would undermine communications in the family; it would somehow spread itself into our families. And yet here we are on the other side of this argument saying that is not the case.

There has to be some reason why honorable people seeking the truth find themselves with a different perspective, and I think it is this: Roughly half of the teenage girls in this country are not sexually active before the age of 18. So if we take that population for starters, we are not having any effect on them. They are not sexually active, they are not going into clinics, and so the families are untouched by this.

Of those who are, most of them never find their way to a family planning clinic. They are sexually active, but they do not begin that process by going to a family planning clinic.

That is not how this process works. Usually what happens is, after they have been sexually active for about a year, they get scared, they think they are pregnant or they think they might have a sexually transmitted disease, and then they go into the clinics to find out. And when they are there, they find a counselor who says, let us talk about this and let us get your parents involved. And 55 percent of the teenagers who do go to the clinics, this relatively shrinking population of American teenagers, do involve their parents.

So what we are really talking about is a very small fraction of America's teenagers, and these are the kids who are sexually active, do go to a clinic, do not involve their parents because they cannot. We have to make that distinction.

Yes, most American families will not be touched by this. They do not need my help, they do not need the Istook-Manzullo amendment, they do not need Congress involved in this issue at all. But if there is any doubt in anyone's mind that there are teenagers in this country who are prematurely sexually active and have not the parental and family and church resources to guide them, let us take a walk out of this building and in 3 minutes we will find scores and scores and scores of those teenagers for whom the family values we have been talking about are nonexistent. The church resources, the community resources are nonexistent, and yet we know they are sexually active because all of the indicators show the results of the pregnancies and the sexually transmitted diseases.

So, for God's sake, for those kids, for those kids that are not like our kids, support the Castle amendment and give them a hand.

Mr. MANZULLO. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] has 17½ minutes remaining, the gentleman from Delaware [Mr. CASTLE] has 6¾ minutes remaining, and the gentlewoman from New York [Mrs. LOWEY] has 3½ minutes remaining.

Mr. MANZULLO. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, one of the great blessings in my life is being the father of five children. Three of them are girls. All three of my daughters are teenagers. We have made the evolution from young teenagers to older teenagers.

I heard the gentleman from Pennsylvania [Mr. GREENWOOD] recount, for example, going through with his daughters situations like, can I get my ears pierced, when do I start wearing makeup, when can I get a driver's license. We go through all those experiences, and over and over, we run across situations where our children are told they have to have mom or dad's permission, they have to have the consent of a parent, whether it is piercing of ears or things such as that.

We can have a child that is involved in an automobile accident, and we find that for emergency medical care they have to have that parental consent. We have situations if a child is going to have aspirin at school, if they are going to be going on a field trip, these are just samples from some of our schools, from one in Virginia, authorization for medication, to be completed by a parent or guardian before they are going to give any sort of simple medicine to a schoolchild.

Field trip permission form. This particular one from the Fairfax County public schools. And then this one, which by the way is from the public schools which my children attend or have graduated from in Ponca City, administering medicines to students. It is the policy of the board that with written parental permission medicines can be administered to your child. Over and over we have that.

And here is a standard medical consent form, an allergy shot consent form. Here it says signature of patient or parent, ''patient'' if they are of legal age, ''parent'' if they are not.

Here we have the consent or even notice that was provided to the parents of the 14-year-old in Illinois who was lured and coerced and pulled into a sexual relationship with a 37-year-old man to get the shots of Depo-Provera, an extremely controversial drug with plenty of side effects. That is the consent that was required. That is the notice that was required. Nothing. It can have interactions with other health issues with our children, but we will never know about it.

We may make a decision that relates to giving our children some other medicine or some other treatment, and we do not know about potential interactions because title X avoids it.

So we have these things that are going on which are contrary to the way that people are trying to live their lives and instruct their children, and it all comes about because there is in the title X regulations a requirement of confidentiality. And it is Federal law; it supersedes State law.

I hear people say, what about the State law? The answer is, Federal law supersedes it. In fact, we just had decisions in Utah over parental consent on that. One came down about 2 weeks ago in Texas that Federal law controls over State efforts or interests in providing parental notice or parental consents.

And this confidentiality is used to declare a child eligible for title X, because then we do not consult the parents on the income so they can become automatically eligible. And in addition to that, the confidentiality is used to avoid turning things in.

We have a whole chart of what is the age of consent, what are the laws in the different States? And the youngest any State has, and there are only two of them, two States say that age 14, a minor, could give consent to sexual relations. Two other States say 15; 27 States say 16; five say 17; 14 say 18; and they all have different standards according to the State law on what is considered statutory rape or sexual abuse or child abuse or child molestation.

We think those laws are important. They ought to be followed. But title X, with this little confidentiality requirement, has been on the books for 27 years. It is now treating 1.5 million teenagers a year. We know that many, many, many, many, many of them are below the age of consent. They are at the age where the law says, we want to protect them, we want to protect them. Anyone that gets involved in a sexual relationship with them can go to jail.

Everyone else has requirements to report child abuse or sexual abuse, but out of the 1½ million treatments a year, 27 years, which is potentially, what, 40 million treatments, I do not know of a single case, not 1 for 27 years, where a title X provider has ever said, this is a situation where incest is going on, this is a situation where statutory rape or child molestation or sexual abuse is going on. They do not report it.

We hear from doctors in hospitals that say, oh, I do not want to have to report that. Everybody else in this country is responsible for protecting our children and reporting situations like that, but we have some people that do not want to get involved, and they are the ones that are making the judgment calls and the decisions on whether our children are receiving these treatments subsidized by hundreds of millions of dollars of taxpayers' money.

I think it is kind of common sense to say, I want my kids protected. Everyone wants their children protected. Let us say simply that if they become aware, they know what the age of consent is, if they become aware of these things, they should report it to the proper authorities, just like everybody else does.

Millions of cases with title X providers providing services to minors, no reports. They do not turn them in, even though it goes on. That is the first part.

The second part, of course, is notifying the parent, the parent that would have the consent to anything else involving the health and safety and well-being and counseling and guidance of their children.

But we cut them off. We isolate them. We say we have made a national decision that is more important than the decisions parents will make in their homes. We have made a national decision because some people, and they do, some people do have problems communicating with their parents to that degree; but because some have the problem, we are going to make it the law to cover 250 million Americans instead of saying, we are going to set up a system that only covers those that have a problem.

□ 2000

The amendment does that. It has the so-called judicial bypass language which tracks mechanisms that already exist in every State when a parent is not responsible and needs to be bypassed. We have got it in there. But instead we are told, Oh, let's vote for a substitute, a substitute that says, Well, let's counsel people on how to avoid sexual predation. The trick is that language is already in the bill. The requirement that they encourage teens to get their parents involved has been the law for years. The so-called substitute is just a figleaf, it is just something to try to hide behind because some people do not want to tell their constituents how they voted on parental notice, how they voted on requiring title X providers to report it if they know of a situation.

Title X was adopted in 1970. This is 1970. The birth rates for unmarried teenagers in 1970, 22.4 births per 1,000 teenagers. This is it now. This is the year title X was adopted, 1970, and created this bypass for parents involving guidance and direction for their children. Since then, the out-of-wedlock birth for teens has doubled: 44 per 1,000. Because after all if teens think they are being protected, ''Oh, I've learned how to do this'' and they forget to take the pill, forget the diaphragm, leave behind an IUD or whatever it may be, they make a mistake, they think they are protected, they are teens, they are still kids, they make the mistakes and they end up with more pregnancies. If you do things to make sexual activity by teens easier, there will be more sexual activity, there will be more out-of-

wedlock births and there will be more abortions, too. The thing to do is to try to diminish the number of teenagers having sex, not to subsidize it with hundreds of millions of dollars of our taxpayer money, which is what is happening now.

Please help me protect my children. I am going to have grandchildren someday, grandparents care, too. Let us protect our kids and our grandkids. Let us make a commonsense amendment to this Federal program and say, first and foremost, the parents have a role in their kids and Uncle Sam should never try to take that away. I urge defeat of the Castle substitute and adoption of the underlying amendment.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I only wish life were so simple. We pass the Istook amendment and magically parents and teenagers communicate on all personal issues. Teenagers stop having sex and dysfunctional families become close. Would it not be nice? I do not mind if some people choose to live in a dream world. But I mind greatly when some political dreams become a nightmare for thousands of young Americans.

Maybe this amendment will make some feel good in the comfort of their happy home this evening, but the reality is it will result in misery for thousands of young Americans. For me, Mr. Chairman, that is simply too high of a price for others to pay for me to feel good tonight. In the real world, the consequence of this amendment is more abortions and more unplanned pregnancies. If our moral message to teenagers is that they should face the consequences of their actions, maybe we in Congress should stop preaching and start practicing tonight on this amendment. Vote ''no'' on the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

Mr. PORTER. I thank the gentleman for again yielding me this time.

Mr. Chairman, I have heard the proponents of the amendment cite concent issues over and over again. Obviously, notification in this amendment is therefore equivalent to consent. What we are really talking about is consent and not notification. Beyond that, it is very clear that if you provide notification, the young people from dysfunctional families, the ones that cannot talk to their parents, are the very ones that will never get the services.

I have heard the gentleman from Oklahoma say over and over again, he does not know of any cases being reported of sexual abuse by title X clinics. It is not very convincing to me that that is a fact. The fact that he does not know it means nothing to me. I do not know that I have the statistics available, but let me say that the laws of 50 States require that sexual abuse be reported and adding a Federal law to say the very same thing is not going to change whatever the result may be.

I have also heard a number of Members out here quoting the statistics from 1970 on and suggesting that we are far worse off in terms of teen pregnancies and the like. No doubt. But where would we have been without title X clinics? We have gone through a sexual revolution in this country where all the old taboos in the 1960's went out the window. At least title X clinics were there to provide some guidance and some responsibility and prevented, I think, in many cases many, many unwanted, unplanned pregnancies that otherwise would have occurred and many cases of sexually transmitted diseases.

We have heard over and over again this evening about a 14-year-old girl who was sexually abused by her high school teacher. The fact of the matter is that that is the use of innuendo, in my judgment, in the worst possible way. This relationship began a year before the victim ever went to the title X clinic. There is not any question about that. The clinic did not know about this relationship. It did not cause it. If anything, it prevented the 14-year-old from becoming pregnant. I urge Members to vote ''aye'' on the Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

Mrs. LOWEY. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

The CHAIRMAN. The gentleman from Maryland is recognized for 1 minute.

Mr. HOYER. Mr. Chairman, before I left the floor I heard that the gentleman from Oklahoma [Mr. ISTOOK] has three daughters. I have three daughters of my own. They are no longer teenagers. Obviously they all were. Like all teenagers, they had problems. Their relationship with their mother and father was dictated more by the context of our family than it was by law. I suggest that the Castle alternative does what the American public wants done. That is, they want to encourage families to be involved with one another. That is obviously beneficial to the children, to the mother, the father, and to America. But they do not want to discourage young people from getting the health care that they desperately need from time to time. That is why I believe the Castle alternative is what the American public believes is a commonsense alternative, encouraging us to attain a worthy objective but not discouraging us from having healthy teens.

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

The CHAIRMAN. The gentleman from Illinois is recognized for 7½ minutes.

Mr. MANZULLO. Mr. Chairman, the purpose of this amendment is to involve parents in the conversation of their children's sexuality, because the U.S. Congress has made a decision that parents are irrelevant when it comes to their sexuality. We are trying to reverse it. Because of the present law, parents are being denied the opportunity to protect their children from sexual predators in many cases, from giving advice on abstinence or getting out of a relationship once a parent is notified that his or her child is about to receive sexual devices. It denies the parents the opportunity to work with their children and contraceptives, if that is the choice, and in fact in over half the children visiting clinics, the parents are already involved in a conversation. Parents are being denied the opportunity to protect their children from being given a prescriptive medication that in itself could have harmful side effects, such as Depo-Provera, and parents are being denied the opportunity to protect their children from being given prescriptive medicine which could harm the child by mixing the drug with medication the child is already taking. In fact, before Depo-Provera is given, there has to be a complete medical history. But most of all parents are being totally excluded from their right to raise their children. There is no evidence to the claim that pregnancies and abortions will increase once parents are involved.

Let me give my colleagues a study. We have a study that shows the more involved a parent is with a child, the less likely the child will become pregnant. A study entitled Family of the America's Foundation, Fertility Appreciation for Families Program conducted by the University of New Orleans involved 3,600 adolescents and 2,500 parents from across the country. It was a special program designed to involve parents in discussing and counseling sexuality with their children. The purpose of the followup study was to determine the effect of the program which stressed parents involvement in sexual education and decisionmaking of their children and to see how that would affect adolescent premarital relationships. The conclusion, when parents are involved in discussing child sexuality, the rate of pregnancy of the children is 22 times lower than the national average. That means irrefutably that when parents exercise their right to raise their children, which this law denies them by putting a barrier of confidentiality between the child and the parent, that means the child is being protected.

Who protects the child? Not the State. It is the parent, because the parent becomes involved in it. In all this debate tonight, not one person has stood up and said, is it not terrible that a 14-year-old child in Crystal Lake, IL, was shot up with Depo-Provera. Look what Upjohn says about their drug which was injected into the veins of that precious little girl: ''Patient should be counseled. This product does not protect against HIV/AIDS.''

It is rubbish to say that when you give girls contraceptives, they are protected against infection of HIV. They are not. There is no female protection against HIV. In fact, when the boys stop using the condoms and the girls go on the pill or the other devices, that increases the opportunity for STD's with the kids. And Upjohn says it could affect bone mineral density changes, it could cause thrombotic disorders; that is, blood clots. It could cause temporary blindness. No 14- or 15-year-old child is capable of making an informed decision as to whether or not she should take that drug. That is the bottom question here. Do you believe a 14-year-old is capable of making an informed decision that she can take these drugs? If you do, let her have all the drugs she wants. Just throw the parents out of the equation, which it is now. But in America today, little girls as young as 12 years old are being injected, they are being implanted and they are ingesting very, very strong drugs.

In fact, this is the drug that is the drug of choice for the States such as California that allow chemical castration of convicted pedophiles who choose themselves voluntarily to undergo castration. Think about that, Members of Congress, that in their clinics today our precious little ones at the age of 12 are given the same drug that is used to give to convicted pedophiles for chemical castration. That is horrible. And what else goes on in these clinics? What is not going on is the fact that they are not reporting the cases of rape and incest and sexual abuse. If you are concerned about incest, you should vote for this bill. When the little kid goes there, the title X provider has to call the police and the father goes to jail.

☐ 2015

That is how you protect the children. We have heard a lot of talk in the past several years about protecting the children. This is an opportunity to protect the children. This is an opportunity to allow children to receive STD protection, STD medication, without parental notification, because there is an epidemic going on.

All this says is this: If you believe that the parents of America have a right to be involved in the conversation of sexual activity with their children, then you must vote for Istook-Manzullo. If, on the other hand, you believe that the Federal Government knows better than the parents; if, on the other hand, you believe that we are to penalize all the parents in this country because of a handful of parents that cannot communicate with their children, then parents become irrelevant. Then you might as well say, Give them all the drugs they want. You might as well say, Give them all the alcohol they want. You might as well say, Give them all the tobacco they want.

But there a reason we have parents. The purpose of the parent is to protect the children. Under title X regulations, a child is deprived of the opportunity to be counseled by his or her parents before receiving birth control devices.

Think about 12-year-old little girls around this country being implanted with Norplant. Think about 12-year-old girls being shot in the arm with Depo-Provera. Think about 12-year-old girls getting prescriptions for birth control pills, all without even the knowledge of their parents.

All this amendment says is give parents the right to know that their children are involved in sexual activity.

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

Mr. MANZULLO. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I do not know of any provisions of in title X or any other provisions that prevents parents from sitting down with their children and discussing sexual activity and the facts of life. Does the gentleman?

Mr. MANZULLO. That is right, parents can still talk to their kids.

Mr. PORTER. Parents today can talk to their kids.

Mr. MANZULLO. Except when the health department says they cannot.

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

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

Mr. CASTLE. Mr. Chairman, I listened to the arguments. I, frankly, think some of them are sensationalized, probably some are factually correct.

But the truth of the matter is that we are pretty united in our goals here tonight. There are some 4.3 million individuals who go to these clinics for help in some way or another.

We all, all of us, want to help our kids. There is nobody here who does not want to do that. We all would like to have parental involvement. I think the question is correct, is there always parental involvement? Generally, we are dealing with cases in which parents and kids cannot talk or identify with each other in any way whatsoever.

You have to put these two amendments on a scale and you have to determine what is best for our children, how best to help our kids and families. What should we do?

If you put down the Castle-Porter amendment, you will see that a child can go to a clinic and receive counseling, and be told that abstinence comes first, and be told that they should not be involved in sex in any way whatsoever. They will be encouraged to speak to their parents.

That clinic will deal with abusive or illegal relationships when they know about it, and they did not know about the one in Chicago, by the way. There will be a place to turn to for help and advice. They may be willing to go in and get that help, although I still suspect there are a lot of children who will not even bother to go in there at all, but at least we have someplace for them to go.

If we have a circumstance in which we are saying you have to have parental notification before they get there, that may be a fine law, but the consequences are that that number of children who would go to the clinic for help is going to diminish greatly. And when it diminishes, you are inviting the problems that come with it, which involve greater sexual activity, no discussion with parents whatsoever, it discourages responsible behavior, and it could result in more unintended pregnancies, and it could result in more abortions, which, of course, always follow from unintended pregnancies.

Nobody intends that and people can reach different conclusions as far as that is concerned, but I do not know how one can really with clear logic look at this and not realize the conclusion that you probably are talking about unintended pregnancies and possible abortions, and that is not helping kids the way we want to help kids in the United States of America.

Mr. Chairman, family planning is extremely important to make absolutely sure that we are bringing home the interests of all of those kids who just otherwise will not receive help, and the effect of the Istook amendment is to cut that off altogether. The effect of the Castle-Porter amendment is as it should be. By the way, it has always been the law that recipients of title X funds are in no way exempt from State-imposed criminal reporting requirements. They have to do that.

We strengthen the Federal role in stopping sexual predators who prey on children. They must counsel their clients on how to resist and avoid such coercive sexual relationships. As I have already indicated, it involves counseling, it involves urging them to talk to their parents, it involves dealing with the abusive relationships, and it involves a place where they may have some comfort in going to and not getting advice on the street. That is what it is all about.

We need to help our kids in every way we can. We have a tremendous problem in this country. Quite frankly, you cannot blame all teenage sex or pregnancy or maybe even any of it on family planning. It is a result of other social permissiveness that has come across this country, and I think we have to deal with it as best we can.

The only way to deal with it tonight, and the best way for this House to deal with it tonight, is to vote for the Castle-Porter substitute.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. OLVER].

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

Mr. OLVER. Mr. Chairman, I rise in favor of the Castle substitute and against the Istook amendment.

Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle substitute.

The Istook amendment mandates parental notification, tantamount to parental consent, for birth control services under title X.

It is tough for a sexually active teenager to talk about contraception with a parent. Even for a teen who has a close, supportive relationship with her parents. For an adolescent with abusive parents, it can be downright dangerous.

Because they fear parental disapproval or punishment, many teenagers will only use confidential family planning services. When parental permission is required, these teenagers tend to delay or altogether avoid, reproductive health care at great danger to themselves rather than abstain from the sexual activity that leads to children bearing children.

We all would like to believe that requiring parental consent will reduce teen sexual activity. Unfortunately there is no such evidence.

We all agree that family participation is ideal and title X counselors are required to encourage teen clients to talk with their families about birth control.

But not all adolescents can involve their families in sexual decisions and the judicial bypass in this amendment for such teens is a farce.

I urge my colleagues to vote in favor of the Castle substitute. It is a reasonable proposal.

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

The CHAIRMAN. The gentlewoman from New York is recognized for 3 minutes.

Mrs. LOWEY. Mr. Chairman, the Istook amendment is a direct attack on the title X program. Parental consent and notification laws just do not stop teens from having sex. In fact, the Istook amendment will increase teen pregnancies, increase abortions, increase sexually transmitted diseases. That is why it is opposed by the doctors, the AMA, who treat and care for our teens.

Mr. Chairman, I urge my colleagues to vote for the Castle substitute. Under the Castle substitute, no funds can go to title X clinics unless they encourage families to participate in the decision of minors to seek contraceptive services.

The Castle substitute will help ensure that teens receive effective counseling, to behave responsibly, and avoid illegal and coercive sexual activities with adults.

Title X clinics do not encourage teens to have sex. Eighty percent of the teens who seek title X services are already sexually active when they walk into the clinic door. Title X clinics simply help teens who are already sexually active from getting pregnant or catching a sexually transmitted disease.

Mr. Chairman, our friends argue that the title X clinics come between the parent and the child and that they encourage deceit and deception. That is nonsense. Problems begin at home, not at the title X clinics. If there are problems, let us not scapegoat title X; let us work with our families, let us work with our communities. Our families and our communities must do more.

Mr. Chairman, supporters of the Istook amendment want to legislate an ''Ozzie and Harriet'' world, where every family is a loving one and every parent is willing and able to speak with their teenage children. Unfortunately, too many of our teens come from broken homes where their parents neglect them, and that is the problem here, not the title X program.

As a mother, as a grandmother, I do believe that teens should remain abstinent, but I know that we cannot legislate abstinence from the floor. I believe teens should act responsibly, but I know that Congress cannot mandate responsibility.

For those teens who are desperately seeking help, who are struggling to remain responsible and take control of their lives in terribly difficult circumstances, I urge Members to vote against the Istook amendment and for the Castle substitute.

Mr. Chairman, these are very, very difficult decisions. As we struggle with them, we all try to do the right thing. We know that we have problems in this country because of the breakdown of families. Many of us are worried when we look at the charts and we see teenage pregnancy rising every year. That is why the gentleman from Delaware [Mr. CASTLE] and I are working with a national campaign to fight teenage pregnancy. We encourage Members to join us.

But mandating responsibility, telling the clinics that they cannot help those children who desperately need help, just does not make any sense. Our families need help. Our churches have to do more. Let us support the Castle-Porter substitute.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to this amendment. How dare the opponents of choice force the most abhorrent restrictions on a woman's constitutionally protected right to choose into an appropriations bill and expect us to accept it?

This bill provides funding for breast cancer and AIDS research, Head Start, the Corporation for Public Broadcasting, and student loans—all programs that benefit millions of Americans every day. Without pernicious amendments stripping the rights of millions of Americans, this bill would pass in a strong bipartisan manner. And yet, now we see the opponents of choice hold all these programs hostage to promote their extreme anti-choice views. This is an outrage. It is inappropriate, unwarranted, and unacceptable.

The Istook amendment would essentially destroy the title X program which provides funding for those who seek health assistance, birth control, and help in fighting sexually transmitted diseases. Right now, reports indicate title X helps prevent 386,000 unintended pregnancies to teenagers annually. And yet, studies show that 80 percent of teens who don't already consult their parents would not seek care if they were required to. These restrictions, therefore, will deter young people from seeking any assistance at all, and, as a result, their diseases will go untreated, unwanted pregnancies and abortions will increase, and sexually transmitted diseases will spread unchecked. How can we possibly endorse risking the lives of these young men and women by forcing such onerous restrictions on their access to these programs? How dare you put their lives in jeopardy? We must not scare more teens away from responsible planning by eliminating the vital confidential component of these services.

Let me say further, that I am appalled that some Members of this body are using the unfortunate story of the 13-year-old girl in Illinois, to urge support for this provision by stating that our Government is funding sexual predators. That is a disgusting misrepresentation of a tragic story. In these materials, circulated to Members of Congress, a sad tale of sexual abuse of a young woman is recounted. The young woman obtained birth control to protect herself from pregnancy caused by repeated statutory rape committed against her by a 37-year-old man. The group, in a bizarre and disgusting twist of logic, claims that we are supporting sexual predators by making title X funds available. Sick men who take advantage of young girls are criminals, and our laws are designed to punish them, not support them. It is absurd to say that title X caused this young girl to be abused. Anyone making that argument should be ashamed. Furthermore, as the bill stands, it already includes language to help prevent sexual coercion, so this Istook amendment is unnecessary in that regard.

This legislation is one in a series of battles we have fought this year. These votes are not about particular Government programs or particular procedures, they are about the fundamental right to choose. I don't believe we need to vote on this issue at all—the Supreme Court has already spoken. Obviously, there are those in this body who feel differently. Still, a vote on whether or not to eliminate the right to choose ought to be a separate vote. No ban on abortion should proceed until there is a constitutional amendment to restrict the right to choose, which will never happen. But folks, by voting for this amendment we are undermining the Supreme Court, the President of the United States, and the American people by allowing vague language hidden in an appropriations bill to greatly restrict the right to choose. We cannot allow this abuse of the process, which is being manipulated in such a way to promote an extreme and unpopular postion—repealing the right to choose.

I urge my colleagues to denounce these amendments so that we can have a clean appropriations bill that funds desperately needed programs. Reject the Istook amendment.

Ms. ESHOO. Mr. Chairman. I rise in support of the Castle substitute, which encourages teens to talk with their parents about sex, health, and contraception while safeguarding their access to family planning services at title X clinics.

Today, 82 percent of teen pregnancies are unintended, and over half of these pregnancies will end in abortion.

Each year, the family planning services provided by title X clinics prevent 386,000 unintended teen pregnancies, avoiding 155,000 births and 183,000 abortions.

Despite this progress, opponents of title X funding continue their attempts to dismantle the title X program, this time under the guise of protecting vulnerable teenagers.

The Istook amendment will not protect teenagers from sexual abuse. But it will ensure that more of the Nation's most vulnerable teens won't use birth control, more will get pregnant, and more will have abortions.

The Istook amendment places teens' health at risk. Teens who are prevented from seeking

family planning services at these clinics will no longer benefit from the other services these clinics provide, including screening and treatment for sexually transmitted diseases and HIV, routine gynecological exams, and breast and cervical cancer screening.

The castle substitute protects America's youth. It encourages family participation in the decision of minors to seek family planning services. It requires title X programs to encourage parental involvement when teens seek family planning services. And it requires these programs to counsel minors on how to resist and avoid coercive sexual relationships.

Mr. Speaker, assuring teens access to confidential family planning services reduces teen pregnancies, reduces abortions, and protects vulnerable teens. I urge my colleagues to support the castle substitute.

Mr. FAZIO of California. Mr. Chairman, I rise today in opposition to the Istook amendment and for the Castle substitute. What we have is another attempt to do away with the title X program, which provides funding for family planning services. Services provided under title X reach out to many of America's teenagers who are already at risk in their everyday lives.

Family planning services are one way that these teenagers can receive guidance and education about issues confronting them about sex, reproductive health, contraception, and prevention of disease. By requiring teens to obtain parental consent in order to receive family planning services, and by mandating clinics to notify parents that their children are seeking such services, the Istook amendment will have the effect of decimating the entire family planning system in our country.

The teens we need to be most concerned about—the teens we are trying to prevent from having unwanted pregnancies or contracting a sexually transmitted disease—would become even more endangered if this parental mandate were to take effect.

Perhaps many people are forgetting what it means to be an at-risk teen. At-risk teens are not the children of many of us in this room today. At-risk teens are not the children of parents they can talk to freely about many important issues and values that are affecting their everyday lives. At-risk teens are more often trying to escape sexual or physical abuses within their own homes—even from their own parents.

I encourage every teenager to talk with their parents about these very important issues and parents to talk responsibly with their children. That is why I am in support of a substitute amendment offered by my colleague, Mr. CASTLE.

Mr. Castle substitute will require that title X programs encourage the involvement of parents when teens seek family planning services. Encouraging parental involvement is important, and in and ideal world, all teens would have parents they could feel comfortable talking to and be able to sort out what kind of activity is appropriate. But in the real world, we can not take away an opportunity for at-risk teens to receive essential services, by forcing a mandate upon them that will not work in the real world.

I urge my colleagues to vote against the Istook amendment and support the Castle amendment.

The CHAIRMAN. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE] as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

PARLIAMENTARY INQUIRY

Mr. MANZULLO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANZULLO. Mr. Chairman, does that mean that those Members who favor the Castle substitute amendment would vote ''yes'' on the first vote, and those who favor the Istook-Manzullo amendment would vote ''no'' on the first vote?

The CHAIRMAN. The Chair will merely state the question. The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE] as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

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

RECORDED VOTE

Mr. PORTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair announces that he may reduce to not less than 5 minutes the period of time within which an electronic vote, if ordered, may be taken on the Istook amendment.

The vote was taken by electronic device, and there were—ayes 220, noes 201, not voting 12, as follows:

[Roll No. 378]

AYES—220

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Campbell
Capps
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gordon
Green
Greenwood
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kolbe
Kucinich
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (VA)
Morella
Neal
Ney
Obey
Olver
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thomas
Thompson
Thornberry
Thurman
Tierney
Torres
Turner
Upton
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—201

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Everett
Ewing
Forbes
Fox
Gallegly
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kildee
Kim
King (NY)
Kingston
Knollenberg
LaFalce
LaHood
Largent
Latham
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Oberstar
Ortiz
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Quinn
Radanovich
Rahall
Redmond
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thune
Tiahrt
Traficant
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Carson
Cooksey
Dellums
Flake
Gonzalez
Hilliard
Lewis (GA)
Nadler
Schiff
Serrano
Towns
Velazquez

□ 2045

Messrs. ARMEY, COX of California, WICKER, PICKERING, LAFALCE and SHAW changed their vote from ''aye'' to ''no.''

Mr. CUMMINGS and Mr. THOMAS changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK], as amended.

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

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRIES

Mr. SOUDER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SOUDER. My parliamentary inquiry is that since the second-degree amendment passed, is it true that no longer does the Istook-Manzullo amendment include a parental notification?

The CHAIRMAN. The gentleman does not state a parliamentary inquiry.

Mr. OBEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OBEY. Mr. Chairman, is it not true that the Castle amendment having now been passed, we are voting in essence to adopt the underlying amendment as amended by the Castle amendment?

The CHAIRMAN. The gentleman is correct.

The vote was taken by electronic device, and there were—ayes 254, noes 169, not voting 10, as follows:

[Roll No. 379]

AYES—254

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Ballenger
Barrett (WI)
Barton
Bass
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burr
Buyer
Campbell
Capps
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dreier
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gordon
Granger
Green
Greenwood
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kim
Kind (WI)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Shaw
Shays
Sherman
Sisisky
Skaggs
Skeen
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Sununu
Tanner
Tauscher
Tauzin
Thomas
Thompson
Thornberry
Thurman
Tierney
Torres
Traficant
Turner
Upton
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—169

Aderholt
Archer
Armey
Bachus
Baker
Barcia
Barr
Barrett (NE)
Bartlett
Bateman
Bereuter
Bilbray
Bilirakis
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burton
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Forbes
Goode
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Hostettler
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kildee
King (NY)
LaFalce
LaHood
Largent
Latham
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Mollohan
Myrick
Neumann
Northup
Norwood
Nussle
Ortiz
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Quinn
Radanovich
Rahall
Redmond
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Talent
Taylor (MS)
Taylor (NC)
Thune
Tiahrt
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Carson
Dellums
Flake
Gonzalez
Hilliard
Nadler
Schiff
Serrano
Towns
Velazquez

□ 2057

Messrs. ISTOOK, COOK, LIVINGSTON, and COX of California changed their vote from ''aye'' to ''no.''

Mr. VISCLOCKY and Mr. BERRY changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

□ 2100

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. 213. Of the amounts made available in this title for the account ''OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', $12,800,000 is transferred and made available under section 30403 of Public Law 103–322 for the Community Schools Youth Services and Supervision Grant Program Act of 1994.

Mr. FILNER. Mr. Chairman, I rise today to offer an amendment called the community schools preservation amendment. It is an amendment designed to stop crime before it happens.

The appropriations bill we are considering terminates funding for the Community Schools Youth Services and Supervision Program. Currently, that program funds 54 community schools and projects all around the Nation. My amendment would restore full funding to this valuable program.

Mr. Chairman, according to the Administration on Children and Families, because of their unique structure, the community schools projects around this Nation will not receive funding without a direct appropriation and they will close, community schools across the Nation will close.

Section 30403(a) of the 1994 Violent Crime Control and Law Enforcement Act authorized modest funding for these projects which are finding innovative solutions to the problems of

drug abuse, crime, and violence in our communities by working collaboratively with citizens, schools, and law enforcement.

Mr. Chairman, as my colleagues know, funding for this amendment must be offset by reduced spending in other areas. Reluctantly, I have chosen to try to transfer $12.8 million from the administration of this department. I hope that is clear. I have a different amendment than what was earlier published. This transfers money from the administration account and not from the community schools block grant. Again, I am transferring money for this program from the administration account and not from the community schools block grant.

In San Diego, which I represent, the Mano a Mano program has been successfully addressing problems in Barrio Logan in San Diego. Children participating in services provided by Mano a Mano have higher school attendance rates, higher grades, and better classroom behavior. Conflict resolution and management skills provided have resulted in less suspensions from school and fewer visits to school administrators, stopping the behavior that leads to juvenile crime before it happens.

Additionally, the Federal funds provided to this project have allowed them to develop partnerships with other crime prevention organizations in the area. This project is so important that the city attorney of San Diego and other local officials have contacted me expressing the serious need for this community schools project.

I encourage my colleagues to support this amendment. It provides funding for local projects that are finding local solutions to problems of drugs, crime, and violence in our young people.

We are bringing, Mr. Chairman, long-term crime rates down, and we will keep them down with these local projects. It is imperative that we see our at-risk communities as a national priority. I hope my colleagues with join with me to save these truly community schools.

Ms. LOFGREN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before the House recessed in July, we had a rather contentious deliberation over how to deal with updating our juvenile justice laws. One of the things that we all said, that we all agreed on, was the need to prevent crime among young children. That is what we are talking about in the funding of the community schools issue.

What is it? It is small funding for each school that really allows a community to invest in very poor children who need a future. We know that most juvenile crime occurs between the hours of 3 p.m. and 6 p.m., when parents are still at work and after children have been dismissed from school.

Mr. Chairman, last Congress this project was, once again, at risk and utilizing a bipartisan group of Members on both sides of the aisle. We moved together to salvage this program.

Let me tell my colleagues, because it is very typical of these projects throughout the United States, about the community school program in San Jose, CA.

When I went to this school, the after-school program is run primarily by Catholic charities in collaboration with the school district, the district attorney. I went to this meeting at 7:30 in the evening. There were the parents in their rough work clothes. They had just come back from work. There were tears in their eyes because their hope for their children was that their children would become good students.

This is a program that is oriented toward academic excellence, toward tutoring children so that they can achieve in math and in reading, to giving them hope for a future and giving peace of mind to hard-working parents who do not want their children out on the streets while they are still at work.

I will say that in the case of the Catholic charities project in my district, there is a 5-year plan for each child that the parents buy into, that the teachers buy into, so that at the end of 5 years not only will the child be law abiding but the child's academic achievement is intended to increase beyond grade level.

We are now in our third year. I am pleased to announce that our progress is good. Not only are children not getting into trouble, not only are children not being victimized in tough neighborhoods, not only are parents being relieved of their worry that their children may be victimized while they are waiting before they get home from work, but academic achievement is on the rise.

Lots of times Members may look at a line item in the budget and say, I do not know what that is; maybe it is disposable. But I am here to tell Members of the House, and there are certainly Members on both sides of the aisle who know it firsthand, that this is seed money that allows communities to invest in young people and their academic excellence. It is a prevention effort that works. I heartily recommend and endorse the gentleman's amendment and urge its passage.

I would like to reemphasize that the concern expressed by some Members that I understand and empathize, about the source of funding, has been altered. Legislating is about listening, learning, and improving. We did that. We learned that the source of funding was defective. The gentleman from California [Mr. FILNER], to his credit, has changed it. I believe that the Members who expressed concern have withdrawn their opposition to the amendment.

I would urge adoption of the amendment.

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

I will be very brief, Mr. Chairman. I want to explain what the committee did. This program we eliminated in fiscal year 1996 in the House bill, the Senate put it back in in conference.

We eliminated this program in the fiscal 1997 bill, and the Senate put it back in in conference. We eliminated this program in this bill, one of 25 programs this year that we have eliminated, and I think for a very good reason.

We have a program called After School Learning Centers that is funded at $50 million, far in excess of the amount of money here. This is a program that was recommended by the President in his balanced budget agreement. We have $556 million available through safe and drug-free schools that can be used for exactly the same purposes as the money in this program. There is even an argument, we can use community service block grant money for this purpose.

We felt under the circumstances that the program is redundant and unnecessary. We put the money that otherwise might have gone in it into battered women's shelters instead. This used up our crime trust fund allocation. I think it is a much better use of the money. There is money for exactly this purpose in a number of programs. The program simply is not needed.

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

Mr. Chairman, I certainly want to commend the leadership on both sides of the aisle who have put this bill together. I know there are difficult decisions to be made. But I also know that today we have been talking a lot about family, about encouraging parents and children to come together and communicate and to work together and that we all know, as the old adage goes, an ounce of prevention is worth a pound of cure.

What we have in this amendment is an ounce of prevention. It is well worth the dollars that were just committed, as the gentleman preceding me, the leader spoke about the other dollars in the budget which are important. These community school grants are equally important because of what they allow communities to do.

In the case of my community in Lansing, it is the schools and the city working together to form something called the focus center, a place where young people can come, where there is tutoring, learning of life skills and communications. They are able to spend time together.

These are young people who have not been encouraged to go to school, who are now going to school and grades are coming up. We talk about the need for education. This particular program has encouraged young people both to go to school; attendance is up. Grades are up. Parents are now involved themselves in parenting classes, getting their GED. This is the kind of program done through the community schools grant which makes a difference for a very small investment.

We have in our community young people participating in urban 4–H, learning leadership skills, going to the

county fair, exhibiting and having an opportunity to work together on projects and learn specific skills.

□ 2115

I had the opportunity to see their projects at the fair and to watch their excitement, and it was terrific to see.

The people who have put together this program in Lansing have done a marvelous job. The Lansing chief of police says that this program should be continued because of the positive effect on our neighborhoods as evidenced by a reduction in crime. Through the Community Schools Program parents are involved in the neighborhoods, children are involved, they are making choices not to get involved in sex and drugs and gangs but to go to school and to be a part of something that is positive. This is a very small investment to make for very, very large returns.

There is a young man who wrote to me, among many young people who wrote to me about this project, Bradley Wicks, who is a 17-year-old participant in our project. He said, ''If it were not for this focus center, we as kids would have nothing to do and would turn to gangs and drugs. I was one of the lucky ones who found help here at the center and got the help I needed to change my life. I am not sure where I would be otherwise.''

If, for a small investment, with all that we do, with all that the States are required to do in terms of the correctional system, all of the prisons that are built, and frankly, in my own State we have tripled the number of prison beds in the last 10 years and I do not feel three times safer, with all of that going on, this small ounce of prevention is well worth it. It is an investment in families and children and neighborhoods.

I would urge my colleagues, in this amendment, in the conference committee, in working together on the final budget, to make this small investment in Community School programs that work, that support families and children and neighborhoods and get the kind of results for our communities that we say we all want.

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

Mr. Chairman, the Community Schools Preservation Amendment serves a critical purpose. It restores much-needed funds to an education grant program that really works. When we talk about failed programs, when we talk about concern for children and families, when we have something that works, we ought to proceed with it and stand by it.

As the old adage goes, if it is not broken, we should not try to fix it. This is a program that has been entirely successful. In southeastern North Carolina, in the Seventh District that I represent, we are home to one of these fine programs. The Communities in Schools Program of Robeson County is a shining example of how educators, local community leaders, law enforcement officers, and students work together. This program works day in and day out. It is an opportunity where we can coordinate the delivery of existing health, social, education, and support services for troubled youth and their families. They are doing work that could not be done by existing agencies in Robeson County.

I have seen firsthand this program work in North Carolina. It keeps children in school, it works with families to make sure children have a healthy home, and in the end, helps make our Nation a better place to live as we do what we all want to do, and that is to strengthen our families.

Mr. Chairman, the Community in Schools Program staff has worked to earn the trust of their community and of their schools. They are able to point to past successes and to future efforts that are already in the works so that this program can continue. This program is an excellent way that we can steer children away from a life of crime.

In a recent survey, police chiefs around our Nation indicated that investments like the Community Schools Program was one of the best ways to resist crime and to help youth avoid risky behavior. Other studies have shown that these programs can reduce juvenile delinquency by as much as 80 percent. Please name another program that can do that to reduce juvenile delinquency by 80 percent.

Do we want to be responsible for eliminating a successful program such as this? We should not. We should not turn our backs on programs that are already helping our families, already helping our youth, already helping our teenagers, and guiding them in the direction that we all desire that they will be able to move forward in for a positive family environment, a positive environment in our schools and a positive environment for safe neighborhoods and safe schools.

The Community Schools Preservation Amendment is a program that works. Indeed, it is a small investment that gives a mighty big return.

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

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

Mr. OBEY. I yield to the gentleman from Illinois.

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

I have just been informed by the gentleman from Indiana [Mr. SOUDER] that he will not be offering his amendment tonight and that, therefore, we believe there will be no further recorded votes, according to my understanding, will not be.

Mr. OBEY. Mr. Chairman, reclaiming my time, I am delighted to hear what the chairman has indicated. Let me simply say with respect to the amendment before us that I recognize what the gentleman from Illinois has said with respect to other portions of the bill that fund similar programs, but I would simply ask Members to realize one thing: All of the studies show that by far the most youth crime is committed between the hours of 3 and 6 in the afternoon. That is why I think that the intent of the Filner amendment is good and I support what the gentleman is trying to do.

I would urge, however, that the gentleman consider withdrawing the amendment, because I think that would give us a greater opportunity to work with the Senate conferees to try to achieve some restoration of funding for this program, which I believe would complement some of the other programs that are aimed at taking teenagers off the street.

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

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

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

It sounds, from the earlier statements, in the last few years that the Senate, or the other body, has been a little bit more prescient than us in this program. So I appreciate the gentleman's statement of trying to win their support again.

I thank the gentleman from North Carolina [Mr. MCINTYRE], the gentlewoman from California [Ms. LOFGREN], the gentlewoman from Michigan [Ms. STABENOW], for their support, and the dozens of other Members, the gentleman from New York Mr. LAZIO and [Mr. WELDON] on the other side, who have expressed support.

But, Mr. Chairman, based on the ranking member's statement, I ask unanimous consent to withdraw the amendment at this time.

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

There was no objection.

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

Mr. Chairman, I want to enter into a colloquy with the gentleman from Illinois [Mr. PORTER], the chairman of the Labor, Health and Human Services Subcommittee.

As the chairman may know, more than 3,000 people die each year waiting for an organ donation that never comes. That equals one death every 3 hours, eight people every day. Every 18 minutes another name is added to the list of 50,000 people awaiting transplants.

Last year, then Representative DURBIN and I cosponsored the Organ Donor Insert Card Act, which put an organ donor signup card in the tax return checks of nearly 70 million households. It is my hope that this effort will result in more organs available for transplant.

As my colleagues may know, this year the Senate has added a provision under the leadership of now Senator DURBIN and Senator FRIST in its version of the Labor, Health and Human Services appropriations bill, which

calls upon the Department of Health and Human Services, in coordination with the General Accounting Office, to survey 5 percent of the hospitals participating in the Medicare and Medicaid Programs in order to ascertain how their organ donation programs are working.

I would ask the chairman to work with the chairman of the Committee on Commerce and the ranking member of the Committee on Commerce, as well as our colleagues, to address this issue when we go to conference with the Senate.

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

Mr. CAMP. I yield to the gentleman from Illinois.

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

I would say to my friend from Michigan that obviously the Senate does not have rules such as we have in the House, and they may add legislative provisions even to an appropriations bill. This is an authorizing provision on the appropriations bill. I would certainly not take any position in regard to it in conference without the assent of the authorizing committee.

It sounds, from what the gentleman has described, like a very good program, but I would have to take my guidance from the authorizing side in regard to it in conference.

Mr. CAMP. Mr. Chairman, reclaiming my time, I appreciate the chairman's remarks.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman of the Labor-HHS Subcommittee in a colloquy concerning rural health care.

I would say to the gentleman from Illinois I intended to offer an amendment today that would provide a $2.3 million increase to the Rural Outreach Grant Program. An increase of nearly $2.3 million would bring the Rural Outreach Grant Program in line with the Senate bill. The grant program was level-funded in the House.

Mr. Chairman, I come from a large rural district in central northwest Pennsylvania. Federal dollars for rural health care have been and continue to be increasingly difficult to come by. The Federal Rural Outreach Grant Program promotes innovation in the delivery of health care to rural areas by encouraging collaborative efforts among health care entities and the communities in which they are located.

Mr. Chairman, I will not offer my amendment. However, I would like to ask the chairman that as he works with the Senate during conference on the Labor-HHS appropriations bill, he will make a commitment to rural health care by working toward the Senate number for the Rural Outreach Grant Program.

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

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding to me and for his statement.

I have to say that I have become aware recently of the importance of innovations that affect rural health care, like telemedicine and access to the National Library of Medicine's data bank. And I appreciate the gentleman's decision not to pursue the amendment on the floor today, and I commit to him that I will make every effort in conference to increase the funding for the Rural Outreach Grant Program.

Mr. PETERSON of Pennsylvania. Mr. Chairman, reclaiming my time, I want to thank the chairman for his support of this program, and I appreciate his willingness to work with me on the issue of rural health care.

The CHAIRMAN. If there are no other amendments to the pending portion of the bill, the Clerk will read.

The Clerk read as follows:

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, and section 3132 of the Elementary and Secondary Education Act of 1965, $1,135,000,000, of which $458,500,000 for the Goals 2000: Educate America Act and $200,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1998, and remain available through September 30, 1999: *Provided,* That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act, except that no more than $1,500,000 may be used to carry out activities under section 314(a)(2) of that Act: *Provided further,* That section 315(a)(2) of the Goals 2000 Act shall not apply: *Provided further,* That up to one-half of one percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: *Provided further,* That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register.

Mr. EWING. Mr. Chairman, I rise today in strong support of H.R. 2264 and I would like to commend Chairman PORTER for his hard work and diligence in crafting this appropriations bill. Included in this legislation is language which will waive an ineffective and burdensome regulation now mandated by the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1992. This act blindly requires all lenders who participate in the Federal Family Education Loan Program to perform expensive, comprehensive annual audits on their student loan portfolios. Similar corrective language was included in the continuing resolution adopted for fiscal year 1997, and thus expires on September 30 of this year.

I represent small banks and credit unions which maintain and service small student loan portfolios in compliance with the Federal Family Education Loan Program. The profit on these portfolios is estimated to around 3 to 5 thousand dollars annually, while the audit required by the Department of Education costs anywhere from 2 to 14 thousand dollars annually. As you can see it does not make sense for small lenders to service these loans and participate in the FFEL program. In fact, many small lenders are selling their portfolios and leaving the student loan business altogether. This is not fair to student borrowers in rural areas who are increasingly unable to utilize lending institutions that they are familiar with. This is also not fair to smaller lenders who wish to service and maintain student loans. If this policy is enforced, small lenders will be effectively cut out of the student loan business and consumers will be denied the opportunity to do business at their local bank.

I contacted the Department of Education about the possibility of a waiver or alternative to this detrimental mandate. The Department stated, ". . . lender audits are required by statute . . ." and that the ". . . statute does not provide authority for the Department to waive the annual audit based on the size of the lender's FFEL portfolio or the cost of the audit." Furthermore, according to the Department of Education's Office of the Inspector General, lender portfolios totaling less than 10 million dollars do not even have to send their audit to the Department for review. They are only required to ". . . hold the reports for a period of three years and shall submit them only if requested." That means lenders waste thousands of dollars on a compliance audit that is never sent anywhere or reviewed by anyone. I have no doubt that protecting the integrity of the student loan program is important to all of us. However, this current situation does not protect any portfolios under 10 million dollars because no one review the results of the audits.

The Office of the Inspector General at the Department of Education has also expressed concern regarding this burden in their Semiannual Report—October 93 to March 94—stating, ". . . we are concerned that the cost may outweigh the benefits of legislatively required annual audits of all participants, regardless of the size of participation or the risk they represent to the program." In this report the inspector general recommends that a threshold be established for requiring an institutional audit, ". . . and we continue to believe that a threshold is necessary for both the institutional and lender audits. Such a threshold would eliminate the audit burden for the smaller participants in the program while helping assure that scarce departmental resources are focused on the areas of greatest risk."

This provision works in concert with the Department of Education and the authorizing committee which have expressed the need for an audit threshold. This language will help the little guy in the student loan business and ensure consumer choice and convenience. It is my hope that the Congress will be able to enact a permanent solution to this problem. I urge my colleagues to vote for H.R. 2264.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today to express my concern with a provision in this legislation. I applaud my colleagues for their hard work in reaching this year's unprecedented budget agreement that successfully expanded the Pell Grant Program and provided new tax incentives for education. I also wish to thank the chairman and the ranking member for their hard work in bringing this legislation to the floor for consideration.

However, I am especially concerned that this legislation completely eliminates one of the most successful higher education financial aid programs in history. The State Student Incentive Grant Program, or SSIG, has succeeded in encouraging the development of need-based financial aid programs in all 50 States. It has not only provided the seed money that was intended at its inception 25 years ago, but has also helped maintain State commitments to need-based financial aid in subsequent years.

This is a program that gives the neediest students opportunities to attend higher education institutions, through grants and work-study jobs. Yes, the Pell Grant Program is making a college education accessible for many low-income students, but SSIG helps States retain those students who absolutely could not afford college without the supplemental funds that pay the financial shortfall that Pell and other financial aid programs cannot support.

It now serves over 700,000 students at 2- and 4-year colleges and universities nationwide, and it does so by leveraging over 780 million dollars in State matching funds. In speaking with students and program administrators in my State, I have been repeatedly told that the Federal funds are essential in encouraging policy-makers to maintain state funding levels. In 13 States, the SSIG funds comprise at least 25 percent of available student grant aid. Additionally, in an independent survey of State financial aid administrators, 86 percent indicates that the elimination of the SSIG would result in States reducing the number and amount of need-based grants. It is evident that an elimination of this program could have dramatic impacts on students in States across the Nation.

The SSIG Program was never given a sunset date for a good reason: it continues to serve as an efficient and economical incentive for States to help make higher education accessible. As college costs continue to rise, and as the ratio of grants to loans continues to decline, it is imperative that we retain incentives for States to continue their efforts. I am disappointed that this legislation overlooks the essential benefits of this program. However, I urge my colleagues to join me in future efforts to restore this valuable program.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. CAMP] having assumed the chair, Mr. GOODLATTE, 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. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

□ 2130

CONFERENCE REPORT ON H.R. 2016, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1998

Mr. PACKARD submitted the following conference report and statement on the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes:

CONFERENCE REPORT (H. REPT. 105–247)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2016) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 21, 22, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 13, 25, and 26, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$714,377,000*; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$65,577,000*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$683,666,000*; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$44,880,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$646,342,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$48,850,000*; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$118,350,000*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$190,444,000*; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$74,167,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$47,329,000*; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$30,243,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$197,300,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,140,568,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,337,868,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$393,832,000*; and the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,370,336,000*; and the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$295,709,000*; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,125,943,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by the House and stricken by the Senate insert:

(TRANSFER OF FUNDS)

SEC. 123. (a) Subject to thirty days prior notification to the Committees on Appropriations,

such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

(b) Subject to thirty days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for the acquisition or construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military unaccompanied housing and ancillary supporting facilities.

And on page 3 of the House engrossed bill, H.R. 2016, on line 20, strike ''$662,305,000'' and insert ''*$701,855,000*'', and

On page 17 of the House engrossed bill, H.R. 2016, beginning on line 24 strike ''Department of Defense'' and insert ''*Housing Revitalization Support Office*''; and the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

SEC. 125. Notwithstanding any other provisions in this Act, the following accounts are hereby reduced by the specified amounts—

''Military Construction, Army'', $7,900,000;

''Military Construction, Navy'', $5,600,000;

''Military Construction, Air Force'', $7,600,000;

''Military Construction, Defense-wide'', $6,100,000;

''North Atlantic Treaty Organization Security Investment Program'', $1,000,000;

''Base Realignment and Closure Account, Part III'', $8,000,000;

''Base Realignment and Closure Account, Part IV'', $8,000,000;

''Family Housing, Army'', $36,700,000;

''Family Housing, Navy and Marine Corps'', $13,100,000;

''Family Housing, Air Force'', $14,700,000;

''Family Housing, Defense-wide'', $100,000.

And the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

SEC. 128. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing or military unaccompanied housing, the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on National Security and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

And the Senate agree to the same.

RON PACKARD,
JOHN EDWARD PORTER,
DAVID L. HOBSON,
ROGER F. WICKER,
JACK KINGSTON,
MIKE PARKER,
TODD TIAHRT,
ZACH WAMP,
BOB LIVINGSTON,
W.G. (BILL) HEFNER,
JOHN W. OLVER,
CHET EDWARDS,
NORMAN D. DICKS,
STENY H. HOYER,
DAVID R. OBEY,
Managers on the Part of the House.

CONRAD BURNS,
KAY BAILEY HUTCHINSON,
LAUCH FAIRCLOTH,
LARRY CRAIG,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying report.

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 105–150 and Senate Report 105–52 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

Base Realignment and Closure Accounts—Construction Projects: Administrative Provision.—The conferees agree that any transfer of funds for any construction project financed by any Base Realignment and Closure Account shall be subject to a 21 day notification to the Committees, and shall not be subject to reprogramming procedure.

Historic Preservation.—The conferees continue to be concerned that maintaining and renovating historic quarters is a burden on the family housing accounts. The conferees direct the Department of Defense to consult with the Advisory Council on Historic Preservation, and other appropriate Federal agencies, to identify and pursue strategies for the services to maintain and use historic housing consistent with their mission and budgetary resources.

Use of Prior-Year Savings.—The budget request proposed the use of prior-year savings to finance fiscal year 1998 projects and programs as follows:

Account	*Amount*
Military Construction:	
Air Force	$23,858,000
Army Reserve	7,900,000
Family Housing, Navy	8,463,000
Total	40,221,000

The conferees do not approve of this method of financing and remind the Department that it should request rescissions of these funds by account and by fiscal year. The conferees reject the proposed use of these funds for fiscal year 1998 activities and projects and have determined that these funds are necessary to complete ongoing projects within the Military Construction appropriations. The proposed use for fiscal year 1998 projects and programs could jeopardize the successful completion of projects appropriated in prior years.

Unified Design Guidance.—The conferees direct the Department and the services to submit a joint report to the congressional defense committees by March 31, 1998, which addresses: (1) areas where uniform procedures, systems, and/or criteria are already in use: (2) other possible areas where it may be practical to create more uniformity; and (3) the most cost effective system for implementing improvements either through a greater use of tri-service groups; centralized development and management under one of the services with design and construction authorities; or centralizing the development and management of design guidance under the Secretary of Defense.

MILITARY CONSTRUCTION, ARMY

Amendment No. 1

Appropriates $714,377,000 for Military Construction, Army instead of $721,027,000 as proposed by the House and $652,046,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

Amendment No. 2

Earmarks $65,577,000 for study, planning, design, architect and engineer services, and host nation support instead of $71,577,000 as proposed by the House and $77,646,000 as proposed by the Senate.

U.S. Army South: Relocation of Headquarters.—The conferees direct the Secretary of the Army to report by January 2, 1998, on all costs of the decision to relocate the headquarters of the U.S. Army South from Fort Clayton, Panama to Fort Buchanan, Puerto Rico, which was announced on July 31, 1997.

Virginia—Charlottesville: National Ground Intelligence Center.—The conferees included

$3,100,000 for planning and design of the National Ground Intelligence Center in Charlottesville, Virginia, within the additional amount provided as a lump sum for the Army's planning and design.

MILITARY CONSTRUCTION, NAVY

Amendment No. 3

Appropriates $683,666,000 for Military Construction, Navy instead of $685,306,000 as proposed by the House and $605,756,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

Amendment No. 4

Earmarks $46,489,000 for study, planning, design, architect and engineer services as proposed by the Senate instead of $46,659,000 as proposed by the House.

Budget Justifications, Marine Corps.—The conferees are concerned that the Marine Corps' overall funding allocation within the Military Construction and Military Family Housing accounts is not in concert with the Marine Corps' existing unfunded requirements when compared to the other services. The current format of the budget justification material for these accounts does not provide adequate information regarding Marine Corps specific projects and funding summaries, but rather combines Marine Corps' funding requirements along with those of the U.S. Navy within the Department of the Navy requirements.

To assist the Committees in their oversight role in the budget approval process, the conferees require a better means of identifying those projects and requirements that fall within the Department of the Navy accounts yet are Marine Corps specific. Accordingly, the conferees request the Department of Defense to provide in future budget justifications the following items:

1. Account summary table which clearly reflects the Navy service and Marine Corps specific requirements and allocations (and identify separately the Reserve Components);

2. Separate state-by-state project tables for Marine Corps specific projects and Navy specific projects; and

3. An explanation of the projected allocation between the Navy and Marine Corps for all unspecified and support accounts.

Any joint Navy and Marine Corps projects should be highlighted as such. The items listed above should be in addition to the information currently provided in the budget justification.

California—San Diego: Military Housing.—The conferees request the Secretary of Defense to conduct a study on military housing (both unaccompanied housing and family housing) in the San Diego area, and submit a report on that study to the Committees by February 1, 1998. The study shall evaluate the current availability of housing, both on-base and off-base, for unmarried and married personnel. The study shall investigate reports of U.S. military personnel choosing to live in Mexico, and shall include recommendations for actions needed to alleviate the situation.

Mississippi—Gulfport Naval Construction Battalion Center: Bachelor Enlisted Quarters.—The conferees have deferred funding for this project, without prejudice, and the Navy is encouraged to include this project in the budget request for fiscal year 1999.

Washington—Bremerton Puget Sound Naval Shipyard: Enlisted Dining Facility Expansion.—The conferees agree that this project addresses an urgent, mission critical requirement, and direct that it be accomplished within the additional funds provided for unspecified minor construction.

MILITARY CONSTRUCTION, AIR FORCE

Amendment No. 5

Earmarks $44,880,000 for study, planning, design, architect and engineer services instead of $45,880,000 as proposed by the House and $48,880,000 as proposed by the Senate.

The conferees note that total funding in the amount of $701,855,000 for Military Construction, Air force is included under Amendment No. 23.

California—Travis AFB: Control Tower.—The conferees are concerned about safety conditions at the existing facility, and direct the Secretary of the Air Force to report by January 2, 1998, on efforts to address this situation by reprogramming (citing emergency authority) or by other means.

MILITARY CONSTRUCTION, DEFENSE-WIDE

Amendment No. 6

Appropriates $646,342,000 for Military Construction, Defense-wide instead of $613,333,000 as proposed by the House and $690,889,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

Amendment No. 7

Earmarks $48,850,000 for study, planning, design, architect and engineer services instead of $34,350,000 as proposed by the House and $52,450,000 as proposed by the Senate.

United Kingdom—Menwith Hill Station: High School.—The conferees are aware of a proposal to establish a high school at Menwith Hill in order to avoid the need to board dependent students at RAF Lakenheath. The conference agreement provides an additional $818,000 under unspecified minor construction for this purpose.

United Kingdom—Menwith Hill Station: Security Improvements.—The conferees are aware of an initiative to address security deficiencies at Menwith Hill, including fencing the perimeter of the site. The conferees agree to consider a reprogramming request to address this need (citing emergency authority).

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

Amendment No. 8

Appropriates $118,350,000 for Military Construction, Army National Guard instead of $45,098,000 as proposed by the House and $234,614,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

Alaska-Bethel: Aviation Operations Facility.—The conferees agree to grant reprogramming approval for the funded project.

Massachusetts—Westover ARB: Aviation Simulation Facility.—The conferees direct that this project is to be accomplished within funds provided for unspecified minor construction.

Michigan—Calumet: Armory Improvement.—The conferees direct that this project is to be accomplished within funds provided for unspecified minor construction, in order to improve disabled access.

Oklahoma—Oklahoma City: Readiness Center.—Senate report language regarding this project is re-directed to the Army National Guard, rather than the Air National Guard.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

Amendment No. 9

Appropriates $190,444,000 for Military Construction, Air National Guard instead of $137,275,000 as proposed by the House and $185,115,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

MILITARY CONSTRUCTION, ARMY RESERVE

Amendment No. 10

Appropriates $74,167,000 for Military Construction, Army Reserve instead of $77,731,000 as proposed by the House and $96,079,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

MILITARY CONSTRUCTION, NAVAL RESERVE

Amendment No. 11

Appropriates $47,329,000 for Military Construction, Naval Reserve instead of $40,561,000 as proposed by the House and $21,111,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

Amendment No. 12

Appropriates $30,243,000 for Military Construction, Air Force Reserve instead of $27,143,000 as proposed by the House and $31,830,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

New York—Niagara Falls International Airport: Combined Maintenance Facility.—The conferees encourage the Air Force Reserve to include this project in the budget request for fiscal year 1999.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Amendment No. 13

Appropriates $152,600,000 for the North Atlantic Treaty Organization Security Investment Program as proposed by the Senate instead of $166,300,000 as proposed by the House.

FAMILY HOUSING ARMY

Amendment No. 14

Appropriates $197,300,000 for Construction, Family Housing, Army instead of $202,131,000 as proposed by the House and $167,100,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

CONSTRUCTION IMPROVEMENTS

The following projects are to be accomplished within the increased amount provided for construction improvements:

Alaska—Fort Richardson (52 units)	$9,600,000
Alaska—Fort Wainwright (32 units)	8,300,000
Kansas-Fort Riley (106 units)	7,000,000
Kentucky—Fort Campbell (60 units)	6,000,000
New York—West Point (56 units)	5,400,000
Virginia—Fort Belvoir (48 units)	5,000,000
Total, Army	41,300,000

Amendment No. 15

Appropriates $1,140,568,000 for Operation and Maintenance, Family Housing, Army instead of $1,148,937,000 as proposed by the House, and $1,149,937,000 as proposed by the Senate.

Amendment No. 16

Appropriates a total of $1,337,868,000 for Family Housing, Army instead of $1,351,068,000 as proposed by the House and $1,317,037,000 as proposed by the Senate. This sum is derived from the conference agreement on amendments numbered 14 and 15.

FAMILY HOUSING, NAVY AND MARINE CORPS

Amendment No. 17

Appropriates $393,832,000 for Construction, Family Housing, Navy and Marine Corps instead of $409,178,000 as proposed by the House and $362,619,000 as proposed by the Senate. Funding for specific projects agreed to by

the conferees is displayed in the table at the end of this report.

CONSTRUCTION IMPROVEMENTS

The following projects are to be accomplished within the increased amount provided for construction improvements:

California—China Lake NAWC[1]	$4,193,000
Illinois—Great Lakes PWC (64 units)	7,700,000
Maryland—Patuxent River NAWC (90 units)	9,000,000
North Carolina—Camp Lejeune MCB (37 units)	2,863,000
North Carolina—Cherry Point MCAS (83 units)	6,000,000
Total, Navy	29,756,000

[1] Demolish 120 units

Amendment No. 18

Appropriates a total of $1,370,336,000 for Family Housing, Navy and Marine Corps instead of $1,385,682,000 as proposed by the House and $1,339,123,000 as proposed by the Senate.

FAMILY HOUSING, AIR FORCE

Amendment No. 19

Appropriates $295,709,000 for Construction, Family Housing, Air Force instead of $341,409,000 as proposed by the House and $296,633,000 as proposed by the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

CONSTRUCTION IMPROVEMENTS

The following projects are to be accomplished within the increased amount provided for construction improvements:

New Mexico—Cannon AFB (72 units)	$5,000,000
Oklahoma—Tinker AFB (60 units)	4,600,000
South Carolina—Charleston AFB (78 units)	7,000,000
South Carolina—Shaw AFB (50 units)	5,000,000
Total, Air Force	21,600,000

Amendment No. 20

Appropriates a total of $1,125,943,000 for Family Housing, Air Force instead of $1,171,643,000 as proposed by the House and $1,126,867,000 as proposed by the Senate.

GENERAL PROVISIONS

Amendment No. 21

Restores a provision proposed by the House and stricken by the Senate which prohibits the expenditure of funds except in compliance with the Buy American Act.

Amendment No. 22

Restores a provision proposed by the House and stricken by the Senate which states the sense of the Congress notifying recipients of equipment or products authorized to be purchased with financial assistance provided in this Act to purchase American-made equipment and products.

Amendment No. 23

Deletes a provision proposed by the House and stricken by the Senate which permits the transfer of funds from the Base Realignment and Closure Accounts to the Homeowners Assistance Fund, Defense.

Inserts two provisions permitting the Secretary of Defense to transfer funds from other accounts into the Family Housing Improvement Fund and the Military Unaccompanied Housing Improvement Fund and clarifying the intent of these funds. The House and Senate bills contained no provision on these matters.

Appropriates $701,855,000 for Military Construction, Air Force instead of $662,305,000 as proposed by both the House and the Senate. Funding for specific projects agreed to by the conferees is displayed in the table at the end of this report.

Inserts a provision amending Section 124 to clarify that the Family Housing Improvement Fund shall be the sole source of funds available for administrative costs (other than non-reimbursable personnel details) incurred by the Housing Revitalization Support Office, instead of the Department of Defense as proposed in both the House and Senate bills.

Amendment No. 24

Inserts a provision reducing a total of $108,800,000 to eleven accounts in the bill, rather than a reduction totaling $31,000,000 to seven accounts in the bill as proposed by the Senate. The House bill contained no similar provision.

The conference agreement reduces the following accounts for the specified reasons:

Account	Inflation reestimates	Foreign currency adjustment	Total reduction
Military Construction, Army	$2,000,000	$5,900,000	$7,900,000
Military Construction, Navy	3,000,000	2,600,000	5,600,000
Military Construction, Air Force	4,000,000	3,600,000	7,600,000
Military Construction, Defense-wide	5,000,000	1,100,000	6,100,000
North Atlantic Treaty Organization Security Investment Program	1,000,000	0	1,000,000
Base Realignment and Closure Account, Part III	8,000,000	0	8,000,000
Base Realignment and Closure Account, Part IV	8,000,000	0	8,000,000
Family Housing, Army	6,000,000	30,700,000	36,700,000
Family Housing, Navy and Marine Corps	7,000,000	6,100,000	13,100,000
Family Housing, Air Force	6,000,000	8,700,000	14,700,000
Family Housing, Defense-wide	0	100,000	100,000
Total	50,000,000	58,800,000	108,800,000

These reductions reflect savings based on inflation reestimates and foreign currency adjustments. The conferees direct that these reductions shall not result in the delay, cancellation, or reduction in scope of any project for which funds have been appropriated.

Amendment No. 25

Inserts a provision proposed by the Senate which directs the Secretary of the Army to complete a special forces diver training facility at Key West Naval Air Station, for which funds were authorized and appropriated in fiscal year 1990, using unspecified minor construction funds appropriated in this Act.

Amendment No. 26

Inserts a provision proposed by the Senate which authorizes the Secretary of the Navy to lease property on Waipio Peninsula, Hawaii, to the city and county of Honolulu.

Amendment No. 27

Inserts a provision proposed by the Senate which requires the Secretary of Defense to notify Congress of certain privatization efforts, amended to revise the reporting requirement.

Amendment No. 28

Deletes a provision proposed by the Senate which amends section 303(e) of Public law 105–18 to permit the Secretary of Defense to use funds available in the Defense Working Capital Fund for payment of certain costs of a facility at Lexington, Kentucky.

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
REDSTONE ARSENAL		
MICOM MISSILE READINESS SOFTWARE ENGINEERING ANNEX (PHASE I)	---	13,000
AIR FORCE		
MAXWELL AFB		
OTS ACADEMIC FACILITY	4,479	4,479
OTS PHYSICAL FITNESS CENTER	1,095	1,095
SOFTWARE DEVELOPMENT AND MAINTENANCE FACILITY	---	9,300
DEFENSE-WIDE		
ANNISTON CHEMICAL ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY	9,900	9,900
REDSTONE ARSENAL, HUNTSVILLE		
MISSILE SPACE INTELLIGENCE CENTER (DIA)	32,700	32,700
AIR NATIONAL GUARD		
DANNELLY FIELD		
MUNITIONS COMPLEX/AIRCRAFT SUPPORT SHOP	---	4,800
TOTAL, ALABAMA	48,174	75,274
ALASKA		
AIR FORCE		
CLEAR AFS		
ALTER DORMITORIES	20,285	20,285
BALLISTIC MISSILE EARLY WARNING SYSTEM FACILITY	46,784	46,784
EIELSON AFB		
A-10 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT	7,764	7,764
POTABLE WATER STORAGE UPGRADE	---	6,000
ELMENDORF		
ELECTRICAL SYSTEMS UPGRADE	---	6,100
INDIAN MOUNTAIN		
UPGRADE PETROLEUM, OIL, AND LUBRICANT SYSTEM	1,991	1,991
DEFENSE-WIDE		
ELMENDORF AFB		
REPLACE FUEL TANKAGE (DLA)	21,700	21,700
ARMY NATIONAL GUARD		
BETHEL		
ARMY GUARD AVIATION OPERATIONS FACILITY (REPROGRAMMING ALLOWANCE)	---	4,600
TOTAL, ALASKA	98,524	115,224
ARIZONA		
ARMY		
FORT HUACHUCA		
WHOLE BARRACKS COMPLEX RENEWAL	20,000	20,000
NAVY		
CAMP NAVAJO NAVY DETACHMENT		
MAGAZINE MODIFICATIONS (PHASE II)	11,426	11,426
YUMA MARINE CORPS AIR STATION		
BACHELOR ENLISTED QUARTERS	---	12,250
AIR FORCE		
LUKE AFB		
LAND PURCHASE, GOLDWATER RANGE	---	10,000
TOTAL, ARIZONA	31,426	53,676
ARKANSAS		
ARMY		
PINE BLUFF ARSENAL		
AMMUNITION DEMILITARIZATION SUPPORT FACILITY	---	10,000
AIR FORCE		
LITTLE ROCK AFB		
CONTROL TOWER	---	3,400
DEFENSE-WIDE		
PINE BLUFF CHEMICAL ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY	44,000	---
ARMY NATIONAL GUARD		
HAZEN		
ORGANIZATIONAL MAINTENANCE SHOP	1,345	1,345
READINESS CENTER	2,261	2,261
TOTAL, ARKANSAS	47,606	17,006

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
CALIFORNIA		
ARMY		
CONCORD NAVAL WEAPONS STATION		
ORDNANCE SUPPORT FACILITY	23,000	23,000
FORT IRWIN		
LIVE FIRE COMMAND AND CONTROL FACILITY	---	2,650
ROTATIONAL WASH POINT	---	8,500
NAVY		
CAMP PENDLETON MARINE CORPS AIR STATION		
AIRCRAFT MAINTENANCE TRAINING FACILITY	4,300	4,300
EMERGENCY SPILL CONTROL	2,840	2,840
HIGHBAY WAREHOUSE	6,880	6,880
CAMP PENDLETON MARINE CORPS BASE		
BACHELOR ENLISTED QUARTERS	12,000	12,000
BACHELOR ENLISTED QUARTERS	---	16,120
BRIDGE REPLACEMENT	5,600	5,600
CHILD DEVELOPMENT CENTER	---	4,480
RIVER FLOOD CONTROL (SANTA MARGARITA)	21,869	21,869
CORONADO NAVAL AMPHIBIOUS BASE		
WATERFRONT OPERATIONS BUILDING	---	10,100
EL CENTRO NAVAL AIR FACILITY		
ORDNANCE FACILITIES	11,000	11,000
MIRAMAR MARINE CORPS AIR STATION		
ENLISTED DINING FACILITY	8,700	8,700
NORTH ISLAND NAVAL AIR STATION		
MAINTENANCE SUPPORT FACILITIES	15,300	15,300
SEAWALL UPGRADE	2,900	2,900
VISUAL SYSTEM TRAINER BUILDING ADDITION	1,400	1,400
PORT HUENEME NAVAL CONSTRUCTION BATALLION CENTER		
STORMWATER RUNOFF IMPROVEMENTS	---	3,200
TWENTYNINE PALMS MARCORP AIR-GRND COMB CTR		
COMMUNICATION/ELECTRONICS MAINTENANCE AND STORAGE FACILITY	3,810	3,810
AIR FORCE		
EDWARDS AFB		
ADD/ALTER SEWER LINE	1,394	1,394
UPGRADE WASTEWATER TREATMENT PLANT	1,493	1,493
VANDENBERG AFB		
LAUNCH OPERATIONS CONTROL CENTER	26,876	26,876
DEFENSE-WIDE		
NAVAL AIR STATION (NORTH ISLAND)		
WATERFRONT OPERATIONS SUPPORT FACILITY	7,400	7,400
SAN DIEGO NAVAL STATION		
ADD/ALTER ENVIRONMENTAL PREVENTATIVE MEDICAL UNIT	2,100	2,100
AIR NATIONAL GUARD		
FRESNO AIR TERMINAL		
BASE SUPPLY COMPLEX	---	7,000
ARMY RESERVE		
SACRAMENTO		
US ARMY RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/AREA MAINTENANCE SUPPORT ACTIVITY	20,972	20,972
NAVAL RESERVE		
NAVAL WEAPONS STATION (SEAL BEACH)		
MARINE CORPS RESERVE TRAINING CENTER	6,104	6,104
PASADENA		
MARINE CORPS RESERVE CENTER	---	6,690
TOTAL, CALIFORNIA	185,938	244,678
COLORADO		
ARMY		
FORT CARSON		
CLOSE COMBAT TACTICAL TRAINER BUILDING	7,300	7,300
RAIL YARD EXPANSION (PHASE I)	---	16,000
AIR FORCE		
BUCKLEY ANG BASE		
ADD TO SECURITY POLICE FACILITY	348	348
ADMINISTRATION FACILITY	6,370	6,370
FALCON AFS		
DEFENSE ACCESS ROAD	10,551	10,551
PETERSON AFB		
ADD/ALTER DORMITORY	4,081	4,081
US AIR FORCE ACADEMY		
ADD/ALTER FITNESS CENTER	5,375	5,375
UPGRADE ACADEMIC FACILITY	9,854	9,854

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
BUCKLEY ANGB		
UPGRADE BASE INFRASTRUCTURE SYSTEMS	12,800	12,800
GREELEY ANGS		
MOBILE GROUNDS STATION MAINTENANCE COMPLEX	---	4,700
TOTAL, COLORADO	56,679	77,379
CONNECTICUT		
NAVY		
NEW LONDON NAVAL SUBMARINE BASE		
CHILD DEVELOPMENT CENTER	---	3,660
CONTROLLED INDUSTRIAL FACILITY	18,300	18,300
DEFENSE-WIDE		
NAVAL SUB BASE NEW LONDON		
ADD/ALTER NAVAL UNDERSEA MED INSTITUTE	2,300	2,300
TOTAL, CONNECTICUT	20,600	24,260
DELAWARE		
AIR NATIONAL GUARD		
NEW CASTLE AIRPORT		
REPLACE SQUADRON OPS/AEROMED EVAC FACILITY	---	7,000
DISTRICT OF COLUMBIA		
DEFENSE-WIDE		
BOLLING AFB		
RECONFIGURATION DIAC	7,000	7,000
NAVAL RESERVE		
NAVAL AIR FACILITY, WASHINGTON, DC (ANDREWS AFB)		
BACHELOR ENLISTED QUARTERS	4,640	4,640
TOTAL, DISTRICT OF COLUMBIA	11,640	11,640
FLORIDA		
NAVY		
JACKSONVILLE NAVAL AIR STATION		
ORDNANCE LOADING APRON	1,330	1,330
TACTICAL SUPPORT CENTER	2,150	2,150
MAYPORT NAVAL STATION		
PIER IMPROVEMENTS	---	17,940
WHITING FIELD NAVAL AIR STATION		
RUNWAY UPGRADES	---	1,300
AIR FORCE		
EGLIN AFB AUXILIARY FIELD 9 (HURLBURT FIELD)		
DORMITORY	6,470	6,470
MACDILL AFB		
CHILD DEVELOPMENT CENTER	---	3,350
EDUCATION CENTER AND LIBRARY	---	4,750
REMEDIATE SMALL ARMS RANGE	1,543	1,543
DEFENSE-WIDE		
EGLIN AFB AUXILIARY FIELD 9 (HURLBURT FIELD)		
SECURITY IMPROVEMENTS	2,450	2,450
SQUADRON OPERATIONS/AMU AC-130	6,100	6,100
NAS JACKSONVILLE		
REPLACE FUEL TANKAGE	9,800	9,800
PENSACOLA NAVAL AIR STATION		
MEDICAL CLINIC ADDITION (NAMI)	2,750	2,750
TOTAL, FLORIDA	32,593	59,933
GEORGIA		
ARMY		
FORT GORDON		
WHOLE BARRACKS COMPLEX RENEWAL	22,000	22,000
FORT STEWART (HUNTER ARMY AIR FIELD)		
WHOLE BARRACKS COMPLEX RENEWAL (PHASE I)	---	11,500
AIR FORCE		
MOODY AFB		
HH-60 RESCUE OPERATIONS FACILITY	---	6,800
ROBINS AFB		
JSTARS - ADD/ALTER SUPPLY WAREHOUSE	2,538	2,538
JSTARS - ADD/ALTER UTILITIES	1,891	1,891
JSTARS - ADD/ALTER WING COMMAND POST	498	498
JSTARS - AGE STORAGE/SHOP FACILITY	5,972	5,972
JSTARS - AIRCRAFT MAINTENANCE HANGAR	7,764	7,764
PHYSICAL FITNESS CENTER	---	9,100

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
FORT BENNING		
BATTALION AND COMPANY OPERATIONS FACILITY	9,814	9,814
FORT STEWART/HUNTER ARMY AIRFIELD		
COMPANY OPERATIONS FACILITY	2,500	2,500
ROBINS AIR FORCE BASE		
ADD/ALTER AMBULATORY HEALTH CARE CENTER	19,000	19,000
AIR NATIONAL GUARD		
ROBINS AFB		
B-1 AIRCRAFT ORGANIZATIONAL MAINTENANCE SHOPS	520	520
B-1 COMPOSITE SQUADRON OPERATIONS COMPLEX	5,300	5,300
B-1 POWER CHECK PAD AND SOUND SUPPRESSER	1,000	1,000
TOTAL, GEORGIA	78,797	106,197
HAWAII		
ARMY		
SCHOFIELD BARRACKS		
WHOLE BARRACKS COMPLEX RENEWAL	44,000	44,000
NAVY		
FORT DERUSSEY		
ASIAN PACIFIC CENTER	---	9,500
KANEOHE BAY MARINE CORPS AIR STATION		
BACHELOR ENLISTED QUARTERS	19,000	19,000
PEARL HARBOR NAVAL STATION		
OILY WASTE COLLECTION TREATMENT FACILITY	25,000	25,000
WAHIAWA NAVAL COMMUNICATION AREA MASTER STA EASTPAC		
FITNESS CENTER ADDITION AND RENOVATION	3,900	3,900
DEFENSE-WIDE		
PEARL HARBOR (FORD ISLAND)		
DFAS - REGIONAL FINANCE CENTER	10,000	10,000
PEARL HARBOR NS		
ADVANCED SEAL DELIVERY SYSTEM FACILITY (PHASE II)	---	7,400
ARMY NATIONAL GUARD		
BELLOWS AFB		
ADD/ALTER ADMINISTRATIVE TRAINING FACILITY	---	5,232
WHEELER ARMY AIRFIELD (WAHIAWA)		
AVIATION, FIXED WING HANGAR	2,100	2,100
TOTAL, HAWAII	104,000	126,132
IDAHO		
AIR FORCE		
MOUNTAIN HOME AFB		
B-1B ARMAMENT SHOP	2,688	2,688
B-1B AVIONICS BLDG	---	9,200
B-1B DORMITORY	8,959	8,959
B-1B SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT	6,072	6,072
F-15C SQUADRON OPERATIONS FACILITY	---	3,750
AIR NATIONAL GUARD		
BOISE AIR TERMINAL (GOWEN FIELD)		
C-130 COMPOSITE HANGAR AND MAINTENANCE SHOPS	12,000	12,000
C-130 SQUADRON OPERATIONS/AERIAL PORT TRAINING FAC	---	8,800
TOTAL, IDAHO	29,719	51,469
ILLINOIS		
NAVY		
GREAT LAKES NAVAL HOSPITAL		
BACHELOR ENLISTED QUARTERS (PHASE II)	5,200	5,200
GREAT LAKES NAVAL TRAINING CENTER		
BACHELOR ENLISTED QUARTERS	26,690	26,690
COMBAT TRAINING POOL	9,930	9,930
FIRE STATION	2,600	2,600
RECREATION CENTER	2,000	2,000
TOTAL, ILLINOIS	46,420	46,420

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
INDIANA		
ARMY		
CRANE ARMY AMMUNITION ACTIVITY		
AMMUNITION CONTAINERIZATION COMPLEX (PHASE I).....	7,700	7,700
NAVY		
CRANE NAVAL SURFACE WARFARE CENTER		
CHEM-BIO WARFARE DETECTION CENTER.....	---	4,120
ARMY NATIONAL GUARD		
CAMP ATTERBURY RESERVE FORCES TRNG AREA (EDINBURGH)		
MULTI-PURPOSE TRAINING RANGE (MPTR).....	10,229	10,229
AIR FORCE RESERVE		
GRISSOM AIR RESERVE BASE		
BASE CIVIL ENGINEER COMPLEX.....	---	8,913
TOTAL, INDIANA.....	17,929	30,962
IOWA		
ARMY NATIONAL GUARD		
CAMP DODGE (JOHNSTON)		
BATALLION COMPLEX (PHASE IV).....	4,529	4,529
TOTAL, IOWA.....	4,529	4,529
KANSAS		
ARMY		
FORT LEAVENWORTH		
U.S. DISCIPLINARY BARRACKS (PHASE I).....	63,000	20,000
FORT RILEY		
CLOSE COMBAT TACTICAL TRAINER BUILDING.....	7,300	7,300
WHOLE BARRACKS COMPLEX RENEWAL.....	18,500	18,500
AIR FORCE		
MCCONNELL AFB		
ADD/ALTER CHILD DEVELOPMENT CENTER.....	---	5,000
KC-135 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT #3.	6,669	6,669
TRANSPORTATION COMPLEX.....	---	2,850
ARMY NATIONAL GUARD		
IOLA		
ADD/ALTER READINESS CENTER.....	1,454	1,454
AIR NATIONAL GUARD		
MCCONNELL AFB		
ALTER BASE CIVIL ENGINEER MAINTENANCE SHOP.....	---	2,000
TOTAL, KANSAS.....	96,923	63,773
KENTUCKY		
ARMY		
FORT CAMPBELL		
EDUCATION CENTER (PHASE II).....	---	6,700
TACTICAL EQUIPMENT SHOP (PHASE II).....	---	9,900
WHOLE BARRACKS COMPLEX RENEWAL.....	37,000	37,000
FORT KNOX		
QUALIFICATION TRAINING RANGE (QTR).....	---	7,200
WHOLE BARRACKS COMPLEX RENEWAL.....	22,000	22,000
DEFENSE-WIDE		
FORT CAMPBELL		
CONSOLIDATED TROOP MEDICAL/DENTAL CLINIC.....	13,600	13,600
ARMY NATIONAL GUARD		
GREENVILLE		
WEST KENTUCKY TRAINING RANGE (PHASE III).....	---	3,639
TOTAL, KENTUCKY.....	72,600	100,039
LOUISIANA		
AIR FORCE		
BARKSDALE AFB		
CONVENTIONAL AIR LAUNCH CRUISE MISSILE INTEGRATED MAINTENANCE COMPLEX.....	11,148	11,148
CONVENTIONAL AIR LAUNCH CRUISE MISSILE STORAGE IGLOOS.....	8,262	8,262
ARMY NATIONAL GUARD		
CAMP BEAUREGARD		
MULTIPURPOSE MACHINE GUN RANGE.....	---	1,292
JACKSON BARRACKS (NEW ORLEANS)		
ORGANIZATIONAL MAINTENANCE SHOP (OMS).....	1,516	1,516

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
NEW ORLEANS NAVAL AIR STATION		
BASE CIVIL ENGINEER AND COMMUNICATIONS COMPLEX....	---	5,900
NAVAL RESERVE		
NEW ORLEANS NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS (PHASE II).....	---	4,520
PHYSICAL FITNESS FACILITY.....	---	3,550
TOTAL, LOUISIANA.....	20,926	36,188
MAINE		
AIR NATIONAL GUARD		
BANGOR IAP		
UPGRADE BASE FACILITIES.....	---	6,500
MARYLAND		
NAVY		
PATUXENT RIVER NAVAL AIR WARFARE CENTER/AIRCRAFT DIV		
ADVANCED SYSTEM INTEGRATION FACILITY (PHASE V)....	9,000	9,000
ST INIGOES NAVAL ELEC SYSTEMS ENGINEERING ACTIVITY		
MAINTENANCE HANGAR.....	---	2,610
DEFENSE-WIDE		
FORT DETRICK		
HEALTH/DENTAL CLINIC.....	4,650	4,650
FOREST GLEN (WALTER REED ARMY INSTITUTE OF RESEARCH)		
ARMY INSTITUTE OF RESEARCH (PHASE V).....	20,000	20,000
FORT MEADE		
FANX III PURCHASE.....	25,200	25,200
VEHICLE AND CARGO INSPECTION FACILITY.....	4,000	3,900
VISITOR CONTROL CENTERS.....	600	600
ARMY NATIONAL GUARD		
ANNAPOLIS		
ADD/ALTER READINESS CENTER.....	---	2,947
TOTAL, MARYLAND.....	63,450	68,907
MASSACHUSETTS		
DEFENSE-WIDE		
WESTOVER ARB		
JET FUEL STORAGE COMPLEX.....	4,700	4,700
AIR NATIONAL GUARD		
BARNES ANGB		
REPLACE DINING HALL.....	---	3,050
NAVAL RESERVE		
WESTOVER ARB		
BUILDING RENOVATION.....	---	4,090
AIR FORCE RESERVE		
WESTOVER ARB		
FIRE TRAINING FACILITY.....	1,800	1,800
TOTAL, MASSACHUSETTS.....	6,500	13,640
MICHIGAN		
ARMY NATIONAL GUARD		
AUGUSTA		
READINESS CENTER.....	---	6,356
AIR NATIONAL GUARD		
ALPENA COUNTY REGIONAL AIRPORT (ALPENA)		
AIRCREW COMBAT TRAINING SYSTEM RANGE SUPPORT AND RADAR APPROACH CONTROL FACILITY.....	5,000	5,000
SELFRIDGE AGB		
REPLACE VEHICLE MAINT/COMMUNICATIONS COMPLEX.....	---	9,000
TOTAL, MICHIGAN.....	5,000	20,356
MINNESOTA		
AIR NATIONAL GUARD		
MINNEAPOLIS-ST PAUL INTERNATIONAL AIRPORT		
REPLACE BASE CIVIL ENGINEER MAINTENANCE COMPLEX...	---	4,600
VEHICLE WASH FACILITY.....	360	360
AIR FORCE RESERVE		
MINNEAPOLIS-ST PAUL INTERNATIONAL AIRPORT		
ADD/ALTER AIRCRAFT CORROSION CONTROL FACILITY.....	1,550	1,550
TOTAL, MINNESOTA.....	1,910	6,510

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
MISSISSIPPI		
NAVY		
GULFPORT		
MERIDIAN NAVAL AIR STATION		
RENOVATE THREE BACHELOR ENLISTED QUARTERS	---	7,050
AIR FORCE		
KEESLER AFB		
STUDENT DORMITORIES	30,855	30,855
DEFENSE-WIDE		
MISSISSIPPI ARMY AMMUNITION PLANT		
OPERATION AND MAINTENANCE FACILITY	---	9,900
ARMY NATIONAL GUARD		
SENATOBIA		
READINESS CENTER	---	4,425
AIR NATIONAL GUARD		
GULFPORT-BILOXI REGIONAL AIRPORT		
REGIONAL FIRE TRAINING FACILITY	900	900
REPLACE TROOP TRAINING QUARTERS/DINING HALL	---	9,500
KEY FIELD		
REGIONAL KC-135 SIMULATION TRAINING FACILITY	---	2,000
REPLACE DINING HALL	---	3,200
TOTAL, MISSISSIPPI	31,755	67,830
MISSOURI		
ARMY		
FORT LEONARD WOOD		
FIRE STATION	---	3,200
AIR FORCE		
WHITEMAN AFB		
B-2 AIRCRAFT MAINTENANCE DOCKS	17,419	17,419
ARMY NATIONAL GUARD		
MACON		
ARMORY	---	3,210
TOTAL, MISSOURI	17,419	23,829
MONTANA		
AIR FORCE		
MALMSTROM AFB		
ADD/ALTER AIRMEN DINING FACILITY	---	4,500
ARMY NATIONAL GUARD		
BILLINGS		
ARMED FORCES RESERVE CENTER	---	14,950
TOTAL, MONTANA	---	19,450
NEVADA		
AIR FORCE		
NELLIS AFB		
MUNITIONS MAINTENANCE FACILITY	---	1,950
AIR NATIONAL GUARD		
RENO/TAHOE IAP		
C-130 AERIAL PORT	---	2,950
TOTAL, NEVADA	---	4,900
NEW JERSEY		
ARMY		
FORT MONMOUTH		
FIRE STATION	---	2,050
AIR FORCE		
MCGUIRE AFB		
AIR MOBILITY GROUP (AMOG) WAREHOUSE	9,954	9,954
FIRE STATION	---	8,800
DEFENSE-WIDE		
MCGUIRE AFB		
AMBULATORY HEALTH CARE CENTER REPLACEMENT	35,217	35,217
TOTAL, NEW JERSEY	45,171	56,021

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NEW MEXICO		
ARMY		
WHITE SANDS MISSILE RANGE		
LAUNCH COMPLEX REVITALIZATION	---	6,900
NATIONAL RANGE CONTROL CENTER (PHASE II)	18,000	18,000
AIR FORCE		
KIRTLAND AFB		
FLIGHT SIMULATION TRAINING FACILITY	---	14,000
REPLACE MANZANO BRIDGE	---	6,300
DEFENSE-WIDE		
HOLLOMAN AFB		
DENTAL CLINIC REPLACEMENT	3,000	3,000
TOTAL, NEW MEXICO	21,000	48,200
NEW YORK		
ARMY		
FORT DRUM		
AERIAL GUNNERY RANGE (PHASE I)	---	9,000
MILITARY TRAINING AND EDUCATION CENTER	---	6,900
AIR NATIONAL GUARD		
SCHENECTADY COUNTY AIRPORT		
FUEL CELL AND CORROSION CONTROL HANGAR	5,700	5,700
STRATTON ANGB (SCHENECTADY)		
COMPOSITE SUPPORT COMPLEX	---	7,500
AIR FORCE RESERVE		
NIAGARA FALLS IAP		
CONSOLIDATED TRAINING FACILITY	---	2,100
TOTAL, NEW YORK	5,700	31,200
NORTH CAROLINA		
ARMY		
FORT BRAGG		
MOUT TRAINING COMPLEX (PHASE I)	---	7,900
UPGRADE TWO BARRACKS IN AREA D	---	9,800
NAVY		
CHERRY POINT MARINE CORPS AIR STATION		
OPERATIONS AND MAINTENANCE FACILITIES	8,800	8,800
NEW RIVER MARINE CORPS AIR STATION		
AVIATION MAINTENANCE TRAINING FACILITY	6,600	6,600
BACHELOR ENLISTED QUARTERS	10,600	10,600
TACTICAL SUPPORT VAN PADS	2,700	2,700
AIR FORCE		
POPE AFB		
DORMITORIES	8,356	8,356
FAMILY SERVICES CENTER	---	2,600
DEFENSE-WIDE		
FORT BRAGG		
ELECTRONICS MAINTENANCE FACILITY	1,000	1,000
SECURITY UPGRADES	500	500
SOF MEDICAL TRAINING BARRACKS	---	8,300
AIR NATIONAL GUARD		
CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT		
ALTER FUEL SYSTEMS MAINTENANCE AND CORROSION CONTROL FACILITY	2,550	2,550
TOTAL, NORTH CAROLINA	41,106	69,706
NORTH DAKOTA		
AIR FORCE		
GRAND FORKS AFB		
KC-135 ADD/ALTER FLIGHT SIMULATOR FACILITY	1,493	1,493
KC-135 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	7,067	7,067
MINOT AFB		
FIRE/CRASH RESCUE STATION	---	5,200
TOTAL, NORTH DAKOTA	8,560	13,760

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
OHIO		
AIR FORCE		
WRIGHT-PATTERSON AFB		
CHILD DEVELOPMENT CENTER	---	8,600
RENOVATE ACQUISITION SUPPORT FACILITY	10,750	10,750
DEFENSE-WIDE		
COLUMBUS CENTER		
DFAS - REGIONAL FINANCE CENTER	23,922	23,922
WRIGHT-PATTERSON AFB		
ALTER COMPOSITE MEDICAL FACILITY	2,750	2,750
AIR NATIONAL GUARD		
RICKENBACKER ANGB		
FUEL CELL AND CORROSION CONTROL FACILITY	---	5,700
SPRINGFIELD ANGB		
BASE SUPPLY COMPLEX	---	5,500
AIR FORCE RESERVE		
YOUNGSTOWN ARS		
ADD/ALTER BASE SUPPLY	2,800	2,800
ADD/ALTER MISCELLANEOUS MAINTENANCE FACILITY	1,000	1,000
ADD/ALTER SQUADRON OPERATIONS FACILITY	1,400	1,400
TOTAL, OHIO	42,622	62,422
OKLAHOMA		
ARMY		
FORT SILL		
WHOLE BARRACKS COMPLEX RENEWAL	---	8,000
AIR FORCE		
ALTUS AFB		
LAND PURCHASE CLEAR ZONE	---	11,000
TINKER AFB		
B-2 ADD/ALTER SOFTWARE MAINTENANCE FACILITY	9,655	9,655
VANCE AFB		
BASE ENGINEERING COMPLEX	---	7,700
AIR NATIONAL GUARD		
WILL ROGERS WORLD AIRPORT (OKLAHOMA CITY)		
REPLACE AEROMEDICAL EVACUATION TRAINING FACILITY	---	3,100
TOTAL, OKLAHOMA	9,655	39,455
OREGON		
DEFENSE-WIDE		
UMATILLA CHEMICAL DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE III)	57,427	57,427
AIR NATIONAL GUARD		
KLAMATH FALLS INTERNATIONAL AIRPORT		
VEHICLE REFUELING SHOP AND PAINT BAY	520	520
TOTAL, OREGON	57,947	57,947
PENNSYLVANIA		
DEFENSE-WIDE		
DEFENSE DISTRIBUTION DEPOT (NEW CUMBERLAND)		
ADDITION TO DISTRIBUTION CENTER	15,500	15,500
ARMY RESERVE		
OAKDALE		
US ARMY RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/AREA MAINTENANCE SUPPORT ACTIVITY (PHASE I)	---	6,000
NAVAL RESERVE		
JOHNSTOWN		
RESERVE HANGAR AND TRAINING CENTER	---	13,980
TOTAL, PENNSYLVANIA	15,500	35,480
RHODE ISLAND		
NAVY		
NEWPORT NAVAL UNDERSEA WARFARE CENTER DIVISION		
UNDERWATER WEAPON SYSTEM LABORATORY	8,900	8,900
AIR NATIONAL GUARD		
QUONSET STATE AIRPORT (N KINGSTON)		
ADD TO FUEL SYSTEM/CORROSION CONTROL MAINTENANCE FACILITY	355	355
TOTAL, RHODE ISLAND	9,255	9,255

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
SOUTH CAROLINA		
ARMY		
CHARLESTON NAVAL WEAPONS STATION		
ARMY STRATEGIC MAINTENANCE COMPLEX (PHASE III)....	7,700	7,700
NAVY		
BEAUFORT MARINE CORPS AIR STATION		
BACHELOR ENLISTED QUARTERS.....	---	15,330
COMBAT VEHICLE MAINTENANCE SHOP.....	---	2,400
PARRIS ISLAND MARINE CORPS RECRUIT DEPOT		
INDOOR SIMULATOR MARKSMANSHIP TRAINING FACILITY...	3,200	3,200
AIR FORCE		
SHAW AFB		
INFORMATION WARFARE SQUADRON OPERATIONS FACILITY..	6,072	6,072
ARMY NATIONAL GUARD		
LEESBURG TRAINING SITE (EASTOVER)		
REGIONAL SIMULATION CENTER.....	---	3,823
AIR NATIONAL GUARD		
MCENTIRE ANGB		
DINING FACILITY/JOINT MEDICAL TRAINING FACILITY...	---	7,000
ADD/ALTER FUEL CELL AND CORROSION CONTROL FACILITY	1,500	1,500
TOTAL, SOUTH CAROLINA.....	18,472	47,025
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
FIRE/CRASH RESCUE STATION.....	---	6,600
ARMY NATIONAL GUARD		
RAPID CITY		
AVIATION SUPPORT FACILITY.....	---	5,200
TOTAL, SOUTH DAKOTA.....	---	11,800
TENNESSEE		
AIR FORCE		
ARNOLD AFB		
ATMOSPHERIC AIR DRYER FACILITY.....	---	9,900
WASTEWATER TREATMENT FACILITY.....	10,750	10,750
DEFENSE-WIDE		
MILLINGTON NAVAL AIR STATION		
DFAS - REGIONAL FINANCE CENTER.....	6,906	6,906
AIR NATIONAL GUARD		
NASHVILLE METRO AIRPORT		
REPLACE BASE CIVIL ENGINEER MAINTENANCE COMPLEX...	---	3,350
ARMY RESERVE		
KNOXVILLE		
USARC/OMS/AMSA.....	---	7,941
TOTAL, TENNESSEE.....	17,656	38,847
TEXAS		
ARMY		
FORT BLISS		
AMMUNITION SUPPLY POINT EXPANSION (PHASE II).....	---	7,700
FORT HOOD		
FORCE XXI SOLDIER DEVELOPMENT SCHOOL (PHASE I)....	---	12,800
FORT SAM HOUSTON		
WHOLE BARRACKS COMPLEX RENEWAL.....	16,000	16,000
NAVY		
CORPUS CHRISTI NAVAL AIR STATION		
BOILER PLANT REPLACEMENT.....	---	800
AIR FORCE		
DYESS AFB		
B-1 SQUADRON OPS/AIRCRAFT MAINTENANCE UNIT.....	---	10,000
LAUGHLIN AFB		
CORROSION CONTROL FACILITY.....	---	4,800
RANDOLPH AFB		
JOINT PRIMARY AIRCRAFT TRAINING SYSTEM - ADD/ALTER VARIOUS FACILITIES.....	2,488	2,488
DEFENSE-WIDE		
LACKLAND AFB		
BLOOD DONOR CENTER.....	3,000	3,000
ARMY NATIONAL GUARD		
SAN ANTONIO		
ORGANIZATIONAL MAINTENANCE SHOP (OMS).....	2,475	2,475

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, TEXAS	23,963	60,063
UTAH		
AIR FORCE		
HILL AFB		
PEACEKEEPER STORAGE FACILITIES	6,470	6,470
DEFENSE-WIDE		
HILL AFB		
CLINIC ADDITION	3,100	3,100
ARMY NATIONAL GUARD		
OREM		
READINESS CENTER	5,746	5,746
RICHFIELD		
ORGANIZATIONAL MAINTENANCE SHOP	1,045	1,045
AIR NATIONAL GUARD		
SALT LAKE CITY INTERNATIONAL AIRPORT		
VEHICLE WASHING AND CORROSION CONTROL FACILITY	460	460
ARMY RESERVE		
CAMP WILLIAMS		
USARC/OMS	---	12,714
TOTAL, UTAH	16,821	29,535
VERMONT		
ARMY NATIONAL GUARD		
CAMP JOHNSON		
COMBINED SUPPORT MAINTENANCE SHOP	---	6,719
VIRGINIA		
ARMY		
CHARLOTTESVILLE		
NATIONAL GROUND INTELLIGENCE CENTER PLANNING AND DESIGN	3,100	---
FT A P HILL		
CENTRAL VEHICLE WASH FACILITY	5,400	5,400
FORT MYER		
WHOLE BARRACKS COMPLEX RENEWAL	8,200	8,200
FORT STORY		
POST CHAPEL	---	2,000
NAVY		
DAHLGREN NAVAL SURFACE WARFARE CENTER DIVISION		
AEGIS COMBAT SYSTEM SUPPORT FACILITY	6,600	6,600
ELECTRICAL WARFARE INTEGRATED FACILITY ADDITION	7,320	7,320
OPERATIONS AND MAINTENANCE TRNG FACILITY ADDITION	6,560	6,560
DAM NECK FLEET COMBAT TRAINING CENTER (ATLANTIC)		
BACHELOR ENLISTED QUARTERS RENOVATION	7,000	7,000
LITTLE CREEK NAVAL AMPHIBIOUS BASE		
LANDING CRAFT AIR CUSHION COMPLEX (PHASE IV)	8,685	8,685
NORFOLK NAVAL AIR STATION		
AIR OPERATIONS BUILDING	---	4,000
AIR PASSENGER TERMINAL	14,240	14,240
NORFOLK NAVAL STATION		
CONSOLIDATED SUPPORT CENTER	6,100	6,100
DEPERMING PIERS	12,750	12,750
NORFOLK NAVAL SHIPYARD		
OILY WASTE COLLECTION SYSTEM	9,500	9,500
WATERFRONT IMPROVEMENTS	---	19,910
OCEANA NAVAL AIR STATION		
AIR OPERATIONS CONTROL TOWER	2,100	2,100
BACHELOR ENLISTED QUARTERS REPLACEMENT	20,900	20,900
JET ENGINE TEST CELL	5,000	5,000
YORKTOWN NAVAL WEAPONS STATION		
GYMNASIUM	5,400	5,400
TOMAHAWK MAGAZINE	---	3,290
TORPEDO MAGAZINE	5,857	5,857
AIR FORCE		
LANGLEY AFB		
FIRE STATION (PHASE II)	4,031	4,031

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
CINCLANTFLT NORFOLK		
DFAS - REGIONAL FINANCE CENTER	12,800	12,800
DEF FUEL SUPPORT POINT CRANEY ISLAND		
REPLACE FUEL TANKAGE	22,100	22,100
DEFENSE DISTRIBUTION DEPOT (NORFOLK)		
REPLACE GENERAL PURPOSE WAREHOUSE	16,656	16,656
DEFENSE GENERAL SUPPLY CENTER (RICHMOND)		
CHILD DEVELOPMENT CENTER	2,100	2,100
GAS CYLINDER FACILITY	3,100	3,100
FT LEE		
DEFENSE COMMISSARY AGENCY HEADQUARTERS ADDITION	9,300	9,300
PORTSMOUTH NAVAL HOSPITAL		
HOSPITAL REPLACEMENT (PHASE IX)	---	17,000
QUANTICO MARINE CORPS BASE		
MEDICAL/DENTAL CLINIC REPLACEMENT	19,000	19,000
TOTAL, VIRGINIA	223,799	266,899
WASHINGTON		
ARMY		
FORT LEWIS		
TANK TRAIL EROSION MITIGATION (YAKIMA) (PHASE III)	2,000	2,000
WHOLE BARRACKS COMPLEX RENEWAL	31,000	31,000
NAVY		
BREMERTON PUGET SOUND NAVAL SHIPYARD		
CHILD DEVELOPMENT CENTER	4,400	4,400
WHIDBEY ISLAND NAVAL AIR STATION		
ELECTRONIC WARFARE TRAINING FACILITY	1,100	1,100
AIR FORCE		
FAIRCHILD AFB		
ADD/ALTER FIRE STATION	---	4,750
EDUCATION CENTER/LIBRARY	---	8,200
KC-135 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	7,366	7,366
MCCHORD AFB		
C-17 ALTER MAINTENANCE HANGARS	6,470	6,470
C-17 ENGINE TEST CELL FACILITY	3,185	---
DEFENSE-WIDE		
EVERETT NAVAL STATION		
MEDICAL/DENTAL CLINIC	7,500	7,500
FORT LEWIS		
TROOP MEDICAL CLINIC	---	5,000
AIR NATIONAL GUARD		
FAIRCHILD AFB		
UPGRADE KC-135 FLIGHTLINE FACILITIES	---	9,500
TOTAL, WASHINGTON	63,021	87,286
WEST VIRGINA		
ARMY NATIONAL GUARD		
CAMP DAWSON		
ARMED FORCES RESERVE CENTER	---	6,828
WISCONSIN		
DEFENSE-WIDE		
TRUAX FIELD (MADISON)		
JET FUEL STORAGE COMPLEX	4,500	4,500
ARMY NATIONAL GUARD		
HAYWARD		
ORGANIZATIONAL MAINTENANCE SHOP (OMS)	2,900	2,900
ARMY RESERVE		
FORT MCCOY (SPARTA)		
ARMY RESERVE READINESS TRAINING CENTER (PHASE II)	14,856	14,856
COMBAT PISTOL RANGE	1,500	1,500
ELECTRIC POWER TO RANGES	2,611	2,611
MODIFIED RECORD FIRE RANGE	1,973	1,973
AIR FORCE RESERVE		
MITCHELL ARS (MILWAUKEE)		
AERIAL PORT TRAINING FACILITY	---	4,200

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, WISCONSIN	28,340	32,540
CONUS CLASSIFIED		
ARMY		
CLASSIFIED LOCATIONS		
CLASSIFIED PROJECT	6,500	6,500
AIR FORCE		
CLASSIFIED LOCATION		
SPECIAL TACTICAL UNIT DETACHMENT FACILITY	1,875	1,875
VISITOR CONTROL CENTER AND SECURITY UPGRADE	4,300	4,300
TOTAL, CONUS CLASSIFIED	12,675	12,675
BAHRAIN ISLAND		
NAVY		
ADMINISTRATIVE SUPPORT UNIT (SOUTHWEST ASIA)		
BACHELOR ENLISTED QUARTERS	25,000	25,000
UTILITIES UPGRADE	5,100	5,100
TOTAL, BAHRAIN ISLAND	30,100	30,100
GERMANY		
ARMY		
KATTERBACH KASERNE (ANSBACH)		
WHOLE BARRACKS COMPLEX RENEWAL	22,000	22,000
TOMPKINS BARRACKS (HEIDELBERG)		
WHOLE BARRACKS COMPLEX RENEWAL	8,800	8,800
RHINE ORDNANCE BARRACKS (KAISERSLAUTERN)		
WHOLE BARRACKS COMPLEX RENEWAL	6,000	6,000
TAYLOR BARRACKS (MANNHEIM)		
WHOLE BARRACKS COMPLEX RENEWAL	6,200	6,200
AIR FORCE		
SPANGDAHLEM AB		
DORMITORIES	18,500	18,500
TOTAL, GERMANY	61,500	61,500
GUAM		
NAVY		
NAVAL COMPUTER AND TELECOMMUNICATIONS AREA MASTER STATION (WESTERN PACIFIC)		
FIRE PROTECTION SYSTEM IMPROVEMENTS	4,050	4,050
DEFENSE-WIDE		
ANDERSEN AFB		
REPLACE FUEL PIPELINE	16,000	16,000
TOTAL, GUAM	20,050	20,050
ITALY		
NAVY		
NAPLES NAVAL SUPPORT ACTIVITY		
AIR PASSENGER TERMINAL	8,200	8,200
SIGONELLA NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS REPLACEMENT	21,440	21,440
AIR FORCE		
AVIANO AB		
ROADS/UTILITIES SYSTEM	7,320	7,320
WASTEWATER DISPOSAL SYSTEM AREAS	7,900	7,900
TOTAL, ITALY	44,860	44,860
KOREA		
ARMY		
CAMP CASEY		
WHOLE BARRACKS COMPLEX RENEWAL	5,100	5,100
EASTERN CORRIDOR (CAMP CASTLE)		
WHOLE BARRACKS COMPLEX RENEWAL	8,400	8,400
CAMP HUMPHREYS		
WHOLE BARRACKS COMPLEX RENEWAL	32,000	32,000
CAMP RED CLOUD		
WHOLE BARRACKS COMPLEX RENEWAL	23,600	23,600
COMBINED FIELD ARMY (CAMP STANLEY)		
WHOLE BARRACKS COMPLEX RENEWAL	7,000	7,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
KUNSAN AB		
DORMITORY	8,325	8,325
FIRE TRAINING FACILITY	2,000	2,000
OSAN AB		
DORMITORY	11,100	---
TOTAL, KOREA	97,525	86,425
KWAJALEIN		
DEFENSE-WIDE		
US ARMY KWAJALEIN ATOLL (USAKA)		
CONSTRUCT/ALTER THEATER HIGH ALTITUDE AREA DEFENSE (THAAD) TEST FACILITIES	4,565	---
PORTUGAL		
AIR FORCE		
LAJES FIELD (AZORES)		
WATER TREATMENT PLANT	4,800	4,800
PUERTO RICO		
NAVY		
ROOSEVELT ROADS NAVAL STATION		
BACHELOR ENLISTED QUARTERS	24,100	24,100
SPAIN		
DEFENSE-WIDE		
MORON AIR BASE		
REPLACE HYDRANT FUEL SYSTEM (PHASE II)	14,400	---
UNITED KINGDOM		
NAVY		
ST MAWGAN JOINT MARITIME FACILITY		
RELIGIOUS EDUCATION FACILITY	2,330	2,330
AIR FORCE		
ROYAL AIR FORCE LAKENHEATH		
DORMITORIES	11,400	11,400
TOTAL, UNITED KINGDOM	13,730	13,730
OVERSEAS CLASSIFIED		
AIR FORCE		
CLASSIFIED - OVERSEAS		
SPACED BASED INFRARED SYSTEM (SBIRS) - RELAY GROUND STATION (PACIFIC)	7,600	7,600
SPACED BASED INFRARED SYSTEM (SBIRS) - RELAY GROUND STATION (ATLANTIC)	6,400	6,400
OVERSEAS CLASSIFIED		
INTOWN WAREHOUSE	1,800	1,800
OPERATIONS BUILDING EXPANSION	12,200	12,200
WAR READINESS MATERIAL WAREHOUSE	2,000	---
WAR READINESS MATERIAL COMMUNICATIONS MAINTENANCE SHOP/MANAGEMENT FACILITY	1,100	1,100
TOTAL, OVERSEAS CLASSIFIED	31,100	29,100
NATO		
NATO SECURITY INVESTMENT PROGRAM	176,300	152,600
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION SUPPORT	20,000	15,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
PLANNING AND DESIGN	43,477	50,577
UNSPECIFIED MINOR CONSTRUCTION	6,000	7,400
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	42,489	46,489
UNSPECIFIED MINOR CONSTRUCTION	9,960	11,460
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	40,880	44,880
UNSPECIFIED MINOR CONSTRUCTION	8,545	8,545
REDUCTION FOR PRIOR YEAR SAVINGS	-23,858	---
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
ENERGY CONSERVATION IMPROVEMENT PROGRAM	25,000	25,000
CONTINGENCY CONSTRUCTION	9,844	4,000
PLANNING AND DESIGN		
BALLISTIC MISSILE DEFENSE ORGANIZATION	540	540
CHEMICAL DEMILITARIZATION PROGRAM	9,200	9,200
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,400	1,400
DEFENSE LEVEL ACTIVITIES	30,300	16,000
DEFENSE MEDICAL SUPPORT ACTIVITY	10,500	18,000
SPECIAL OPERATIONS COMMAND	3,710	3,710
SUBTOTAL, PLANNING AND DESIGN	55,650	48,850
UNSPECIFIED MINOR CONSTRUCTION		
SPECIAL OPERATIONS COMMAND	4,100	4,100
BALLISTIC MISSILE DEFENSE ORGANIZATION	1,965	1,965
DEFENSE LEVEL ACTIVITIES	3,000	3,000
DEFENSE MEDICAL SUPPORT ACTIVITY	7,958	7,958
DOD DEPENDENT SCHOOLS	2,000	2,818
JOINT CHIEFS OF STAFF	6,234	6,234
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	25,257	26,075
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	2,800	6,031
UNSPECIFIED MINOR CONSTRUCTION	6,698	7,498
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	7,029	10,029
UNSPECIFIED MINOR CONSTRUCTION	4,231	8,800
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	5,100	5,600
REDUCTION FOR PRIOR YEAR SAVINGS	-7,900	---
NAVAL RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	2,527	3,105
UNSPECIFIED MINOR CONSTRUCTION	650	650
AIR FORCE RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	1,516	2,016
UNSPECIFIED MINOR CONSTRUCTION	4,464	4,464
TOTAL, WORLDWIDE UNSPECIFIED	290,359	336,469
WORLDWIDE VARIOUS		
ARMY		
OVERSEAS VARIOUS LOCATIONS		
STRATEGIC LOGISTICAL PREPOSITIONING COMPLEX (PHASE III)	37,000	37,000
DEFENSE-WIDE		
VARIOUS LOCATIONS		
POLLUTION ABATEMENT FACILITIES (CONFORMING STORAGE)	11,275	11,275
TOTAL, WORLDWIDE VARIOUS	48,275	48,275

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, ARMY		
ARIZONA		
FORT HUACHUCA (55 UNITS)	---	8,000
FLORIDA		
MIAMI (US SOUTHERN COMMAND HEADQUARTERS) (8 UNITS)	2,300	---
HAWAII		
SCHOFIELD BARRACKS (132 UNITS)	26,600	26,600
MARYLAND		
FORT MEADE (56 UNITS)	7,900	7,900
NEW JERSEY		
PICATINNY ARSENAL (35 UNITS)	---	7,300
NORTH CAROLINA		
FORT BRAGG (142 UNITS)	16,800	16,800
FORT BRAGG (32 UNITS)	3,350	3,350
TEXAS		
FORT BLISS (91 UNITS)	12,900	12,900
FORT HOOD (130 UNITS)	18,800	18,800
CONSTRUCTION IMPROVEMENTS	44,800	86,100
PLANNING AND DESIGN	9,550	9,550
SUBTOTAL, CONSTRUCTION	143,000	197,300
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	47,404	47,404
MANAGEMENT ACCOUNT	80,089	80,089
MISCELLANEOUS ACCOUNT	327	327
SERVICES ACCOUNT	52,936	52,936
UTILITIES ACCOUNT	265,732	257,363
LEASING	234,053	234,053
MAINTENANCE OF REAL PROPERTY	468,393	468,393
SUBTOTAL, OPERATION AND MAINTENANCE	1,148,934	1,140,565
INTEREST PAYMENTS	3	3
TOTAL, FAMILY HOUSING, ARMY	1,291,937	1,337,868
FAMILY HOUSING, NAVY		
CALIFORNIA		
CAMP PENDLETON MARINE CORPS BASE (171 UNITS)	22,518	22,518
LEMOORE NAVAL AIR STATION (128 UNITS)	23,226	23,226
MARINE CORPS AIR STATION (MIRAMAR) (166 UNITS)	28,881	28,881
SAN DIEGO NAVAL COMPLEX (94 UNITS)	---	13,500
TWENTYNINE PALMS MARINE CORPS AIR GROUND COMBAT CENTER (132 UNITS)	23,891	23,891
HAWAII		
PEARL HARBOR NAVAL COMPLEX (72 UNITS)	---	13,000
LOUISIANA		
NEW ORLEANS NAVAL COMPLEX (100 UNITS)	---	11,930
TEXAS		
KINGSVILLE/CORPUS CHRISTI NAVAL COMPLEX (212 UNITS)	---	22,250
WASHINGTON		
WHIDBEY ISLAND NAS (102 UNITS)	---	16,000
WORLDWIDE VARIOUS		
REDUCTION FOR PRIOR YEAR SAVINGS	-8,463	---
CONSTRUCTION IMPROVEMENTS	173,780	203,536
PLANNING AND DESIGN	15,100	15,100
SUBTOTAL, CONSTRUCTION	278,933	393,832

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	34,211	34,211
MANAGEMENT ACCOUNT	87,731	87,731
MISCELLANEOUS ACCOUNT	806	806
SERVICES ACCOUNT	66,968	66,968
UTILITIES ACCOUNT	199,776	199,776
LEASING	124,507	124,507
MAINTENANCE OF REAL PROPERTY	462,427	462,427
MORTGAGE INSURANCE PREMIUMS	78	78
SUBTOTAL, OPERATION AND MAINTENANCE	976,504	976,504
TOTAL, FAMILY HOUSING, NAVY	1,255,437	1,370,336
FAMILY HOUSING, AIR FORCE		
CALIFORNIA		
EDWARDS AFB (51 UNITS)	8,500	8,500
TRAVIS AFB (70 UNITS)	9,714	9,714
VANDENBERG AFB (108 UNITS)	17,100	17,100
DELAWARE		
DOVER AFB (HOUSING MAINTENANCE FACILITY)	831	831
DISTRICT OF COLUMBIA		
BOLLING AFB (46 UNITS)	5,100	5,100
FLORIDA		
MACDILL AFB (58 UNITS)	10,000	10,000
TYNDALL AFB (32 UNITS)	4,200	4,200
GEORGIA		
ROBINS AFB (60 UNITS)	6,800	6,800
IDAHO		
MOUNTAIN HOME AFB (60 UNITS)	11,032	11,032
KANSAS		
MCCONNELL AFB (19 UNITS)	2,951	2,951
MCCONNELL AFB (FAMILY HOUSING MANAGEMENT OFFICE)	---	581
MISSISSIPPI		
COLUMBUS AFB (50 UNITS)	6,200	6,200
KEESLER AFB (40 UNITS)	5,000	5,000
MONTANA		
MALMSTROM AFB (28 UNITS)	4,842	4,842
MALMSTROM AFB (PHASE II) (72 UNITS)	---	13,000
NEW MEXICO		
KIRTLAND AFB (180 UNITS)	20,900	20,900
NORTH DAKOTA		
GRAND FORKS AFB (42 UNITS)	7,936	7,936
TEXAS		
DYESS AFB (70 UNITS)	10,503	10,503
GOODFELLOW AFB (3 UNITS)	500	500
LACKLAND AFB (50 UNITS)	---	7,400
WYOMING		
F E WARREN AFB (52 UNITS)	6,853	6,853
CONSTRUCTION IMPROVEMENTS	102,195	123,795
PLANNING AND DESIGN	11,971	11,971
SUBTOTAL, CONSTRUCTION	253,128	295,709
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	36,427	36,427
MANAGEMENT ACCOUNT	48,712	48,712
MISCELLANEOUS ACCOUNT	5,661	5,661
SERVICES ACCOUNT	35,849	35,849
UTILITIES ACCOUNT	154,556	154,556
LEASING	116,716	116,716
MORTGAGE INSURANCE PREMIUMS	31	31
MAINTENANCE OF REAL PROPERTY	432,282	432,282
SUBTOTAL, OPERATION AND MAINTENANCE	830,234	830,234
TOTAL, FAMILY HOUSING, AIR FORCE	1,083,362	1,125,943

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, DEFENSE-WIDE		
CONSTRUCTION IMPROVEMENTS (NSA) (2 UNITS, MENWITH HILL, UNITED KINGDOM)	50	50
CONSTRUCTION IMPROVEMENTS (DLA) (48 UNITS, NEW CUMBERLAND, PA)	4,850	4,850
PLANNING AND DESIGN (DLA)	50	50
SUBTOTAL, CONSTRUCTION	4,950	4,950
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT (NSA)	126	126
FURNISHINGS ACCOUNT (DIA)	2,328	2,328
FURNISHINGS ACCOUNT (DLA)	118	118
MANAGEMENT ACCOUNT (NSA)	70	70
MANAGEMENT ACCOUNT (DLA)	235	235
MISCELLANEOUS ACCOUNT (NSA)	35	35
SERVICES ACCOUNT (NSA)	355	355
SERVICES ACCOUNT (DLA)	66	66
UTILITIES ACCOUNT (NSA)	425	425
UTILITIES ACCOUNT (DLA)	318	318
LEASING (NSA)	11,169	11,169
LEASING (DIA)	16,504	16,504
MAINTENANCE OF REAL PROPERTY (NSA)	490	490
MAINTENANCE OF REAL PROPERTY (DLA)	485	485
SUBTOTAL, OPERATION AND MAINTENANCE	32,724	32,724
TOTAL, FAMILY HOUSING, DEFENSE-WIDE	37,674	37,674
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II	116,754	116,754
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III	768,702	768,702
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV	1,175,398	1,175,398
TOTAL, BASE REALIGNMENT AND CLOSURE ACCOUNT	2,060,854	2,060,854
REVISED ECONOMIC ASSUMPTIONS (SEC. 125)	---	-108,800
GRAND TOTAL	8,383,248	9,183,248

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1998 recommended by the Committee of Conference, with comparisons to the fiscal year 1997 amount, the 1998 budget estimates, and the House and Senate bills for 1998 follow:

New budget (obligational) authority, fiscal year 1997	$9,793,309,000
Budget estimates of new (obligational) authority, fiscal year 1998	8,383,248,000
House bill, fiscal year 1998	9,183,000,000
Senate bill, fiscal year 1998	9,182,900,000
Conference agreement, fiscal year 1998	9,183,248,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1997	−610,061,000
Budget estimates of new (obligational) authority, fiscal year 1998	+800,000,000
House bill, fiscal year 1998	+248,000
Senate bill, fiscal year 1998	+348,000

RON PACKARD,
JOHN EDWARD PORTER,
DAVID L. HOBSON,
ROGER F. WICKER,
JACK KINGSTON,
MIKE PARKER,
TODD TIAHRT,
ZACH WAMP,
BOB LIVINGSTON,
W. G. (BILL) HEFNER,
JOHN W. OLVER,
CHET EDWARDS,
NORMAN D. DICKS,
STENY H. HOYER,
DAVID R. OBEY,
Managers on the Part of the House.

CONRAD BURNS,
KAY BAILEY HUTCHISON,
LAUCH FAIRCLOTH,
LARRY CRAIG,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,
Managers on the Part of the Senate.

THE JOURNAL

The SPEAKER pro tempore (Mr. CAMP). Pursuant to clause 5 of rule 1, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

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

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Madam Speaker, on yesterday, Monday, September 8, 1997, I was detained in the district for official business. Because of the official business that I was handling in the 18th Congressional District, I missed two rollcall votes. The first was rollcall vote No. 369. Madam Speaker, if I had been present on the floor, I would have voted ''no.''

The second rollcall vote was No. 370 of which I was paired. However, I would like my vote to be noted as ''no'' if I had been present.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. GRANGER). 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.

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

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

DR. PATRICIA WORTHY OYESHIKU: 1997 WESTERN REGIONAL EXCELLENCE IN TEACHING AWARD

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

Mr. FILNER. Madam Speaker, I rise today to pay tribute to Dr. Patricia Worthy Oyeshiku, a distinguished teacher from my hometown of San Diego who has made a positive impact on thousands of young lives in our community. I am proud to recognize Dr. Oyeshiku, an outstanding teacher at Morse High School in my congressional district where she has taught since 1971.

Mrs. O, as all her students call her, has just received the 1997 Western Regional Excellence in Teaching Award by the National Council of Negro Women. This excellence in teaching award is designed to raise awareness and involvement of African-American parents, educators and community leaders in meeting the educational needs of African-American youth.

The award recognizes exceptional public school teachers of African-American students who are living the philosophy and legacy of the National Council of Negro Women. Funded by the Shell Oil Company, the award ceremonies are an opportunity to generate greater public awareness and appreciation of excellence in teaching.

This is not the first time that Mrs. O has been recognized for her outstanding contribution to our young people. She was the California Teacher of the Year in 1981 and also a National Teacher of the Year finalist that year. She was honored as the Headliner in Education by the San Diego Press Club in 1981.

She serves on the California Academic Partnership Program Advisory Board, is an Evaluation Team Leader of the California Commission on Teacher Credentialing, has served as past Cochairman for all English Department Chairs in the San Diego Unified School District. She is a member of the Advisory Committee in Reading for the San Diego Unified Achievement Goals Program and of the Advisory Council to an Interdisciplinary Approach to Multi-Cultural Education. She has lectured throughout the State of California on issues related to education.

Mrs. O has always been an outstanding role model for many years. She served in the Peace Corps in Brazil, received the John F. Kennedy Award as the outstanding Peace Corps volunteer back in 1966. She is a member of the Readathon Advisory Board of the Multiple Sclerosis Society.

When I was a member of the San Diego School Board from 1979 to 1983 and its president, Mrs. O helped me a great deal to understand the needs of students throughout our school district and advised me very closely on matters of raising the achievement of all the students in our district. Like those before her who have received this high honor, Mrs. O has worked tirelessly for the benefit of every student in her classes. Her principal, Dr. Shirley Peterson, told me that she is honored on behalf of all the Morse High School Tigers to recognize Mrs. O for receiving this prestigious award and to commend her and applaud her efforts.

Madam Speaker, every student deserves the opportunity to succeed and every student deserves a teacher like Dr. Patricia Worthy Oyeshiku. I am pleased that her efforts are recognized with the 1997 Western Regional Excellence in Teaching Award.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

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

VOICING SYMPATHY FOR FAMILIES OF VICTIMS OF HAITIAN FERRY ACCIDENT

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. Madam Speaker, I rise today to voice my deepest sympathy for the families of the hundreds of persons who drowned before dawn on Monday of this week when a packed Haitian ferry—transporting hundreds more passengers than it was built for—tipped over. These people, who were merely going to work, died tragic and unnecessary deaths. This horrifying event is the second such event in Haiti in recent times.

In 1993 over 1,000 persons drowned in another crowded ferry off Haiti's coast. We should be outraged that such tragedy happens so close to home. But because Haiti is a nation of black people living in crippling poverty, and not an oil-rich country, the United States turns a blind eye. As a member of the Transportation Committee, let me say this: The reason for such tragedy in Haiti is simple—there is no decent or safe transportation infrastructure in Haiti due to lack of funding and necessary expertise. America has failed Haiti and

there is shared responsibility for the failure. The President, along with the leadership in our State Department, should have carved out a realistic financial program to give Haiti the tools to build a sustainable democracy. What is needed is a unique program—designed to fit Haiti's particular needs and requirements. In foreign policy, we need to get away from the cookie cutter mentality that expects all foreign countries to be the same. When we look at the nations of the world, we can see that they have different histories, cultures, and assets. Haiti is the eyesore that will not go away; and the United States cannot continue to turn its back. To do so is foolish because no wall is high enough to keep tragedy from spreading onto our own shores when we refuse to help a neighbor.

As the world grows smaller, the Caribbean region comes closer. Today we stand facing one another; it is increasingly difficult to turn away—even if we do not wish to see the appalling poverty, lack of education, and other serious difficulties.

Haiti's crucial needs include: One, land reform that will make the most of land in fertile areas; two, transportation assistance for a modern, safe transportation infrastructure; and three, administrative reform that includes considerable assistance from the World Bank and other international lending institutions. Only as we face the reality of Haiti's dire needs will we, as a nation, develop a deep, lasting, and beneficial partnership with Haiti. I also implore the media to grant fair coverage to the tragedies in this country. It is time to quit making news, and instead begin covering the news. My prayers right now are with the families of those who have died, and I urge the leaders of this great Nation to reach out to our neighbors whose catastrophes go unnoticed day after day.

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

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

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

[Mrs. MEEK of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

IN MEMORY OF SCOTT McCABE

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

Mr. HAYWORTH. Madam Speaker, it is with a deep sense of loss and great sadness that I come to the floor of the House this evening to acknowledge the tragic and senseless death of a young man I knew well. Scott McCabe served in the district office of the Sixth District of Arizona as an intern in the spring of this year. Before that, he selflessly gave of his time and talents as a volunteer in our 1996 reelection campaign.

Madam Speaker, regardless of our political philosophy and partisan stripe, one miracle of our electoral process can be found in the willingness of so many to join in our cause. Such a man was Scott McCabe. I have memories of him beginning in the early morning hours helping with post hole diggers and using his brawn to erect campaign signs and then coming back to the office and making telephone calls and working literally from dawn to dusk and beyond because he believed in this grand experiment that we call America.

On Sunday of this week, Scott was killed near his home while attempting to foil a burglary. Words cannot describe my shock and sadness upon hearing of this awful event. It should serve to remind all of us of the terrible scourge of violent crime which still plagues our society and it should renew our commitment to stand firmly for the rights of victims of crime, who like Scott and his family, cry out for justice. They deserve no less.

Scott was a wonderful and unique person. He was a gentleman in every sense of the word. Everyone who was touched by his life walked away knowing they had spent time with a man of character and commitment. Scott's death is deeply saddening in so many ways. In his late 20's, he was really just beginning to find his way in this world. He was continuing his college education. He operated a small but growing business, and he was preparing to be married.

His loss is a great one, not only for his family and his loved ones but indeed, Madam Speaker, for all of us. I firmly believe this world would be a better place if only it were blessed with more people like Scott McCabe. He stood firm in his convictions. He worked hard to achieve his goals. He was loved by all who knew him. His passing leaves a void that cannot be filled. He will be missed.

My wife Mary and I join with members of our staff who served alongside shoulder to shoulder with this remarkable young man Scott McCabe. We send our heartfelt thoughts and prayers to his family. Our lives are richer for having known him, if only for all too brief a time. We will not see his like again. He represents the countless thousands who care enough about this constitutional Republic to give of their time, their energies and their passions for this wonderful Nation called the United States of America.

□ 2145

The SPEAKER pro tempore (Ms. GRANGER). Under a previous order of the House, the gentleman from Florida [Mr. HASTINGS] is recognized for 5 minutes.

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

AMERICAN PATENT PROTECTION BEING LOST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. ROHRABACHER] is recognized for 30 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Madam Speaker, over the last 3 years, I have been involved in organizing support behind the right of the American people to maintain the legal level of protection that had been their right as American citizens since the founding of our country over 200 years ago.

In this particular case, what is being diminished is the American people's rights to own their own creations. What is being diminished is the patent protection that Americans have had since the writing of our Constitution.

Three years ago I did not know anything about this issue. I knew absolutely nothing about patent rights. It was brought to my attention that in the GATT implementation legislation that was being brought before Congress there was a provision that would dramatically change patent law in the United States of America.

I could not believe this was happening, because changes in our patent law were not required by the GATT implementation legislation. We had been promised by the administration that the only thing that would be put into the GATT implementation legislation that went before Congress to implement the GATT agreement would be those items that were specifically required by the GATT negotiations.

But when I called the administration repeatedly to find out if there would be provisions in the GATT implementation legislation that changed our patent law, I was told time and time again that it was none of my business and that they were not going to tell me, or they did not know, or that that decision may be made and it might not be made; but, most of all, it was their decision to make and not mine as a Member of Congress, and, thus, I was not going to be privy to the knowledge until it was actually presented to Congress.

This is what they said to the elected Representative of 600,000 Americans, who represents a high-tech area in California. The people who were telling me this were unelected, appointed, officials.

This should tell you something about the changes that are coming about in our country and the changes that are symbolized by that provision, which they did eventually sneak into the GATT implementation legislation.

What was put in that bill, which was not required by GATT and which we were presented as either you accept everything in this bill or you have to vote against the entire World Trade Organization, the entire apparatus of world trade throughout the world and leave America on the outside, what provision was put in was a change in

the patent law which stated that Americans have a right to a guaranteed patent term.

This is 3 years later, and most Americans do not understand that from the time of the founding of our country until 3 years ago, they had a right to a guaranteed patent term of 17 years, and they no longer have that right. Their rights have been diminished. It is a very hard law to understand if you do not have an invention, so most Americans let it drift by.

What replaced this guaranteed 17-year term, to describe it, was traditionally that no matter how long it took you to clear your patent application through the bureaucracy, no matter how long it took the Government to issue your patent after you applied for it, at the end you would still have 17 years of a guaranteed patent term. That was replaced by a provision that said that you have 22 years of protection, but the clock is ticking against you the minute that you apply for a patent.

So with breakthrough patents and breakthrough technologies that guarantee those patents, what we have is a situation where the process could take 10 years, and the inventor might be left with, instead of 17 years, or 22 years, might be left with 12 years. Or, in some cases, where it has taken two decades for major pieces of technology to clear the Patent Office, the inventor would have nothing to show, much less 17 years of protection.

The laser, for example, took many, many, many years, I think perhaps over a decade and a half, to receive a patent. The inventor of that laser would have been left out.

Also, the microprocessor. Of course, what happened recently was the inventor of the MRI was tied up in court for 20 years with a major corporation that was trying basically to steal his right to the invention that he invented, the MRI, that has changed the lives of people throughout the world, bettered our health care so you do not have to have so much cutting surgery. That inventor would have been out all of the money, because the major corporation would have tied him up long enough for his patent to be worthless in terms of the time that was left for him to enjoy the fruits of his creation.

So that was changed. That raised my antenna, and I began to investigate why this happened, and how was it so that Americans were seeing their fundamental rights that were guaranteed by law diminished in front of their eyes without so much as a whimper from the people because they did not see what was happening, and that the elected Representatives of the people here in the Congress did not even know what they were voting on when they voted on this provision.

There was no debate, there were no hearings. Instead, it was snuck into the GATT implementation legislation.

What I found out when I investigated was that there had been an agreement that was signed between Bruce Lehman, the head of our Patent Office, the head of the Patent Office of the United States. When he was appointed by President Clinton, he went to Japan, and one of his first acts, maybe not one of his first acts, but he went to Japan very shortly after being appointed and made an agreement, signed an agreement with his Japanese counterpart, to harmonize American patent law with Japan's.

This is an unelected official going to Japan and signing an agreement that he, representing the administration, will do what he can to harmonize American law to Japanese law.

This was not a case where America had weak protection and the Japanese had strong protection. In fact, the Japanese had one of the weakest protections for their inventors of any country in the world and America had the strongest protection of any country in the world.

Our representative, the person hired by the President of the United States to watch out for our interests, went to Japan and agreed to lower our standards to theirs.

Now, I would agree that harmonization is a good idea. But if we are going to be harmonizing laws with other countries, we should be bringing those countries up to our standards, instead of us bringing our standards down to theirs.

Now, in Japan they do not invent very many things. In fact, in Japan they are known for copying things and improving some new technologies, but just improving them, not inventing new technologies. That is because in Japan, the big guys have run roughshod over the little guys, and every time there is a new invention, someone comes up with a new idea, if it is a small guy who is out of the clique, he is surrounded and beaten into submission by the powers that be, by the economic shoguns of Japan.

They want to change our law, our patent law, so that the American inventors, the people of the United States who are inventing things, the average person who has this option in order to improve their lives by coming up with something that will improve the lives of everyone, they want to make those little guys vulnerable to the big guys, just like they are in Japan.

When all is said and done, if we do harmonize our law with Japan, what we will have is our little guys will be susceptible to the same kind of bullying as the little people, as the regular people in Japan; not only bullying by our own huge multinational corporations, but by Japanese corporations, and Chinese corporations, and the People's Liberation Army, and anybody else who wants to come in here and brutalize Americans who are no longer protected with the legal protections that they have been afforded since the founding of our country, because those protections have been stripped away.

That is the agreement that was made with the Japanese.

It has always been part of our law that if someone applies for a patent, that, number one, he would have a guaranteed patent term; number two, whatever information he has in his patent application, he or she, that it is totally confidential.

In Japan, the system is once you apply for a patent, after 18 months that information is made public, so the big guys will know exactly what is being created by the small entrepreneurs and the little guys throughout the society, and they can take action to steal it.

But our people have had the right of confidentiality. In fact, releasing information from a patent application before the patent is actually granted has been a criminal offense.

In Japan, it is the other way around. They give out all the information. In Japan, once the patent is issued, they can attack it from all directions. There is reexamination in Japan.

So what do we have? We have an agreement where this administration, with Bruce Lehman, who heads our Patent Office, to change our patent law to that of Japan. And that, what I saw in the GATT implementation legislation 3 years ago, was only step one in accomplishing this goal.

We found out what step two was a little bit later, in the last session of Congress, in a bill. It was called the Patent Publication Act, and they found out, oh, my gosh, that is too explanatory. The purpose of the bill is to publish everybody's patent, and nobody wanted to do that.

Everybody understood that if you publish a patent application, you are asking for everybody in the world to steal it. So they changed the name of that this session of Congress to the 21st Century Patent Reform Act and they brought that up.

But the people of this Congress and the people of the United States were not fooled. I brought to the attention of the people of the United States in forums like this, and speech after speech after speech, and going out to talk radio shows and to the news media and any audience that would listen to me, I spread the word, and the American people expressed their opinion to their elected Representatives. And even though the Fortune 500 companies and this administration and the powers that be came down like a sledgehammer on my colleagues, when it came to a vote on the floor, we managed to defeat some of the essential ingredients of that 21st Century Patent Act.

We defeated especially the provision that would have required that any American who applied for a patent, after 18 months, whether the patent had been issued or not, it was going to be published, so that every thief in the world would have been able to steal our most valuable technology. We managed to get that out of the bill.

We managed to get out of the bill the provision that would have required the

change of the rules that would have permitted companies to come in and attack the patents that were already issued by our Patent Office, the reexamination provisions.

Thus, we were able to take out most of the bad parts of that bill in an amendment introduced by my colleague, the gentlewoman from Ohio [Ms. KAPTUR].

There were still some pretty bad things in the bill. The bill would privatize the Patent Office. It would turn our Patent Office, which has never had a scandal, they have never had a scandal in the 200 years it has been around, they were going to turn that into a quasi-private, quasi-government corporation, like the post office, in which the poor patent examiners, who are now shielded from outside influence, would have been opened up to all kinds of influences.

□ 2200

That privatization still stayed in the bill. That type of restructuring still was in the legislation that passed Congress. That legislation, after it passed here, and as I say, we were 60 percent successful, but 40 percent of the bad stuff is still in that bill, it went to the Senate.

But tonight I am here to alert my colleagues and the people of the United States who are listening and reading the CONGRESSIONAL RECORD that Senator ORRIN HATCH of Utah is continuing his attempts to get this bill, in its worst possible form, in the form that would expose all the information of our inventions to the enemies of the U.S. and to our economic adversaries, and to the big multinational corporations here. He is trying to get that bill in its worst form passed through the United States Senate. He is trying to attach it to other pieces of legislation. The American people have to be aware that if he succeeds, it will be coming back to the House of Representatives.

In fact, tomorrow 60 CEO's will be hitting Capitol Hill of major corporations to have their will and to try to talk to Congressmen, Members of the House, Members of the Senate. The American people have to know that the enemy has not given up.

Why has the enemy not given up? They have not given up because a long time ago they realized that America's greatest asset was what? It was the creative genius of our people; the creative genius of the American people was our secret weapon in our economic struggle.

Our adversaries figured it out. They said, how come America is always out front? How come they control the economic scene? How come? Our people work just as hard as Americans; how come they are the ones who are always ahead and control the economy of the world? How come their people have such a high standard of living and our people do not?

The answer is easy. The American people have at their disposal the best technology that is available anywhere in the world because Americans have been the inventors and the creators and the genius behind technological change.

Our enemies saw that and our enemies set out to change the fundamental law that made that a reality, that made it exist, that gave us that technological genius, because the American people are not more creative, they do not have any more genius than anybody else; after all, we come from every culture.

But what we have had since the founding of our country are the legal protections for our technological development that ensured that the average person knew that he could use his creative genius to make things better and that he or she would benefit from it. Thus, we had the major inventors in our country. This is where the Alexander Graham Bells and the Samuel Morses and you name it, the Wright Brothers, the Thomas Edisons, these are the people who benefited by the legal protection, and thus were able to use their genius to keep America a step ahead of all the competition and ensure the American people good jobs, because their jobs were involved with the best technology. We were able to outcompete our adversaries.

Now they want to change all of that. They tried to change it in the most underhanded way that I have ever seen. A piece of legislation came through this body. First, they put it into the GATT implementation legislation when it was not required by GATT. That in itself was a betrayal of the rest of us, when we were told, if you give fast track to us, we will only put in the legislation that which is required by the treaty.

Then they tried to sneak the bill through, with very little fanfare, just slid right on through the committees, changing the name of the bill from the Patent Publication Act, which was too explanatory, after all, now we are exposing the fact that we want to publish everybody's patent, no, they changed the name to the 21st Century Patent Reform Act.

That is not the way we need to make law, and when we want to change law and diminish the protections our law affords the American people, we must step up to the plate and discuss it with them, rather than take part in this type of underhanded maneuvering.

The patent law in our country has been unique because we have had a higher level of protection from the time of our Constitution. The Japanese, when they figured it out, have decided, we have to change that. The Chinese, we have to change that.

We have had an army of lobbyists in this city; millions of dollars have been spent to influence Members of the House and now Members of the Senate, in order to convince them to change the patent law, and changing the patent law to ''harmonize'' our law with other laws, harmonize, to bring down the level of protection.

I want to share with the Members a story about a friend of mine who has a new invention. He told me about it this weekend. This friend of mine, an average person, has a small company out in California. He came up with an idea of how to protect meat, how to protect the consumer of meat from consuming bad meat.

It is an ingenious idea, and I cannot explain it on the floor of the House because his patent has not been granted yet. But if his patent had been granted and this was on the market, all I can say is the American people, every housewife in this country, every restaurant in this country, would be confident that the meat they were consuming was untainted meat at a very low cost, almost no cost.

It is a new idea. It is a great idea.

For 2 years this patent has not been issued, which means that if the new laws that Senator HATCH has tried to push through the Senate right now, and which some of our colleagues have tried to push through this House were in effect, after 18 months his idea would have been exposed to everybody in the world, and the Japanese and the Chinese and people all over the world would already be copying his idea, putting it into production, and his patent has not even been issued. They would be using the money they made from his invention to drive him out of business. That is what is going to happen across the board in our economy if we permit this catastrophe to happen, this abomination of American freedom.

But my friend has confidence we are going to beat it back. He has invested his time and effort to try to get this patent. If he succeeds and we do not disclose this information, so that he can benefit, we will have other such inventions in the future from people like my friend that will change our lives, that will save the lives of little children who are eating that meat.

How about my other colleague in California, another friend of mine, who came to me when he heard about the fight over patents and he said, DANA, I have a new system of killing bugs, bugs, termites and the rest, without the use of chemicals. This is a man who is going to save the soil at our homes from being poisoned with chemicals. But he says, DANA, I am afraid because my patent is still pending, and if they disclose this information, it is going to be all over the place before I have a chance to capitalize. I cannot raise the money until I have my patent in hand, but these other people will get the money and they will be in business before I do.

How long do Members think it is going to be before the inventors of this new system to check tainted meat or the new system to make sure that we do not have chemicals being spread in our soil to kill the bugs, or in our homes to kill bugs, how long will these inventors keep coming up with their ideas? They will not come up with their ideas, and we will be stuck; we

will be like the Japanese, run by a group of economic elitists who hold the little guy down because the little guy has no economic protections and there are no inventions. The standard of living not only of our country, but of the entire world, will go down if we lose this battle.

As I say, Senator HATCH is still trying to get this through in its very worst form, through the U.S. Senate. This has been a very tough battle, because it has been the battle of the little guy versus the big guy. It has been part of an overall effort to change American law.

First of all, let me explain the last point that I made. Ever since the end of the cold war, we have been hearing time and time again phrases that are kind of scary. The first phrase we heard was ''the new world order.'' That came from a Republican. That came from George Bush.

I do not know how other people felt about it, but when I heard our President talk about a new world order, I said to myself, something is wrong here. I am not working for a new world order. I am working for the people of the United States who elected me. There is something wrong here.

The new world order? It sounds like we are giving up authority to a higher authority than the Constitution of the United States of America. The new world order?

Since that concept went down in flames, along with the presidency of George Bush, we have heard time and time again of the global economy, the global economy. In it, we have all kinds of powerful interest groups pushing to create a global economy. What does that mean, a global economy? That means that decisions that were made locally not only have been turned over to State government, who then turn it over to the Federal Government, but now we are thinking about turning decisions that are made by people who have been elected to office in the United States over to some unelected bureaucracy somewhere in the United Nations or in the World Trade Organization or the world labor organization or the world environmental organization, or whatever organization it is that has been set up in order to watch out for the global environment or the global economy, you name it; and these people will be making decisions, and this type of world will be people who have never faced the electorate.

If Americans will blink their eyes, some day they will find that their rights have been diminished and that power has been granted to some unelected official who may or may not be an American, but who the average person here has absolutely no recourse against if a decision is made in the wrong way.

This concept of a global economy, the idea of free trade between peoples of the world, is a good idea. The idea of creating a global economic system which will be controlled and regulated is a bad idea. It is not a good idea, as well, by the way, I might add, for us to be trading in a free trade relationship with a mammoth dictatorship like China.

But then again, the world economic trade regulators, once we have established this global economic system, may think entirely differently. They may think a transfer of wealth from the rich United States to the poor countries is a good idea.

Madam Speaker, this change in the patent law is only one step toward harmonization of law. It is a step in the wrong direction. This concept of diminishing the rights of Americans in order to create a new world order is a threat to the rights, the freedom and the prosperity of each and every one of us.

The patent fight is the first fight, because it has been the first one we have been able to identify where actual legal protections enjoyed by Americans are being diminished in order to have a harmonization of law overseas. That in itself would be wrong. But the side effects of giving huge multinational corporations and foreign corporations the power over Americans to steal their new ideas, which will undermine our economy, not even to mention what it does to the lives of these poor inventors who spent their whole lives trying to develop something, this shows that it is a bad idea on a number of levels.

As I say, this will be just the first fight. This is just the first fight in our battle to maintain the rights and freedoms of the American people and the prosperity of our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. GRANGER). The gentleman from California [Mr. ROHRABACHER] has been allotted another 30 minutes, and is so recognized for that additional time.

The Chair would also remind Members not to refer critically to individual Senators.

Mr. ROHRABACHER. Madam Speaker, I do not believe that I referred critically to any individual Senator. I think I have just outlined the positions of Senators. I do not think I used any pejorative descriptions of any U.S. Senator. It just happens that this legislation that I am describing has someone who is very opposite in opinion, on the other side of this particular issue.

Madam Speaker, let me talk a little bit. Now that I have an extra half hour, I would like to discuss a little bit about this whole concept that I was ending up with when I thought I just had 30 minutes. That is the idea that we are going to be facing more and more challenges to our freedom and to our prosperity as Americans from those who are trying to foist off on us the necessity of transferring authority and power to world organizations and to multinational organizations.

□ 2215

In the area of our national defense, there are those people who, for example, are trying to expand NATO. And these are many of my friends. Many of my colleagues, Republican colleagues, have been pushing for the expansion of NATO. I am sorry to say today that I think that is a bad idea. I am sorry to say that, because many of my colleagues I know honestly believe that it is a good idea for the United States now to stay in NATO.

It is not time for us to become part of world organizations and put our people under U.N. command or NATO command. It is not time for us to be involved in multinational approaches. But instead, the United States should, no, not be going it alone, but we should instead be trying to be as effective as we can be individually, and on a bilateral level, with other countries of the world.

NATO is a good example. NATO's purpose was what? NATO's purpose was to prevent the Soviet Union from rolling across Europe at the height of the cold war. NATO worked. I am very grateful that our forefathers had the courage and the commitment to build an organization like NATO that thwarted the aggressive tendencies of the Soviet Union during the cold war.

The cold war is over, and like any other organization that is established on a multinational level, the organization does not want to disappear once its purpose has ended.

Instead of spending tens of billions of dollars stationing troops in Europe, we should be spending those billions of dollars in developing the technologies in the United States, whether it is SDI or whether it is building a new aircraft carrier or whether it is building a new fighter or whatever type of technology is necessary for the protection of the people of the United States. That is what we should be developing, rather than wasting tens of billions of dollars in an alliance that has already, already served its purpose.

NATO is meant now, supposedly, we hear, for the stability of Europe. Well, when my colleagues visit Europe, they will realize that Europe and the European Community have a gross national product higher than that of the United States. Let them defend themselves. Let them pay for their own stability.

The United States should play an active part in the role, and I am not advocating isolationism in the least. But giving our powers up to NATO, or up to the United Nations, is a mistake. We should not be giving up our military power, and our ability to make decisions that are necessary, up to multinational organizations now that the cold war is over.

That grand alliance was designed to defeat Soviet communism. Soviet communism has been defeated. This is nothing more than yet another example. There are also calls for us to join another world organization. In fact, I will be giving another 1-hour presentation in the near future on the global warming treaty, the climate change treaty that some people are trying to stampede this Congress into signing.

That treaty is based on the idea that mankind is using so much energy, that we are altering our environment to the point that the world is getting warmer. It is called global warming. Having been the chairman of the Subcommittee on Energy and Environment in the Committee on Science, and having gone through hearing after hearing on this, I can tell my colleagues that I have heard experts on both sides of this issue, and I have come to the conclusion that global warming at best is unproven and at worst it is a bunch of liberal claptrap.

Even the most strong advocates of global warming, once you get them in a question-and-answer situation, will admit that they are not sure. But they are willing, however, to try to push America into policies that will drain billions of dollars from our economy, drain billions of dollars from our economy, and that money will be gone forever.

People do not understand the meaning of these tens of billions of dollars or hundreds of billions of dollars. That means the amount of money that is spent for education. That means the amount of money that is spent for true environmental programs. These are things that will be defunded in the case of a United States commitment to a treaty that is designed to solve a problem that does not exist.

In one of the most interesting aspects of the global warming treaty that I found so far in examining the proposal that we are looking at, is that a provision has been added, a strange provision has been added to the global warming treaty. What is that provision? Guess what? Somebody has added to this global warming treaty, and they are discussing, a provision that says we should harmonize all patent law. Well, is not that a coincidence?

Somebody suggested that this is going to be part of a global warming treaty, meaning a harmonization of the patent law which I have just spoken on and demonstrated the disastrous effects that it will have on the economy of the United States of America and the disastrous effects it will have on the level of protection that American citizens are afforded; protection that they have been afforded since the time of our Constitution.

This is amazing. Well, it really is not so amazing, because the same people who are pushing for all of these commitments by the United States of America to multinational organizations, and giving away our authority from our own elected officials to unelected foreigners, are the same ones who are pushing the diminishing of our American patent rights.

Now, who are these people? Well, many of them are Americans, interestingly enough, and many of them are Americans who work and control huge multinational corporations. I am afraid that people who run multinational corporations today, whether they are American citizens or not, are not the ones that we can trust to make the decisions about our future. Because these individuals may be very efficient at running their multinational corporations, but they do not seem to care one iota about the American people. They do not seem to care one iota whether or not they have succeeded, based on the protection of their rights that the American people have given them over these last 50 years and, yes, over the 200-year life span of our Republic.

The multinational corporations now have allegiance to the new world order or the global economy, not to the American people. And these multinational corporations, these huge corporate entities are pushing to change the patent law, and pushing to change other laws that I am talking about, because they can influence these distant decision-makers in the new world that they are creating. But the little guy, the American people, will never be able to influence, not at the ballot box and not in the marketplace.

Madam Speaker, these big multinational corporations, many of them in our Fortune 500, have made an enormous effort on this patent bill and in other things. For example, as we all know, the United States has been in an unfair trading relationship with the mainland of China for two decades. And the cold war is over. During the cold war there was an excuse for us to be in a relationship with Communist China.

It is the same excuse that we had when we were in a relationship with Stalinist Russia during World War II in order to defeat Hitler. That excuse is that we needed to make sure that our potential enemies were divided and that they were not united against us.

With the Soviet Union having collapsed, there is no longer an excuse for us to put up with an unfair trading relationship like we have with the Communist Chinese mainland, the mainland of China.

Most Americans do not know when they hear our huge corporations talking about how important it is for them to be able to sell their goods in China that they are not really talking about selling American goods in China. What they are talking about is their right as multinational corporations to set up factories in China, factories that will take our technology and put it at the disposal of the Chinese and then will be used to out-compete the United States of America and put our own people, our own people out of work.

Most people do not understand that the things that are produced in China enter the United States with a 3 or 4 percent tariff. But when we want to export manufactured goods to China, they have a 30 to 40 percent tariff on our manufactured goods. Who would want to give even a democratic country that kind of an edge over the people of the United States of America, much less a Communist dictatorship that threatens the security of the world and the prosperity of our people?

But we have continued to give them Most Favored Nation status. Why do these multinational corporations who put pressure on all of our colleagues to vote for Most Favored Nation status, the same ones who are pushing to change the patent law and the same ones who are pushing for all of these different global arrangements, why is it that they want Most Favored Nation status with China?

First of all, they have no allegiance with the American people. They are going to put them out of work. It is even worse. They want Most Favored Nation status so they can receive Government guarantees for their investments in China.

Madam Speaker, the Export-Import Bank, the World Bank, other institutions that get our tax dollars from the working people of the United States, those tax dollars are being used to guarantee the investments of our businessmen in China in factories that will be used to put Americans out of work.

This is the worst kind of hypocrisy. This is the worst blow, the worst insult to the American people. Not only are we permitting an unfair trade relationship to go on, which is draining billions of dollars of worth out of our system and giving it to the Chinese, even as they commit genocide in Tibet and genocide against the Muslim people in Xinjiang Province, in East Turkestan, and as they butcher their own dissidents and repress the Christians. No, we still have to have Most Favored Nation status and the tax dollars of the American people are being used to guarantee investments against our own people.

This is a sin against our own people. But it is also a sin that these same interests are trying to change American law to diminish the rights of the American people and the American people do not even know that that is what is going on.

The American people ought to say, well, if IBM and Kodak and all of these big companies are in favor of changing that patent law, it must help us in our technological struggle with our adversaries. No, no, because those companies are just as interested in taking the ideas of our inventors and using them for their benefit without paying royalties, as are the big Japanese companies, as are the big Chinese companies and all the rest of the economic thieves throughout the world.

It all ties in. It all ties in. But let me tell my colleagues tonight that they have forgotten one fundamental aspect that has made this world a decent place to live in. They have forgotten the role of the United States of America. Our Founding Fathers who wrote into our Constitution patent protection, our Founding Fathers who wrote in individual freedoms into our Constitution and into our Bill of Rights, the people who led our country throughout these years of our independence and during the time period as we developed as a Nation. These people understood that if there was to be freedom anywhere in the world, it would

depend on a strong United States of America.

□ 2230

If there is to be decency and honor and integrity anywhere in the world, it will be because the United States of America has set the standard. It will be because those standards are protected by law in the United States of America.

Without the people of the United States of America and their commitment to freedom, there would be no freedom on this planet. The Nazis would have won. The Communists would have won, the isms and the tyrannical forces that have been at play for this last 100 years would have overwhelmed the west. But it has been the strength of purpose found in the souls of the people of the United States of America that has preserved all of those forces of good and decency on this planet.

If our business elite, now with their multinational corporations, have given up on the American people, because in order to run a plant here and maintain our standard of living, they will only make a 5 percent profit, but if they go to a Communist dictatorship they can earn a 15 or 20 percent profit with, of course, the taxpayers guaranteeing their investment, pretty soon the American people's standard of living will decline and the American people will feel justifiably betrayed.

We cannot let that happen. The battle over the patent is only one of the fights that we will be having in the next few years. But we have to make sure that the American people maintain their standard of living, that decent, high tech jobs are available here, that our wealth is not drained from our society to give frivolously to others, that our technology is not taken from us to be used against us in competition, economically and militarily. Because if we lose the battle here in the United States of America and the American people lose faith in those principles that our Founding Fathers established 250 years ago, well, then the future of freedom on this planet will be short-lived indeed. The future of decency and honor, the future of things that have made this a planet not dominated by the likes of Mao Tse Tung or some petty dictator that now occupies his seat in Beijing, but instead reflect the value of our people which created a White House that does not look like, I looked in the oval office.

I used to work in the White House. I remember walking into the oval office with my friend 10 years ago and just looking at the oval office. And what I saw looked like some sort of a library or some sort of a sitting room in somebody's home. I said, does this not look like someone's living room here? We both agreed that in every other country in the world, the offices of the chief executive looked like a palace of power. It looked like a place where boots could be worn or heels clicked and salutes given.

Instead, where the first executive of the United States sat at a desk, it looked more like someone's living room, like someplace with a family.

These are the values of decency that come with human freedom. We would not put up with some gestapo Communist dictatorship in this country because our people believe in freedom. But if the freedom that we have permitted our multinational corporations is used to destroy the prosperity of our people and if we think that now we have an allegiance to free trade so that people can use guarantees by the American taxpayers to build up the economy in dictatorships, the American people will lose their faith.

If we are going to win this battle, the American people have to be a part of it. One of the reasons we were able to defeat this drastic change that they were trying to make in the patent bill, as it went through the House, one of the reasons why the Kaptur amendment passed, the Kaptur amendment which gave us 60 percent of what we wanted passed in a vote, was that the American people called their representatives and said, for goodness sake, do not vote for that patent bill, the Steal American Technologies Act that Congressman Rohrabacher is talking about. Vote to kill it.

That is what people have to do to the Members of the House and the Members of the Senate, because it is still alive in the Senate and that means it probably will come back to the House.

The American people have got to remain alert to this and the other threats that we face, because there are some very powerful forces at play in this world. There are some very powerful forces at play in this city.

The only thing that turned the tide in this last battle on the floor of the House were the thousands upon thousands of phone calls that came from all over America to the House of Representatives and said, defeat this attempt to give away American technology.

The American people have every right to be proud of themselves. So tonight we stand on the threshold of finishing that fight, because it is still going on in the Senate. It may come back here to the House if they succeed. Tomorrow, as I said, Capitol Hill will be invaded by some of these multinational corporations and some very hifalutin sounding people. But small businessmen throughout this country, university professors, people who are engaged in research and development of new ideas understand how important patent protection is, and they have tried their best here, even though we have not had very many resources behind us.

I would just close by asking my colleagues to be alert as the patent bill comes back from the Senate and, if there is any influence they can exert on the Senators on this piece of legislation, to please talk to the Senator from their State to ensure that they know just how dramatic the effect of diminishing our patent rights will be and that that indeed is the purpose of the legislation that is now being pushed in the Senate.

FAST TRACK TRADE AUTHORITY

The SPEAKER pro tempore (Ms. GRANGER). Under the Speaker's announced policy of January 7, 1997, the gentleman from Ohio [Mr. BROWN] is recognized for 60 minutes as the designee of the minority leader.

Mr. BROWN of Ohio. Madam Speaker, I begin my 60 minutes by yielding to the gentleman from Cooperstown, NY [Mr. BOEHLERT].

A TRIBUTE TO RICHIE ''WHITEY'' ASHBURN.

Mr. BOEHLERT. Madam Speaker, I pause in these deliberations to give some well-deserved recognition.

Madam Speaker, it is with great sadness that I rise to announce the passing of baseball Hall-of-Famer Richie Ashburn. Richie Ashburn was my first boyhood hero when he began his career with the Utica Blue Sox back in 1945.

Mr. Ashburn played center field, primarily with the Philadelphia Phillies from 1948 to 1962. Ashburn became the starting center fielder in 1948, after the incumbent and previous year's batting champion, Harry ''The Hat'' Walker, broke his foot in spring training. By the time Walker was ready to return, Ashburn had won the job by hitting .348 and was the only rookie named to that year's All-Star game.

Ashburn finished the year hitting .333 and led the league with 32 stolen bases and was named by the Sporting News as rookie of the year. In his 15-year career, Ashburn hit .300 or better nine times, won two batting titles, and finished with a lifetime batting average of .308. Despite these impressive hitting numbers, Ashburn was best known for his fielding skills. He set new records by recording 500 or more putouts in 4 different seasons and 400 or more putouts in 9 different seasons.

He tied a major league record by leading the league in that category nine times. He was in some very distinguished company. The only ones who did better were Max Carey, Willie Mays, Tris Speaker, and Ty Cobb.

In 1962, Ashburn's final season, he became an original member of the New York Mets and was the Mets' first All-Star. He finished his career with six All-Star appearances and a World Series appearance with the 1950 Phillies pennant-winning team that was affectionately known as the Whiz Kids. Ashburn continues to hold that Phillies record for consecutive games played at 731.

After retiring, Ashburn considered running for public office, but I think he thought better of it, in his home State of Nebraska. Instead he began a career as a broadcaster for the Phillies where he remained until his death.

For many years Richie Ashburn's talents were overshadowed by other outfielders like Mickey Mantle and Duke Snider and Willie Mays. But finally, in 1995, he received well-deserved recognition. He was elected to the Baseball Hall of Fame in my district in Cooperstown, NY. We have not only lost a tremendous player but a great ambassador for the game of baseball. May he rest in peace.

I thank my distinguished colleague for pausing in these important deliberations to let me share this sad news with the rest of my colleagues in this House.

Mr. BROWN of Ohio. Madam Speaker, I thank the gentleman from New York. I would add, before getting into perhaps a more serious subject than the Baseball Hall of Fame, my daughters and I drove to Cooperstown this summer. My younger daughter thought there were too many New York Yankee memorabilia in the Hall of Fame. I think she was raised right, that she thinks that. Nonetheless, it was a great trip to your district, to Cooperstown. I had been in the Hall of Fame when I was my daughter's age, when I was 13 or 14. I had not been back in 30 some years. It was a great chance to be in your district and see Cooperstown again.

Tomorrow the President will announce fast track to his legislation he will present to Congress tomorrow to expand the North American Free-Trade Agreement; ultimately, he hopes, to the rest of Latin America. Before he does that, before we talk about fast track, I am joined tonight by my friend from Michigan, who has been a real leader in the effort, everything from food safety to jobs to the environment to clean water, all of these trade issues, before we get into fast track, let us back up a moment and look at what this expansion of NAFTA means and what NAFTA itself has meant and other trade agreements in the last few years in this institution.

First of all, bad trade deals hurt America's working families. They threaten to move American jobs to low wage countries, as we have already seen under NAFTA, with jobs fleeing to Mexico. We are importing under NAFTA 10 times as many cars from Mexico as we are exporting. But it is not just auto workers that have lost jobs. We have lost jobs in the electronic industry and in other high-wage sectors.

Where I come from, as in most places in this country, NAFTA, simply put, is a bad deal. These bad trade deals threaten America's economic future.

The same people that brought us NAFTA want to use something called fast track to expand NAFTA, to expand NAFTA to countries, other countries in Latin America, beginning with Chile and moving up and down the South and Central American continent and into Central America.

I think all of us want equal trade and want fair trade, but we do not want this kind of free trade that fast track will bring us.

After 44 months, NAFTA simply has not panned out. It has meant job losses in the auto and electronic sectors to Mexico. It has meant record amounts of illegal drugs. Now it means threats to food safety and truck safety. Everybody wants open markets for American goods. Exports create jobs, no doubt about that. But imports claim jobs.

If only exports counted, we would not have the kind of massive trade deficit we have. This institution, in the last couple, really in the last 5 or 6 years, since the initial Clinton budget in 1993, has dealt with one of the twin deficits. We have dealt with the budget deficit. At the same time we have let the trade deficit get larger and larger and larger.

Sure, we have exported more goods to countries around the world, but the number of dollar's worth of imported goods to this country has mushroomed, causing huge trade deficits. We need to get tough with these countries that keep out American goods.

Japan still is not playing fair with the United States. The Japanese Government drags its feet on the framework agreement of autos and auto parts. Even the administration is concerned about this problem.

Our trade deficit with China, brought on in part by most favored nation status that we continue for reasons beyond my understanding to give to China, even our trade deficit with China has become larger now than our trade deficit with Japan, because the Chinese have a perverse concept of fair trade.

With equal trade and fair trade, we can open foreign markets without dropping our defenses. We need to call a time-out on free trade. And fast track, especially, is an abdication of the responsibility that all of us have in this institution to negotiate fair trade agreements, to negotiate democratic trade agreements, to negotiate trade agreements that protect the environment, protect food safety, ensure truck safety and ensure that Americans have an equal footing in the global marketplace and the global work force.

Perhaps one of the most unknown but most important problems with NAFTA is that specific issue of food safety. In an effort to increase trade with Mexico, NAFTA has limited border inspections of food, both for vegetables and fruits, frozen and fresh, and allowed Mexican trucks to enter the United States with limited inspection. As a result, NAFTA is directly responsible for a significant increase in the imports of contaminated food into the United States from Mexico.

These lax inspection practices contributed to a sharp increase in food imports from Mexico. Imports of Mexican fruit have increased 45 percent. Imports of Mexican vegetables have increased 31 percent. More than 70 percent of these imports are carried into the United States on trucks.

□ 2245

Yet we inspect only 1 out of 100 trucks and 1 out of 100 truckloads that come into this country. That means huge numbers of unsafe Mexican trucks are driving on American highways; it means large amounts of Mexican fruits and vegetables are consumed by the American people, especially American children, that have come across the border. And many of those foodstuffs simply are not healthy.

We are proposing, several of us are proposing to prevent similar kinds of incidents that my friend from Michigan will talk about with Michigan schoolchildren that contracted hepatitis by eating tainted Mexican strawberries.

We are suggesting three things: that we 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 provisions;

Second, we should increase the funding for border inspections or limit the increasing rate of food imports to ensure the safety of our food supply; and

Third, we should begin an aggressive program to label all foodstuffs, including fresh and frozen vegetables, fresh and frozen fruits, vegetables and meats with their country of origin so American consumers, when they go to the grocery store, will know where these foods were grown, where these foods were processed, to give additional information similar to the food labels that we are used to seeing on our cans of soup and other products in this country.

I think we must work with President Clinton to address these serious deficiencies in our trade policy. We should not move so quickly on fast track. We need to back up, look at NAFTA, examine the problems with NAFTA, paying special notice and special attention to food safety.

Mr. Speaker, I yield to my friend from Michigan, Mr. STUPAK.

Mr. STUPAK. Mr. Chairman, I thank the gentleman from Ohio [Mr. BROWN] for yielding to me.

The safety and security of our Nation's food supply that has recently been in the news because of contamination of the Hudson plant in Nebraska, but the gentleman and I both sit on the Health and Environment Subcommittee of the full Committee on Commerce, and we have watched over the last few years especially what has happened to food safety in this country.

If we take a look at the Hudson plant situation, over 20 million pounds of beef was recalled by the company because it was determined that this meat was contaminated with the deadly *E. coli* virus. In response, we have a bill sent up to the Hill here last week by Secretary of Agriculture Mr. Glickman, who wants more authority to inspect and take action against meat and poultry factories.

So if we take a look at what is going on here in this country, we are demanding more authority by the Secretary of Agriculture because he is concerned about the safety and security of our Nation's food supply. But what we are saying here tonight is that the concern for safety and security of our Nation's food supply must extend to NAFTA and to any other fast track agreement that we may be presented with.

As the gentleman mentioned, the President is preparing once again to ask Congress to delegate broad trade negotiating authority to him, and we still have many arguments not only to the economic effects of NAFTA, but also as regards NAFTA's undermining the food safety in this country. There is no discussion to engage in to fix it, on how to fix this growing problem that threatens the well-being of every American family.

So I appreciate the gentleman's efforts here and we have come out here tonight to start alerting the American public that this fast track authority will be here. There is a major concern about food safety in this Nation. The Secretary of Agriculture has pinpointed it, but when we take a look at it, when we take a look at what has really happened since the passage of NAFTA, Mexican imports to the United States are up 82 percent and nearly 70 percent of these imports come across the United States border by trucks.

In May 1977, the General Accounting Office released a study of the Animal and Plant Health Inspection Service's efforts to minimize the risks to agriculture from pests and disease from entering the United States. This General Accounting Office report states that NAFTA and the political muscle from the supporters have, and I quote now, ''have put pressure on these inspectors to carry out the increased inspection responsibilities more quickly.''

In other words, go ahead and inspect, but they have to do it much more quickly, because if we take a look at it, 12,000 trucks per day, 12,000 crossing from Mexico into the United States, carrying fruits and vegetables and meat. So that is a total of 3.3 million trucks coming into this country carrying poultry and vegetables and meat into the United States, and only 1 percent, 1 percent of 3.3 million, are actually being inspected. And then when they are inspected, there is pressure to do it quickly, to move them along.

Again let me quote from the GAO. The GAO said, quote, ''At the Mexican border crossing, with the heaviest passenger vehicle volume in the country, a supervisory inspector said the staff was inspecting less than one-tenth of 1 percent, less than one-tenth of 1 percent of the passenger vehicle traffic because the volume is so high.''

So if they are not even inspecting cars, how are they going to inspect these large trucks? And, again, 12,000 per day enter the United States.

Most of the ports visited by the GAO investigators who were doing this report said that the inspection program could not keep up with the increasing demand. Due to the heavy workloads, inspectors do not conduct complete inspections, allowing possibly unsafe products into the United States. And they said, quote, ''Because of staffing shortages, one work unit alone at the U.S. Mexican border can provide inspection coverage of a busy pedestrian crossing for less than 8 hours in an 18-hour port operation a day.'' So that means that not even 50 percent of the time is there someone there to even do the inspections.

This increased traffic, as the gentleman has indicated, has caused outbreaks of disease in the United States. After passage of NAFTA in 1993, let us just take a look at what happened.

In 1993, NAFTA was passed. The rate of hepatitis A in the border region rose 2½ times greater than the U.S. national average. This is in the border communities. In fact, in Maverick, TX, the rate of hepatitis A doubled from 5.3 times in 1993 to over 10.3 in just 1 year, in 1994.

Webb County, that is El Paso County and Cameron County, they all had at least 2-, almost a 3-percent increase, or 2 to 3 times doubling the rate of hepatitis A in Texas.

Each year we have about 130 cases of hepatitis A identified even in Michigan. The gentleman mentioned Michigan and the strawberries. We had 130 cases of hepatitis A identified in Calhoun County, MI, because of illegally imported strawberries from Mexico.

Now, not only did it come from Mexico and it was not inspected, but we already have a law on the books which says that in the school lunch program we cannot use agricultural goods grown in another country, bring them in the United States and put them into the U.S. agriculture food program. So as we can see, even the laws we had prior to and since NAFTA have not increased the safety of our Nation's food supplies to make sure they are safe and secure for all of us.

So when we take a look at it, overall NAFTA, and especially the food safety, certainly has been a disaster.

Besides the increased flow of traffic of foods, there is evidence that Mexican fruit have high levels of illegal pesticides. On studies performed by the environmental working group using data before and after NAFTA, 42 different fruits and vegetables, which comprise 96 to 83 percent of all the fruits and vegetables coming into this country, they found that the imported crops from Mexico have very high rates of illegal pesticides, including strawberries.

This is a violation rate of like 18.4 percent. Lettuce from Mexico is at 15.6 percent violation, and carrots are at 12.3 percent. These are staples in the American diet, carrots and lettuce and strawberries, and we have an average here of about 15 percent of it coming into this country violating U.S. law because of illegal pesticides.

Illegal pesticides were under-reported actually by the FDA on crops from Mexico, where this environmental working group felt it was much higher.

Certainly, the strawberry has drawn a lot of attention, especially because it occurred in my State of Michigan; and at the time, while the administration, through Secretary Glickman, is here pushing us for more and more regulation of meats and poultry and continuing to raise concerns, and rightfully so, about the pesticide safety in this country, those who are in favor of this new fast track authority, they want to make it easier for unsafe food to come into this country.

Mr. BROWN of Ohio. If I may interrupt the gentleman, I think that is exactly the point that all of us support, all of us on both sides of this debate, those of us that oppose fast track and oppose these carte blanche free trade agreements, all of us support expanded trade between the United States and other countries as long as that trade is done right.

But if we back up to the gentleman's illustration from 1993, when NAFTA passed in November of that year, we simply, as a legislative body and as a Nation, were not prepared, nor did the administration and the leaders in the pro-NAFTA movement really plan to be ready for the increased border traffic. There was no way that at the Mexican-United States border, in those days or since, that they could be ready, that we as a Nation, that our Customs officials could be ready to inspect the huge number of trucks, increased truck traffic coming into the United States.

As the gentleman said, 1 percent of the thousands and thousands and thousands of trucks that cross that border every week, only 1 percent of them are inspected, and of those that are inspected, about half of them fail the safety inspection.

On top of that is what those trucks are actually carrying when they come across the border. In many cases, they are carrying, as the gentleman said, fruits and vegetables, fresh and frozen foods and meats and other kinds of products, and we simply have not been able to keep up with those inspections.

I think it goes to the whole idea of free trade that as we in this country believe in a free enterprise system with certain regulations. We have clean air laws, we have safe drinking water laws, we have worker safety laws, we have pure food laws in these trade agreements. We encourage trade agreements, but they should have worker safety laws and environmental laws and clean air laws and safe drinking water laws and pure food safety laws.

It is exactly the same thing we want for our own manufacturers and our own producers; we want food safety, we want good food quality inspection and good food quality safety laws. When we negotiate trade laws with other countries, we want those same kinds of protections built in for people in this country that are consuming those

fruits and vegetables and meats from other countries.

It is not asking much. That is why a lot of us in the institution will oppose giving the President fast track authority to negotiate trade agreements that do not have food safety as part of them.

I yield to the gentleman from Michigan.

Mr. STUPAK. If I may cut in here, the gentleman and I both have a letter that was going to the President in which we are asking him to include very specific food safety provisions in his fast track proposal.

This really is not a trade issue. It is really a safety issue.

What we are asking here, while Secretary Glickman says we have to do more things in this country, let us make sure that these provisions and regulations we are going to put out for our producers and growers and poultry and meat plants in this country also apply to goods and services. Especially when it concerns our health, meat and poultry and vegetables and fruits, let us apply those same standards in our trade agreements. Isn't that only fair?

When we take a look at it, and if we study NAFTA, whether it is chapter 7 or 9, which talks about inspection of trucks, if we put kind of a standard out there, the first thing people say is we are putting up a trade barrier, we are putting up trade barriers. Let us have fair trade, but let us have a level trading position here and make sure our safety standards are not compromised. That is the least we should expect from these agreements, because it does threaten the well-being of every American family.

There is no doubt that NAFTA has been a direct cause of threats to our communities and our health and our safety. The NAFTA rules securing investment in Mexico was actually lowering the few existing tariffs and quotas that are directly responsible for the new wave of NAFTA imports.

So if we take a look again at NAFTA, chapter 7, which limits the border inspections of food and similar items in NAFTA, and then take a look at chapter 9, which opens the border to Mexican trucks, with limited inspection, how about the trucks themselves? Are they safe to be on our highways, 12,000 trucks a day? Do the people driving those trucks have the qualifications and credentials, the chauffeur license, as we know it in this country? Being a former State trooper, I am concerned about that.

Really the bottom line here is that while many consumer and health groups that opposed NAFTA in 1993 feared, NAFTA is threatening the public health and safety; and the government inspection systems that were charged with guaranteeing our health and safety, they just have not been followed through. They have not been followed; in fact, we have been overwhelmed.

□ 2300

If we take a look at the May 1997 General Accounting Office report, certainly the border inspection documentation is alarming. We are not doing it. We are not doing a good job. When 1 percent of 3.3 million trucks coming over from Mexico are actually inspected and then there is pressure on them to do it quickly, what about the other 99 percent that are coming in and are not being inspected? Is the truck being inspected? Are the contents being inspected? Is the driver being inspected? Is there any kind of test given to him as to whether he is under the influence of any kind of alcohol, drug or whatever other kind of chemical or substance that may be used at the time. I would certainly hope that as we begin this debate on fast track, and I am here to talk about the food safety issue and I appreciate the help of the gentleman from Ohio [Mr. BROWN] and leadership in this as we sit on the Subcommittee on Health and Environment. We have watched this unveil for the last 3, 4, 5 years, that while we demand more of our own country as far as inspecting food, meats, fish, and poultry as Secretary Glickman wants more authority to do that and to take action, should that same action not be taken about food, meat, poultry, and vegetables coming into this country? It is an issue of safety, it is an issue of security for our families, it is an issue of fairness, it is an issue of free trade, but fair trade. We certainly are calling upon the President to make sure that food safety is number one paramount in any kind of fast track extension. Remember that under fast track, while we give the President great power and actually Congress delegates broad negotiating authority to the President and his advisers in this area, we do not have an opportunity then when it comes back before this House floor to put on an amendment for food safety, to put on an amendment for increased truck safety, to put on an amendment that says at least 50 percent of all trucks would be inspected and thoroughly inspected. It is either an all-or-nothing vote. We either accept it or reject it. So unfortunately, and I say that even though I opposed NAFTA in 1993, it is unfortunate what we have seen. They have been overwhelmed by trucks and vehicle traffic moving across here, and we are beginning to see whether you are in Michigan, California and especially Texas with the doubling and tripling of hepatitis A, the great threat it is to the health of this Nation and to our families.

Mr. BROWN of Ohio. In summary, I appreciate the gentleman from Michigan joining me tonight on this special order. We have seen the results of NAFTA since 1993. We have seen job loss, we have seen huge trade deficits with Mexico, we have seen problems with truck safety, we have seen problems with food safety, we have seen more illegal drugs going across the Mexican border into the United States. With all of that, I think it is particularly important that we stop and get NAFTA right before expanding it into ever increasing numbers of countries. There are too many problems that too many newspapers, too many radio stations, too many citizens, magazines, Members of Congress, elected officials all over the country, too many problems that all of us have pointed out with the North American Free Trade Agreement to just in a halfhearted sort of way to continue to expand NAFTA into countries like Chile, Argentina and all over.

Madam Speaker, I would add in closing that we again are asking for three changes in NAFTA so that we can get it right before we continue this discussion of expanding NAFTA. One, that we renegotiate the provisions in NAFTA which relate to border inspections and food safety and ensure that any future requests for fast track authority includes strong food safety provisions, that we increase funding for border inspections or limit the increasing rate of food imports to ensure the safety of our food supply in this country which has come a long way in the last 50, 75, 100 years in ensuring a good quality food supply for all of our Nation's citizens; and, third, that we begin an aggressive campaign to label all foodstuffs, fresh and frozen fruits, vegetables and meats with their country of origin so that American consumers know where in fact these fruits and vegetables and meats, where they came from, where they were grown, where they were processed, where they were produced. All of us I think should pledge ourselves to these three changes in NAFTA so once we can fix NAFTA, once we can make NAFTA work better, at least in the area of food safety, then we can have this discussion on fast track.

Mr. STUPAK. Those three points that the gentleman points out have come from discussions we have had on the Subcommittee on Health and Environment which has jurisdiction over health and safety and food and FDA in this country; but also in looking at the GAO report, the Report to Congressional Committees on Agricultural Inspection, Improvements Needed to Minimize the Threat of Foreign Pests and Diseases, GAO Report 97–102. What we are asking for before we extend what we feel are the inadequacies of NAFTA under another fast track authority which the President would like done this fall, before we rush headlong into it, before we put further restrictions on American producers and manufacturers and meatpacking plants throughout this country, that those same quality assurances apply not just to items produced in this country but also coming into this country. We have done a dismal job according to the GAO report in even trying to address the issues. Again I thank the gentleman for his leadership on this issue, and I look forward to working with him. We do have the letter going to the President.

We are asking Members to sign that letter and just to say whatever your position is on fast track, let us make sure we take these minimum basic three steps to ensure the health and safety and security of American families.

Mr. BROWN of Ohio. Madam Speaker, we have no business moving ahead on NAFTA, moving to expand NAFTA until we really do protect the American public with better quality food, vegetables, fruits, meats, whatever.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELLUMS (at the request of Mr. GEPHARDT) for today, on account of medical reasons.

Ms. CARSON (at the request of Mr. GEPHARDT) for today, on account of illness.

Mr. SCHIFF (at the request of Mr. ARMEY) for today through September 19, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mrs. MEEK of Florida, for 5 minutes, today.

Mr. HASTINGS of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. SHADEGG) to revise and extend their remarks and include extraneous material:)

Mr. HULSHOF, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, on September 10.

Mr. HILL, for 5 minutes, on September 10.

Mr. HAYWORTH, for 5 minutes, today.

Mr. JONES, for 5 minutes, on September 10.

Mr. PAPPAS, for 5 minutes, on September 10.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. WEXLER.

Mr. DAVIS of Illinois.

Mr. HALL of Ohio.

Mr. LIPINSKI.

Mr. BARCIA.

Mr. SANDLIN.

Mr. SCHUMER.

Ms. MILLENDER-MCDONALD.

Mr. KUCINICH.

Mr. HASTINGS of Florida.

Mr. SHERMAN.

Mr. CAPPS.

Ms. VELAZQUEZ.

Mr. STOKES.

Ms. NORTON.

Mr. BLAGOJEVICH.

Mr. DEUTSCH.

Ms. SANCHEZ.

Mr. TOWNS.

Mrs. MALONEY of New York.

(The following Members (at the request of Mr. SHADEGG) and to include extraneous matter:)

Mr. RADANOVICH.

Mr. GINGRICH.

Mr. OXLEY.

Mrs. ROUKEMA.

Mr. GALLEGLY.

Ms. ROS-LEHTINEN.

Mr. PACKARD.

Mr. GOODLING.

(The following Members (at the request of Mr. BROWN of Ohio) and to include extraneous matter:)

Mr. BALLENGER.

Mr. GILLMOR.

Mr. BARR of Georgia.

Mr. NEUMANN.

Ms. MCCARTHY of Missouri.

Mr. CASTLE.

Mr. STENHOLM.

Mr. BOB SCHAFFER of Colorado.

Mr. KIND.

ADJOURNMENT

Mr. BROWN of Ohio. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 10, 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:

4941. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Mediterranean Fruit Fly; Additions to the Quarantined Areas [Docket No. 97–056–3] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4942. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Triclopyr; Pesticide Tolerances for Emergency Exemptions [OPP–300535; FRL–5738–8] (RIN: 2070–AB78) received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4943. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Gamma Aminobutyric Acid; Pesticide Tolerance Exemption [OPP–300547; FRL–5741–4] (RIN: 2070–AB78) received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4944. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Glutamic Acid; Pesticide Tolerance Exemption [OPP–300546; FRL–5741–3] (RIN: 2070–AB78) received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4945. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—2,4–D; Pesticide Tolerances for Emergency Exemptions [OPP–300536; FRL–5738–9] (RIN: 2070–AB78) received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4946. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Agricultural Fair Practices Act to authorize the administrative enforcement of the AFPA by the Secretary of Agriculture; to the Committee on Agriculture.

4947. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Packers and Stockyards Act, 1921, to establish a trust for the benefit of the seller of livestock until the seller receives payment in full for the livestock; to the Committee on Agriculture.

4948. A communication from the President of the United States, transmitting an amendment to the FY 1998 appropriations requests for the Compensation program of the Department of Veterans Affairs, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105–126); to the Committee on Appropriations and ordered to be printed.

4949. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Citizenship Requirements for Owners and Charterers of Vessels with Obligation Guarantees [Docket No. R–171] (RIN: 2133–AB31) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

4950. A letter from the Acquisition Executive, United States Special Operations Command, transmitting a report on the intention to waive the requirement for the realistic survivability tests for the MH–47E and MH–60K aircraft program, pursuant to Public Law 102–484, section 142; to the Committee on National Security.

4951. A letter from the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Prohibition Against Use of Interstate Branches Primarily for Deposit Production [Docket No. 97–16] (RIN: 1557–AB50) received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4952. A letter from the Board of Governors, Federal Reserve System, transmitting the eighth annual report on the assessment of the Profitability of Credit Card Operations of Depository Institutions, pursuant to 15 U.S.C. 1637; to the Committee on Banking and Financial Services.

4953. A letter from the Director, Financial Crimes Enforcement Network, transmitting the Network's final rule—Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirement to Report Transactions in Currency (RIN: 1506–AA11) received September 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4954. A letter from the Assistant Secretary for Pension and Welfare Benefits, Department of Labor, transmitting the Department's final rule—Class Exemption for Collective Investment Fund Conversion Transactions [Prohibited Transaction Exemption 97–41; Exemption Application No. D–09988] received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4955. A letter from the Secretary of Energy, transmitting the Department's report entitled, ''Summary of Expenditures of Rebates from the Low-Level Radioactive Waste Surcharge Escrow Account for Calendar Year 1996,'' pursuant to 42 U.S.C. 2120e(d)(2)(E)(ii)(II); to the Committee on Commerce.

4956. A letter from the Secretary of Health and Human Services, transmitting a report on activities of the Office of Minority Health during fiscal years 1995 and 1996, pursuant to Public Law 101–527, section 2 (104 Stat. 2313); to the Committee on Commerce.

4957. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Carlisle, Irvine, and Morehead, Kentucky) [MM Docket No. 96–161, RM–8842] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4958. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's ''Major'' final rule—International Settlement Rates [IB Docket No. 96–261] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4959. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Deerfield, Missouri) [MM Docket No. 97–111, RM–9052] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4960. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Grand Isle, Louisiana) [MM Docket No. 97–123, RM–9062] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4961. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 68 of the Commission's Rules [CC Docket No. 96–28] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4962. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to enhance nuclear safety and physical security and to increase the agency's efficiency and enhance the economic use of NRC resources; to the Committee on Commerce.

4963. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 97–30: Creation of a Middle East Peace and Stability Fund Using Current and Prior Year Economic Support Funds Appropriated for Egypt, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

4964. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's determination and justification for authorizing assistance to support Pakistan's contribution to the voluntary international military contingent in Haiti, pursuant to 22 U.S.C. 2261(a)(2); to the Committee on International Relations.

4965. A letter from the Secretary of Defense, transmitting the Semiannual Report on Program Activities to Facilitate Weapons Destruction and Nonproliferation in the Former Soviet Union, October 1, 1996 through March 31, 1997, pursuant to 22 U.S.C. 5956; to the Committee on International Relations.

4966. A letter from the Secretary of Health and Human Services, transmitting the semiannual report of the Inspector General for the period April 1, 1996 through September 30, 1996, and Management Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

4967. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–144, ''Real Property Assessment Process and Tax Revenue Anticipation Notes Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4968. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–119, ''Iglesia Del Dios Vivo Columna Y Apoya De La Verdad 'La Lux Del Mundo' Equitable Real Property Tax Relief Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

4969. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–117, ''Sex Offender Registration Temporary Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4970. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–143, ''Human Rights Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4971. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–140, ''Homestead Exemption Penalty Expansion Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4972. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–132, ''Comprehensive Merit Personnel Act Pay Limit Temporary Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4973. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–131, ''Health Care for the Homeless Project, Inc., Equitable Real Property Tax Relief Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4974. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–130, ''Real Property Interests Reporting Improvement Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4975. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–129, ''Washington Home for Incurables Equitable Real Property Tax Relief Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4976. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–126, ''Faith Tabernacle Church Equitable Real Property Tax Relief Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4977. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–125, ''Living Word Church Equitable Real Property Tax Relief Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4978. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–128, ''Healthcare Entity Conversion Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4979. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. Act 12–139, ''Real Property Tax Sale Amendment Act of 1997'' received September 3, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

4980. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments [32 CFR Part 33] received September 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4981. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—1997–98 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018–AE18) received September 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4982. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—National Environmental Policy Act; Revision of Policies and Procedures [Docket No. 96N–0057] received August 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4983. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Mammoth Lakes, CA (Federal Aviation Administration) [Airspace Docket No. 97–AWP–22] (RIN: 2120–AA66) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4984. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; South Lake Tahoe, CA (Federal Aviation Administration) [Airspace Docket No. 97–AWP–3] (RIN: 2120–AA66) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4985. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Sebastian, FL (Federal Aviation Administration) [Airspace Docket No. 97–ASO–11] (RIN: 2120–AA66) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4986. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Titusville, FL (Federal Aviation Administration) [Airspace Docket No. 97–ASO–5] (RIN: 2120–AA66) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4987. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines Establishing Test Procedures for the Analysis of Pollutants; EPA Method 1613 [FRL–5889–3] (RIN: 2040–AC64) received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4988. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Arbitration of Certain Disputes Subject to the Statutory Jurisdiction of the Surface Transportation Board [STB Ex Parte No. 560] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4989. A letter from the Acting Secretary, Department of Veterans Affairs, transmitting a draft of proposed legislation to remove a statutory provision requiring a specified number of full-time equivalent positions in the VA's Office of Inspector General; to the Committee on Veterans' Affairs.

4990. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified State Tuition Programs [Notice 97–52] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4991. A letter from the Assistant Secretary, Department of Defense, transmitting a report concerning restoration of Federal income tax deductions for unreimbursed employee business expenses incurred in performing reserve military duty, pursuant to Public Law 104–106, section 1232; jointly to the Committees on National Security and Ways and Means.

4992. A letter from the Secretary of Health and Human Services, transmitting a report on the Fiscal Year (FY) 1995 Low Income Home Energy Assistance Program, pursuant to 42 U.S.C. 8629(b); jointly to the Committees on Commerce and Education and the Workforce.

4993. A letter from the Administrator, Health Care Financing Administration, transmitting the Administration's final rule— Medicare Program; End-Stage Renal Disease (ESRD) Payment Exception Requests and Organ Procurement Costs [BPD–763–F] (RIN: 0938–AG20) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

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. PACKARD: Committee of Conference. Conference report on H.R. 2016. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–247). Ordered to be printed.

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:

[Submitted September 5, 1997]

By Mr. UPTON (for himself, Mr. ROEMER, Mr. SOLOMON, Mr. BOEHNER, Mr. COX of California, Mr. HOEKSTRA, Mr. CAMP, Mr. EHLERS, Mr. SHAYS, Mr. CASTLE, Mr. FOX of Pennsylvania, Mr. BLUNT, Mr. BASS, Mr. PETERSON of Minnesota, Mr. CONDIT, Mr. BARCIA of Michigan, Mr. KOLBE, Ms. DUNN of Washington, Mr. NEUMANN, Mr. BOB SCHAFFER, Mr. KINGSTON, Ms. CHRISTIAN-GREEN, Ms. DANNER, Mr. HEFLEY, Mr. JONES, Mr. CHABOT, and Mr. BEREUTER):

H.R. 2424. A bill to amend the Line Item Veto Act of 1996 to eliminate the requirement that a Federal budget deficit must exist in order for the President to use the line-item veto authority; to the Committee on the Budget.

By Ms. WOOLSEY:

H.R. 2427. A bill to recognize businesses which show an exemplary commitment to participating with schools to enhance educators' technology capabilities and to make every student technologically literate; to the Committee on Education and the Workforce.

[Submitted September 9, 1997]

By Mr. GILMAN (for himself and Mr. RANGEL):

H.R. 2436. A bill disapproving the cancellation transmitted by the President on August 11, 1997, regarding Public Law 105–33; to the Committee on Commerce.

H.R. 2437. A bill to provide for a waiver for the State of New York of certain health care provider tax provisions under Medicaid; to the Committee on Commerce.

By Mr. RYUN (for himself, Mr. TIAHRT, Mr. SNOWBARGER, Mr. LARGENT, Mr. COBURN, Mr. POMBO, Mr. HUTCHINSON, Mr. METCALF, Mr. TALENT, Mr. SHIMKUS, Mr. HASTINGS of Washington, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. DICKEY, Mr. THORNBERRY, Mr. YOUNG of Alaska, Mr. HANSEN, Mr. WATTS of Oklahoma, Mr. WATKINS, Mr. BOB SCHAFFER, Mrs. CUBIN, Mr. HOSTETTLER, and Mr. THUNE):

H.R. 2438. A bill to encourage the establishment of appropriate trails on abandoned railroad rights-of-way, while ensuring the protection of certain reversionary property rights; to the Committee on Resources.

By Mr. CASTLE:

H.R. 2439. A bill to provide for the establishment of an official mass mailing allowance for Members of the House of Representatives, and for other purposes; to the Committee on House Oversight.

By Mr. GEKAS (for himself and Mr. NADLER):

H.R. 2440. A bill to make technical amendments to section 10 of title 9, United States Code; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself, Ms. NORTON, Mr. CUMMINGS, Mr. WYNN, and Mr. FORD):

H.R. 2441. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to improve the effectiveness of administrative review of employment discriminations claims made by Federal employees, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MEEK of Florida:

H.R. 2442. A bill to amend the Immigration and Nationality Act to clarify the relief available under current law, and to provide additional relief and procedural rights for certain aliens who would otherwise be ineligible for such procedural rights; to the Committee on the Judiciary.

By Ms. NORTON (for herself, Mr. MORAN of Virginia, Mr. WOLF, Mr. DAVIS of Virginia, Mr. HOYER, Mrs. MORELLA, and Mr. WYNN):

H.R. 2443. A bill to designate the Federal building located at 601 Fourth Street, NW, in the District of Columbia, as the ''Federal Bureau of Investigation, Washington Field Office Memorial Building'', in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodriffe; to the Committee on Transportation and Infrastructure.

By Mr. STENHOLM (for himself and Mr. HULSHOF):

H.R. 2444. A bill disapproving the cancellations transmitted by the President on August 11, 1997, regarding Public Law 105–34; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mr. SHERMAN, and Mr. BILIRAKIS):

H. Con. Res. 148. Concurrent resolution commemorating the 75th anniversary of the burning of Smyrna and honoring the memory of its civilian victims, and for other purposes; to the Committee on International Relations.

By Mr. BURTON of Indiana (for himself, Mr. HYDE, and Mr. SMITH of New Jersey):

H. Res. 223. Resolution concerning the death of Mother Teresa; to the Committee on International Relations.

By Mr. OBEY (for himself, Mr. MCDADE, Mr. SANDERS, Mr. KIND of Wisconsin, Mr. JOHNSON of Wisconsin, Mr. MCHUGH, Mr. MASCARA, Mr. SANDLIN, Mr. PETERSON of Pennsylvania, Ms. KAPTUR, Mr. BARCIA of Michigan, Mr. OBERSTAR, Mr. STENHOLM, Mr. STRICKLAND, Mr. HINOJOSA, Mr. WALSH, and Mr. KLINK):

H. Res. 224. Resolution expressing the sense of the House of Representatives that the Secretary of Agriculture should establish a temporary emergency minimum milk price that is equitable to all producers nationwide and that provides price relief to economically distressed milk producers; to the Committee on Agriculture.

By Mr. ROHRABACHER (for himself, Mr. SOLOMON, Mr. COX of California, Mr. SMITH of New Jersey, and Mr. ROYCE):

H. Res. 225. Resolution urging the President to make clear to the People's Republic of China the commitment of the American people to security and democracy on Taiwan; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

190. The SPEAKER presented a memorial of the General Assembly of the State of Nevada, relative to Assembly Joint Resolution No. 7 urging Congress to enact legislation patterned after the ''Rodeo Freedom Act of 1995''; to the Committee on Commerce.

191. Also, a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to House Resolution No. 10–147, HD1 requesting the Japanese and U.S. governments to provide for funding of $500,000 from each respective entities for the construction of a memorial honoring CNMI civilians, both Chamorros and Carolinians, who have lost their lives during the devastation of World War II; to the Committee on Resources.

192. Also, a memorial of the General Assembly of the State of Nevada, relative to

Assembly Joint Resolution No. 8 urging Congress to enact the Southern Nevada Public Land Management Act of 1997; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MCINTYRE introduced a bill (H.R. 2445) for the relief of Rabon Lowry; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. RAHALL.
H.R. 96: Mr. BRADY.
H.R. 135: Mr. DAVIS of Illinois and Mr. WALSH.
H.R. 292: Mr. PETRI and Mr. SCARBOROUGH.
H.R. 339: Mr. MASCARA.
H.R. 367: Mr. CRANE.
H.R. 519: Mr. KUCINICH, Mr. WAMP, and Mr. WELLER.
H.R. 687: Mr. MILLER of California.
H.R. 714: Mr. MCHALE and Mr. FOGLIETTA.
H.R. 754: Mr. SHERMAN.
H.R. 789: Mr. RAHALL.
H.R. 815: Mr. DUNCAN, Mr. WEYGAND, Mr. BARR of Georgia, and Mr. FAZIO of California.
H.R. 836: Mr. LAMPSON, Mr. MURTHA, Ms. STABENOW, Mr. TRAFICANT, Mr. SANDLIN, and Mr. BARCIA of Michigan.
H.R. 853: Mr. GREENWOOD.
H.R. 857: Mr. GALLEGLY, Mr. MCINNIS, Mr. MILLER of Florida, Mr. HILL, Mr. DAVIS of Virginia, and Mr. COOK.
H.R. 859: Mr. CRAPO.
H.R. 872: Mr. CAPPS, Mr. GOODLING, Mr. HOLDEN, Mr. WALSH, and Mr. YOUNG of Florida.
H.R. 875: Mr. DOOLEY of California.
H.R. 893: Mr. FARR of California and Ms. SANCHEZ.
H.R. 991: Mr. LANTOS and Mr. WEXLER.
H.R. 1025: Ms. WOOLSEY.
H.R. 1108: Mr. BLILEY.
H.R. 1147: Mr. HALL of Texas.
H.R. 1203: Mrs. LINDA SMITH of Washington.
H.R. 1232: Ms. LOFGREN and Mr. BILIRAKIS.
H.R. 1240: Mrs. MORELLA and Ms. LOFGREN.
H.R. 1301: Mr. KUCINICH.
H.R. 1361: Mr. MEEHAN, Mr. SHERMAN, Ms. CARSON, Mr. MARTINEZ, and Mr. CUNNINGHAM.
H.R. 1362: Mr. COOK and Mr. ABERCROMBIE.
H.R. 1428: Mrs. FOWLER.
H.R. 1507: Mr. HASTINGS of Florida, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. MARTINEZ, Mr. MARKEY, and Mrs. KELLY.
H.R. 1524: Mr. SENSENBRENNER, Mr. SMITH of Oregon, and Mr. STRICKLAND.
H.R. 1555: Mr. BISHOP, Mr. WATT of North Carolina, and Mr. STOKES.
H.R. 1586: Mr. LEVIN, Mr. FALEOMAVAEGA, and Ms. WOOLSEY.
H.R. 1671: Mr. KUCINICH.
H.R. 1690: Mr. COOK, Mr. CLEMENT, and Mr. GREEN.
H.R. 1697: Mr. BARETT of Wisconsin.
H.R. 1717: Mr. COX of California.
H.R. 1735: Mr. LEWIS of Georgia.
H.R. 1753: Mrs. MALONEY of New York.
H.R. 1754: Mr. DAN SCHAEFER of Colorado.
H.R. 1763: Mr. GOODLING, Mr. HOLDEN, and Mr. HINCHEY.
H.R. 1787: Mr. PICKETT, Mr. SAWYER, and Mr. FARR of California.
H.R. 1807: Mr. DELLUMS.
H.R. 1842: Mrs. LINDA SMITH of Washington.
H.R. 1880: Mr. BERMAN.
H.R. 1970: Mr. PRICE of North Carolina.
H.R. 2072: Mr. GREEN and Mr. TURNER.
H.R. 2103: Mrs. CUBIN.
H.R. 2113: Mr. BUNNING of Kentucky.
H.R. 2121: Mrs. KELLY.
H.R. 2125: Mr. ANDREWS and Mr. PALLONE.
H.R. 2149: Mr. FARR of California.
H.R. 2168: Mr. MORAN of Kansas.
H.R. 2210: Mr. FLAKE, Mr. TOWNS, Mrs. MALONEY of New York, Mr. SCHUMER, Mr. SERRANO, Mr. MANTON, Mr. ENGEL, Mr. UNDERWOOD, Mr. RANGEL, Mr. OWENS, and Mr. DELLUMS.
H.R. 2211: Mr. FILNER.
H.R. 2221: Mr. UNDERWOOD and Mr. RAHALL.
H.R. 2231: Mr. GRAHAM.
H.R. 2248: Mr. DEAL of Georgia, Mr. SERRANO, Mr. SANFORD, Mr. THOMAS, Mr. BURTON of Indiana, Ms. ESHOO, Mr. WAXMAN, Mr. EDWARDS, Mr. OXLEY, Mr. BECERRA, Mr. BONIOR, Mr. GILCHREST, and Mr. THUNE.
H.R. 2343: Mr. VENTO.
H.R. 2359: Mr. BARRETT of Wisconsin and Ms. FURSE.
H.R. 2385: Mrs. ROUKEMA and Mr. RIGGS.
H.R. 2388: Mr. SHUSTER, Mr. ENGLISH of Pennsylvania, Mr. BOEHLERT, and Mr. OBEY.
H.R. 2409: Mrs. MORELLA, Mrs. ROUKEMA, Mr. PETERSON of Minnesota, and Mr. KLECZKA.
H.R. 2424: Mr. GREENWOOD, Ms. STABENOW, Mr. COBLE, Mr. STEARNS, and Mr. HALL of Texas.
H. Con. Res. 80: Mr. ENSIGN, Mrs. LOWEY, Mr. BILIRAKIS, Mr. JOHNSON of Wisconsin, Mr. GEPHARDT, and Mr. MARTINEZ.
H. Con. Res. 106: Mr. SHAYS, Ms. FURSE, Mr. CAPPS, Mr. SANDERS, Mr. GUTIERREZ, Mr. PALLONE, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Ms. ESHOO, Mr. BARRETT of Wisconsin, Mr. LANTOS, Ms. WOOLSEY, and Mr. STARK.
H. Con. Res. 112: Mr. ENGEL, Ms. SLAUGHTER, Mr. GREEN, Mr. PASCRELL, and Mr. ROTHMAN.
H. Con. Res. 134: Mr. DAVIS of Virginia, Mr. GOSS, Mr. JENKINS, Mr. COOKSEY, Mr. MCINNIS, Mr. WALSH, and Mr. FROST.
H. Res. 26: Mr. BARRETT of Wisconsin, Mr. CLAY, Ms. FURSE, and Ms. SLAUGHTER.
H. Res. 139: Mrs. LINDA SMITH of Washington.
H. Res. 190: Mr. BOB SCHAFFER.
H. Res. 214: Mr. HUTCHINSON.
H. Res. 220: Mr. GUTKNECHT and Mr. GANSKE.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2264

OFFERED BY: MR. FILNER

AMENDMENT NO. 61: At the end of title II, insert after the last section (proceeding the short title) the following section:

SEC. 213. Of the amounts made available in this title for the account ''OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', $12,800,000 is transferred and made available under section 30403 of Public Law 103–322 for the Community Schools Youth Services and Supervision Grant Program Act of 1994.

H.R. 2267

OFFERED BY: MR. BARR OF GEORGIA

AMENDMENT NO. 16: Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds made available in this Act may be used to conduct any study of the medicinal use or legalization of marihuana or any other drug or substance in schedule I under part B of the Controlled Substances Act.

H.R. 2267

OFFERED BY: MR. BURTON

AMENDMENT NO. 17: At the end of section 501 insert the following:

(d) CASE DISCLOSURE.—

(1) IN GENERAL.—Not later than January 1, 1998, the Legal Services Corporation shall implement a system of case information disclosure which shall apply to all basic field programs which receive funds from the Legal Services Corporation from funds appropriated in this Act.

(2) REQUIREMENT.—Any basic field program which receives Federal funds from the Legal Services Corporation from funds appropriated in this Act must disclose to the public in written form, upon request, and to the Legal Services Corporation in quarterly reports, the following information about each case filed by its attorneys in any court:

(A) The name and full address of each party to the legal action (other than a name or address which may not under court order he released).

(B) The cause of action in the case.

(C) The name and address of the court in which the case was filed and the case number assigned to the legal action.

(3) DISCLOSURE.—The case information disclosed in quarterly reports to the Legal Services Corporation shall be subject to disclosure under section 552 of title 5, United States Code.

H.R. 2267

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 18: Page 42, line 11, after the dollar amount, insert the following: ''(reduced by $90,000,000)''.

H.R. 2267

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 19: Page 38, after line 11, insert the following:

SEC. 110. (a) Not later than 90 days after the date of the enactment of this Act, the Department of Justice shall enter into a contract with the National Research Council of the National Academy of Sciences to conduct a study of computer-based technologies and other approaches that could help to restrict the availability to children of pornographic images through electronic media including the Internet and on-line services as well as the identification of illegal pornographic images with a goal of criminal prosecution.

(b) The study shall address the following:

(1) The capabilities of present-day computer-based control technologies for controlling electronic transmission of pornographic images.

(2) Research needed to develop computer-based control technologies to the point of practical utility for controlling the electronic transmission of pornographic images.

(3) The inherent limitations of computer-based control technologies for controlling electronic transmission of pornographic images.

(4) Operational policies or management techniques needed to ensure the effectiveness of these control technologies for controlling electronic transmission of pornographic images.

(5) Policy options for promoting the deployment of such control technologies and the costs and benefits of such options.

(6) Other matters that the National Research Council deems relevant to computer-based control technologies and their use in the context of a deployed national information infrastructure.

(c) The National Research Council shall conduct the review over the 24-month period beginning upon completion of the performance of the contract described in subsection (a).

(d) The final report of the study shall set forth the findings, conclusions, and recommendations of the Council and shall be submitted to relevant Government agencies and congressional committees.

(e) The Federal Advisory Committee Act shall not apply to the study made under subsection (a).

H.R. 2267

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 20: Page 44, strike line 22 and all that follows through page 45, line 11, and insert the following:

For expenses necessary to conduct the decennial census, $381,800,000, to remain available until expended.

Page 58, after line 9, insert the following:

SEC. 209. None of the funds made available in this Act for fiscal year 1998 may be used by the Department of Commerce to make irreversible plans or preparations for the use of sampling or any other statistical method (including any statistical adjustment) in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the States.

SEC. 210. (a) There shall be established a board to be known as the Board of Observers for a Fair and Accurate Census (hereinafter in this section referred to as the ''Board'').

(b)(1) The function of the Board shall be to observe and monitor all aspects of the preparation and implementation of the 2000 decennial census (including all dress rehearsals) to determine whether the process has been manipulated in any way so as to bias the results in favor of any geographic region, population group, or political party, or on any other basis.

(2) In carrying out such function, the Board shall give special attention to the design and implementation of any sampling techniques and any statistical adjustments used in determining the population for purposes of the apportionment of Representatives in Congress among the several States.

(3) The Board shall promptly report to the Congress and the President evidence of any manipulation referred to in paragraph (1).

(c)(1) The Board shall be composed of 3 members as follows:

(A) 1 individual appointed by the President.

(B) 1 individual appointed jointly by the Speaker of the House of Representatives and the President pro tempore of the Senate.

(c) The Comptroller General of the United States.

The members appointed under subparagraphs (A) and (B), respectively, shall be former Presidents or others of similar stature.

(2) Members shall not be entitled to any pay by reason of their service on the Board, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(d)(1) The Commission shall have an Executive Director who shall be appointed by the Board and paid at a rate not to exceed level IV of the Executive Schedule.

(2) The Board may appoint and fix the pay of such additional personnel as it considers appropriate, subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code.

(3) Subject to such rules as may be prescribed by the Board, the Board may procure temporary and intermittent services under section 3109(b) of such title 5, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of pay payable for grade GS–15 of the General Schedule.

(4)(A) Upon request of the Board, any personnel of any agency under subparagraph (B) may be detailed to the Board, on a reimbursable basis or otherwise, to assist the Board in carrying out its duties.

(B) The agencies under this subparagraph are the General Accounting Office, the Congressional Research Service, and the Congressional Budget Office.

(e)(1) Notwithstanding any provision of title 13, United States Code, or any other provision of law, members of the Board and any members of the staff who may be designated by the Board under this paragraph shall be granted access to any data, files, information, or other matters maintained by the Bureau of the Census (or received by it in the course of conducting a decennial census of population) which they may request, subject to such regulations as the Board may prescribe in consultation with the Secretary of Commerce.

(2) The regulations shall include provisions under which individuals gaining access to any information or other matter pursuant to paragraph (1) shall be subject to sections 9 and 214 of title 13, United States Code.

(f) The Board shall transmit to the Congress and the President—

(1) interim reports, at least semiannually, with the first such report due by August 1, 1998; and

(2) a final report not later than August 1, 2001.

The final report shall contain a detailed statement of the findings and conclusions of the Board with respect to the matters described in subsection (b), together with any recommendations regarding future decennial censuses of population.

(g) Of the amounts appropriated to the Bureau of the Census for each of fiscal years 1998 through 2001, $2,000,000 shall be available to the Board to carry out this section.

(h) To the extent practicable, members of the Board shall work to promote the most accurate and complete census possible by using their positions to publicize the need for full and timely responses to census questionnaires.

(i) The Board shall cease to exist on September 30, 2001.

H.R. 2267

OFFERED BY: MR. SANDERS

AMENDMENT NO. 21: Page 38, line 22, after ''$21,700,000'' insert ''(increased by $1,000,000)''.

Page 40, line 8, after ''$279,500,000'' insert ''(reduced by $1,000,000)''.

H.R. 2267

OFFERED BY: MR. SANDERS

AMENDMENT NO. 22: Page 38, line 22, after ''$21,700,000'' insert ''(increased by $1,000,000)''.

Page 54, line 11, after ''$28,490,000'' insert ''(reduced by $1,000,000)''.

H.R. 2378

OFFERED BY: MR. SANDERS

AMENDMENT NO. 2: Page 73, line 16, before the period insert the following: '', including enforcement with respect to bonded child labor''.

H.R. 2378

OFFERED BY: MR. SANDERS

AMENDMENT NO. 3: Page 73, line 16, before the period insert the following: '', including enforcement with respect to bonded labor''.

H.R. 2378

OFFERED BY: MR. SANDERS

AMENDMENT NO. 4: Page 101, after line 18, insert the following section:

SEC. 633. None of the funds made available in this Act for the United States Custom Service may be used to allow the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

H.R. 2378

OFFERED BY: MR. SANDERS

AMENDMENT NO. 5: Page 101, after line 18, insert the following new section:

SEC. 633. None of the funds made available in this Act for the United States Custom Service may be used to allow the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).