United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, SEPTEMBER 17, 1997 No. 124

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. CALVERT].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 17, 1997.

I hereby designate the Honorable KEN CALVERT to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

Through all the trials and tumult that divide the human family and in all the joys and celebrations that bring people together, Your Word of love, O God, is a beacon of hope and a source of comfort and solace. For better or worse, for richer or poorer, and in all the circumstances of life, Your Word unites us and makes us whole. Because of Your everlasting gifts to us, O God, we are grateful for this new day and move forward in the faith and in the hope that You have given to us. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. CALVERT). 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 Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker'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The point of no quorum is considered withdrawn.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 Ohio [Mr. BROWN] come forward and lead the House in the Pledge of Allegiance.

Mr. BROWN of Ohio led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment, a bill of the House of the following title:

H.R. 63. An act to designate the reservoir created by Trinity Dam in the Central Valley project, California, as ''Trinity Lake''.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 308. An act to require the Secretary of the Interior to conduct a study concerning grazing use and open space of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges;

S. 931. An act to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center;

S. 965. An act to amend title II of the Hydrogen Future Act of 1996 to extend an authorization contained therein, and for other purposes;

S. 1026. An act to reauthorize the Export-Import Bank of the United States; and

S. Con. Res. 45. Concurrent resolution commending Dr. Hans Blix for his distinguished service as Director General of the International Atomic Energy Agency on the occasion of his retirement.

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the 1st Session of the 105th Congress, to be held in Nova Scotia and Prince Edward Island, Canada, September 11–15, 1997:

The Senator from Alaska [Mr. MURKOWSKI], Chairman;

The Senator from Utah [Mr. HATCH];

The Senator from Iowa [Mr. GRASSLEY];

The Senator from Indiana [Mr. COATS];

The Senator from Ohio [Mr. DEWINE]; and

The Senator from Wyoming [Mr. ENZI].

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I have a preferential motion at the desk.

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.

Printed on recycled paper containing 100% post consumer waste

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 355, answered ''present'' 1, not voting 34, as follows:

[Roll No. 400]

YEAS—43

Allen
Andrews
Baldacci
Becerra
Berry
Brown (OH)
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Eshoo
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Hastings (FL)
Hefner
Jefferson
LaFalce
Lewis (GA)
Lowey
Martinez
McDermott
McNulty
Miller (CA)
Mink
Olver
Owens
Pallone
Pelosi
Slaughter
Stupak
Tierney
Towns
Vento
Waters
Waxman
Woolsey

NAYS—355

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
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
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
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
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
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
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Young (FL)

ANSWERED ''PRESENT''—1

Pryce (OH)

NOT VOTING—34

Ackerman
Barton
Bonior
Brown (CA)
Chenoweth
Conyers
Crapo
Dellums
Dixon
Flake
Foglietta
Furse
Gonzalez
Hilliard
Hostettler
Houghton
Inglis
Istook
Kaptur
Livingston
McCrery
McInnis
Moran (VA)
Norwood
Reyes
Riggs
Roybal-Allard
Rush
Sanders
Schiff
Taylor (NC)
Wise
Yates
Young (AK)

□ 1022

Mr. PARKER, Mrs. CUBIN, and Messrs. REDMOND, SHADEGG, KINGSTON, SUNUNU, GILCHREST, PETERSON of Pennsylvania, and EHLERS changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ABERCROMBIE. Mr. Speaker, on rollcall vote 397 from yesterday, I inadvertently missed the vote. Had I been present, I would have voted ''yes.''

THE JOURNAL

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to clause 5 of rule I, 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. PELOSI. Mr. Speaker, yesterday on rollcall 398, I was detained in traffic and missed the vote. Had I been present, I would have voted ''no.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

APPROVE LOW-DOSE IRRADIATION FOR RED MEAT

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

Mr. GANSKE. Mr. Speaker, some people oppose vaccination for small pox, some people oppose pasteurization to kill TB in milk, some people oppose chlorination to kill bacteria in water, and some people oppose fluoridation of water for healthy teeth. Now we have the FDA sitting on approval for low-dose irradiation to kill bacteria in red meat, in hamburger. For 4 years they have done that. The FDA has already approved low-dose irradiation as safe and effective for spices, vegetables, fruits, chicken, and pork. Why not hamburger? Low-dose irradiation does not cause food to become radioactive. It does kill salmonella, tapeworms, and E. coli. In my opinion, the FDA taking 4 years to approve low-dose irradiation of red meat puts them right there with those critics of vaccination, pasteurization, chlorination, and fluoridation.

□ 1030

PROBLEMS AT THE POST OFFICE

(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, Martha Cherry, a letter carrier for 18 years, has been fired. The Postal Service said, ''Your stride is too short.'' If that is not enough to put a runner in your pantyhose, check this out.

According to the Postal Service, they wrote in the report that the heels of your leading foot did not pass the toe of your trailing foot by more than 1 inch, thus it took you 10 minutes longer to deliver the mail.

Beam me up, Mr. Speaker. Is this the KGB or the Postal Service? The truth

is, these postal managers could not deliver their way out of a paper bag. I believe they do not even know their heads from their assets. I say the Congress should join with Martha Cherry and give her a hand in putting her 13-inch goose step right up their gestapo tactics.

After all, I admit the Postal Service has a problem, but it is not Martha Cherry's footwork.

I yield back the balance of all this chicanery.

NATIONAL DEBATE ON TAX CODE

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

Mr. PAXON. Mr. Speaker, the way this Congress balanced the budget was in 1994 in the Contract With America, we set the date on which we would balance the budget, 2002, then we began a great national debate on how we would accomplish that.

My friends, we need to do the exact same thing in reforming our Federal Tax Code. Yesterday I filed legislation that would sunset the entire Federal Tax Code absent Social Security and Medicare effective December 31, 2000. That action by this Congress in giving the President that bill this year will begin a great national debate. We will have the opportunity to listen to the American people on whether they want a flat income tax, a national sales tax, a match tax proposed by the Cato Institute or some other approach.

But the important thing is to begin that debate. But sunsetting the IRS Code, by passing that legislation this year, the debate can begin. The starting gun will go off. I think it will be a great experience to go to this country, to listen to the American people, to get their views. I hope my colleagues will join with me in this important historic national effort.

SUPPORTING THE EXPORT-IMPORT BANK

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

Mr. MENENDEZ. Mr. Speaker, our first job in Congress must always be to do everything we can to defend and create American jobs. Yet the charter of one of the strongest tools in our job creating arsenal, the Export-Import Bank, runs out on September 30. Why should we care? We should care because European-based Airbus, which receives substantial export support from France, Germany, and Britain, is as we speak trying to steal international clients from American-based Boeing.

Airbus is openly telling Boeing's customers that congressional inaction is evidence they can no longer rely on the U.S. Export-Import Bank to keep providing the backing for their transactions. Boeing has thousands of suppliers spread across the country, 72 of them in my home State of New Jersey. Each one of those suppliers supports families and homes and school tuition for hard working Americans.

I am here today with my distinguished colleague the gentleman from Illinois [Mr. HASTERT], the chief deputy Republican whip, because this is not a partisan issue, it is an American issue, it is a jobs issue. For these reasons, it is an issue that should move to the top of the agenda and on to the House floor.

EDUCATION A PRIORITY FOR ALL

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

Mr. EWING. Mr. Speaker, education is the priority for all of us. There is a lot more to education though than just putting more money in it. Sometimes this body appears to confuse that.

Let us say, for instance, school structure. I could not be prouder than I am of the city of Chicago, which only a few years ago had some of the worst schools in the country, and working with the Democratic mayor, working with the Republican legislature, they put a new structure in place which has reduced crime, put out a core curriculum, and has increased test scores several times over.

They are really moving in the right direction. I am also proud of this body. Yesterday we voted the Goodling amendment. The teachers in my district have told me very plainly, we do not need to test and test and test. I guess my question is, like a farmer, if you test too many times, it is like weighing your cow every day. It does not do any good.

The Republicans, I believe, have the right idea for education and we need to keep pursuing it.

SOLIDARITY IN ORANGE COUNTY

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

Ms. SANCHEZ. Mr. Speaker, during the August recess I joined over 2,000 of my constituent to rally in support of human rights and democracy in Vietnam. We marched in protest of the recently reported human rights abuses and religious oppression by the Government of Vietnam.

In response to high taxes and official corruption, uprisings have begun in the provinces of Vietnam. And what was the response of the Vietnamese Government to these protests? Well, reports indicate that the Vietnamese Government has dispatched security forces and arrested hundreds of these protesters, and the farmers have also been forcibly removed from their land by the special police.

Last month I joined my constituents in sending a strong message to Hanoi, a message that these injustices will not be tolerated, a message that the Government must obey, respect and honor human and religious rights in Vietnam.

I urge the administration to ensure that the protection of religious practice and freedom of expression remains key in any policy towards Vietnam.

THE 50TH ANNIVERSARY OF THE FREEDOM TRAIN

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

Mr. GOODLATTE. Mr. Speaker, exactly 50 years ago today on September 17, 1947, the Freedom Train began its historic 16-month tour across the United States. This special train, commonly known as the Spirit of 1776, carried over 100 historic documents to hundreds of communities in all of the then 48 States.

More than a rolling museum, the Freedom Train was a 16-month experiment in civic awareness that provided a vivid reminder of the greatness of America's heritage to a nation still recovering from economic depression and world war.

Imagine what it must have felt like to see the Freedom Train rolling into your hometown in 1947 and open its doors to reveal original documents like the Magna Carta, the Mayflower Compact and the Declaration of Independence. The Freedom Train's tour logged more than 37,000 miles.

Today railroading enthusiasts across the country pause to pay tribute to this unique train and to its enlightened mission to renew pride in our Nation's founding principles.

I would like to give special thanks to Mary Jayne and John Z. Rowe, two Virginians who have worked tirelessly to ensure that the special story of the Freedom Train will never be forgotten.

THE HOUSE SCHEDULE

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

Mr. DEFAZIO. Mr. Speaker, I know many people wonder what takes precedence here in Washington, DC. It is kind of puzzling when you watch the House in session. Is it the 13 unfinished appropriations bills, the bills that will fund every part of the Government for the next fiscal year, which are due on the first of October? Not a one has been passed? Can we avoid another Government shutdown? Is that a crisis we should be working on day and night?

No, that is not it.

How about repeal of the special $50 billion tax break snuck into the tax bill for the tobacco industry? Does that take precedence?

No.

There is one simple thing. The House is adjourning at 4 p.m. today, a day on which we usually work late into the

night, with all its business pending, for the thing that always drives this body and is driving the majority party. Campaign finance reform will not be heard, but they will be raising money in New York.

They are going to New York. They have got corporate jets coming to pick them up. They are going to New York to raise money. We are adjourning early today and the people's business will not be done so they can go to a $10,000 a plate fund raiser.

STONEWALLING CAMPAIGN FINANCE REFORM

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

Mr. SCARBOROUGH. Mr. Speaker, my goodness. Thank God the liberals have never raised money in New York City. You know, it is interesting, the last speaker shows us the nature of the Democrat's complaints in the past. Here we have somebody complaining about us adjourning at 4 o'clock, when he voted at 10 o'clock to adjourn. I do not understand it. Do you like 10 o'clock better than 4 o'clock?

By gosh, this is the same Democratic Party that complains about campaign finance reform, and complains about not being able to trace soft money, when the same people that come here get over $500,000 from unions that we could not trace for 6 months. We finally traced it. They are getting more money that you cannot trace than I got in my entire TWO campaigns, and yet they are saying we must do something to trace soft money.

Mr. Speaker, it is absolutely ridiculous. That is why the New York Times this past weekend attacked the DNC for stone-walling campaign finance reform. They attacked the DNC for not doing enough to really clear this up. Stop changing the subject.

FIGURES ON CAMPAIGN FINANCE REFORM

(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, our Speaker, Speaker GINGRICH, is fond of numbers. Here are new numbers on campaign finance reform.

Zero. Never has the Republican majority brought campaign finance reforms to the floor of the House for a vote.

Two. Twice in this past decade Democrats passed campaign finance reforms, only to see them vetoed by a Republican president.

Twenty-eight. It has been 28 months since Speaker GINGRICH and President Clinton shook hands promising campaign finance reform.

Two hundred sixty-five. In the 1996 election cycle, both parties raised $265 million in soft money.

Finally, 4:30. At 4:30 this afternoon, NEWT GINGRICH and the Republican Party will fly in private planes to New York to raise money for the party, insisting that we have no time for campaign finance reform.

USE OF UNION DUES FOR POLITICAL PURPOSES

(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, it is interesting that they want to change all the campaign laws, when the Democrat Party has had trouble keeping the laws we have on the books today.

But here is an issue that you will not hear many of the liberal colleagues discuss when speaking so passionately about campaign finance reform. It is the use of union dues for political purposes.

During the last election, the AFL–CIO spent a minimum of $35 million in an unprecedented effort to buy Congress. This money came from the paychecks of American workers through special assessments of local unions, and yet national polling tells us that 40 percent of the union workers did not agree with the way their money was being spent.

Thomas Jefferson said, ''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical.'' Later on, in 1988, the Supreme Court said in its Beck decision that the use of compulsory dues and fees for purposes ''beyond those necessary to finance collective bargaining activities violated the judicially created duty of fair representation.''

I welcome the AFL–CIO's involvement in the political process. They should however respect the rights of their members. Let us free up the paychecks of American workers.

Union workers should be allowed to voluntarily participate in politics. Not against their will but voluntarily. And no campaign reform is acceptable without freeing the paychecks of American workers.

A TRIP TO WALL STREET

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

Mr. LEWIS of Georgia. Mr. Speaker, there is nothing more important for this Congress to consider than campaign finance reform. The American people ask for it, the President asks for it, and Members of this Congress support it. Two years ago the President and the Speaker shook hands on it.

Mr. Speaker, this year, many of us sent a letter to the Speaker, a reminder, asking for consideration of campaign finance reform within 100 days.

One hundred days have come and gone, and this leadership refuses to act. Instead, they are closing down all business in the House so they can go to New York for a fundraiser. That is right. Tonight the House will close early, very early, so Republicans can go and raise more money, hundreds of thousands, millions of dollars.

Mr. Speaker, this is no way to represent the American people. We deserve better. Bring campaign finance reform to this floor and stop stonewalling.

CONGRATULATING THE UNIVERSITY OF NEVADA LAS VEGAS ON ITS 40TH ANNIVERSARY

(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, today, I rise to congratulate the University of Nevada Las Vegas, which this month begins its 40th year of providing quality education to the citizens of Nevada.

The University of Nevada Las Vegas began in 1957 as the Nevada Regional Division of the University of Nevada, and in its first year of existence, UNLV consisted of only one building on 80 acres of desert land with a total enrollment of 498. Today, the university includes more than 60 structures, spanning 335 acres, and has an estimated 20,000 students enrolled this fall.

With an unyielding commitment to academic excellence and the support of the people of Nevada, UNLV now claims over 35,000 alumni.

□ 1045

Mr. Speaker, I would like to congratulate President Harter on this great achievement and wish the University of Nevada Las Vegas, every continued success in the future.

VOTE ''NO'' ON FAST TRACK

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

Mr. BROWN of Ohio. Mr. Speaker, what is the hurry? Before we rush headlong into another trade agreement that costs American jobs and endangers America's food supply, let us slow down. Before passing fast track, let us fix the North American Free Trade Agreement, some of its biggest problems. Twelve thousand trucks a week cross the border from Mexico into the United States, yet only 1 percent of those trucks are inspected and half of the trucks that are inspected fail the safety test.

Since NAFTA was passed in 1993, there has been an increase of 45 percent in the amount of frozen and fresh fruits and vegetables that have crossed the border and passed into the United States, yet less than 1 percent of those foods are inspected at the border.

Mr. Speaker, let us slow down on fast track. Let us protect our food supply, let us keep our highways safe. Vote ''no'' on fast track.

PARENTAL INVOLVEMENT AND COMPETITION FOR EDUCATION

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

Mr. GUTKNECHT. Mr. Speaker, I find it fascinating to listen to some of the discussion over the last several weeks about education, and I think those who have been watching on C–SPAN see the real differences between Republicans and Democrats. The Democrats invariably talk about more money for education; principally, more Federal money for local education. But Mr. Speaker, if more money alone were the answer, Washington, DC, would have the best schools in America. We are spending about $9,000 per student on the schools here in Washington, DC.

Now, we obviously need to make certain that our schools have adequate resources. What we really need, however, is to encourage parental involvement and use the miracle of the marketplace. Competition works. The best way to improve poor schools is to give poor parents the same choices that the wealthy have.

NATIONAL REHABILITATION AWARENESS WEEK

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

Mr. CAPPS. Mr. Speaker, I rise to call attention to the fact that this is National Rehabilitation Awareness Week throughout the country. Across the country, we are taking time this week to thank the many therapists in the rehabilitation institutes for the good work that they do, for lives that have been brought back together because of that good work.

I am a personal testimony to this. I want to call special attention to the work of the Santa Barbara Rehabilitation Institute that put my life back together; not just my body, but heart, mind, and soul. I want to thank all of the therapists there, the drivers of the vans, and I brought my football today, because when I started that therapy, I could not throw the football, now I can. As a tribute to them and a tribute to National Rehabilitation Awareness Week, I want to show what kind of work we can do.

CONSTITUTION DAY

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

Mr. DREIER. Mr. Speaker, ''We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain in this Constitution for the United States of America.''

It was 210 years ago today that 39 courageous individuals signed that document and began the ratification process.

It has been fascinating for me to sit here, Mr. Speaker, listening to these speeches and watching the greatest deliberative body known to man proceed with its work, and it is important that we note this very, very important Constitution Day, and it is also Peggy Sampson's birthday back in the Cloakroom.

IMPORTANT DEPARTMENT OF EDUCATION INITIATIVES ARE BEING THREATENED

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

Ms. DELAURO. Mr. Speaker, the last Congress my colleagues on the other side of the aisle tried to close down the Department of Education. The American people said no. Democrats in this House said no.

But having failed to shut down the department in one fell swoop, my Republican colleagues are now trying to shut down the Department of Education office by office. Today, we will vote on an amendment that would take billions of dollars away from the Department of Education.

Let me tell my colleagues what this amendment would eliminate, initiatives that have proven to work: Safe and drug-free schools. The school-to-work program. Educational technology challenge grants. Goals 2000. These are programs that are working in our schools today. Instead of targeting funds to where they are needed most, this amendment would spread them around to schools whether they are needed or not.

Democrats in this House are standing up for America's children, fighting the Republican assault on this Nation's commitment to education. Reject the Hoekstra amendment.

TRIBUTE TO JIM PACE

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

Mr. METCALF. Mr. Speaker, I rise today to pay tribute to Jim Pace, a constituent of mine from Whatcom County who is retiring today. Jim Pace worked as a veteran service officer for the American Legion in Whatcom and Skagit Counties. Through Jimmy's efforts, innumerable veterans, ready to give up on the system, found help and the benefits they deserve.

His first action was to organize a parade in Whatcom County that served as a homecoming for Vietnam's veterans. ''I had a purpose in life,'' Jim said. ''I could not bring back any of the 158,000 soldiers who were killed in Vietnam, but I could help those who came home.''

Among Jim's many accomplishments is Operation We Remember which brought disabled veterans to the Vietnam Memorial here in Washington. The veterans of the Second District and I personally will miss Jimmy's energy and compassion, and wish him the best of luck in his retirement.

MOTION TO ADJOURN

Ms. DELAURO. Mr. Speaker, I have a privileged motion at the desk.

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

The Clerk read as follows:

Ms. DELAURO moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from Connecticut [Ms. DELAURO].

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

Ms. DELAURO. 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 39, nays 364, not voting 30, as follows:

[Roll No. 401]

YEAS—39

Allen	Doggett	Ney
Andrews	Eshoo	Olver
Berry	Filner	Owens
Bonior	Frank (MA)	Pallone
Brown (OH)	Gejdenson	Pelosi
Conyers	Gephardt	Slaughter
Coyne	Gutierrez	Stupak
Davis (FL)	Kaptur	Tierney
DeFazio	Lowey	Torres
Delahunt	McDermott	Towns
DeLauro	McNulty	Vento
Deutsch	Miller (CA)	Waters
Dingell	Mink	Woolsey

NAYS—364

Abercrombie	Brady	Crane
Ackerman	Brown (FL)	Crapo
Aderholt	Bryant	Cubin
Archer	Bunning	Cummings
Bachus	Burr	Cunningham
Baesler	Burton	Danner
Baker	Buyer	Davis (IL)
Baldacci	Callahan	Davis (VA)
Ballenger	Calvert	Deal
Barcia	Camp	DeGette
Barr	Campbell	DeLay
Barrett (NE)	Canady	Dellums
Barrett (WI)	Cannon	Dickey
Bartlett	Capps	Dicks
Barton	Cardin	Dixon
Bass	Carson	Dooley
Bateman	Chabot	Doolittle
Bentsen	Chambliss	Doyle
Bereuter	Chenoweth	Dreier
Berman	Christensen	Duncan
Bilbray	Clay	Dunn
Bilirakis	Clayton	Edwards
Bishop	Clement	Ehlers
Blagojevich	Clyburn	Ehrlich
Bliley	Coble	Emerson
Blumenauer	Coburn	Engel
Blunt	Collins	English
Boehlert	Combest	Ensign
Bonilla	Condit	Etheridge
Bono	Cook	Evans
Borski	Cooksey	Everett
Boswell	Costello	Ewing
Boucher	Cox	Farr
Boyd	Cramer	Fattah

Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Northup
Norwood
Oberstar
Obey
Ortiz
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—30

Armey
Becerra
Boehner
Brown (CA)
Castle
Diaz-Balart
Fawell
Foglietta
Furse
Gonzalez
Jefferson
Johnson, Sam
Kolbe
Largent
Leach
Martinez
Meehan
Metcalf
Moran (VA)
Nussle
Oxley
Rangel
Reyes
Rohrabacher
Schiff
Souder
Talent
Waxman
Wise
Yates

□ 1115

Mr. KILDEE and Mr. NADLER changed their vote from ''yea'' to ''nay.''

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

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. MENENDEZ. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. CALVERT). The gentleman will state his inquiry.

Mr. MENENDEZ. Mr. Speaker, I have a parliamentary inquiry that goes to the integrity of the House.

My question is, Could the Speaker advise the House of that provision of the rules which prohibits former Members of the House from coming onto the House floor and lobbying when they have a direct personal or pecuniary interest in a matter pending before the House?

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXXII, former Members have the privileges of the floor or rooms leading thereto subject to the provisions of clause 3 of that rule.

Mr. MENENDEZ. And that is the controlling provision as it relates to former Members not lobbying in the House in that respect, Mr. Speaker?

The SPEAKER pro tempore. The gentleman is correct.

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 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, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. 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 of 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.

□ 1118

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. BARRETT of Nebraska, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, September 16, 1997, amendment No. 41 by the gentleman from Michigan [Mr. HOEKSTRA] had been disposed of and section 515 was open for amendment.

Are there further amendments to this section of the bill?

PARLIAMENTARY INQUIRY

Mr. MENENDEZ. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his inquiry.

Mr. MENENDEZ. Mr. Chairman, what rules of the House permit a former Member of the House to accost verbally another Member of the House on a matter that affects that Member?

The CHAIRMAN pro tempore. The Chair is not aware of any such rule that permits that.

Mr. MENENDEZ. Well, Mr. Chairman, what procedure does a Member of the House have when they are accosted by a former Member of the House to have that Member removed?

The CHAIRMAN pro tempore. The Chair will consult with the gentleman on that question.

Mr. MENENDEZ. Well, I would like an answer, because I have just had Mr. Dornan, a former Member of this House, come up and verbally accost me. And I do not expect in the greatest democratic institution in the world to have to take what my foreparents did not do, in a country in which they left to avoid, is that to have to come to this body and listen to a former Member of the House proceed in that way and to use words that were both profane and at the same time to use words that were demeaning.

So I want to know, in public, what procedure do we have to not have that type of action happen on the House floor?

The CHAIRMAN pro tempore. The Chair will consult with the gentleman and the Sergeant at Arms on that question.

Mr. MENENDEZ. Further parliamentary inquiry, Mr. Chairman.

If in fact a Member of the House, a present Member of the House, were to make comments that were inappropriate, their words could be taken down. They would not be allowed to speak. I want to know whether or not there is a procedure existing that in fact will create the opportunity to not have this type of occurrence that happened on the House floor.

The CHAIRMAN pro tempore. The Chair can direct and will direct the Sergeant at Arms to maintain decorum in the House.

Mr. MENENDEZ. And I will hold the Chair to that expectation.

The CHAIRMAN pro tempore. I thank the gentleman.

AMENDMENT NO. 67 OFFERED BY MRS. LOWEY

Mrs. LOWEY. 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 offered by Mrs. LOWEY:

Amendment No. 57: Page 102, after line 24, insert the following new section:

SEC. 516. Subsection (k) of section 9302 of the Balanced Budget Act of 1997, as added by section 1604(f)(3) of the Taxpayer Relief Act of 1997, is repealed.

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN pro tempore. The point of order is reserved.

Mr. PORTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The point of order is reserved.

POINT OF ORDER

Mr. HOYER. Mr. Speaker, the Member continues to be harassed and that is not consistent with our rules.

The CHAIRMAN pro tempore. Former Members are requested to observe the rules.

The gentlewoman from New York [Mrs. LOWEY] may proceed.

Mrs. LOWEY. Mr. Chairman, I am offering this amendment with the gentlewoman from New Jersey, Mrs. MARGE ROUKEMA, my distinguished colleague and coauthor of this amendment, who has been an important leader on this issue.

I am offering this amendment today to repeal a disgraceful giveaway to the tobacco industry that was slipped into the budget bill at the last minute. The other body voted 95 to 3 to repeal this provision last week, and I introduced legislation to repeal this provision that has over 60 cosponsors from both sides of the aisle.

Mr. Chairman, the Republican leadership slipped this infamous $50 billion tobacco tax giveaway into the budget bill in the middle of the night. Now we are going to shine a spotlight on this provision and see who will stand with the American people and who will stand with the big tobacco companies.

At the heart of this issue is the understanding that American taxpayers should not be subsidizing big tobacco companies, but that is exactly what has happened. When asked about this provision, Kenneth Kies, the staff director of the Joint Committee on Taxation, said, ''The industry wrote it, submitted it and we just used their language.''

This is unacceptable. The Congress should be passing laws to protect the health of all Americans; it should not be lining the pockets of the tobacco industry.

Tobacco products, Mr. Chairman, kill 400,000 Americans every year. Americans spend $50 billion each year to respond to the adverse health effects of smoking. Every day more than 3,000 American teenagers start smoking. One in three will die from cancer, heart disease and other illnesses caused by smoking. American taxpayers, Mr. Chairman, should not be subsidizing this deadly product.

I urge all of my colleagues to stand up for the health of the American people and vote for this amendment.

Mrs. ROUKEMA. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentlewoman from New Jersey, the coauthor of this amendment.

Mrs. ROUKEMA. Mr. Chairman, I thank my colleague from New York and really appreciate this opportunity. I will ask for my own time later, but I do want to commend her for approaching this subject and really make a presentation to our appropriators, the ranking member and the chairman.

Mr. Chairman, I have got to say that this is a very important amendment. This is a relevant issue; relevant because the President today is making a presentation on the tobacco pact, relevant because just last week the Senate past the identical provision to the identical bill.

I would suggest, and here I do not want to be too facetious, and I do not intend to be a William Weld here. I believe in following the rules and normal procedures of the House. But what we are asking here today of the appropriators is that we be given permission under this circumstance to use the rules of the House where waivers are permitted for this very particular issue that is high profile. This amendment is relevant and is an answer to our taxpaying public that we are not giving a tax favor to the tobacco industry on the backs of the taxpayers of this country.

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

Mrs. LOWEY. I yield to the distinguished ranking minority member, the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, this amendment is not in order under the rules of the House. It is a nongermane amendment. Unlike the other body, this House does have rules which relate to germaneness. I do not think either I or the gentleman from Illinois [Mr. PORTER] want to stand in the way of getting something done which is obviously the will of the House, but we have a long way to go on this bill.

The Durbin amendment, make no mistake about it, is going to be accepted in conference. I congratulate both of the gentlewomen for being interested in this, and I would be willing to withdraw my reservation if we have an understanding that this is going to take very little time of the House today. If we are going to debate something for a considerable period of time, and we have a tight schedule with many other Members who have noticed germane amendments, then I would be constrained to object, even though I do not want to.

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

Mrs. LOWEY. I would be delighted to yield to the chairman, the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would say to the Members that the day that Senator DURBIN offered and passed the amendment in the Senate, he came to me and asked me if I would do everything possible to see that it was sustained in conference, and I assured him that I would.

□ 1130

I assured him, also, that I was certain that the conference would sustain the position of the Senate on this disgraceful tax giveaway to the tobacco industry that should never have found its way into earlier legislation.

My colleague, the gentleman from Wisconsin [Mr. OBEY], is correct, this is not a matter that is germane to this bill. But in a broader sense, it really is. Tobacco causes many of our health problems in this country, and I think it is appropriate that we address this matter in our conference and end this tax giveaway.

If this amendment were to be adopted, there would be identical provisions in both the House and Senate bills. The provision would not be suspect to conference. The provision would be accomplished without any further discussion.

The CHAIRMAN. The time of the gentlewoman from New York [Mrs. LOWEY] has expired.

(On request of Mr. PORTER and by unanimous consent, Mrs. LOWEY was allowed to proceed for 5 additional minutes.)

Mr. PORTER. Mr. Chairman, if the gentlewoman will continue to yield, I feel, as the gentleman from Wisconsin [Mr. OBEY] does, that if we can expeditiously finish this matter very quickly on the floor in this bill, that is a proper way to proceed.

Finally, Mr. Chairman, let me say that the gentlewoman from New Jersey [Mrs. ROUKEMA] and the gentlewoman from New York [Mrs. LOWEY] have shown tremendous leadership on this issue. I am delighted that both of them can offer this amendment together, and I hope that we can wind up debate very quickly and allow this to become a part of our bill.

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

Mrs. LOWEY. I thank the chairman, and I am delighted to yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, let me say that I think every thoughtful Member of this House understands what happened on the tax bill was an outrageous sneak play which delivered an illegitimate benefit to an industry that is not entitled to it. I would insist on its being eliminated and the Durbin amendment being accepted even if this amendment were not offered.

But in the interest of driving home the message and saving time, I would be willing to withdraw my objection and support the amendment under the conditions that we just described.

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

Mrs. LOWEY. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Chairman, it is correct that this particular provision was tucked in under a title of the balanced budget amendment, the balanced budget agreement, somewhere around page 300 or 400, under the misleading title of Technical Amendments to Assist the Small Business Protection Act. And the small business that was protected here was the tobacco industry.

I have been on this floor on a number of occasions prior to this morning asking that the removal of this $50 billion tax giveaway be scheduled on the same day that we have reform of the soft money provisions in campaign finance, because I do not think it is a coincidence that the No. 1 soft money contributor to the Republican Party is Philip Morris, the No. 2 contributor is R.J. Reynolds. And I do not think it is a coincidence that this morning if we conducted a political paternity test, we could not find anyone willing to take the test.

This provision did not appear in this bill through divine intervention. It occurred because of the involvement and the corruption of our political system. Not one minute, not one second was devoted on the floor of this House or the U.S. Senate to debate this provision. It was wrong. It is the very kind of thing that the people of America are caused to be most cynical about this institution.

So I am pleased that we are taking the leadership to remove it, but we ought to get at not only the symptom, the $50 billion tax break. It is a symptom of the corruption of this system. We ought to get at the source and the cause, and that is the interference and corruption, not only by the American tobacco industry, but by others.

Every American ends up paying through tax breaks just like this that get stuck into this legislation because the soft money political system is corrupt and it is wrong. And until Speaker GINGRICH comes out here and schedules it for debate, this kind of thing will keep recurring again and again and again, and we will be forced to come to the floor to undo it whenever we find out about the fact that we are facing $50 billion tax breaks.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, again I am very pleased that the chairman and the ranking minority member are in support of this amendment that my colleague, the gentlewoman from New Jersey [Mrs. ROUKEMA] and I are offering. We expect that this amendment will be accepted by the committee as we move forward in the process.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The Chair would inquire, does the gentleman from Illinois withdraw his reservation of a point of order?

Mr. PORTER. Mr. Chairman, I am concerned that we are going to get off the subject, as we did just a moment ago, and this will turn into a long and lengthy debate. I do not want that to happen. If it does, I would insist upon my point of order. Can I continue to reserve that point?

The CHAIRMAN pro tempore. The gentleman from Illinois may continue to reserve his point of order.

Mr. PORTER. I continue to reserve.

Mrs. ROUKEMA. Mr. Chairman, could there be an agreement on the time limit rather than a point of order? Is that possible?

Mr. PORTER. It is certainly possible if we ask unanimous consent. I have not consulted either side as to what time they might want. Let me ask.

I ask unanimous consent that all debate on this amendment and all amendments thereto cease in 10 minutes, with 5 minutes to the majority and 5 minutes to the minority.

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

Mrs. ROUKEMA. Reserving the right to object, Mr. Chairman, I am looking for 5 minutes myself. Could it be a 10-minute time period?

Mr. PORTER. Yes, Mr. Chairman.

Mrs. ROUKEMA. Mr. Chairman, I withdraw my reservation of objection.

Mr. RIGGS. Mr. Chairman, reserving the right to object, I would like to simply inquire of the Chair what amendment we are on now? That is my first inquiry; and second, to ascertain if in fact it is still the intention of the House to rise today, at least for the purposes of votes, by 4 p.m.?

The CHAIRMAN pro tempore. The Chair advises the gentleman from Wisconsin that the Committee is on the Lowey amendment, preprinted, No. 67.

Mr. RIGGS. Further reserving the right to object, Mr. Chairman, did I understand the unanimous-consent agreement would also include any amendment to this amendment?

The CHAIRMAN pro tempore. The gentleman is correct.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois modify his request as to 10 minutes on each side?

Mr. PORTER. I do, Mr. Chairman.

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

There was no objection.

The CHAIRMAN pro tempore. The gentlemen from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, might I just indicate that I hope the gentleman from Illinois [Mr. PORTER] can yield back my 10 minutes without using them. I think we cannot afford this much time on a nongermane amendment if we are going to finish this bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois continue to reserve his point of order?

Mr. PORTER. Mr. Chairman, I do not continue to reserve my point of order.

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order.

The CHAIRMAN pro tempore. The point of order is withdrawn.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA], the cosponsor of the amendment.

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding the time.

Let me say that that this amendment which the gentlewoman from New York [Mrs. LOWEY] and I have presented deals in a legally binding way to repeal the $50 billion tax windfall that, was surreptitiously inserted into the tax bill in the dead of night without the knowledge of the Congress and the voters.

Particularly, I want my colleagues to understand that the taxpayers would be required to pick up the cost of that $50 billion, removing it from the assessment on the tobacco industry. So this is about relieving taxpayers and reducing their taxes.

I want to say also that it is coincidental but very timely that we are taking it up right now, since today, as we know, not only the President but many Members of both parties have expressed concerns and objections to the so-called tobacco pact. And I think that we really should be taking a tough stance not only to protect the taxpayers but to protect American health.

Remember, we are talking about taxpayers bailing out the tobacco industry. Now let me say, in addition to what my colleague, the gentlewoman from New York [Mrs. LOWEY], has already laid out, that this vote will make us accountable to the voters. This was put in the tax bill without anybody's knowledge. And I think the cynical voters out there are ready to throw up their hands and say, ''Oh, boy, that is that Washington crowd doing it again'' if we do not permit a vote on this issue.

Let me say this makes us accountable, but I also want to stress this is the only way we can do it with legal standing. Any other alternative is just instructive and has no standing in the conference with the Senate. Whether we use it as an amendment to another bill or whether we do a motion to instruct the conferees, it does not have the standing that the Durbin-Collins amendment from the Senate has on their bill. We should have that same parallel provision on our bill.

And so I respectfully must say that this vote will say to the American people that we stand for their health and for their children's health, and that the taxpayers should not be required to pay and bail out the tobacco industry. We must correct the wrong that was done in that budget deal in that tax

package, and we can help regain the confidence of the American people and restore some credibility to this House.

I want to thank my colleague, the gentlewoman from New York [Mrs. LOWEY]. I want to thank the chairman and ranking member of the Committee on Appropriations for understanding how critical this is and for permitting us under the rules to use the waiver rule in the House to bring this issue before our colleagues.

Ms. DELAURO. Mr. Chairman, I rise today in strong support of this amendment to repeal the tobacco tax giveaway. For years, the tobacco industry has denied the truth—that smoking kills. Its ads have made smoking appear glamorous and cool, and they have blatantly targeted children with characters such as the omnipresent Joe Camel.

But the truth isn't as comforting as tobacco commercials would have you believe. The truth is, every day 3,000 people under the age of 18 become regular smokers. The truth is, one out of every three of these kids will die of a tobacco-related illness like cancer or heart disease. The truth is, cigarettes kill more Americans than AIDS, alcohol, car accidents, murders, suicides, illegal drugs, and fires combined.

The way the tobacco industry targets children is a crime. And now that we are at the brink of a settlement that will force the industry to pay for its crime, a $50 billion tax giveaway for big tobacco is snuck into the tax bill in the dead of night. We don't know who put it there. No one will stand up to take responsibility.

It truly boggles the mind. This is not an industry that markets games or toys. We are talking about an industry that markets a product which is proven to cause cancer, heart disease, and lung disease. It has tacitly admitted to targeting children by retiring characters such as Joe Camel. And last month, the head of Philip Morris admitted in a court of law that 100,000 Americans might have died from smoking-related illnesses. That same day, another story ran where the Speaker of this House defended this tax giveaway as fair.

My friends, we shouldn't even be here today debating this amendment. In 1993 alone, taxpayers spent over $50 billion in health care costs to care for people who were stricken by cancer and other diseases caused by tobacco.

We should be ashamed of ourselves for even considering helping the tobacco industry to pay for its mistakes. The tobacco industry does not deserve to be bailed out by taxpayer dollars. I urge every member of this House to support this amendment to repeal the tax giveaway.

[From the Washington Post, Aug. 22, 1997]

SMOKING MAY HAVE KILLED THOUSANDS, CEO AGREES

WEST PALM BEACH, FL.—About 100,000 Americans ''might have'' died from smoking-related diseases, the head of Philip Morris Cos. Inc. conceded today to state lawyers suing his company.

Geoffrey C. Bible, chairman and chief executive officer of the nation's largest cigarette maker, made the admission at the end of nearly two hours of questioning in preparation for trial of a lawsuit.

Ron Motley, a lawyer representing the state, called Bible's statement a major breakthrough because except for one maverick, other industry leaders have not made such a concession. Bennett S. LeBow, chief executive officer of the smallest of the major cigarette makers, Liggett Group, Inc., has said that cigarettes kill and are addictive.

Members of Congress are pressing the tobacco industry for admissions before they consider approving a $368 billion settlement that would wipe out most lawsuits against the industry.

Florida was the first of 40 states suing the major tobacco companies to bring a case to trial. It seeks $12.3 billion for the public cost of smoking related illnesses. Jury selection began Aug. 1 and continues during the taking of depositions.

Motley asked Bible: ''Would Philip Morris agree that a single American citizen who smokes their products for 30 or more years, a single one, has ever died of a disease caused in part by smoking cigarettes?''

Bible answered, ''I think there's a fair change that one would have, might have.''

Motley followed up, ''How about a thousand?''

Bible said, ''Might have.''

Motley pressed, ''How about 100,000?''

Bible responded, ''Might have.''

''I salute Philip Morris for the first time in 40 years being forthright and candid,'' Motley said on CNN afterward. ''It's a very public, health-spirited way of looking at things.''

Responding to allegations that cigarette makers manipulate nicotine levels in cigarettes to capitalize on its addictive qualities, Bible said, ''I wouldn't even let them discuss adding nicotine, let alone adding nicotine to attract children.''

GINGRICH DEFENDS TOBACCO TAX BREAK—$50 BILLION CREDIT IS PART OF FAIR OVERALL DEAL, SPEAKER SAYS

MARIETTA, GA.—House Speaker Newt Gingrich (R-Ga.) today defended a new $50 billion tax credit for the tobacco industry as part of an overall plan that is fair.

''I think people were misreading the tax provision,'' he said. ''We're not cutting a break for the tobacco folks.''

The credit is part of a bipartisan tax bill that includes a 15-cents-a-pack tax increase on cigarettes. The tax proceeds would be credited against the money tobacco companies agree to pay in a proposed $368 billion settlement of state lawsuits against the industry.

The tax will pay for expanded child health care programs.

Clinton administration officials have said they will seek to offset the $50 billion tax credit when the proposed tobacco deal is reviewed by Congress.

State attorneys general have threatened to withdraw support for the deal unless the credit is blocked. Tobacco companies said any increase in the settlement's costs could kill the deal.

Gingrich said the tax credit is only part of the final deal with the tobacco companies.

''Whatever the final package is, we want to make sure that it's real,'' he said. ''It's all one pot of money, and I'm in favor of maximizing the amount of money available for children's health.''

Gingrich spoke to reporters after touring a vocational training center in his congressional district north of Atlanta.

Mr. BENTSEN. Mr. Chairman, I rise in strong support of the Lowey-Roukema amendment to H.R. 2264, the Labor, Health and Human Services, and Education appropriations bill. This amendment would repeal the stealth, windfall tax credit that was given to the tobacco industry as part of the Taxpayer Relief Act. This $50 billion tax credit was not included in either the House or Senate versions of the tax bill and was adopted without debate and review. This tax provision should never have been enacted and should be repealed as quickly as possible.

I am pleased to be a co-sponsor of legislation sponsored by Representative LOWEY to repeal this tax credit and strongly support this effort to eliminate this ill-advised tax provision. The House of Representatives should approve this amendment, just as the Senate did earlier this month by a vote of 95 to 3.

The balanced budget agreement we enacted in July raised the cigarette excise tax by 15 cents per pack to help pay for a children's health care initiative to provide insurance coverage for uninsured children. The tobacco tax credit completely undermined this intent by subtracting the increased excise tax paid by the industry from whatever they would have to pay as part of a global tobacco settlement. In essence, the children's health initiative would have come at the cost of important public health and smoking cessation initiatives that were to be funded by the global agreement. The children's health initiative was intended to be in addition to these other initiatives, not an alternative to them. The Lowey-Roukema amendment restores this clear congressional intent.

The children's health initiative and the cigarette excise tax to fund it are completely separate issue from the global tobacco agreement and ought to be considered by Congress as such. The Lowey-Roukema amendment makes this clear and allows us to consider these issues separately. Let us pass this amendment and repeal the tax credit now, then give the global tobacco settlement and the President's proposals to reduce underage smoking the careful and thorough deliberation they deserve. President Clinton today announced that he would support raising cigarette excise taxes by $1.50 per pack if tobacco companies fail to reduce smoking among young people. The administration proposal would stipulate targets to cut teen smoking and if these targets are not met, tobacco companies would pay higher penalties that would not be capped or tax deductible as a business expense. I look forward to reviewing these proposals with the goal of crafting legislation that reduces underage smoking and protects the public health.

I urge my colleagues to vote for the Lowey-Roukema amendment to repeal this unfair, irresponsible tax credit provision.

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

Mr. OBEY. Mr. Chairman, could I inquire of the gentleman from Illinois [Mr. PORTER], is he prepared to yield his time back if we do the same here?

Mr. PORTER. Mr. Chairman, I have no further requests for speakers, and I would be prepared to yield my time back, yes.

Mr. OBEY. In that case, Mr. Chairman, I yield back the balance of my time.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

The amendment was agreed to.

AMENDMENT NO. 36 OFFERED BY MR. COBURN

Mr. COBURN. 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. 36 offered by Mr. COBURN:

At the end of the bill, insert after the last section (preceding the short title) the following section:

SEC. 516. None of the funds made available in this Act may be used by the Centers for Disease Control and Prevention, or any other part of the Public Health Service, to conduct or support any program in which blood samples are collected from newborns and tested for the human immunodeficiency virus in circumstances in which the samples do not indicate the identity of the newborns, from whom the samples were taken.

Mr. COBURN. Mr. Chairman, my friend the gentleman from New York [Mr. ACKERMAN] is not here and will be arriving on the floor shortly. This really is his amendment that I have agreed to introduce with him, and I want to give him credit for it.

In 1995, the CDC was practicing what I believe to be an unconscionable practice, and that was blindly testing newborn infants' blood for the HIV virus, discovering who was positive, yet never telling the mother, never notifying the parents that in fact their children were positive for HIV, which also implied that the mother was positive for HIV.

The tremendous amounts of moneys that have been spent by this country on research to treat this deadly virus have succeeded in bringing us very new, very good, very effective treatments in terms of delaying the ravages of this disease.

Each day, approximately 20 infants in this country are born to HIV-positive mothers. Thanks to the new treatments and thanks to the ban that was agreed to by the CDC in terms of withdrawing this blind testing, most moms now are being identified during their pregnancy, they are being treated, and their children are not becoming infected with HIV. However, concerning to Mr. ACKERMAN, as well as myself, was an indication by the CDC in the last 3 months that they intended to resume blind testing.

What I think is important is we would want the American public to know that we feel that this is a tremendously unethical practice to identify someone with a disease and have medicines available that could prevent that disease, first, second, markedly increase the quality of someone's life, and third, markedly prolong the quantity of that life, and then withhold it, we feel is unethical.

□ 1145

Mr. Chairman, I will submit for the RECORD a letter that I received on September 9 of this year. I would like to read that and then submit it. This is from the Department of Health and Human Services, from Richard Tarplin, the Assistant Secretary for Legislation.

DEAR CONGRESSMAN COBURN: Knowing of your continued concern regarding unlinked HIV testing of newborn blood specimens, I would like to inform you that the Centers for Disease Control and Prevention will pursue surveillance methodologies that do not include HIV serosurveys using any type of blood specimens of newborns without identification.

CDC will continue discussion with HIV prevention partners to identify alternative approaches to monitor HIV trends in women of childbearing age.

Dr. Satcher has recommended this approach, and the Department has concurred.

The text of the letter is as follows:

DEPARTMENT OF HEALTH & HUMAN SERVICES,
Washington, DC, September 9, 1997.

Hon. TOM COBURN,
U.S. House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN COBURN: Knowing of your continued concern regarding unlinked HIV testing of newborn blood specimens, I would like to inform you that the Centers for Disease Control and Prevention (CDC) will pursue surveillance methodologies that do not include HIV serosurveys using any type of blood specimens of newborns without identification.

CDC will continue discussion with HIV prevention partners to identify alternative approaches to monitor HIV trends in women of childbearing age.

Dr. Satcher has recommended this approach and the Department has concurred.

Sincerely,

RICHARD J. TARPLIN,
Assistant Secretary for Legislation.

This is a great letter when it comes to babies knowing that, in fact, if they are tested, they are going to be notified by the CDC. But what is very, very worrisome about this letter is they did not mention anything about testing adults blindly and not agreeing to withhold treatment from them.

Mr. Chairman, I am very sorry that the gentleman from New York [Mr. ACKERMAN] is not here at this time. It is our intention to put into the record that we expect the CDC and have their concurrence that they will test no one blindly for a disease that will, in fact, take their life when we do have medicines that could prevent or at least prolong that life. It is our intention to withdraw this amendment pending that approval, knowing that we are now on record, that the CDC has committed that they are not going to do blind, unethical testing for any reason on anybody with HIV.

Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT NO. 14 OFFERED BY MR. RIGGS

Mr. RIGGS. 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. 14 offered by Mr. RIGGS:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) LIMITATION ON PENALTIES UNDER IDEA.—None of the funds made available in this Act may be used by the Department of Education to investigate, or to impose, administer, or enforce any penalty, sanction, or remedy for, a State's election not to provide special education and related services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) to individuals who are 18 years of age or older and are incarcerated in adult State prisons.

(b) EXCEPTION.—Subsection (a) shall not apply to any withholding of financial assistance to a State by the Department of Education pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

Mr. RIGGS. Mr. Chairman, earlier this year when the Congress passed amendments to the landmark Federal special education and civil rights statute called IDEA, Individuals with Disabilities Education Act, we included in that package of amendments a number of incentives intended to make it easier for States such as my own, California, to serve adult prison inmates who happened to fall within the age group covered under the Federal special education law. These are adult prison inmates, incarcerated individuals between the ages of 18 and 21, so I want to say at the outset and make very clear to my colleagues that we are not talking about children or juveniles. We are talking about convicted adult felons.

Under that package of amendments, we intended to make it easier and less costly for States to serve this particular category, this particular segment of the total IDEA-eligible population in America. However, we did add an additional provision that made it explicitly clear, in my view, that the States still, despite these inducements, had the sole discretion, the sole option, the sole right to decide whether to serve these adult prison inmates, and if the States elected not to serve this segment of the IDEA-eligible population, they would only face the forfeiture of that small pro rata share of the total State allocation of Federal special education dollars.

I was one of the principal negotiators, one of the principal sponsors, one of the principal drafters of these amendments, and I can attest to the fact that it was our intent throughout these negotiations to limit the Federal Government and the Department of Education's remedy against a State, to limit their sanctions against a State to only the forfeiture of that small percentage of their total State allocation of Federal special education dollars.

Since that legislation has become law on obviously a bipartisan, bicameral basis, signed into law by the President with some fanfare down at the White House, the Department of Education has taken a different position. They now say that they may pursue other legal remedies against a State such as California in addition to the loss of that small percentage of funds represented by the adult prison inmate population as a percentage of the total IDEA-eligible population in the State. The Department of Education has corresponded with the State

of California saying that they may very well refer this matter to the Justice Department. So I have offered an amendment that makes it explicitly clear that States will not be penalized, cannot be penalized, under the IDEA amendments that passed earlier this year for failing, or for deciding to provide special education to 18- to 21-year-old individuals in adult prisons.

That is the reason that I am proceeding with this amendment. It was part of our negotiations on this floor last week with the minority party. I was told on that occasion that my amendment would be accepted, and if that understanding, that agreement with the minority party survives to this moment, then I do not intend to pursue a recorded vote on my amendment.

I just want to stipulate again that my amendment does not break the agreement, the unique, some said historic, bipartisan, bicameral agreement that enabled us to move this legislation expeditiously through the Congress earlier this year after the last several Congresses had been unable to pass revisions and amendments to the Federal special education statute. Indeed, it is very consistent with that legislation.

My amendment again, Mr. Chairman, prevents the Department of Education from using any funding under this act to force States, specifically California, to provide special education services to adult prisoners in a manner inconsistent with the IDEA amendments enacted into law last June. Again, I want to stress to my colleagues that we did under those amendments make it easier and less costly for States to serve that portion of the IDEA-eligible population. My amendment is not about children with disabilities. It only applies to the way in which the Department of Education requires special education services for adult prison inmates ages 18 to 21 in adult prisons. Many of these individuals are obviously serving long-term sentences for violent crimes.

The CHAIRMAN pro tempore. The time of the gentleman from California [MR. RIGGS] has expired.

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

Mr. RIGGS. It is my view, Mr. Chairman, and it is the intent of my amendment, that States should not be forced to spend their very precious and limited Federal and State special education money on education services, special education services, for adult prisoners if the States so elect. If a State does not serve these felons, it is and was the intent of our amendments earlier this year that the U.S. Department of Education should only withhold a pro rata share of the State's total Federal funding for special education.

I hope Members will look at my amendment, I hope that they will vote for my amendment and help protect children with disabilities.

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

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

Mr. MARTINEZ. Mr. Chairman, regretfully I rise in opposition to the amendment offered by the gentleman. Regretfully, I say, because we all had a deal, we shook hands, tantamount to shaking hands. There were many Members who were in disagreement with certain portions of the bill on both sides, but all decided, in order for unanimous support of this bill and a bipartisan effort, to forgo their own personal feelings.

This particular issue we had a great discussion on, a great deal of decision on before it was signed. I think we all understood what it was at the time. To say that these are adults is carrying it to an extreme in many cases. In many States the laws actually try as adults children as young as 13 or 14 years old, and many of these young people we are talking about in these adult lockups are actually still children.

As the Members know, this amendment would limit the enforcement ability of the Department when States violate the Individuals With Disabilities Education Act with respect to children with disabilities incarcerated in adult correctional facilities.

Mr. Chairman, only 3 months ago on June 4, President Clinton signed the IDEA amendment into law. It was done so after one of the most bipartisan showings of support for a piece of legislation which has passed out of this Congress this session. With this overwhelming show of support, both Republicans and Democrats embraced this legislation as a truly bipartisan compromise aimed at addressing the needs of children with disabilities. Key to this agreement was an understanding that the core group, the many people I just spoke of, of Members who supported this legislation would not offer or support changes to IDEA.

I must respectfully point out to the chairman of the subcommittee that this amendment now would be inconsistent with that agreement. Under the recently enacted IDEA amendments, States are allowed to makes modifications to the plan and individualized program provisions required by the act, but they are still required to provide services to children with disabilities in adult correctional facilities. In fact, at a hearing the chairman heard from two witnesses, one his own, one ours, that said it would be the dumbest thing in the world not to educate these young people in institutions. If a State does not serve this population, they would be deemed in violation of the act, and the Department would be required to take enforcement action against such a State.

This amendment would undercut this core assurance, thereby negating the Department's ability to enforce the act nationwide. It severely weakens the tools which the Department has under the act to enforce the requirement that all children with disabilities receive a free and appropriate public education. In addition, this will deny a population of children who, upon being released from a correctional facility, will not have the education to give them any chance of becoming a contributing member of society. Instead these individuals will be left again at the whims of a society which has not yet learned to deal with its problems. Without the vital education services which children with disabilities desperately need, these children will result in future additional burdens to our society.

Why do we need to increase the burden of our criminal justice and social welfare system when we can give these children the ability to reclaim their lives? Why not deal with the problem now instead of allowing it to balloon into an unmanageable social disaster? These policy questions cannot be ignored.

In closing I would like to stress that I am confused by the gentleman's purpose in offering this amendment. Less than 2 months ago, we both watched the President sign the IDEA amendments of 1997. We both signed off on the legislation even though both of us fully realized that we did not absolutely have everything each of us wanted. Both of us compromised on issues with a goal of coming to an agreement that we could both support. This agreement is embodied in the bipartisan legislation that was signed into law by the President.

Now we are going back on this agreement and proposing changes which would affect the IDEA statute. How can I in good faith expect the gentleman not to have a change of heart on other items upon which we have reached a consensus? These are important questions which Members will have whenever we try to mold any bipartisan agreement in the future.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, we accept the amendment.

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

Mr. Chairman, I would say on this side of the aisle that I reluctantly accept the amendment as well. I understand that this issue was subject to extensive negotiations during the reauthorization of the Individuals With Disabilities Act. I would point out that that reauthorization took 2 years. I think that this amendment is not consistent with that. However, I am willing to accept the amendment in the interest of comity and time. I anticipate we will discuss this issue extensively in conference on the bill to reach a solution that is more satisfactory to everyone.

I will accept very reluctantly the amendment at this time, and I would ask Members to recognize that we have a 5 p.m. deadline today, and if we are to finish this bill, we need to finish the bill.

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

Mr. Chairman, although this amendment has been accepted by representatives from the Committee on Appropriations on both sides, I rise to speak very briefly against the amendment. I oppose the amendment for two reasons. One, it is bad public policy. The people in prison will get out, and we know that education will make a difference in their ability to survive and be productive citizens outside. This amendment reduces the education available for prisoners and, therefore, is bad public policy.

In addition, Mr. Chairman, I would like to read a statement from Secretary Riley dated July 30, 1997 in which he says:

I understand that an amendment will be offered to the Labor/HHS/Education appropriations bill that would undermine the very important bipartisan and bicameral agreement on the IDEA that President Clinton signed into law less than 2 months ago. The IDEA legislation is the product of a painstaking process that reflected thoughtful compromises on behalf of all parties and that will bring about improved services and results for children with disabilities.

□ 1200

It took at least 2 years to get a balanced agreement and now, before it is even given a chance to work, efforts are being made to upset it.

The Secretary goes on to say,

As a full participant in this agreement, I strongly oppose any effort to undermine its enforcement. I am committed to honoring the principle that all children 3 to 21 have access to a free appropriate public education. Congress reaffirmed this principle in passing the IDEA amendments last month, which included new provisions allowing reasonable resolution to issues regarding educational services in adult prisons, particularly concerning violent offenders.

Mr. Chairman, I include the letter from Secretary Riley for the RECORD.

U.S. DEPARTMENT OF EDUCATION,
OFFICE OF THE SECRETARY
Washington, DC, July 30, 1997.

STATEMENT BY SECRETARY RICHARD W. RILEY

I understand that an amendment will be offered to the Labor/HHS/Education Appropriations bill that would undermine the very important bipartisan and bicameral agreement on the IDEA that President Clinton signed into law less than two months ago.

The IDEA legislation is the product of a painstaking process that reflected thoughtful compromises on behalf of all parties and that will bring about improved services and results for children with disabilities. It took at least two years to get a balanced agreement and now, before it is even given a chance to work, efforts are being made to upset it.

As a full participant in this agreement, I strongly oppose any effort to undermine its enforcement. I am committed to honoring the principle that all children ages 3–21 have access to a free appropriate public education. Congress reaffirmed this principle in passing the IDEA amendments last month, which included new provisions allowing reasonable resolution to issues regarding educational services in adult prisons, particularly concerning violent offenders.

Mr. Chairman, I therefore would prefer that my colleagues reject the amendment, although I know it is going to be adopted on a voice vote, because it dishonors the historic, bipartisan legislation signed last month, and because it represents bad public policy.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I too oppose this amendment, although I know it is moving forward. Simply to say if we are really sincere about ending recidivism and breaking the cycle of crime, we know that the best way to do that is to provide education for those inmates who will be out in our society. What better investment to ensure people do not return to a life of crime?

The amendment is misdirected and misguided and does not steer us in the direction of rehabilitation and ensuring that these young men and women can come and be viable citizens.

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

Mr. Chairman, I want to commend the chairman of the subcommittee for his steadfast efforts over the last week to try to improve the targeted dollars going to IDEA. We had a bill that everybody agreed to in this Congress, and moved it through to try to get more money to these children.

The gentleman has a perfecting amendment here. I am pleased it has been accepted, and we are trying to move the debate forward. But I think it is a very targeted thing, to try to keep these funds directly on the kids affected, and not be wasted away in a lot of places where people in fact may not be coming out of the prison system.

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

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

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the gentleman worked very hard on this legislation, as did the gentleman from Virginia [Mr. SCOTT] and the gentleman from California [Mr. MARTINEZ], my good friend, and the distinguished ranking member of the Subcommittee on Early Childhood, Youth and Families.

I just want to make sure again, I do not know if this will allay concerns for those who believe we should be serving this population, but I want to point out one of the compromises we made on a bipartisan basis was to give States greater flexibility in providing special educational services to 18- to 21-year-old inmates in adult prisons.

Indeed, there were some, including the Governor of my home State, Governor Wilson, whose view I very much respect, who believed we should have flatly prohibited providing services to this segment of the population.

We did not do that. Instead, what we did do in the legislation is allow prison education to be delegated to the prison or corrections system. We relaxed standards to acknowledge the security requirements associated with serving this population in a prison environment or within a correctional facility, and, most importantly, as I stressed earlier, we provided that a State deciding not to provide services to this prison population only would forfeit that pro rata share of Federal funding for that small segment of the totally IDEA eligible population.

This seems again to be very reasonable, and it is the intent of my amendment to confirm that Congress indeed intends to give the States the option not to provide IDEA special education services to adult felons age 18 to 21 in adult prison while receiving only a limited monetary penalty.

I do take exception to anyone who would contend that my amendment somehow would unravel the bipartisan agreement on the IDEA Amendments Act, that it somehow violates the spirit of those good faith, bipartisan, bicameral negotiations.

Again, I view my amendment as purely a clarifying amendment to confirm that the carefully crafted compromise agreement on this issue was indeed structured to allow states to make an election to not provide costly IDEA special education services to convicted felons.

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

Mr. SOUDER. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I would just point out that the position taken by the gentleman from California [Mr. RIGGS] was offered, and many of us thought it had been in fact rejected; that if there were a financial penalty, the financial penalty would be limited to the pro rata share of the persons not served, but at no point was an option given that there were other enforcement mechanisms possible.

We differ in terms of what we thought. Everybody else thought there was in fact no option, that the position articulated had in fact been rejected.

Mr. Chairman, I thank the gentleman for yielding.

Mr. JACKSON of Illinois. Mr. Chairman, the merits of affirmative action is not what this amendment is about. We'll get our opportunity to engage in that debate when we consider the so-called Civil Rights Act of 1997 which is sponsored by Mr. CANADY. The question posed by this amendment offered by my colleague, Mr. RIGGS, is whether, by popular sovereignty, a State can undermine, and in fact, ignore the law of the land, and prohibit the Federal Government from enforcing the Federal law.

By prohibiting the Department of Education from withholding assistance to institutions which do not comply with title VI of the Civil Rights Act of 1964, this provision will set a very dangerous precedent indeed. We must not, as a national legislative body, endanger the national interest, and the stability of our Union, by passing an amendment prohibiting the Federal Government from enforcing Federal law in California, or in any other State which seeks to negate the national will of our citizenry, as codified in our law.

The law of the land requires that public educational institutions that receive Federal funds may not discriminate in admissions. Title 42 of the United States Code, section 2000d declares that:

no person * * * shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Education.

In implementing title VI's mandate for equality of opportunity in public education, the Code of Federal Regulations section 100.3(b)(6) provides that if an institution's:

noncompliance or threatened noncompliance cannot be corrected by informal means, compliance * * * may be effected by the suspension or termination of or refusal to grant or to continue Federal financial assistance or by any other means authorized by law * * *

If we today, in a very shortsighted fashion, attempt to isolate this particular provision from the broader potential consequences, we will be doing ourselves, and more importantly, the Nation, a historic disservice.

By allowing the State of California and other intended States to affirmatively reject Federal civil rights law—in effect, pick from the panoply of benefits associated with Federal law—Federal funds, whether for public education, or for highway and transportation projects, these same States must uphold the obligations associated with our republican form of government.

History demonstrates that inherent in a State's effort to undermine Federal law is the fertile soil through which the seed of dissension is sown. If we allow Federal law to be undermined in this instance, who is then to stop tobacco growing States from holding a referendum on the tobacco settlement, or border States challenged by immigration issues from negating Federal immigration mandates, or States with lower per capita incomes from rejecting minimum wage increases.

Mr. Chairman, the strength of the Union is contingent upon the ability of the Federal Government to enforce the goals of the Union. States must not be allowed to pick and choose, to embrace Federal benefits, while rejecting Federal protections.

This body roundly embraces the notion of unfunded mandates—the guiding principle that we cannot, as a Federal legislative body, impose mandates on States and localities without adequately funding such mandates. The reverse is true as well. If Federal funds are granted to assist States in providing a quality education to its citizens, those States may not undermine title VI's mandate that these taxpayer dollars are expended in nondiscriminatory manner

Mr. Chairman, the question before us today is not whether you are for or against affirmative action, it is whether we can allow a State to ignore Federal law and undermine Federal enforcement of that law. A vote for this amendment is a vote prohibiting the Federal Government from enforcing a Federal law and in favor of exempting a State from complying with Federal law. In order to provide domestic tranquility, protect our national interest, and indeed build a more perfect union, Mr. Chairman, all Americans must have an equal opportunity to a quality public education.

And, so colleagues, whether you are for affirmative action or not, that is not what this amendment is about. Do not vote to undermine our ability to enforce the provisions amongst the States we fight for on this floor on behalf of our constituents in our efforts to build a more perfect union. Mr. Chairman, on these grounds I urge a ''no''' vote on the gentleman's amendment, and yield back the balance of my time.

Ms. JACKSON-LEE of Texas, Mr. Chairman, I rise in vehement opposition to the amendment offered by Representative RIGGS of California. This amendment is nothing more than an effort to force the Department of Education to apply a Federal ban on affirmative actions programs in education in States that have passed proposition 209 like efforts.

This is an attack on the Federal civil rights laws that so many have fought and even died to have enacted.

This amendment would, in effect, prohibit the Office for Civil Rights at the Department of Education from enforcing Federal civil rights laws. Title VI of the Civil Rights Act and title IX of the Education amendments of 1972 would not be enforceable.

This amendment effectively bars the Department of Education and the Office of Civil Rights from carrying out its statutory responsibility to enforce Federal antidiscrimination provisions relating to how Federal financial assistance is dispensed under a variety of education programs and activities. Even the most blatant cases of discrimination would have no remedy by the Department of Education if this amendment goes into effect.

Additionally, this amendment prohibits the Office of Civil Rights from enforcing Federal civil rights laws in all 50 States, which creates a patchwork of civil rights enforcement. This goes against the uniform longstanding national policy of the uniform application of civil rights laws.

While this amendment proports to apply only to Federal grant recipients located in States where State law, or a Federal court order prohibits the enforcement of affirmative action programs, we know the true effect of this damaging and dangerous amendment. It will set a difficult precedent for other efforts and amendments to ban all affirmative actions programs of the Federal Government.

The Federal civil rights laws have proved monumental in bringing about real changes in American education and have improved the educational opportunities of millions of students. The Federal civil rights laws have been in place to preserve minorities' rights when States would not act. We need do nothing to promote State actions over Federal law as it relates to protecting civil rights.

What has been the impact of civil rights laws in the United States? The dropout rate of African-American students—ages 16 to 24—declined from 22.9 percent in 1975 to 12.1 percent in 1995. Total minority enrollment at colleges and universities increased 63.4 percent in the past decade. Since 1990, the number of Latino and Hispanic students enrolled in higher education increased by 35 percent, the number of African-American students increased by 16 percent and the number of American-Indian students increased by 24 percent.

We should stop this amendment in its tracks now, before it picks up steam and rolls over all of the hard work and tireless efforts of Americans of all creeds who have stated over and over again that affirmative action works.

What are we really talking about when we talk about affirmative action? We are talking about diversity, opportunity, and the ability for persons who have historically not been able to gain access to education and jobs in this country to simply have access to these important arenas.

The 160,000 members of the American Association of University Women have affirmed that affirmative action programs continue to expand equal opportunity for hundreds of women and minorities in education and employment.

In 1992, the Bureau of Labor Statistics found that only 6.6 percent of all working women were employed in nontraditional occupations. Women in nontraditional occupations earn 20 to 30 percent more than women in traditional occupations.

Affirmative action programs in education and training open doors that were consistently slammed in the faces of women across this country. It allows opportunities for women and girls who might otherwise be tracked into low-wage, predominantly female jobs with little or even no opportunity for real advancement or economic independence.

This amendment is premature. Proposition 209 in California is undecided law. There are serious constitutional challenges to proposition 209 which must be heard by the Supreme Court.

In Texas, the *Hopwood* decision has resulted in a major setback for African-Americans and minorities to enter into graduate and undergraduate programs at public institutions. Among the freshman class of 6,500 students at the University of Texas, only 150 are African-American students. This is half of last year's enrolling class. At the law school, only 4 African-Americans and 26 Hispanics will be entering the first-year class. This is an outrage.

What are we prohibiting when no one has acted yet. We are keeping qualified, energetic, and eager students from attending schools of higher education across this country. We are allowing blatant racism to go unpunished and unanswered if we allow this amendment to pass.

I am pleased this amendment was eventually withdrawn.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The question is on the amendment offered by the gentleman from California [Mr. RIGGS].

The amendment was agreed to.

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

Mr. Chairman, on October 1, 1997, the deadline for the child support enforcement system automation program comes upon us. The consequence of the States' failures to meet the automation and centralization of the computer systems obligation for enforcement of child support which were imposed by the 1988 Family Support Act will mean the automatic cutoff of all TANF, formerly AFDC funds, and child support funds.

At least 11 States in this country, including California, clearly cannot meet that October 1 deadline. It is quite possible that seven, eight, or nine other States will also not meet that deadline. The consequence of the failure to meet the deadline is that the cutoff of the

TANF funds and the child support funds will mean a loss of $4 billion to the State of California. States like the State of the great chairman of the subcommittee, Illinois, will lose close to $700 million in funds. Ohio, South Dakota, New Mexico, Hawaii, Maryland, Michigan, Nevada, Pennsylvania, all of these States are not going to meet that deadline.

I had originally intended to offer an amendment to delay the imposition of those deadlines and to provide for a moratorium for 6 months so that we could both look at the situation and have time to change the law. I have been persuaded by the fact that my amendment would not be in order, that was helpful in persuading me, but in addition to that, the gentleman from Florida [Mr. SHAW], the chairman of the key subcommittee of the authorizing committee, has a strategy which I would like to yield to the gentleman to describe, which will deal with the possibility of my State and many other States in this country losing an incredible amount of money, totally destroying the whole structure of the Welfare Reform Act the gentleman worked hard on, meaning the inability to enforce interstate child support collection functions and a number of other key functions.

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

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

Mr. SHAW. I thank the gentleman for yielding to me to clarify exactly where we are on this, because as the gentleman quite correctly stated, this is not only a problem that the Californians are concerned about, but it is a problem that at least 9 other and perhaps 10 other States are concerned about, as the gentleman said.

The deadline was extended under the Welfare Reform Act to October 1 of this year. In that there are a number of States that have tried to comply and been unable to comply for some very technical reasons, we have had this matter under discussion in the committee itself.

The way the law presently is written and hopefully will remain is that after this deadline, there is a period of time of approximately 6 months in which the various States can, and I am sure will, appeal in order to pick up the added time and also in order to negotiate with the Secretary, also in order to give this Congress an opportunity to go back and review exactly where we are.

It is my intention as chairman of the Subcommittee on Human Resources to bring a bill to the floor, in cooperation with the Secretary, that would give her certain discretion in imposing any penalty, and, of course, I am sure she would never impose the tremendous penalty as to total defunding, as the gentleman pointed out, in California.

Nonsupport by noncustodial parents is probably the biggest reason for welfare in this country today. We are only collecting about $14 billion a year out of a total of almost $50 billion that is due. That is a horrible situation, and it is necessary that we solve the problem by making it easier to track the deadbeat parents down in order to be sure that they live up to their obligations.

My own State of Florida will probably make the deadline, but I found out in a hearing just the other day that in order to make that deadline it has had to rely on and continue to use an antique computerized system, which it was characterized as. The State of Florida will be on time with the deadline, but they are going to be on time using an Edsel instead of something that would be more modern than that.

That is a problem, and it was sort of the law of unintended consequences that took place.

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

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

Mr. SHAW. Mr. Chairman, I am very much aware of the California problem. I have spoken to the gentleman's Governor, he has been in my office, Governor Wilson. Secretary Eloise Anderson was in my office as late as yesterday discussing this problem with me.

California it appears has a fragmented system, but it is very high-tech and it is a very good system, and California wants to retain their system. We are going to try to work out a way so that the intention of the law will be brought forward and that various States as California, who have used new technology and has been innovative in the way that they have taken care of their system and updated their system, are not penalized by a Federal mandate if they meet the spirit of the law.

So I would say to the gentleman, I look forward to continuing to work with him and other Californians as well as Pennsylvanians and some of the other States the gentleman mentioned, in seeing that they do meet deadlines and that the deadlines are really enforced in a very reasonable way and that the Secretary is given latitude.

Mr. BERMAN. Mr. Chairman, reclaiming my time, just to sort of pin down the issue perhaps a little bit more precisely, California becomes vulnerable on October 1. So do these other at least 11 States. The process, as I understand it, is that by December or January, HHS will assess and decertify the States, and there is an appeals process. So, as the gentleman pointed out, it is very unlikely any money will be withheld for the next 6 months. But the fear in California, Senator FEINSTEIN has worked on this issue, spoken with the President, and is pursuing whatever mechanisms she can to try and deal with it, the fear is that ultimately something will happen, the legislation will not move, and California will now be found to have been in default, owing $4 billion. Next year's payment will be held back because of this, and the fact is the underlying law California will not be able to comply with in 6 months or 1 year anyway.

So there are two issues, the need for California and the other States to know that the penalty structure will be fundamentally changed, it is nuts to withhold TANF or AFDC funds, $3.7 billion in the State of California because of the failure to meet the computer model, and there will be a new penalty structure dealing with child support enforcement proportional to the sins in the sense it will be structured. And then the underlying question also, which is how do we achieve the centralization and coordination we need without, as the gentleman indicated by implication, encouraging old technologies rather than new technologies and requiring the scrapping of very expensive computer systems. These are both difficult questions.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. BERMAN] has expired.

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

Mr. BERMAN. Mr. Chairman, people will want to go to the conference committee here and try to get this extension of the moratorium. I know the gentleman's feelings about it. Anything the gentleman can say to reassure people on this point would be very important.

Mr. SHAW. If the gentleman will yield further, first I want to make it very clear that California is not going to lose $4 billion. In fact, I would doubt that they will end up in the long run losing anything.

□ 1215

Both this Member of Congress as well as the Secretary, and I assume the President, want to leave the deadline in place but want flexibility in administering the consequences.

We are looking at the law and we are going to do everything we can to restructure it to answer this California problem.

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

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The Committee will rise informally.

The SPEAKER pro tempore (Mr. SHAW) assumed the chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the

report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2016) ''An Act 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.''

The SPEAKER pro tempore. The Committee will resume its sitting.

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

The Committee resumed its sitting.

AMENDMENTS OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. NADLER:

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 516. (a) No funds made available under this Act may be used under title XI, XVIII or XIX of the Social Security Act to pay any insurer if such insurer—

(1) offers monetary rewards or penalties, or other inducements to a licensed health care professional to influence his or her decision as to what constitutes medically necessary and appropriate treatments, tests, procedures, or services; or

(2) conditions initial or continued participation of the health care professional in a health insurance plan on the basis of the health care professional's decisions as to what constitutes medically necessary and appropriate treatments, tests, procedures, or services.

(b) For the purposes of this section, the term ''insurer'' means an insurance company, insurance service, or insurance organization licensed to engage in the business of insurance in a State, a health maintenance organization, a preferred provider organization, and a provider sponsored organization.

(c) For the purposes of this section, the term ''health care professional'' means a physician or other health care practitioner licensed, accredited, or certified to perform specified health services consistent with State law.

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 516. (a) No funds made available under this Act may be used under title XI, XVIII or XIX of the Social Security Act to pay any insurer unless under health care coverage provided by such insurer—

(1) the determination of what is medically necessary and appropriate within the meaning of the insurance contract is made only by the treating health care professional in consultation with the patient; and

(2) the insurer covers the full cost of all treatment, tests, procedures, and services deemed to be medically necessary and appropriate by the treating health care professional in consultation with the patient, subject to any deductibles, co-payments, or percentage limitations provided in the insurance contract.

(b) For the purposes of this section, the term ''insurer'' means an insurance company, insurance service, or insurance organization licensed to engage in the business of insurance in a State, a health maintenance organization, a preferred provider organization, and a provider sponsored organization.

(c) For the purposes of this section, the term ''treating health care professional'' means a physician or other health care practitioner licensed, accredited, or certified to perform specified health services consistent with State law, who is directly involved in the care of said patient.

(d) Nothing in this section shall be construed as requiring the provision of coverage for benefits not otherwise covered.

Mr. NADLER (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read.

Mr. PORTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The gentleman reserves a point of order.

Without objection, the amendments are considered en bloc and considered as read.

There was no objection.

Mr. NADLER. Mr. Chairman, we all know that there have been many, many complaints and horror stories about the conduct of some health maintenance organizations or HMO's. It is news to no one that HMO cost-cutting measures are fast becoming an issue of vital concern and often life and death to many of our constituents.

We witnessed the subordination of health to profits just last year during the debate over the so-called drive-through deliveries, and some Members have introduced legislation dealing with drive-through mastectomies. It would certainly be silly for Congress to attempt to deal with this problem procedure-by-procedure, to have one bill for mastectomies and another for tonsillectomies, and so forth and so on.

Many of the States have enacted legislation to deal with this problem, but the State legislation cannot impact Medicare and Medicaid, and for that matter, is barred from dealing with employer insurance where it is self-insured because of ERISA.

These two amendments would protect HMO patients on two fronts. One amendment would simply say that most insurance contracts say that they will have a list of covered services, and say they will pay for any of those covered services, whether it be a gall bladder operation or whatever, if it is determined that that service is medically appropriate and necessary.

This amendment says it is the doctor, the health care professional dealing with the patient, who makes the determination whether it is medically necessary and appropriate, and that no funds can be spent to reimburse an HMO unless their procedures say that the doctor makes that determination, not a utility reviewer sitting thousands of miles away at a computer console. We all have heard complaints from doctors saying that they spend two-thirds of their time arguing with people who have never seen the patient about whether the patient needs a CAT scan or to see a specialist or needs an operation. This amendment simply says the doctor dealing with the patient determines what is medically necessary and appropriate and not someone else.

The second amendment says that when the doctor or the nurse or the physical therapist determines whether a service is medically necessary and appropriate, that decision should be made on the basis of medical necessity, not on the basis of cost. This amendment says that one cannot fund an HMO if the procedures of that HMO give an incentive to the doctor to effect that decision. One cannot say to the doctor, ''If you determine too many people need CAT scans, too many people need to see a specialist, we will pay you less money or we will knock you out of the plan; if you determine that very few people need expensive services, we will pay you more money.'' That sets up an institutionalized conflict of interest.

If someone came to a Member of the House and said, ''We will pay you if you vote this way or that way,'' that would be called bribery, it is a crime. But if someone comes to a doctor, if the HMO comes to a doctor and says, ''We will pay you more money if you decide that Mr. Smith and Mrs. Jones together do not need certain services,'' that sets up an institutionalized conflict of interest between the doctor's medical judgment and his pocketbook, and we should have no such conflicts of interest.

These two practices of someone other than the doctor saying why is it medically necessary, someone who has never seen the patient, and offering the doctor monetary incentives to make cheaper decisions and penalties if he makes more expensive decisions, put cost ahead of health, and they must be stopped.

So these two amendments say Medicare and Medicaid cannot pay for HMO services unless those procedures are changed so that the doctor makes the decision of what is medically necessary and appropriate, not the insurance company, and so that doctors are not pressured by financial incentives to decide what medical procedure is necessary.

Mr. Chairman, I understand that we have not gotten a waiver for these amendments from the Committee on Rules and that they will be ruled out of order, but I thought it important to air this on the House floor, and I will not request a vote on the amendments. I will save the gentleman the trouble of making his point of order.

The CHAIRMAN pro tempore. Does the gentleman withdraw his amendments?

Mr. NADLER. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. Without objection, the amendments are withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. RIGGS

Mr. RIGGS. 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 offered by Mr. RIGGS:

Page 102, after line 24, insert the following new section:

SEC. 516. (a) LIMITATION ON USE OF FUNDS FOR ADMISSIONS PREFERENCES IN PUBLIC EDUCATION.—None of the funds made available in this Act may be used by the Department of Education to withhold any financial assistance, or to impose, administer, or enforce any other penalty, sanction, or remedy, for the refusal or failure of a Federal grant recipient to enforce a preference or affirmative action plan based on race, sex, color ethnicity, or national origin for admissions to public educational institutions.

(b) APPLICABILITY.—The limitation established in subsection (a) shall apply only to Federal grant recipients located in a State in which the enforcement of such preference or plan is prohibited by the laws of the State or by an order of a Federal court.

Mr. CLAY. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The gentleman reserves a point of order.

Mr. RIGGS. Mr. Chairman, I realize that this is a very controversial and I hope serious amendment, deserving far more debate than time will permit on the House floor today, so I want to indicate to the Chairman and to my colleagues at the outset that it is my intent, respecting obviously the reservation of a point of order which has been lodged against my amendment, to withdraw my amendment at the conclusion of my remarks or at the conclusion of the remarks of anyone who wishes to speak on the amendment.

However, I hope this is just the beginning of a congressional and national debate on the whole issue of gender and racial preferences in governmental hiring policies, in governmental contracting policies, and in college admissions. As most of my colleagues I believe probably know by now, the people of California spoke loud and clear last November when they approved by a 54 percent margin Proposition 209, otherwise known as the California Civil Rights Initiative, which prohibits race and sex references in affirmative action programs in State and local government, education, employment, and contracting.

As our Gov. Pete Wilson, the primary proponent of Proposition 209, said, and I quote, ''This brings us one step closer to a colorblind society, to ending unfair racial preferences, and to judging people based upon the content of their character rather than the color of their skin.''

As we prepare to enter the new decade, the new century, the new millennium, I cannot think of anything better than when that big ball drops on Time Square, that it really does signify the beginning of a new decade, a new era when people really will be judged on the content of their character rather than the color of their skin.

My amendment, Mr. Chairman, is intended to prevent the U.S. Department of Education, through their office of civil rights, from pursuing any sort of legal remedies using funding under this spending bill against a State such as California where the voters have, by a statewide referendum, a statewide ballot initiative, prohibited granting racial or gender preferences in college admissions. Of course, this initiative or these voter sentiments would apply to the California State university system and the very august and distinguished University of California system.

It is interesting also to note, I say to my colleagues, that a Federal appeals court recently upheld the constitutionality of Proposition 209, which has been subject to legal and constitutional challenges almost from the day the California voters voted for its enactment.

Now, my concern, Mr. Chairman and colleagues, is that there is some preliminary indication that the Office of Civil Rights in the Department of Education disagrees with the people of California and may very well attempt to investigate, should the constitutionality and legality of Proposition 209 ultimately be upheld by the highest court of the land, may intend to pursue some sort of investigation that could lead to sanctions against any of the California universities and colleges that fall under the provisions of Proposition 209.

In fact, I am quoting now from a letter sent to me on May 1 of this year by Norma Cantu, the Assistant Secretary in the Department of Education who heads up the Office of Civil Rights, and she says, and I quote now, ''It is the position of the Department of Education that outside the 5th Circuit Court of Appeals, the Department believes it is permissible for an educational institution that receives Federal funding to consider race or national origin in an appropriate manner in either its admissions or financial aid programs in order to achieve a diverse student body, consistent with Justice Powell's opinion in the landmark Supreme Court case of the Regents of the University of California v. Bakke.''

Well, the problem with that, colleagues, is that Proposition 209 effectively reversed, it overturned the Bakke decision, at least as it applies to admissions policies at the University of California.

She goes on to say, ''In addition, outside the 5th Circuit, we believe it is permissible for a State institution to consider race or national origin in an appropriate manner in admissions or financial aid programs in order to remedy past discrimination in State educational systems.''

Well, the problem with that, of course, is it not only flies in the face of what California voters wanted, but we now know in California that these well-intentioned affirmative action policies actually result in discrimination against other minority groups.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. RIGGS] has expired.

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

Mr. RIGGS. Mr. Chairman, in fact it has been well documented that the existing admissions policies at the University of California discriminate against the minority group Asian-Americans. So what we are trying to do here is make sure that the Department of Education, through my amendment, is not able to withhold Federal funding or pursue other sanctions against California universities if they eliminate, as they are required to do by Proposition 209 and the people of California, race-based preferences in college admissions.

My amendment would prevent State universities from being caught in this odd position of either defying a Federal court or losing millions of dollars, potentially losing millions of dollars in Federal funding. My amendment would, as I said, prohibit the Department of Education from withholding funds from schools, from colleges and universities located in States that have a law or a court order prohibiting affirmative action, like California, again through Proposition 209, the California Civil Rights Initiative.

I just want to clarify one other thing for my colleagues. There are claims now that the repeal of race-based preferences or affirmative action admissions in California have had an effect on applications and admissions at the postgraduate schools at the University of California, the professional schools.

□ 1230

So far the results have been very mixed in California. Boalt Hall, which is the University of California at Berkeley's prestigious law school, the incoming class, as has been reported in the news media, contains only one African-American student. That came after black admissions dropped 81 percent, and the 14 individuals who got into the University of California Berkeley law school, Boalt Hall, decided to go elsewhere.

But at the University of California's five medical schools, although the number of minority applicants dropped, the American public enrollment will be about the same, 69 versus 73 students.

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

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

Mr. RIGGS. Mr. Chairman, so this has occurred in the aftermath of Proposition 209. There has not been this chilling effect, at least at the University of California medical schools, that some people have suggested as a result of California voters expressing their will and passing Proposition 209.

So, Mr. Chairman, I realize, again, that the time is inadequate today to

properly debate this issue. I know there are people of sincere good will on both sides of this issue who would like to engage in this debate. So let me signal to my colleagues that I intend, as a member of the Committee on Education and the Workforce, to raise this issue again later this fall or early next year when we bring the reauthorization of the Higher Education Act before the committee and ultimately before the House.

I hope that we can have a debate that will go to the heart of Federal preferences based on race and gender in Government contracting policies as well as in college admissions, and I hope ultimately we will be able to eliminate affirmative action quotas in the Federal Government.

The CHAIRMAN pro tempore. Does the gentleman from Missouri [Mr. CLAY] continue to reserve his objection?

Mr. CLAY. Mr. Chairman, I continue to reserve my objection, and I move to strike the last word.

Mr. Chairman, I am very disappointed that the gentleman has offered an amendment that would undermine our country's civil rights enforcement. This amendment would bar the Department of Education's enforcement authority from seeking remedial action where there has been discrimination in admissions by a college, university, or school.

In truth, this amendment turns the clock back on civil rights enforcements to the pre-Civil War concept of interposition and nullification, where States decided that the Federal law would apply. This amendment weakens the Department's civil rights enforcement. It would create a chaotic patchwork of civil rights protections.

The Department's Office of Civil Rights has never attempted to take enforcement action against a school's refusal to implement affirmative action that was not necessary to remedy discrimination. Schools or colleges may be required to use affirmative action only if a court or the Office of Civil Rights has determined a school violated civil rights laws, and that affirmative action was necessary to remedy discrimination.

In fact, the Department has not charged that Proposition 209 violates the Civil Rights Act of 1964. The complaints made against the California schools only challenge whether the current admissions policies of the schools violate civil rights laws. The Department of Education has made no threats to cut off aid. It does not and never has required quotas or affirmative action for diversity purposes.

The author of this amendment has no evidence to substantiate the allegations he has made regarding the Department. This is a poorly conceived, poorly drafted measure that is without purpose, other than to play to racial fears. I urge its rejection.

Mr. Chairman, continuing to reserve my point of order, I yield to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I join the gentleman in his opposition to this amendment. It is unfortunate, Mr. Chairman, that despite the drastic school resegregation that is taking place in both California and Texas, that we are considering an amendment that would encourage the resegregation of other schools around the country.

Mr. Chairman, the University of Texas Law School, which had no blacks until ordered by the Federal courts, will have no African-Americans in this year's first year class. The University of California at Berkeley Law School will only have one African-American in its first year law school. Medical schools have also registered drops in African-American enrollment of 80 and 90 percent, numbers which are the lowest since the 1960's.

Instead of being appalled by the resegregation of our schools in Texas and California, this amendment applauds turning back the clock and encourages other States to follow suit. It prevents the Federal authorities from determining whether the absence of blacks is mere coincidence or an intentional result of an invidious discrimination, and it prevents the Federal Government from remedying illegal discrimination.

The provision of this amendment which gives the States the ability to opt out of civil rights enforcement is particularly egregious. It suggests a bizarre interpretation of Federalism in which a State can exempt itself from Federal enforcement of civil rights laws simply by passing a statute, even if that statute is not enforced.

Mr. Chairman, the State institutions who receive Federal funds have the responsibility of ensuring that those funds are being disbursed in a manner that does not discriminate against minorities and women. But if they fail in that responsibility, then the Federal authorities must vigorously enforce title XI and title IX of the Civil Rights Act.

Mr. Chairman, Supreme Court Justice Sandra Day O'Connor, writing for the majority in the Adarand decision, stated, and I quote, ''The unhappy persistence of both the practice and lingering effects of racial discrimination against minority groups in this country is an unfortunate reality, and government is not disqualified from acting in response to it.''

This amendment would effectively disqualify us from acting responsibly to ensure that all Americans have the opportunity to become productive members of our society.

I therefore urge the Members of this body to support diversity in education, oppose the resegregation of America's schools, and vote ''no'' on this amendment.

Mr. RIGGS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN pro tempore. Are there other amendments?

AMENDMENT OFFERED BY MR. HOEKSTRA

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

The Clerk read as follows:

Amendment offered by Mr. HOEKSTRA:

Page 102, after line 24, insert the following new section:

SEC. 516. The amounts otherwise provided by this Act for the Department of Education are revised by reducing the amount made available for ''Education Reform'', increasing the amount made available for ''School Improvement Programs'' (and the amount specified under such heading to become available on July 1, 1998), reducing the amount made available for Eisenhower professional development State grants under the heading ''School Improvement Programs'', increasing the amount made available for innovative education program strategies State grants under the heading ''School Improvement Programs'', reducing the amount made available for ''Bilingual and Immigrant Education'', reducing the amount made available for ''Education Research, Statistics, and Improvement'', and reducing the amount made available for ''Departmental Management—Program Administration'', by $1,022,165,000, $1,734,274,000, $310,000,000, $2,791,662,000, $354,000,000, $322,600,000, and $35,509,000, respectively.

Mr. HOEKSTRA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

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

Mr. PORTER. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 40 minutes, and that the time be divided between the gentleman from Michigan [Mr. HOEKSTRA], 20 minutes, the gentleman from Wisconsin [Mr. OBEY], 10 minutes, and myself, 10 minutes.

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Michigan [Mr. HOEKSTRA] for 20 minutes.

Mr. HOEKSTRA. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, today, I want to talk about what the Hoekstra block grant amendment would do. What we are focusing on here is moving the emphasis on where decisionmaking is in education from Washington to our children. This is a step toward moving decisionmaking back to parents and moving dollars to the classroom. This is about providing flexibility at the State level.

The status quo today in Washington is 760 programs, 100 billion dollars' worth of spending. What we are proposing to do is to take 28 programs and

about $2.7 billion of spending and put it into a single block grant, or move it into chapter II of funding, so we give maximum flexibility to the States to do what they believe is most appropriate for the students, the children, and the parents in their State.

Over the past year, year and a half, we have gone around the country taking a look at what works and what is wasted in education. What we are finding is very exciting. What is working in education is the reform and innovation that is going on at the State level. Whether we are in Cleveland, whether we are in New York City, Milwaukee, Los Angeles, Phoenix, Louisville, there are exciting things going on in education. Education is actually turning around, and we are getting the kinds of results we would like to have.

As we talk to parents, as we talk to children, as we talk to educators and administrators, the message is very clear: They are turning around their educational system and getting positive results because of the impact and the decisions they are making at the local level, not because of what we are doing in Washington.

As a matter of fact, too often we find that Washington is a hindrance in driving the kind of reform and change we need at the local level. States will tell us, we get 6 percent of our money from Washington, we get 50 percent of our paperwork. We get all kinds of mandates that inhibit the kind of change that we would like to be making.

We cannot defend that type of status quo, where Washington is standing in the way of reform at the State and local level for a resource as precious as our children. What we see today is, in this area, we see 28 different programs where the directions and decisions about how those dollars are spent and what happens in the classroom are made by people here in Washington; where the local level has to look not to parents for what they want to do, but they have to look to bureaucrats and rules and regulations in Washington.

Here is just one example. These are the forms, not the completed forms, the forms, rules, and regulations that the State of Michigan has to fill out to get their money from Washington. This is what the State fills out, and this is duplicated thousands of times as we go around the State, as we go to individual schools and educational districts. That is not value-added.

We had testimony here in Washington where one of the administrators from a school district in Pennsylvania said, you know, 25 percent of the money that I get from Washington never gets to the classroom, never gets to the kids. I need to spend 25 percent of the Washington money just to fill out the Washington paperwork. That is not value-added.

We need not a Washington-based program that delivers us these kinds of programs and this kind of complexity. We need to move to an approach that does not focus on bureaucracy and goes through thousands of bureaucrats to get to a student. We need the focus to be on the student, on the child, where teachers can look at the child, not at the bureaucrats; where parents can focus on the children, and not the bureaucrats, so that we really are driving the dollars to the classroom where we have the leverage.

It is time to take another look at education. It is time to have true reform and move decisionmaking back to the local level, back to the parents, and away from bureaucrats in Washington. The exciting thing, as I said, is the change and improvements we are seeing in education at the local level: Real progress, real innovation, and real movement away from what one of our administrators described as the three B's, when she dealt with Washington and her local bureaucracy.

□ 1245

Mr. Chairman, the administrator said, Miss Yvonne Chan said, ''When I focused, and before I started running the charter school, I focused on the three B's.'' We said, ''What are the 3 B's?'' She said, ''I had to focus on bussing, on budget and the buts. And the 'but' was, every time I had a good idea, I got the answer back from the local administrators or from Federal rules and regulations that said, 'That is a great idea, but you cannot do that. If we let you do that, but then we would have to let everybody else do it.'' She said, ''I had great ideas on how I could help my kids in my school but the rules and the regulations got in the way.''

She has now been freed up from many of the State's regulations. What we now want to do is free her up from the Federal regulations.

This is the beginning of the debate. Later on I will ask permission to withdraw this amendment, because this will continue and this is going to be a process. But this process and this dialog has to take place and it has to take place on this amendment, because what is happening is there is a different way to help our kids than the model that is currently in place.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. CLAY], the ranking member of the appropriate committee of jurisdiction.

Mr. CLAY. Mr. Chairman, I first of all want to thank the gentleman for yielding me this time; second, I oppose this irresponsible amendment because it would tear the heart out of critical education programs. It would subject programs such as school-to-work grants, safe and drug-free schools, bilingual education and magnet schools to the whims and fancy of 50 different Governors.

These programs have been vigorously supported by parents, teachers, local and State officials who attest to their great success. There is absolutely no justification other than crass political motives to gut these important initiatives.

Mr. Chairman, more troubling, many of the programs affected by this amendment are targeted to school districts and children most in need. This disastrous amendment would increase instead of decrease the disparity of resources in our public schools. I do not believe anyone who has seriously looked at the needs of our schools believes writing a blank check is the way to improve those schools.

This amendment also plays havoc with the amount of funding State and local educational agencies would receive. Louisiana would lose $6 million in funding, or a 16-percent decrease; Mississippi would lose $4 million; and New York State would lose $46 million. At the local level, some education agencies would lose significant funding.

This amendment would also cause mass disruption in existing services to our students. It is incredibly ironic that the sponsor of this amendment claims to want to send more dollars to the classroom and yet this amendment would have the perverse effect of moving dollars out of the classroom and into State bureaucracies. Title I now only allows 1 percent of the money to be used for administration. Under this amendment, State bureaucracies could claim up to 15 percent of the funds.

Mr. Chairman, it is apparent to me that the majority in this Congress thinks it is smart politics to attack teachers, to bash public education, and to promote school vouchers. I do not think so, and I urge Republicans to stop playing politics with America's schools. I urge defeat of this amendment.

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

Mr. Chairman, this is a superficially very alluring amendment. It seemingly would consolidate many programs and reduce redtape. The problem is, when analyzed further, the amendment is in a sense, a pernicious one, based, I think, upon a faulty premise. I do not think it would work the way the authors would expect and it would disrupt State and local funding for education.

This amendment and the Gorton amendment in the Senate, which it attempts to mimic, is a form, in my judgment, of revenue sharing, a policy that was adopted, tried, and ultimately rejected by the Congress and the American people many years ago. Revenue sharing was based on the premise that the progressive income tax would forever create increasing revenues and would not serve as a drag on the economy. We now know better. Revenue sharing was based on the premise that it was good for one level of government to collect money and provide it as a general subsidy to another level of government. We now know better.

We learned that States and localities never felt these funds were a secure source and, thus, used the money for one-time projects or low-priority programs. The very nature of the funding

source turned it into a categorical grant that localities would use only for programs that could be terminated if funding ceased, and few of these programs exist in education. Experience indicates that localities would view the money made available in this amendment, perhaps, in the same way.

The amendment would consolidate funding for programs such as safe and drug-free schools and technology programs. Mr. Chairman, this amendment creates massive winners and losers with little, if any, policy justification.

I requested an analysis by the Congressional Research Service of the distribution of funds. They were able in a very short time to provide the current distribution for $1.7 billion of the over $2.5 billion in what I believed to be the most recent version of the Hoekstra amendment. Now there has been a more recent version than that.

The remaining amounts are in small discretionary programs. If we look at the analysis, and we cannot put specific figures on the distribution of funds at this time because the amendment has changed so recently, but it appears very clearly that California, for example, would lose substantial funds; Louisiana would lose money; Mississippi, a particularly poor State, would lose funding; New York would lose substantial amounts of funds; Oklahoma would lose money; Texas would lose money.

Conversely, States such as Alaska, Colorado, Hawaii, Iowa, Minnesota, Rhode Island, and others would receive large increases. While these are, in some cases, needy States, as all States are in a sense, they are hardly States with the greatest numbers of needy students.

This amendment would terminate funding for a number of small programs that many Members on both sides of the aisle have expressed support for, both to me personally and to the subcommittee. These include Very Special Arts, Education for Homeless Children and Youth, the Close-Up Program, International Education Exchange, Civics Education, which supports We The People Program, the National Writing Project, the Javits Gifted and Talented Program.

The committee bill itself, Mr. Chairman, increases the title VI block grant by $40 million, an increase of 13 percent, and we have continually worked to increase the funding level of this program. When we started in 1996, the program was funded at $250 million, it is now $340 million in the bill before the House.

But that does not mean that we should increase it by billions of dollars, because the assumption then is that a State block grant program, and this is a State block grant program, can assure the best decisions. In my judgment, we have to be very careful that we not substitute State bureaucracy for Federal bureaucracy.

It was said before that a lot of money is siphoned off by the Department in respect to programs that it administers. In rough figures, the Department administers about $50 billion in Federal funds through discretionary funds, mandatory funds, and off-budget spending and the overhead costs of those are about $800 million, or about 4 percent. Ninety-six percent of the money goes either to the States or to the local government or to students that are in need or are provided for under Federal programs.

I think the effect of this amendment politically would be very clear. It would destroy the bipartisan support for the bill and increase rather than decrease the leverage of President Clinton, since ultimate passage of the bill, if it occurs, will be with a narrow majority, I believe.

So I think the authors of this amendment are very wise. They have indicated to me that they will withdraw the amendment. I think that is a very wise decision. On the other hand, I strongly agree with them that a good debate on this subject, looking at all the facts involved and looking for the formation of better policies in the future, is all to the benefit of this body.

I believe that this amendment would not do what the proponents believe that it would do; that its impact on the distribution of funds has no policy justification and that would hurt some States while helping others. We ought to look very, very hard before an amendment that moves this massive amount of money from programs that have been tried, tested, and found working to a simple block grant administered by State bureaucracies.

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

Mr. HOYER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MARTINEZ], a member of the committee.

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

Mr. MARTINEZ. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, once again, we have those on the other side of the aisle attempting to score political points at the cost of our Nation's children and the educational system which provides for them.

The Hoekstra amendment, which will essentially gut the provisions of numerous Federal education programs intended to ensure educational excellence and equality, is an ill-conceived and destructive policy statement that no Member in this House should support.

As the body knows, a similar, but not identical amendment was passed by the Senate during their consideration of the Labor/HHS appropriations bill.

Unfortunately, my fellow Education Committee colleague, Mr. HOEKSTRA, has latched onto the message of the Gorton amendment and is now attempting to break what, for the most part, has been a careful bipartisan balance on this bill. Fortunately, the President has realized the complete lack of a policy basis for such an amendment and has issued a statement saying he would veto any bill which contained either the Gorton amendment or a similar provision. Ladies and gentlemen, the Hoekstra amendment meets the President's criteria for a veto. This amendment will gut the existing focus of excellence and equality in present Federal programs. Consider some of the programs which this amendment will transfer funds away from: title I, safe and drug-free schools, education technology, Eisenhower Professional Development, magnet schools assistance, bilingual education, and school-to-work, just to name a few. All of these programs focus heavily on providing Federal assistance to States, local education agencies, and schools which are in need of additional funding.

The loss of funding for these programs will take the largely poverty emphasis away from Federal funding efforts in education. Unfortunately, the program to which all of these funds are being transferred to has little if any requirement that poverty be a factor in distribution.

In addition to the very real concern of losing our existing poverty focus if this amendment were to become law, Members should consider how their individual school districts will be impacted.

Those Members who would support this amendment should realize that the current funding streams which are going to their districts could be jeopardized. For example, those States and locals who were recently awarded technology grants by the Department of Education should be aware that the funding for these grants would be absorbed into the title VI block grant—and not distributed as currently envisioned. As a Member whose local school districts have received such a grant, I am especially concerned about the impact of this amendment.

Lastly, members should realize that the vital provisions ensuring accountability in the programs which Mr. HOEKSTRA is seeking to defund will be lost. Gone will be the ability of both Congress and the Department to ensure that Federal tax dollars are being spent in an effective manner. In a time when educational resources are consistently growing scarce, now is not the time to nullify these important provisions.

I urge Members to vote against this ill-conceived and baseless amendment. I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise in opposition to this amendment for the reasons enunciated by the gentleman from Missouri [Mr. CLAY] and the gentleman from Illinois [Mr. PORTER], the distinguished chairman of our subcommittee, who both spoke eloquently and effectively to the merits.

I want to say to my friend from Michigan, Mr. HOEKSTRA, that I have a bill in and it is called the Family Services Improvement Act. It seeks to make it easier for local LEA's and States and counties and cities to apply for Federal funds, and seeks to put the burden on the Federal Government, not on the local entities, to coordinate their resources to make it easier to access, to help the children that the gentleman from Missouri and the gentleman from Illinois and the gentleman from Michigan and myself, and everybody on this floor, in fact, want to help.

So although I oppose the gentleman's amendment, I think that the idea that the gentleman expresses in terms of maximizing resources so that children can be better educated, families can be better served, is an objective in a time of fiscal constraint that we need to pursue with vigor.

Mr. Chairman, there is a 7-year-old with a learning disability in my district. This second grader receives special assistance from her school so she can keep up with her class. But because of the financial constraints of her school district, the little girl only receives help because the school district receives specifically designated Federal education funds. And so today, I want to make sure that my colleagues understand just what a drastic effect this amendment would have on all of the children throughout this country who need our help.

The Hoekstra amendment would block grant Federal K through 12 education funding as general education aid without addressing Federal priorities or providing for any program accountability. Mr. Chairman, program accountability must not be overlooked. The Federal programs that this amendment would consolidate have strong accountability requirements that focus on program effectiveness, a crucial requirement for any Federal program.

A vote in favor of this amendment would eliminate the specific national purposes of the Federal investment in education. Under this amendment, Federal funds would not have to be used for their intended purpose. Local education agencies would have an unlimited discretion to spend Federal K through 12 education funds for any purpose they deem appropriate, including noneducational purposes. The current formulas provide funding on the basis of need.

The amendment would drastically reduce the targeting of Federal funds to the most disadvantaged students and neediest school districts. The purpose of Federal education funding is to ensure that school districts and disadvantaged students are not overlooked and receive the resources they so desperately need. The Hoekstra amendment would actually direct a greater percentage of Federal funds to the State educational agencies rather than directly to the school district under the current system.

And, Mr. Chairman, there is another important fact that has been overlooked by my colleagues on the other side of the isle. The Hoekstra amendment breaches the bipartisan budget agreement that this legislative body entered into earlier this year. Specifically, the agreement allowed for the President's budget request for Goals 2000, education technology, and bilingual education. This amendment effectively strips funding for all three important programs by consolidating them into title 6 block grants.

I would urge my colleagues not to overlook that 7-year-old with the learning disability who looks to us for help. She will fall through the cracks if we vote to pass this amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume to thank my colleague from Maryland, and we will take a look at that. I think we both understand and appreciate that there is a problem out there with the Federal bureaucracy and the Federal paperwork.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. PITTS].

Mr. PITTS. Mr. Chairman, I rise today to express my strong support for the Hoekstra amendment to the Labor-HHS appropriations bill. As a former math and science teacher, as the father of three children who went through the public school system in Pennsylvania, I have, for a long time, been involved with education. Since becoming a Member of Congress, I have begun to investigate the Federal Government's impact on our educational system and, frankly, I do not like some of the things I see.

We are wasting a lot of money on bureaucracy. The Hoekstra amendment would help put an end to this practice by sending billions of dollars directly to the States and local school districts and to the classrooms where they are most effective. We must shift the focus of the education debate from Washington to our local communities. We need to listen to the local folks who are trying to teach our local children.

One of my school superintendents, Dr. Charles Garris, came and testified recently before the Committee on Economic and Educational Opportunities and he gave his district's personal experience. If I can sum it up, basically he said that at the local level 25 percent of the funds never reach the students that they are intended to serve. Again, 25 percent never reach the students.

Today, let us support the Hoekstra amendment, which draws the line in the sand, the distinction between those who want to continue the status quo and those who want to continue the education system in which 40 percent of American 8-year-olds cannot even read; those who want to empower bureaucracy and those who want to get education dollars to the classroom; those who want to give local teachers the tools they need to teach kids; those who want to empower parents. We have a choice.

It has been shown time and time again that the Federal Government has created excessive red tape, regulations, paperwork and unproven programs and that we cannot get the dollars to the classroom and to students. So in this battle I think we need to join the gentleman from Michigan to expand the flexibility of the States and give them the funds.

□ 1300

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Chairman, I rise in support of this amendment and want to commend its author for bringing forward what I think is a very bold and vital policy for us to set forth for the national government on education. It essentially poses the choice between a child-centered program that gets money to the schools to benefit our Nation's children or a Washington-centered approach that keeps the money here, keeps the strings tied to Washington on how that money will be spent, and does not allow our teachers, our school administrators, our parents to make decisions on how to use those resources to best benefit the children and their schools.

Let me tell my colleagues that over the August break I visited several schools in my district and talked with teachers, administrators, parents and students; and the one thing that came up in schools in rural areas and schools in more suburban towns, in schools that are like the inner-city districts in many of our States, they all said that their biggest problem is that they spend time filling out paperwork that comes from Washington rather than spending time teaching children in the classroom. That has to change.

This amendment is a tremendous step forward in moving to that new approach where we say we are going to fully fund the educational needs of this country, but we are not going to attach strings coming out of Washington on how that money is spent and best used for our children. We are going to let the people who know, the teachers, the local school boards, the parents, decide how to make the most out of those funds to help children who are disabled get the extra programs they need, to help children who are gifted and talented get the extra resources they need, to help the students that are in the middle to be able to have a classroom where they learn the skills and the knowledge that they will need to be the future leaders and future citizens of this country.

So I strongly support this amendment. I want to commend my friend, the gentleman from Michigan [Mr. HOEKSTRA] for bringing it forward, and I look forward to working with him in the future in the authorizing committee in moving this type of policy forward as we set forth the clear difference between the Washington-centered approach, which is the old way of spending education money, and this new, bold approach that is a child-centered approach that I am convinced will be the best thing for America's children.

The CHAIRMAN pro tempore (Mr. LATOURETTE). The Chair will advise that the gentleman from Michigan [Mr. HOEKSTRA] has 9½ minutes remaining, the gentleman from Illinois [Mr. PORTER] has 4 minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 6½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I rise in opposition to the amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to my friend, the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I thank the gentleman from Michigan [Mr. HOEKSTRA] for yielding.

As a parent and former school teacher myself I know firsthand the vital role that good schools play in our children's future. And I would like to thank my good friend from Michigan [Mr. HOEKSTRA] for offering this amendment, and for bringing his committee to my district in Cincinnati and looking at education and seeing what works there firsthand. This past May his committee came there, and we had many, many programs that we looked into and found out how they work there.

The education reforms that we saw in Cincinnati were local initiatives that took root in schools only after being nourished by parents and teachers and local businesses and local folks. I want to emphasize that the Federal Department of Education played virtually no role in this at all. These were things that grew up locally and work very well.

The amendment today would block grant 28 Federal programs into one block grant and the money has to be used in the classrooms. It can be used to purchase books, computers, but not to support the Federal bureaucracy.

What this amendment does is it focuses the money and the attention on what really works in the classroom. Do we want to spent money in the classroom, or do we want to spend it on bureaucrats here in Washington? I support the Hoekstra amendment. I say let us spend money in the classroom, not on bureaucrats here in Washington.

Mr. OBEY. Mr. Chairman, I have only one speaker left, so I will reserve my time.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Illinois for yielding me the time.

I rise reluctantly to oppose the Hoekstra amendment, reluctantly because I think that the sponsor of the amendment has done a great job in the Committee on Education and the Workforce and sincerely has the best interests of children and education at heart. But I do not agree with the concepts of this particular amendment.

I think we really need to review the role of what the Federal Government is doing in accountability. There are, I believe, 28 programs that are affected here, all the way from Goals 2000 to Safe and Drug-Free Schools, some parts which have worked, others perhaps not worked. But these programs have been specifically created at the Federal Government level, usually to fill a need which is not being served at the local level, and are aimed at that purpose.

If we do block grant these funds, it essentially means that we turn all the money over to a local government, we remove almost all the accountability that we have now. And there may be too much paperwork, and I think those statements are correct that we should be looking at these things at the authorization level. The committee should be examining these particular areas.

But the bottom line is that the money is turned over. We do not know how the money would be expended. And clearly all these programs, it would probably in some way or another result in a lot of them may be eliminated altogether. And yet, they would all seem to have some fairly good cause.

We also do not know to whom we are always turning it over. We complain about the District of Columbia schools, and yet we would be turning the money over to that as well as to other areas. I support the goal of what is happening here. It is my judgment that we are putting the cart before the horse.

It is my judgment that the Committee on Education and the Workforce should sit down and go over this with some care and make recommendations, and then it should go to an appropriation. This is not the way we should be doing business, by having it come up in the Senate and then all of a sudden, out of blue air, have an amendment be brought up in the House of Representatives. I think it is too much, too fast. I do not think it reflects Federal priorities, and I do not think it should be included in the appropriations process.

As I said, there may be some merit to block granting these programs, but it should be through a deliberate reauthorization process. For all these reasons, I would hope we withhold and oppose the amendment at this time.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Chairman, the gentleman from Michigan [Mr. HOEKSTRA], chairman of the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce, did not invent this out of blue air. He has been working on this issue for some time, and he has always favored block granting.

It is not a question whether or not we believe there should be more emphasis on education. Those of us who are parents realize, with the possible exception of family values and strong personal values and the importance of moral values, nothing is more important than our children and education.

It is a question of who is going to make the decision regarding our children's education. Is it going to be parents, local school boards, teachers, and the State, or is it going to be the Federal Government? It is not a question of where the money goes, but who is micromanaging, how that money is used.

For example, I think as we work through some standards this fall, and the gentleman agreed to withdraw the amendment at this point, if we are going to bring tax dollars to Washington and send them out, holding people accountable is justified. But they should be minimal. When we have two different programs trying to decide how much exactly goes in a drug-free school, how much exactly goes into the arts or whatever, I think those decisions should be made back in Indiana, in my case, rather than here in Washington.

I strongly support the concept of, if we cannot get all the money in the classrooms, at least getting it 600 miles closer to my home State where those decisions are going to be made. I believe that the Hoekstra bill moves this in that direction.

We are starting a debate that is likely to go on through this fall and into next year as we all try to decide not whether our children should be educated but how. And I have more confidence in the school boards of this country, in the parents of this country, in the teachers of this country then to say the fount of all wisdom is here in Washington.

I believe in Indiana we understand that we have a drug problem and that those drug problems can be allocated to the schools where they can be treated, and that we can make them work more efficiently than the way we are currently providing. I believe that a society without arts and culture is damaging. But I do not believe that arts and culture just flow from this building or the buildings down the street in the Education Department and the White House. I believe they flow out of the local community. And that is what this amendment does.

Mr. HOEKSTRA. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia [Mr. COLLINS].

Mr. COLLINS. Mr. Chairman, the gentleman from Michigan [Mr. HOEKSTRA] has given us a unique opportunity today to debate a 20-year-old Federal power grab in education. Those in Washington, who think they know best, continue their assault on local control of schools, putting the future of our students in the hands of the Washington Department of Education.

The lesson of the last 20 years of Federal education policy is clear. Having a centralized Federal authority imposes one-size-fits-all approaches to public education that just simply do not work.

Chairman Johnny Isakson of the Georgia Board of Education made the case against Federal control over education earlier this year. He noted that, and I quote,

> There are simply too many dollars scattered in far too many programs managed by far too many agencies. If the dollars spent could be concentrated, the management less disbursed, then more of the money would actually flow into education and out of administration.

We should join the gentleman from Michigan in supporting this amendment so that we may begin enacting education reforms locally that enhance basic academics, increase parental involvement, and focus attention where it belongs, on our children and on our local classrooms.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FORD].

Mr. FORD. Mr. Chairman, I thank the gentlewoman from California [Ms. PELOSI] for yielding me the time, and certainly to the gentleman from Missouri [Mr. CLAY] and the gentleman from Wisconsin [Mr. OBEY], and even to the gentleman from Illinois [Mr. PORTER].

I rise today to express strong opposition to the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA], my colleague and friend. I think this amendment and the debate over national testing really go to the heart of a very serious question: ''What role should the Federal Government play in educating our Nation's children?''

It is mind-boggling in many ways to listen to my friend, the gentleman from Georgia [Mr. COLLINS], talk about a power grab in education when the Federal Government spends less than 7 percent of moneys we spend on educating elementary and secondary students in this Nation.

I would say to my friend, the gentleman from Georgia [Mr. COLLINS], and those on the other side of the aisle, that this is a national security issue.

When we look at schools here in this District of Columbia and throughout America that are crumbling, without air-conditioning, without proper wiring to bring technology into the classroom, these are our future workers, our future State lawmakers. Since it is clear that you all have an affinity for the State and State lawmakers, these are the future State lawmakers that you choose to devolve power to. These are the future scientists and astronauts and pastors and business people. We have an obligation here at the Federal level to reach out to teachers and to parents and to communities to ensure that they educate our young people.

Oppose this amendment. And I appeal to the gentleman from Michigan [Mr. HOEKSTRA] to withdraw his amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma [Mr. ISTOOK].

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

If we are for our children and students, we support this amendment. If we are for more bureaucracy and more strings attached that take the money out of the classroom, then we are against this amendment.

When this block grant program was first created in 1981, 42 programs were put into one, 350 Federal bureaucrats were no longer needed, and for each Federal bureaucrat there are scores and hundreds at the local level that are having to apply for grants, fill out application forms, do compliance reports, do extra audits, and so forth. We are talking about being able to eliminate thousands of bureaucrats who take the money that we want to go into the classroom, and enabling that money to go into the classroom instead.

The U.S. Senate went on record in favor of this last week. Last year, I sponsored a lesser scale amendment that this House supported. I applaud the gentleman from Michigan [Mr. HOEKSTRA] for expanding that and saying we want to take a bold step to help students, not to be supporting bureaucrats.

It takes the taxes of nine American families for each bureaucrat in Washington, DC, and there are similar numbers for all the additional bureaucrats that our State and local governments and our schools have to hire to deal with the Washington bureaucrats and the redtape and the paperwork that flows back and forth, and it does not help the kids.

Let us support this amendment and help children, not bureaucrats.

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

Mr. HOEKSTRA. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona [Mr. SHADEGG].

Mr. SHADEGG. Mr. Chairman, I thank the gentleman from Michigan [Mr. HOEKSTRA] and applaud him for offering this amendment.

There is a great debate going on in America, and times change. There was a point in the history of our Nation when we felt the best education policy should be in Washington, DC.

□ 1315

I suggest to my colleagues that time has changed. This amendment takes a giant step in the right direction toward advancing education, improving education in the classrooms of our children. I think it is best said that the money that reaches the teacher that knows my son Stephen's name and the money that reaches the teacher that knows my daughter Courtney's name is the best money spent in education. And the ideas that the teachers and the administrators at Stephen's school and Courtney's school have are better than ideas created and imposed top down thousands of miles away in Washington, DC.

We are not increasing a program here of the Federal Government. What we are doing is embracing a concept. That concept is simple and straightforward: That the best education and the best education reform can be created not in Washington, DC, thousands of miles away from where my daughter Courtney and my son Stephen go to school, but right there at Courtney's school and Stephen's school.

This amendment is a thoughtfully considered amendment which will advance the education of our children. I urge my colleagues to support it. It will, in fact, improve education in America. I urge them to embrace the concept.

Mr. OBEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

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

Ms. PELOSI. Mr. Chairman, I rise in opposition to this amendment to rip the foundation out of our public school system.

Mr. Chairman, I rise in opposition to the amendment to block grant Federal education funds. This is an assault on the Federal Government's important role in education, and a serious threat to the future of our students.

The Federal role in education is critical to maintaining a nationwide effort to improve our schools. To shift virtually all funding for elementary and secondary education programs to the title VI education block grant would drastically alter the Federal, State, and local partnerships that prepare our children for the future.

The Hoekstra amendment will eliminate 26 Federal education programs, including the bilingual and immigrant education program—which provides funding to school districts throughout the country to help more than 3 million limited English proficiency students to become proficient in English and achieve high standards.

The amendment would remove all requirements that local education agencies provide services for limited-English proficient students, economically disadvantaged students, Native American students, immigrant students, or gifted and talented students. Funding will be eliminated for education technology, school-to-work programs, professional development, and teacher training. Funds normally targeted for these activities could be used for any purpose, even noneducational purposes.

This block grant provides no guarantee that the maximum amount of funds will reach the classroom. The title VI grants guarantees that only 85 percent of block grant funding must go to local school districts. Under the current title I program, States can retain only 1 percent of funding for administration. The block grant allows up to 15 percent.

While there is talk that each State will receive the same amount it does currently through these programs, we know historically that block grants do not sustain these funding levels. We have not yet received sufficient data to know the precise impact on schools in our districts and in our States. We do know that States with the neediest populations will be hardest hit, because targeting Federal funds to the neediest students and districts through title I formulas will be eliminated.

The progress that has been made in school districts under these priority programs will be completely disrupted. This amendment thoroughly devastates the Federal Government's commitment to strengthen accountability, raise academic standards, and ensure that all children posses the specific skills they need to meet the challenges that lie ahead.

We worked diligently in this subcommittee with our chairman and ranking member in an attempt to keep this bill free of controversial riders. The President will veto this bill with this provision included. This is not the bill or the forum in which to debate an issue that will be so wholly disruptive to our education system. Drastic revisions of our Nation's education policy should be considered carefully through the authorization process, not haphazardly tacked on to an appropriations bill.

This amendment is a thinly veiled first step to completely dismantle the Department of

Education. It rips the heart out of the priorities for our children's education that we have taken great pains to address in this bill. I urge my colleagues to oppose this harmful amendment.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. ETHERIDGE].

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

Mr. ETHERIDGE. Mr. Chairman, I also rise in opposition to this amendment and encourage the gentleman to withdraw it because it literally will do away with the programs that help our children in the public schools.

Mr. Chairman, I rise in opposition to the Hoekstra amendment to eliminate the vital functions of the Education Department.

As the former two-term superintendent of North Carolina's public schools—a statewide, elected position—I know firsthand the critical importance of the partnership between the Education Department and the State of this Nation. Make no mistake about it: this amendment would do great harm to the education and well-being of America's children.

Mr. Chairman, earlier this year, I testified in front of the House Education Committee in defense of the Safe and Drug-Free Schools Program, in opposition to the very same block grant scheme as this amendment. I told the committee that it is crucial that we maintain Safe and Drug-Free Schools as an Education Department priority because it is an essential component of our effort to develop a safe and secure environment for learning. The principle is very simple: our children cannot learn if they are not safe. We cannot expect our children to learn geometry if they are scared to death from gunfire. We cannot expect our teachers to teach effectively when the scourge of drugs invades their classrooms. And we cannot expect our parents to have any faith in our schools as learning institutions without the faith that they are free from drugs and violence. Safe and Drug-Free Schools plays an essential role in that effort, providing support to 97 percent of all school districts in the country.

If it ain't broke, don't fix it. The Safe and Drug-Free Schools initiative is an effective and vitally important effort to improve our Nation's schools, this House should defeat this amendment's attempt to destroy that effort.

This misguided amendment would also eliminate School-to-Work, an innovative approach to help people gain the skills they need to compete and succeed in the modern workforce. Mr. Chairman, I represent one of the most economically booming regions in the country. The unemployment rate in Raleigh-Durham is less than 2 percent. Driven by the technology sector, our economy is growing so rapidly that businesses cannot find workers with the training required for these jobs. Many of these jobs do not require a college education, and Schools-to-Work is an effective tool for skills training.

The Technology Challenge Fund, Goals 2000 education standards, and Eisenhower Teacher Training are all important education initiatives that would be eliminated by the Hoekstra amendment.

During the previous Congress, I served on the front lines of the effort to educate our children. When Members of the people's House tried to abolish the Department of Education it had a devastating effect on the morale of the men and women who teach our children. I came here to fight that effort, and I call on my colleagues to defeat this amendment.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. TIERNEY].

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

Mr. TIERNEY. Mr. Chairman, I rise in opposition to this ill-advised suggestion.

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

Mr. Chairman, as I indicated at the beginning, this is the start of a larger debate of redefining how we help our children. As I have indicated, as we have gone around the country, we have seen wonderful things. We have seen wonderful things in public education. We have seen great innovations in public education. We have seen wonderful teachers who are motivated to help our children and help our children get a better education. At the same time we have run into a constant frustration at the State and the local level about the involvement of the Federal Government in setting priorities, in setting direction at the local level.

This amendment and this debate will be about how do we move dollars to students, how do we move decision-making to parents, and how do we increase flexibility for States, because we know that when we focus on basic academics, when we focus on our young people, when we get dollars into the classroom, and when we move decision-making back to parents and back to the local level is when we are seeing success. As we withdraw this amendment, recognize that we will come back to flesh out these ideas to move the money to students, decisionmaking to parents and flexibility to States.

Ms. SANCHEZ. Mr. Chairman, why are Republicans so afraid of labor unions? The Hoekstra amendment seeks to allow corruption to play a role in the elections of the largest labor union in the Nation. This amendment would pose such an additional financial burden on the Teamsters that it would prevent the effective organization and representation of its workers.

And this is what the Republicans are really trying to do. They are trying, through any means necessary, to destroy American labor unions. Actions like this throughout this Congress reveal true motives.

Are they afraid of workers having a representative voice? Are they afraid of workers having a voice in contract negotiations? Are they afraid of workers having fair and safe working conditions?

The use of the Republican slush fund to persecute working families and their Representatives combined with the countless hearings held by the Oversight Subcommittee on Education and the Workforce are being done to destroy unions. Mr. HOEKSTRA's latest amendment shows the Republican objective is to silence the only voice of the American worker.

Our Government made an agreement with the Teamsters in the 1989 Consent Decree. Let us not break our word to hard-working Americans.

I urge my colleagues to stop this persecution of labor unions. I urge my colleagues to allow the Justice Department to do their job and to uphold prior agreements. I urge my colleagues to support the working men and women of America and to oppose the Hoekstra amendment.

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to this amendment, and I urge my colleagues to join me in defeating it.

Our children will compete for jobs in a national, and even global, marketplace. We know our workers, and our economy, can be the best in the world—if we also have a world-class education system.

Our schools are not living up to our expectations. Too many schools are overcrowded and crumbling. Too many schools aren't safe, and aren't teaching kids the skills they need to learn. We have failed to hold our schools and our students accountable to the highest standards.

If you believe, as I do, that as a nation we have failed to hold schools accountable, you should be very wary of an amendment which would make it virtually impossible to ever hold them accountable. And that's precisely what this amendment would do.

We need to hold our schools more accountable, not less. We need to demand higher performance and higher standards. And we need to target poor performing schools in resource-poor areas and give them the funds they need to succeed.

In fact, this amendment goes contrary to everything which Republicans and Democrats on this subcommittee and on the Education and the Workforce Committee have been trying to do in reforming the title I and Elementary and Secondary Education Act programs. Where we have attempted to target funds to where they are most needed, this amendment would spread them around to schools whether they are needed or not.

Where the two committees have moved to tie funding to efforts to improve standards and promote better academic achievement, this amendment would spread funds around to schools whether they are taking steps to improve or not.

Where the two committees have moved to tie funding to schoolwide programs rather than scattershot fixes that research shows don't work, this amendment would spread funds around to schools whether they are reforming their practices or not.

I agree with my colleague that we have serious problems in many schools. I agree with my colleague that dramatic improvements are needed. But I disagree that a knee-jerk effort to block grant funds to the State and local level, with no accountability, is the solution. I urge my colleagues to demand accountability for high standards from our public schools. I urge my colleagues to reject this amendment.

Mr. PAYNE. Mr. Chairman, I rise in opposition to the Hoekstra amendment that will eliminate 28 targeted education programs and transfer $2.75 billion in funding into the title VI of Elementary and Secondary School Act. This essential block grant is a direct hit at some of the most effective programs we have developed to encourage education reform in our communities. By terminating these programs

we are sending a message to States and localities that programs such as the Safe and Drug Free Schools, school-to-work, educational technology grants, Goals 2000, and bilingual and immigrant education are not important and do not serve our students well. It also sends the message that as congressional representatives have no knowledge of the crucial roles these programs play in our schools and communities. However, most importantly the children who will be punished by this amendment are those who rely on these programs the most. These children reside in low-income urban and rural areas.

Targeted assistance and formulas carefully crafted to ensure the equitable distribution of Federal funding to our school districts in all States will be terminated by the passage of this amendment. This will result in millions of children to be underserved by one of the only vehicles available to them to improve their lives—our education system. Passage of this amendment will be a true crime against low-income children in this country and I urge my colleagues to vote ''no'' on the Hoekstra amendment. Thank you.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in opposition to the Hoekstra education block grant amendment to H.R. 2264. There is not a shred of doubt in my mind that this amendment is nothing more than what the Republicans wanted to do with the Department of Education in the last Congress—to abolish it. This is nothing more than a piecemeal attempt by Mr. HOEKSTRA to cut Federal funding for our Nation's educational programs; to cut funding of Federal educational programs that the Republicans have been attacking for years.

Mr. Speaker, the Republicans have previously sought cuts in such programs as Safe and Drug Free Schools, school-to-work, Goals 2000 School Reform, Eisenhower teacher training, and bilingual and immigrant education. Now, by the subterfuge of this amendment, by creating block grants, Republicans can succeed in ending these programs.

As we all know, block granting funds for education eliminates all accountability for the use of Federal education funds. If this amendment passes, all education funds could be diverted for noneducational purposes. With the limited amount of Federal funds being spent on education, it is absolutely necessary that funds that are intended by Congress to be spent on specific educational programs, are, in fact, spent on those programs. Congress has identified education as a national priority and without the focus of these programs, funds would not be targeted to the neediest schools and districts.

This arbitrary consolidation of Federal funds into block grants has to be stopped, lest we rob our most needy students of the programs that have proven themselves in the past. We must reject any attempts to undo 40 years of bipartisan Federal investment in our children's future. We must not back away from our commitment to education now, in its time of vital need.

Mrs. MORELLA. Mr. Chairman, I rise to oppose the Hoekstra amendment that would merge a majority of the current Federal education programs into block grants to local school districts.

This amendment would essentially eliminate all accountability for the use of Federal funds in our public education system. I, too, believe in driving dollars to the classroom, and I believe that local education agencies must be afforded a certain amount of flexibility to use Federal funds in accordance with the needs of the local education community. Under this amendment, however, the Federal Government would hand over funds to local school systems and indicate that they may use the money in any way they please, without any standards of accountability.

I believe that the education of our children should be a top priority. An investment in education is essential to our Nation's future. Under the Hoekstra amendment Federal education funds could be used by local agencies for noneducation purposes. The amount that we appropriate for education is always short of what is needed to be fully effective. The Federal Government contributes only 6 percent to elementary and secondary education. As the Washington Post pointed out this week, Federal funds fill in the gaps and provide programs for lower income students who would be underserved without Federal efforts. We simply cannot afford to allow the small amount of money that we appropriate for education to be used for other purposes.

This amendment would unravel years of progress that we have made in providing equality of education for girls and minorities. It would remove all of the Federal civil rights protections for race, gender, and disabilities contained in the elementary and secondary education laws. All of the hard work by the Congressional Caucus for Women's Issues during the 103d Congress to incorporate gender equity through the funding of elementary and secondary education programs would be undone. These programs have made our schools more gender-neutral, which improves education for all students.

Mr. Chairman, I ask my colleagues in the House to reject this effort to put at-risk four decades of bipartisan efforts to develop and define the Federal role in public education. I urge a no vote on the Hoekstra amendment.

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OFFERED BY MR. SHADEGG

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

The Clerk read as follows:

Amendment offered by Mr. SHADEGG:

Page 102, after line 24, insert the following new section:

SEC. 516. None of the funds made available in this Act may be used to enter into a contract with a person or entity that is the subject of a criminal, civil, or administrative proceeding commenced by the Federal Government and alleging fraud.

POINT OF ORDER

Mr. OBEY. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. OBEY. Mr. Chairman, the amendment proposes to change existing law and constitutes legislation in violation of clause 2 of rule XXI.

The amendment would require the agencies funded in this bill to undertake new duties. These agencies would be required to determine whether entities are the subject of Federal proceedings alleging fraud before any contracts could be awarded. Fraud would only have to be alleged, not proven. I do not care if the President of the United States is the person making the accusation, people are entitled to the presumption of innocence until proven guilty. Even average citizens. These departments currently do not have to make such determinations. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The CHAIRMAN pro tempore. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. SHADEGG. I do, Mr. Chairman.

Mr. Chairman, my understanding from the other side of the aisle was we had reached an agreement under which I would offer the amendment, the point of order would be reserved, and I would have a chance to explain why I feel the amendment is appropriate, and then at the conclusion of that I would withdraw the amendment. That does not appear to be what has happened, so let me make my arguments with regard to the amendment.

What the amendment says is that the funds appropriated under this bill shall not be used to enter into or pay for either a contract or salary to a person or an entity which is the subject of a criminal, civil, or administrative proceeding in which the Federal Government has alleged fraud. That means, Mr. Chairman, that it would only apply not where there was a mere investigation of fraud, but, rather, where there was an allegation which had been formalized by the filing of a civil or criminal or administrative complaint; and not a civil or administrative complaint by anyone, but, rather, by the Federal Government. If we cannot protect under the laws of this Nation the expenditure of taxpayer funds to entities which are currently being prosecuted for fraud, then I would say we are in deep trouble.

Mr. OBEY. Mr. Chairman, I make a point of order. The gentleman is not discussing the point of order. I do not intend to debate the amendment, and I do not expect anyone else is allowed to under the rules.

The CHAIRMAN pro tempore. The gentleman from Wisconsin is correct.

Does the gentleman from Arizona have an observation pursuant to the point of order raised by the gentleman from Wisconsin which claimed that the amendment violates clause 2 of rule XXI?

Mr. SHADEGG. Mr. Chairman, I do not believe it does violate it. I believe it is, in fact, consistent because it applies only to actions that have been filed, and therefore there would be no investigation required.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The amendment offered by the gentleman from Arizona would appear to

require an investigation of each person or entity entering into a contract with funds under this act as to their being the subject of a criminal, civil, or administrative proceeding by the Federal Government with the specific allegation of fraud. In the absence of a citation to an existing law requiring this inquiry, the Chair believes the amendment imposes a new duty on executive officials not required by existing law in violation of clause 2, rule XXI. The Chair therefore sustains the point of order.

Are there further amendments to the bill?

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

The purpose of the amendment which I just offered, which I would like to address, which is of grave concern to me, is that, in fact, we have a situation under this legislation and elsewhere, but particularly under this legislation, where millions of dollars, indeed tens of millions of dollars, are spent by the Federal Government and can be paid to contractors and individuals currently subject to a fraud prosecution by the Federal Government.

It seems to me if we have a department of the Government called the Justice Department, and if we have inspectors general offices within HHS and a variety of other agencies which are charged with the duty of auditing the expenditure of carefully collected taxpayer dollars and assuring that those dollars are spent pursuant to law and spent in a proper fashion and not fraudulently, then we ought to recognize that there is no right inherent in anyone to get a Federal contract and to be paid Federal moneys under that contract. Indeed, we ought to say that, well, of course there is a presumption of innocence in the criminal law in this Nation. There is no presumption of a right to be paid Federal moneys.

Let me give my colleagues some examples. There was a foundation created in 1994 to implement school-to-work grants. It was awarded $1.05 million. Following the first year, the inspector general called into question more than 73 percent of the claimed expenses of that foundation, alleging fraud. However, even while those practices were being challenged by the inspector general, the foundation was awarded an extension of its contract and an additional $1.43 million.

It seems to me that we are indeed charged as the stewards of taxpayers' money with looking after the proper expenditure of those funds. And if we have entities such as the inspector general's Office, such as the Attorney General, to investigate fraud and to charge fraud, and we make them comply with statutes in bringing those allegations, then indeed we have a duty not to at the same time give away taxpayer dollars to them while they are accused in a civil or criminal proceeding with fraud in the action itself. For those who object to that, I wonder what their motives are. It does concern me.

Mr. Chairman, it seems to me that we can look throughout the Federal Government. There are dozens of incidents, hundreds of incidents, thousands of incidents. Let me pick one from the Medicare field. A physician improperly billed $350,000 over a 2-year period for comprehensive physical exams of residents of a home care institution without ever seeing a single resident. He was charged with fraud. Should he have had the right under the presumption of innocence not just to contest his guilt or innocence on that question, but to get a new contract; to get yet an additional contract so we pay him more money not to see people while we litigate the issue of his fraud under the prior contract? I suggest that if we are properly stewarding the taxpayers' dollars, we should not do that.

A psychotherapist working in a nursing facility manipulated Medicare billing codes to charge for 3 hours of therapy to each resident, when, in fact, he spent only a few minutes with each resident. Again, a charge or an allegation administratively of fraud was brought, yet we renew the contract to this psychotherapist.

We have a duty to steward these moneys. We can raise points of order, we can hang ourselves on technicalities if we want, but, Mr. Chairman, I assert that we have a duty to protect taxpayers' funds. The presumption of innocence does not extend to the right to have a contract with the Federal Government to get even more money when your practices have been seriously called into question.

Some argue that this ought to go to any entity under investigation for fraud, and that was one of the issues brought to me. I rejected that proposal, because indeed if you are simply under an investigation for fraud, no formal charge has been brought, perhaps it would not be fair to turn you down, because you could have an abuse of the investigative power. But once an entity of the Federal Government, the inspector general or the Attorney General, actually charges fraud, it seems to me that taxpayers have a right to say, until that matter is resolved, we are going to suspend further contracts and further payments to that individual.

Let me conclude by saying after surfacing this amendment, individuals at each of the agencies which would have been affected under the Labor-HHS bill contacted my office and said they would love to have this kind of tool to put a cold bar in place and to ensure that where there has been a proceeding, criminal, civil, or administrative, already filed alleging fraud, they would like to be able to deny the funds.

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

Mr. Chairman, I learned the hard way a long time ago when I was in the State legislature and the Republican floor leader of our legislature lost his seat because a Democratic attorney general falsely accused him of breaking the law. He was indicted. He was convicted. And his conviction was overturned, justifiably so, by a State supreme court. That decision taught me the hard way that no matter how high up the power is, no person ought to be able to cause another person economic injury or personal reputation injury without having it proven. That is my motivation in taking this action.

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

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
TITLE I - DEPARTMENT OF LABOR						
EMPLOYMENT AND TRAINING ADMINISTRATION						
TRAINING AND EMPLOYMENT SERVICES (1)						
Grants to States:						
Adult Training	895,000	1,063,990	1,042,990	+147,990	-21,000	D
Youth Training	126,672	129,965	129,965	+3,293	---	D
Summer Youth Program (2)	871,000	871,000	871,000	---	---	D
Dislocated Worker Assistance	1,286,200	1,350,510	1,350,510	+64,310	---	D
Federally administered programs:						
Native Americans	52,502	52,502	52,502	---	---	D
Migrant and Seasonal Farmworkers	69,285	69,285	69,285	---	---	D
Job Corps:						
Operations	1,064,824	1,127,726	1,127,726	+62,902	---	D
Construction and Renovation (3)	88,685	118,491	118,491	+29,806	---	D
Subtotal, Job Corps	1,153,509	1,246,217	1,246,217	+92,708	---	
Veterans' employment	7,300	7,300	7,300	---	---	D

(1) Forward funded except where noted.

(2) Current funded.

(3) 3 year availability.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National activities:						
Pilots and Demonstrations	27,140	23,717	42,500	+15,360	+18,783	D
Research, Demos, evaluation	6,196	10,196	8,196	+2,000	-2,000	D
Opportunity Areas for Youth	---	250,000	---	---	-250,000	D
Opportunity for Youth, advance FY 1999	---	---	100,000	+100,000	+100,000	D
Other	13,489	10,489	13,489	---	+3,000	D
Subtotal, National activities	46,825	294,402	164,185	+117,360	-130,217	
Current year	(46,825)	(294,402)	(64,185)	(+17,360)	(-230,217)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Subtotal, Federal activities	1,329,421	1,669,706	1,539,489	+210,068	-130,217	
Current year	(1,329,421)	(1,669,706)	(1,439,489)	(+110,068)	(-230,217)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Total, Job Training Partnership Act	4,508,293	5,085,171	4,933,954	+425,661	-151,217	
Current year	(4,508,293)	(5,085,171)	(4,833,954)	(+325,661)	(-251,217)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Women in Apprenticeship (1)	610	647	647	+37	---	D
Skills Standards	7,000	7,000	7,000	---	---	D
Subtotal, National activities, TES	(54,435)	(302,049)	(171,832)	(+117,397)	(-130,217)	

(1) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
School-to-Work (1)	200,000	200,000	200,000	---	---	D
Homeless Veterans (2)	---	2,500	---	---	-2,500	D
Total, Training and Employment Services	4,715,903	5,295,318	5,141,601	+425,698	-153,717	
Current year	(4,715,903)	(5,295,318)	(5,041,601)	(+325,698)	(-253,717)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Subtotal, forward funded	(3,844,293)	(4,421,171)	(4,169,954)	(+325,661)	(-251,217)	
Community Serv. Employment Older Americans (3)	463,000	440,200	440,200	-22,800	---	D
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES						
Trade Adjustment	276,100	304,700	304,700	+28,600	---	M
NAFTA Activities	48,400	44,300	44,300	-4,100	---	M
Total	324,500	349,000	349,000	+24,500	---	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS						
Unemployment Compensation (Trust Funds):						
State Operations	(2,115,125)	(2,204,125)	(2,115,125)	---	(-89,000)	TF*
National Activities	(10,000)	(10,000)	(10,000)	---	---	TF*
Year 2000 Computer conversion	---	(200,000)	(183,000)	(+183,000)	(-17,000)	TF*
Contingency	(216,333)	(216,333)	(196,333)	(-20,000)	(-20,000)	TF*
Subtotal, Unemployment Comp (trust funds)	(2,341,458)	(2,630,458)	(2,504,458)	(+163,000)	(-126,000)	

(1) 15-month forward funded availability.

(2) Current funded.

(3) The budget request proposed transfer of this funding to the Administration on Aging.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Employment Service:						
Allotments to States:						
Federal Funds	23,452	23,452	23,452	---	---	D
Trust Funds	(738,283)	(738,283)	(738,283)	---	---	TF*
Subtotal	761,735	761,735	761,735	---	---	
National Activities:						
Trust Funds (1)	(62,735)	(62,735)	(62,735)	---	---	TF*
Subtotal, Employment Service	824,470	824,470	824,470	---	---	
Federal funds	23,452	23,452	23,452	---	---	
Trust funds	(801,018)	(801,018)	(801,018)	---	---	
One Stop Career Centers	150,000	150,000	150,000	---	---	D
Total, State Unemployment	3,315,928	3,604,928	3,478,928	+163,000	-126,000	
Federal Funds	173,452	173,452	173,452	---	---	
Trust Funds	(3,142,476)	(3,431,476)	(3,305,476)	(+163,000)	(-126,000)	
Advances to the UI and Other Trust Funds (2)	373,000	392,000	392,000	+19,000	---	M

(1) Includes $20 million related to the Work Opportunity Tax Credit which is unauthorized for FY98.

(2) Two year availability.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
PROGRAM ADMINISTRATION						
Adult Employment and Training	25,842	26,486	26,100	+258	-386	D
Trust Funds	(2,237)	(2,331)	(2,259)	(+22)	(-72)	TF*
Youth Employment and Training	29,607	31,871	29,903	+296	-1,968	D
Employment Security	6,081	4,601	6,142	+61	+1,541	D
Trust Funds	(37,324)	(39,807)	(37,697)	(+373)	(-2,110)	TF*
Apprenticeship Services	16,271	17,367	16,434	+163	-933	D
Executive Direction	5,672	5,889	5,729	+57	-160	D
Trust Funds	(1,316)	(1,291)	(1,329)	(+13)	(+38)	TF*
Welfare to Work	---	6,200	---	---	-6,200	D
Subtotal, Program Administration	124,350	135,843	125,593	+1,243	-10,250	
Federal funds	83,473	92,414	84,308	+835	-8,106	
Trust funds	(40,877)	(43,429)	(41,285)	(+408)	(-2,144)	
Subtotal, Employment & Training Administration	9,316,681	10,217,289	9,927,322	+610,641	-289,967	
Federal funds	6,133,328	6,742,384	6,580,561	+447,233	-161,823	
Current year	(6,133,328)	(6,742,384)	(6,480,561)	(+347,233)	(-261,823)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Trust funds	(3,183,353)	(3,474,905)	(3,346,761)	(+163,408)	(-128,144)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
PENSION AND WELFARE BENEFITS ADMINISTRATION						
SALARIES AND EXPENSES						
Enforcement and Compliance	61,476	67,463	66,100	+4,624	-1,363	D
Policy, Regulation and Public Service	11,781	13,158	12,281	+500	-877	D
Program Oversight	3,583	3,686	3,619	+36	-67	D
Subtotal, PWBA	76,840	84,307	82,000	+5,160	-2,307	
PENSION BENEFIT GUARANTY CORPORATION						
Program Administration subject to limitation (TF) (1)	(10,330)	(10,625)	(10,433)	(+103)	(-192)	TF
Termination services not subject to limitation (NA)	(125,338)	(137,376)	(137,376)	(+12,038)	---	NA
Subtotal, PBGC new BA	(10,330)	(10,625)	(10,433)	(+103)	(-192)	
Subtotal, PBGC (Program level)	(135,668)	(148,001)	(147,809)	(+12,141)	(-192)	

(1) This limitation is scored as BA in FY98; see scorekeeping summary.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
EMPLOYMENT STANDARDS ADMINISTRATION						
SALARIES AND EXPENSES						
Enforcement of Wage and Hour Standards	117,904	124,505	121,213	+3,309	-3,292	D
Office of Labor-Management Standards	25,489	26,382	26,709	+1,220	+327	D
Federal Contractor EEO Standards Enforcement	58,972	68,728	60,618	+1,646	-8,110	D
Federal Programs for Workers' Compensation	75,670	81,199	77,783	+2,113	-3,416	D
Trust Funds (1)	(983)	(1,760)	(993)	(+10)	(-767)	TF
Program Direction and Support	11,366	11,629	11,684	+318	+55	D
Subtotal, ESA salaries and expenses	290,384	314,203	299,000	+8,616	-15,203	
Federal funds	289,401	312,443	298,007	+8,606	-14,436	
Trust funds	(983)	(1,760)	(993)	(+10)	(-767)	
SPECIAL BENEFITS						
Federal employees compensation benefits	209,000	197,000	197,000	-12,000	---	M
Longshore and harbor workers' benefits	4,000	4,000	4,000	---	---	M
Subtotal, Special Benefits	213,000	201,000	201,000	-12,000	---	

(1) This limitation is scored as BA in FY98; see scorekeeping summary.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
BLACK LUNG DISABILITY TRUST FUND						
Benefit payments and interest on advances	961,665	960,650	960,650	-1,015	---	M
Employment Standards Adm. S&E	26,053	26,147	26,147	+94	---	M
Departmental Management S&E	19,621	19,551	19,551	-70	---	M
Departmental Management, Inspector General	287	296	296	+9	---	M
Subtotal, Black Lung Disablty. Trust Fund, apprn	1,007,626	1,006,644	1,006,644	-982	---	
Treasury Adm. Costs (Indefinite)	356	356	356	---	---	M
Total, Black Lung Disability Trust Fund	1,007,982	1,007,000	1,007,000	-982	---	
Total, Employment Standards Administration	1,511,366	1,522,203	1,507,000	-4,366	-15,203	
Federal funds	1,510,383	1,520,443	1,506,007	-4,376	-14,436	
Trust funds	(983)	(1,760)	(993)	(+10)	(-767)	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION						
SALARIES AND EXPENSES						
Safety and Health Standards	11,971	12,566	12,091	+120	-475	D
Federal Enforcement	125,907	135,689	127,166	+1,259	-8,523	D
State Enforcement Programs	77,169	79,175	77,941	+772	-1,234	D
Technical Support	17,417	17,617	17,591	+174	-26	D
Compliance Assistance: Federal Assistance	37,351	46,285	45,725	+8,374	-560	D
State Consultation Grants	34,477	35,373	34,822	+345	-551	D
Safety and Health Statistics	14,142	14,460	14,283	+141	-177	D
Executive Direction and Administration	6,521	6,640	6,586	+65	-54	D
Total, OSHA	324,955	347,805	336,205	+11,250	-11,600	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
MINE SAFETY AND HEALTH ADMINISTRATION						
SALARIES AND EXPENSES						
Coal Enforcement	106,993	107,419	108,063	+1,070	+644	D
Metal/Non-Metal Enforcement	41,994	44,315	42,414	+420	-1,901	D
Standards Development	1,008	1,426	1,018	+10	-408	D
Assessments	3,497	3,578	3,532	+35	-46	D
Educational Policy and Development	14,782	14,834	14,930	+148	+96	D
Technical Support	21,268	24,870	21,481	+213	-3,389	D
Program Administration	7,645	9,362	7,721	+76	-1,641	D
Total, Mine Safety and Health Administration	197,187	205,804	199,159	+1,972	-6,645	
BUREAU OF LABOR STATISTICS						
SALARIES AND EXPENSES						
Employment and Unemployment Statistics	102,169	109,955	109,955	+7,786	---	D
Labor Market Information (Trust Funds)	(52,053)	(52,848)	(52,848)	(+795)	---	TF*
Prices and Cost of Living	100,134	107,028	108,028	+7,894	+1,000	D
Compensation and Working Conditions	56,834	58,909	58,909	+2,075	---	D
Productivity and Technology	7,263	7,248	7,248	-15	---	D
Economic Growth and Employment Projections	4,640	4,728	4,728	+88	---	D
Executive Direction and Staff Services	21,584	23,311	23,311	+1,727	---	D
Consumer Price Index Revision (1)	16,145	15,430	15,430	-715	---	D
Total, Bureau of Labor Statistics	360,822	379,457	380,457	+19,635	+1,000	
Federal Funds	308,769	326,609	327,609	+18,840	+1,000	
Trust Funds	(52,053)	(52,848)	(52,848)	(+795)	---	

(1) Two year availability.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
DEPARTMENTAL MANAGEMENT						
SALARIES AND EXPENSES						
Executive Direction	20,029	19,714	18,209	-1,820	-1,505	D
Legal Services	59,911	64,813	64,813	+4,902	---	D
Trust Funds	(297)	(282)	(282)	(-15)	---	TF*
International Labor Affairs	9,465	11,095	13,095	+3,630	+2,000	D
Administration and Management	13,904	14,259	14,043	+139	-216	D
Adjudication	20,483	20,979	20,688	+205	-291	D
Promoting Employment of People with Disabilities	4,358	4,439	4,402	+44	-37	D
Women's Bureau	7,743	7,569	7,569	-174	---	D
Civil Rights Activities	4,535	4,598	4,580	+45	-18	D
Chief Financial Officer	4,394	4,930	4,800	+406	-130	D
Total, Salaries and expenses	145,119	152,678	152,481	+7,362	-197	
Federal funds	144,822	152,396	152,199	+7,377	-197	
Trust funds	(297)	(282)	(282)	(-15)	---	
VETERANS EMPLOYMENT AND TRAINING						
State Administration:						
Disabled Veterans Outreach Program	(81,993)	(80,040)	(80,040)	(-1,953)	---	TF*
Local Veterans Employment Program	(75,125)	(77,078)	(77,078)	(+1,953)	---	TF*
Subtotal, State Administration	(157,118)	(157,118)	(157,118)	---	---	
Federal Administration	(22,733)	(22,837)	(24,837)	(+2,104)	(+2,000)	TF*
National Veterans Training Institute	(2,000)	(2,000)	---	(-2,000)	(-2,000)	TF*
Total, Veterans Employment & Training (TF)	(181,851)	(181,955)	(181,955)	(+104)	---	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
OFFICE OF THE INSPECTOR GENERAL						
Program Activities	37,480	37,345	36,345	-1,135	-1,000	D
Trust Funds	(3,543)	(3,645)	(3,645)	(+102)	---	TF*
Executive Direction and Management	5,958	5,760	5,760	-198	---	D
Total, Office of the Inspector General	46,981	46,750	45,750	-1,231	-1,000	
Federal funds	43,438	43,105	42,105	-1,333	-1,000	
Trust funds	(3,543)	(3,645)	(3,645)	(+102)	---	
Total, Departmental Management	373,951	381,383	380,186	+6,235	-1,197	
Federal funds	188,260	195,501	194,304	+6,044	-1,197	
Trust funds	(185,691)	(185,882)	(185,882)	(+191)	---	
Total, Labor Department	12,172,132	13,148,873	12,822,762	+650,630	-326,111	
Federal funds	8,739,722	9,422,853	9,225,845	+486,123	-197,008	
Current year	(8,739,722)	(9,422,853)	(9,125,845)	(+386,123)	(-297,008)	
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)	
Trust funds	(3,432,410)	(3,726,020)	(3,596,917)	(+164,507)	(-129,103)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES						
HEALTH RESOURCES AND SERVICES ADMINISTRATION						
HEALTH RESOURCES AND SERVICES						
Consolidated health centers	802,009	809,868	826,000	+23,991	+16,132	D
National Health Service Corps:						
Field placements	37,244	37,244	37,244	---	---	D
Recruitment	78,166	78,166	82,756	+4,590	+4,590	D
Subtotal, National Health Service Corps	115,410	115,410	120,000	+4,590	+4,590	
Health Professions						
Grants to Communities for Scholarships	532	---	545	+13	+545	D
Health Professions data systems	236	---	241	+5	+241	D
Research on Health Professions Issues	450	---	461	+11	+461	D
Nurse loan repayment for shortage area service	2,197	---	2,251	+54	+2,251	D
Workforce Development Cluster (proposed legis.)	---	623	---	---	-623	D
Centers of excellence	24,714	---	27,300	+2,586	+27,300	D
Health careers opportunity program	26,779	---	30,000	+3,221	+30,000	D
Exceptional financial need scholarships	11,332	---	11,610	+278	+11,610	D
Faculty loan repayment	1,061	---	1,087	+26	+1,087	D
Fin. Assistance for disadvantaged HP students	6,718	---	6,883	+165	+6,883	D
Scholarships for disadvantaged students	18,673	---	21,100	+2,427	+21,100	D
Minority/Disadvantaged Cluster (proposed leg.)	---	89,277	---	---	-89,277	D
Family medicine training/departments	49,256	---	50,464	+1,208	+50,464	D
General internal medicine and pediatrics	17,618	---	18,050	+432	+18,050	D

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Physician assistants	6,376	---	6,532	+156	+6,532	D
Public health and preventive medicine	7,998	---	8,194	+196	+8,194	D
Health administration traineeships/projects	1,095	---	1,122	+27	+1,122	D
Primary Care Medicine & Pub Health Cluster (proposed)	---	7,700	---	---	-7,700	D
Area health education centers	28,490	---	29,189	+699	+29,189	D
Border health training centers	3,752	---	3,844	+92	+3,844	D
General dentistry residencies	3,785	---	3,878	+93	+3,878	D
Allied health special projects	3,832	---	3,926	+94	+3,926	D
Geriatric education centers and training	8,881	---	9,099	+218	+9,099	D
Rural interdisciplinary traineeships	4,153	---	4,255	+102	+4,255	D
Podiatric Medicine	677	---	694	+17	+694	D
Chiropractic demonstration grants	1,025	---	1,050	+25	+1,050	D
Enhanced Area Health Education Cluster (proposed)	---	24,700	---	---	-24,700	D
Advanced Nurse Education	12,467	---	12,773	+306	+12,773	D
Nurse practitioners/nurse midwives	17,586	---	18,017	+431	+18,017	D
Special projects	10,564	---	10,823	+259	+10,823	D
Nurse disadvantaged assistance	3,865	---	3,960	+95	+3,960	D
Professional nurse traineeships	15,941	---	16,332	+391	+16,332	D
Nurse anesthetists	2,765	---	2,833	+68	+2,833	D
Nurse Education / Practice Init Cluster (proposed)	---	7,700	---	---	-7,700	D
Subtotal, Health professions	292,818	130,000	306,513	+13,695	+176,513	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Other HRSA Programs:						
Hansen's Disease Services Cluster (1)	17,094	16,469	17,094	---	+625	D
Maternal & Child Health Block Grant	681,000	681,000	685,000	+4,000	+4,000	D
Healthy Start	95,982	95,982	95,982	---	---	D
Organ Transplantation	2,278	3,891	2,278	---	-1,613	D
Health Teaching Facilities Interest Subsidies	297	225	225	-72	---	D
Bone Marrow Program	15,270	15,270	15,270	---	---	D
Rural outreach grants	27,796	25,092	27,796	---	+2,704	D
Emergency medical services for children	12,493	12,000	13,000	+507	+1,000	D
Black lung clinics	4,000	1,906	5,000	+1,000	+3,094	D
Alzheimer's demonstration grants (2)	5,999	---	5,999	---	+5,999	D
Payment to Hawaii, treatment of Hansen's (1)	2,045	---	2,045	---	+2,045	D
Subtotal, Other HRSA programs	864,254	851,835	869,689	+5,435	+17,854	

(1) Proposed for consolidation.

(2) Proposed for transfer to AoA.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Ryan White AIDS Programs:						
Emergency Assistance	449,943	454,943	471,663	+21,720	+16,720	D
Comprehensive Care Programs	416,954	431,954	560,994	+144,040	+129,040	D
AIDS Drug Assistance Program (ADAP) (NA)	167,000	167,000	299,000	+132,000	+132,000	NA
Early Intervention Program	69,568	84,568	72,928	+3,360	-11,640	D
Pediatric Demonstrations	36,000	40,000	37,720	+1,720	-2,280	D
AIDS Dental Services	7,500	7,500	7,860	+360	+360	D
Education and Training Centers	16,287	17,287	17,087	+800	-200	D
Subtotal, Ryan White AIDS programs	996,252	1,036,252	1,168,252	+172,000	+132,000	
Family Planning	198,452	203,452	194,452	-4,000	-9,000	D
Rural Health Research	8,713	8,713	8,713	---	---	D
Health Care Facilities	12,902	---	---	-12,902	---	D
Buildings and Facilities (1)	828	---	2,500	+1,672	+2,500	D
National Practitioner Data Bank	6,000	8,000	8,000	+2,000	---	D
User Fees	-6,000	-8,000	-8,000	-2,000	---	D
Program Management	112,929	110,949	110,949	-1,980	---	D
Total, Health resources and services	3,404,567	3,266,479	3,607,068	+202,501	+340,589	

(1) Proposed for consolidation.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
MEDICAL FACILITIES GUARANTEE AND LOAN FUND:						
Interest subsidy program	7,000	6,000	6,000	-1,000	---	M
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):						
New loan subsidies	477	1,020	1,020	+543	---	M
Liquidating account (NA)	(37,608)	(29,566)	(29,566)	(-8,042)	---	NA
HEAL loan limitation (NA)	(140,000)	(85,000)	(85,000)	(-55,000)	---	NA
Program management	2,688	2,688	2,688	---	---	D
Total, HEAL	3,165	3,708	3,708	+543	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:						
Post-FY88 claims (TF)	50,476	42,448	42,448	-8,028	---	M
HRSA administration (TF)	3,000	3,000	3,000	---	---	M
Subtotal, Vaccine injury compensation trust fund	53,476	45,448	45,448	-8,028	---	
VACCINE INJURY COMPENSATION:						
Pre-FY89 claims (appropriation)	110,000	---	---	-110,000	---	M
Total, Vaccine injury	163,476	45,448	45,448	-118,028	---	
Total, Health Resources & Services Admin	3,578,208	3,321,635	3,662,224	+84,016	+340,589	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
CENTERS FOR DISEASE CONTROL AND PREVENTION						
DISEASE CONTROL, RESEARCH AND TRAINING						
Preventive Health Services Block Grant	153,994	143,940	155,000	+1,006	+11,060	D
Prevention Centers	8,099	8,099	8,099	---	---	D
Childhood immunization (1)	467,583	427,312	440,030	-27,553	+12,718	D
HCFA vaccine purchase (NA)	372,534	437,104	437,104	+64,570	---	NA
Subtotal, CDC/HCFA vaccine program level	467,583	427,312	440,030	-27,553	+12,718	
AIDS	616,790	634,266	621,790	+5,000	-12,476	D
Tuberculosis	119,294	119,236	119,236	-58	---	D
Sexually Transmitted Diseases	106,203	111,171	111,171	+4,968	---	D
Chronic and Environmental Disease Prevention	166,874	191,039	228,039	+61,165	+37,000	D
Breast and Cervical Cancer Screening	139,659	141,897	145,000	+5,341	+3,103	D
Infectious Diseases	87,720	112,428	118,000	+30,280	+5,572	D
Lead Poisoning Prevention	38,181	38,154	38,200	+19	+46	D
Injury Control	43,182	49,033	55,933	+12,751	+6,900	D
Occupational Safety and Health (NIOSH)	141,340	148,463	148,840	+7,500	+377	D
Mine Safety and Health	31,913	32,000	32,000	+87	---	D
Epidemic Services	69,608	69,322	69,322	-286	---	D

(1) Request includes bill language exempting from the excise tax vaccine purchased with appropriated funds; savings are estimated at $25 million.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National Center for Health Statistics:						
Program Operations	37,612	18,963	37,612	---	+18,649	D
1% evaluation funds (NA)	(48,400)	(70,063)	(48,400)	---	(-21,663)	NA
Subtotal, health statistics	(86,012)	(89,026)	(86,012)	---	(-3,014)	
Buildings and Facilities	30,553	23,007	20,000	-10,553	-3,007	D
Program Management	2,563	2,465	2,465	-98	---	D
Subtotal, Centers for Disease Control	2,261,168	2,270,795	2,350,737	+89,569	+79,942	
Crime Bill Activities:						
Rape Prevention and Education	35,000	45,000	45,000	+10,000	---	D
Domestic Violence Community Demonstrations	6,000	---	---	-6,000	---	D
Subtotal, Crime bill activities	41,000	45,000	45,000	+4,000	---	
Total, Disease Control	2,302,168	2,315,795	2,395,737	+93,569	+79,942	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
NATIONAL INSTITUTES OF HEALTH						
National Cancer Institute	2,389,065	2,217,482	2,513,020	+123,955	+295,538	D
AIDS (NA)	---	(224,256)	---	---	(-224,256)	NA
Subtotal, NCI	(2,389,065)	(2,441,738)	(2,513,020)	(+123,955)	(+71,282)	
National Heart, Lung, and Blood Institute	1,431,830	1,404,770	1,513,004	+81,174	+108,234	D
AIDS (NA)	---	(62,419)	---	---	(-62,419)	NA
Subtotal, NHLBI	(1,431,830)	(1,467,189)	(1,513,004)	(+81,174)	(+45,815)	
National Institute of Dental Research	197,063	190,081	209,403	+12,340	+19,322	D
AIDS (NA)	---	(12,750)	---	---	(-12,750)	NA
Subtotal, NIDR	(197,063)	(202,831)	(209,403)	(+12,340)	(+6,572)	
National Institute of Diabetes and Digestive and Kidney Diseases	813,149	821,164	874,337	+61,188	+53,173	D
AIDS (NA)	---	(12,638)	---	---	(-12,638)	NA
Subtotal, NIDDK	(813,149)	(833,802)	(874,337)	(+61,188)	(+40,535)	
National Institute of Neurological Disorders & Stroke	729,259	722,712	763,325	+34,066	+40,613	D
AIDS (NA)	---	(25,116)	---	---	(-25,116)	NA
Subtotal, NINDS	(729,259)	(747,828)	(763,325)	(+34,066)	(+15,497)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National Institute of Allergy and Infectious Diseases.	1,257,794	634,272	1,339,459	+81,665	+705,187	D
AIDS (NA).....	---	(678,230)	---	---	(-678,230)	NA
Subtotal, NIAID.....	(1,257,794)	(1,312,502)	(1,339,459)	(+81,665)	(+26,957)	
National Institute of General Medical Sciences.....	995,471	992,032	1,047,963	+52,492	+55,931	D
AIDS (NA).....	---	(28,160)	---	---	(-28,160)	NA
Subtotal, NIGMS.....	(995,471)	(1,020,192)	(1,047,963)	(+52,492)	(+27,771)	
National Institute of Child Health & Human Development	631,628	582,032	666,682	+35,054	+84,650	D
AIDS (NA).....	---	(65,247)	---	---	(-65,247)	NA
Subtotal, NICHD.....	(631,628)	(647,279)	(666,682)	(+35,054)	(+19,403)	
National Eye Institute.....	331,606	330,955	354,032	+22,426	+23,077	D
AIDS (NA).....	---	(9,476)	---	---	(-9,476)	NA
Subtotal, NEI.....	(331,606)	(340,431)	(354,032)	(+22,426)	(+13,601)	
National Institute of Environmental Health Sciences...	307,562	313,583	328,583	+21,021	+15,000	D
AIDS (NA).....	---	(6,324)	---	---	(-6,324)	NA
Subtotal, NIEHS.....	(307,562)	(319,907)	(328,583)	(+21,021)	(+8,676)	
National Institute on Aging.....	484,326	495,202	509,811	+25,485	+14,609	D
AIDS (NA).....	---	(1,874)	---	---	(-1,874)	NA
Subtotal, NIA.....	(484,326)	(497,076)	(509,811)	(+25,485)	(+12,735)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National Institute of Arthritis and Musculoskeletal and Skin Diseases	256,228	258,932	269,807	+13,579	+10,875	D
AIDS (NA)	---	(4,310)	---	---	(-4,310)	NA
Subtotal, NIAMS	(256,228)	(263,242)	(269,807)	(+13,579)	(+6,565)	
National Institute on Deafness and Other Communication Disorders	188,273	192,447	198,373	+10,100	+5,926	D
AIDS (NA)	---	(1,774)	---	---	(-1,774)	NA
Subtotal, NIDCD	(188,273)	(194,221)	(198,373)	(+10,100)	(+4,152)	
National Institute of Nursing Research	59,554	55,692	62,451	+2,897	+6,759	D
AIDS (NA)	---	(5,360)	---	---	(-5,360)	NA
Subtotal, NINR	(59,554)	(61,052)	(62,451)	(+2,897)	(+1,399)	
National Institute on Alcohol Abuse and Alcoholism	211,254	208,112	226,205	+14,951	+18,093	D
AIDS (NA)	---	(11,234)	---	---	(-11,234)	NA
Subtotal, NIAAA	(211,254)	(219,346)	(226,205)	(+14,951)	(+6,859)	
National Institute on Drug Abuse	490,113	358,475	525,641	+35,528	+167,166	D
AIDS (NA)	---	(163,440)	---	---	(-163,440)	NA
Subtotal, NIDA	(490,113)	(521,915)	(525,641)	(+35,528)	(+3,726)	
National Institute of Mental Health	700,701	629,739	744,235	+43,534	+114,496	D
AIDS (NA)	---	(98,510)	---	---	(-98,510)	NA
Subtotal, NIMH	(700,701)	(728,249)	(744,235)	(+43,534)	(+15,986)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National Human Genome Research Institute	188,957	202,197	211,772	+22,815	+9,575	D
AIDS (NA)	---	(2,990)	---	---	(-2,990)	NA
Subtotal, NHGRI	(188,957)	(205,187)	(211,772)	(+22,815)	(+6,585)	
National Center for Research Resources	414,049	333,868	436,961	+22,912	+103,093	D
AIDS (NA)	---	(77,053)	---	---	(-77,053)	NA
Subtotal, NCRR	(414,049)	(410,921)	(436,961)	(+22,912)	(+26,040)	
John Fogarty International Center	26,504	16,755	27,620	+1,116	+10,865	D
AIDS (NA)	---	(10,413)	---	---	(-10,413)	NA
Subtotal, FIC	(26,504)	(27,168)	(27,620)	(+1,116)	(+452)	
National Library of Medicine	150,376	152,689	161,171	+10,795	+8,482	D
AIDS (NA)	---	(3,279)	---	---	(-3,279)	NA
Subtotal, NLM	(150,376)	(155,968)	(161,171)	(+10,795)	(+5,203)	
Office of the Director	286,081	234,247	298,339	+12,258	+64,092	D
AIDS (NA)	---	(35,912)	---	---	(-35,912)	NA
Subtotal, OD	(286,081)	(270,159)	(298,339)	(+12,258)	(+28,180)	
Buildings and Facilities	200,000	190,000	223,100	+23,100	+33,100	D
Office of AIDS Research	---	1,540,765	---	---	-1,540,765	D
Total N.I.H.	12,740,843	13,078,203	13,505,294	+764,451	+427,091	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION						
Mental Health:						
Knowledge development and application	57,964	58,032	58,032	+68	---	D
Mental Health Performance Partnership	275,420	275,420	275,420	---	---	D
Children's Mental Health	69,896	69,927	72,927	+3,031	+3,000	D
Grants to States for the Homeless (PATH)	20,000	20,000	23,000	+3,000	+3,000	D
Protection and Advocacy	21,957	21,957	21,957	---	---	D
Subtotal, mental health	445,237	445,336	451,336	+6,099	+6,000	
Substance Abuse Treatment:						
Knowledge Development and Application	155,868	156,000	159,000	+3,132	+3,000	D
Substance Abuse Performance Partnership -- (BA)	1,310,107	1,320,107	1,320,107	+10,000	---	D
P.L. 104-121 funding	(50,000)	(50,000)	(50,000)	---	---	NA
Subtotal, Substance Abuse Treatment (BA)	1,465,975	1,476,107	1,479,107	+13,132	+3,000	
Total, Treatment program level	(1,515,975)	(1,526,107)	(1,529,107)	(+13,132)	(+3,000)	
Substance Abuse Prevention:						
Knowledge Development and Application	155,869	151,000	151,000	-4,869	---	D
Program Management and Buildings and Facilities	54,431	55,500	55,500	+1,069	---	D
Data Collection	---	28,000	15,000	+15,000	-13,000	D
Total, Substance Abuse and Mental Health (BA)	2,121,512	2,155,943	2,151,943	+30,431	-4,000	
Total, Program level	(2,171,512)	(2,205,943)	(2,201,943)	(+30,431)	(-4,000)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS						
Retirement payments	139,299	149,217	149,217	+9,918	---	M
Survivors benefits	10,417	11,643	11,643	+1,226	---	M
Dependents' medical care	26,363	27,470	27,470	+1,107	---	M
Military services credits	2,556	2,409	2,409	-147	---	M
Total, Retirement pay and medical benefits	178,635	190,739	190,739	+12,104	---	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
AGENCY FOR HEALTH CARE POLICY AND RESEARCH						
Research on Health Care Systems Cost & Access:						
Federal Funds	35,650	17,170	35,573	-77	+18,403	D
1% evaluation funding (NA)	(8,750)	(29,515)	(11,112)	(+2,362)	(-18,403)	NA
Subtotal	(44,400)	(46,685)	(46,685)	(+2,285)	---	
Health Insurance & Expenditure Surveys:						
Federal Funds	224	10,000	---	-224	-10,000	D
1% evaluation funding (NA)	(38,662)	(26,300)	(36,300)	(-2,362)	(+10,000)	NA
Subtotal	(38,886)	(36,300)	(36,300)	(-2,586)	---	
Research on Health Care Outcomes & Quality:						
Federal Funds	57,963	57,600	63,785	+5,822	+6,185	D
1% evaluation funding (NA)	---	(6,185)	---	---	(-6,185)	NA
Subtotal	(57,963)	(63,785)	(63,785)	(+5,822)	---	
Program Support	2,230	2,230	2,230	---	---	D
Total, AHCPR	143,479	149,000	149,000	+5,521	---	
Federal Funds	96,067	87,000	101,588	+5,521	+14,588	
1% evaluation funding (non-add)	(47,412)	(62,000)	(47,412)	---	(-14,588)	
Total, Public Health Service	21,017,433	21,149,315	22,007,525	+990,092	+858,210	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
HEALTH CARE FINANCING ADMINISTRATION						
GRANTS TO STATES FOR MEDICAID						
Medicaid current law benefits	98,210,228	99,144,000	99,144,000	+933,772	---	M
State and local administration	4,633,884	4,874,546	4,874,546	+240,662	---	M
Vaccines for Children	522,904	365,104	365,104	-157,800	---	M
Subtotal, Medicaid program level, FY 1997 / 1998	103,367,016	104,383,650	104,383,650	+1,016,634	---	
Carryover balance	-2,155,048	-4,864,228	-4,864,228	-2,709,180	---	M
Less funds advanced in prior year	-26,155,350	-27,988,993	-27,988,993	-1,833,643	---	M
Total, request, FY 1997 / 1998	75,056,618	71,530,429	71,530,429	-3,526,189	---	
New advance 1st quarter, FY 98/99	27,988,993	27,800,689	27,800,689	-188,304	---	M
PAYMENTS TO HEALTH CARE TRUST FUNDS						
Supplemental medical insurance	59,456,000	63,416,000	63,416,000	+3,960,000	---	M
Hospital insurance for the uninsured	405,000	-52,000	-52,000	-457,000	---	M
Federal uninsured payment	76,000	86,000	86,000	+10,000	---	M
Program management	142,000	131,000	131,000	-11,000	---	M
Total, Payments to Trust Funds, current law	60,079,000	63,581,000	63,581,000	+3,502,000	---	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
PROGRAM MANAGEMENT						
Research, demonstration, and evaluation:						
Regular Program	(44,000)	(45,000)	(49,000)	(+5,000)	(+4,000)	TF*
Medicare Contractors	(1,207,200)	(1,223,000)	(1,134,000)	(-73,200)	(-89,000)	TF*
H.R. 3103 funding (non-add)	(440,000)	(500,000)	(500,000)	(+60,000)	---	NA
Subtotal, Contractors program level	(1,647,200)	(1,723,000)	(1,634,000)	(-13,200)	(-89,000)	
State Survey and Certification	(158,000)	(148,000)	(148,000)	(-10,000)	---	TF*
Federal Administration	(327,173)	(360,434)	(350,369)	(+23,196)	(-10,065)	TF*
User Fees	(-1,932)	(-1,934)	(-1,934)	(-2)	---	TF*
Subtotal, Federal Administration	(325,241)	(358,500)	(348,435)	(+23,194)	(-10,065)	
Total, Program management	(1,734,441)	(1,774,500)	(1,679,435)	(-55,006)	(-95,065)	
Medicare Trust Fund Activity:						
Hospital Insurance TF (1)	(-12,800,000)	(-20,100,000)	(-20,100,000)	(-7,300,000)	---	NA
Supplemental Medical Insurance TF (2)	(4,000,000)	(500,000)	(500,000)	(-3,500,000)	---	NA
Total, Health Care Financing Administration	164,859,052	164,686,618	164,591,553	-267,499	-95,065	
Federal funds	163,124,611	162,912,118	162,912,118	-212,493	---	
Current year, FY 1997 / 1998	(135,135,618)	(135,111,429)	(135,111,429)	(-24,189)	---	
New advance, 1st quarter, FY 1998 / 1999	(27,988,993)	(27,800,689)	(27,800,689)	(-188,304)	---	
Trust funds	(1,734,441)	(1,774,500)	(1,679,435)	(-55,006)	(-95,065)	

(1) Intermediate estimates: page 40 of the 1997 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund.

(2) Intermediate estimates: page 29 of the 1997 Annual Report of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
ADMINISTRATION FOR CHILDREN AND FAMILIES						
FAMILY SUPPORT PAYMENTS TO STATES (1)						
Payments to territories	---	26,741	26,741	+26,741	---	M
Repatriation	---	1,000	1,000	+1,000	---	M
Undistributed	9,600,000	---	---	-9,600,000	---	M
Subtotal, Welfare payments	9,600,000	27,741	27,741	-9,572,259	---	
Child Support Enforcement: (2) Net welfare reform child support appropriation	2,158,000	---	---	-2,158,000	---	M
Total, Payments, FY 1997 / 1998 program level	11,758,000	27,741	27,741	-11,730,259	---	
Less funds advanced in previous years	-4,800,000	---	---	+4,800,000	---	M
Total, payments, current request, FY97/98	6,958,000	27,741	27,741	-6,930,259	---	
New advance, 1st quarter, FY98/99	607,000	660,000	660,000	+53,000	---	M

(1) Funds for these activities for FY98 are provided through permanent appropriations in the Personal Responsibility & Work Opportunity Reconciliation Act of 1996. The President's budget does not request funding for these programs in FY98; the Congressional justification indicates a budget amendment will be transmitted to Congress to request indefinite appropriations for these programs in FY98.

(2) Carry over funds from FY97 and the first quarter advance appropriation for FY98 are estimated to be sufficient to cover necessary costs of this program for FY98.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Job Opportunities and Basic Skills (JOBS)	300,000	---	---	-300,000	---	M
LOW INCOME HOME ENERGY ASSISTANCE						
Advance from prior year (NA)	---	(1,000,000)	(1,000,000)	(+1,000,000)	---	NA
Adjustment	1,000,000	---	---	-1,000,000	---	D
FY 1997 / 1998 program level	(1,000,000)	(1,000,000)	(1,000,000)	---	---	
Emergency Allocation -- Advance from prior year (NA)	(300,000)	---	---	(-300,000)	---	NA
New Emergency Allocation (NA)	---	(300,000)	(300,000)	(+300,000)	---	NA
Advance funding (FY98/99)	1,000,000	1,000,000	1,000,000	---	---	D
REFUGEE AND ENTRANT ASSISTANCE						
Transitional and Medical Services	246,502	227,138	230,698	-15,804	+3,560	D
Social Services	110,882	110,882	129,990	+19,108	+19,108	D
Preventive Health	4,835	4,835	4,835	---	---	D
Targeted Assistance	49,857	49,477	49,477	-380	---	D
Total, Refugee and entrant assistance (BA)	412,076	392,332	415,000	+2,924	+22,668	
CHILD CARE AND DEVELOPMENT BLOCK GRANT:						
Advance funding FY98/99	937,000	1,000,000	1,000,000	+63,000	---	D
Forward funding provided in prior year	(934,642)	---	---	(-934,642)	---	NA
Advance funding from prior year (NA)	---	(937,000)	(937,000)	(+937,000)	---	NA
Adjustment (current funding)	19,120	63,000	---	-19,120	-63,000	D
Current year program level (FY97/98)	(953,762)	(1,000,000)	(937,000)	(-16,762)	(-63,000)	
Social Services Block Grant (Title XX)	2,500,000	2,380,000	2,245,000	-255,000	-135,000	M

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
CHILDREN AND FAMILIES SERVICES PROGRAMS						
Programs for Children, Youth, and Families:						
Head Start	3,980,546	4,305,000	4,305,000	+324,454	---	D
Consolidated Runaway, Homeless Youth Prog	---	58,602	---	---	-58,602	D
Runaway and Homeless Youth	43,653	---	43,653	---	+43,653	D
Runaway Youth -- Transitional Living	14,949	---	14,949	---	+14,949	D
Subtotal, runaway	58,602	58,602	58,602	---	---	
Child Abuse State Grants	21,026	21,026	21,026	---	---	D
Child Abuse Discretionary Activities	14,154	14,154	14,154	---	---	D
Abandoned Infants Assistance	12,251	12,251	12,251	---	---	D
Child Welfare Services	291,989	291,989	291,989	---	---	D
Child Welfare Training	4,000	4,000	4,000	---	---	D
Adoption Opportunities	13,000	13,000	13,000	---	---	D
Adoption Initiative	---	21,000	---	---	-21,000	D
Family Violence (1)	62,000	---	---	-62,000	---	D
Social Services and Income Maintenance Research	44,000	18,043	21,000	-23,000	+2,957	D
Community Based Resource Centers	32,835	32,835	32,835	---	---	D

(1) The request and the bill provide funding for this activity in the Battered Women's Shelter program.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Developmental disabilities program:						
State Councils	64,803	64,803	64,803	---	---	D
Protection and Advocacy	26,718	26,718	26,718	---	---	D
Developmental Disabilities Special Projects	5,250	5,250	---	-5,250	-5,250	D
Developmental Disabilities University Affiliated	17,461	17,461	17,461	---	---	D
Subtotal, Developmental disabilities	114,232	114,232	108,982	-5,250	-5,250	
Native American Programs	34,933	34,933	34,933	---	---	D
Community services:						
Grants to States for Community Services	489,600	414,720	489,600	---	+74,880	D
Community initiative program:						
Economic Development	27,332	---	30,065	+2,733	+30,065	D
Rural Community Facilities	3,500	---	3,500	---	+3,500	D
Subtotal, discretionary funds	30,832	---	33,565	+2,733	+33,565	
National Youth Sports	12,000	---	14,000	+2,000	+14,000	D
Community Food and Nutrition	4,000	---	---	-4,000	---	D
Subtotal, Community services	536,432	414,720	537,165	+733	+122,445	
Program Direction	143,061	143,115	143,115	+54	---	D
Rescission of permanent appropriations	-27,000	---	-21,000	+6,000	-21,000	D
Total, Children & Families Services Programs	5,336,061	5,498,900	5,577,052	+240,991	+78,152	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
VIOLENT CRIME REDUCTION PROGRAMS:						
Community Schools	12,800	12,800	---	-12,800	-12,800	D
Runaway Youth Prevention	8,000	15,000	15,000	+7,000	---	D
Domestic Violence Hotline	1,200	1,200	1,200	---	---	D
Battered Women's Shelters	10,800	70,000	82,800	+72,000	+12,800	D
Total, Violent crime reduction programs	32,800	99,000	99,000	+66,200	---	
Family Support and Preservation	240,000	255,000	255,000	+15,000	---	M
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE						
Foster Care	3,807,143	3,540,300	3,540,300	-266,843	---	M
Adoption Assistance	567,888	700,700	700,700	+132,812	---	M
Independent living	70,000	70,000	70,000	---	---	M
Total, Program level: Payment to States	4,445,031	4,311,000	4,311,000	-134,031	---	
Less Advances from Prior Year	---	-1,111,000	-1,111,000	-1,111,000	---	M
Total, request, FY 1997 / 1998	4,445,031	3,200,000	3,200,000	-1,245,031	---	
New Advance, 1st quarter, FY 1998/1999	1,111,000	1,157,500	1,157,500	+46,500	---	M
Total, Administration for Children and Families	24,898,088	15,733,473	15,636,293	-9,261,795	-97,180	
Current year, FY 1997 / 1998	(21,243,088)	(11,915,973)	(11,818,793)	(-9,424,295)	(-97,180)	
FY 1998 / 1999	(3,655,000)	(3,817,500)	(3,817,500)	(+162,500)	---	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
ADMINISTRATION ON AGING						
Grants to States:						
Supportive Services and Centers	300,556	291,375	309,819	+9,263	+18,444	D
Preventive Health	15,623	15,623	---	-15,623	-15,623	D
Title VII	---	9,181	---	---	-9,181	D
Nutrition:						
Congregate Meals	364,535	359,810	364,535	---	+4,725	D
Home Delivered Meals	105,339	110,064	110,064	+4,725	---	D
Frail Elderly In-Home Services	9,263	9,263	---	-9,263	-9,263	D
Grants to Indians	16,057	16,057	16,057	---	---	D
Aging Research, Training and Special Projects	4,000	4,000	---	-4,000	-4,000	D
Program Administration	14,758	14,795	14,795	+37	---	D
Alzheimer's Initiative	---	8,000	---	---	-8,000	D
Total, Administration on Aging	830,131	838,168	815,270	-14,861	-22,898	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
OFFICE OF THE SECRETARY						
GENERAL DEPARTMENTAL MANAGEMENT:						
Federal Funds	96,135	96,517	101,329	+5,194	+4,812	D
Trust Funds	(5,851)	(5,851)	(5,851)	---	---	TF*
1% Evaluation funds (ASPE) (NA)	(20,552)	(20,552)	(20,552)	---	---	NA
Subtotal	(122,538)	(122,920)	(127,732)	(+5,194)	(+4,812)	
Adolescent Family Life (Title XX)	14,206	14,209	14,209	+3	---	D
Physical Fitness and Sports	998	1,000	998	---	-2	D
Minority health	34,584	23,100	23,100	-11,484	---	D
Office of women's health	12,495	12,500	12,500	+5	---	D
Anti-Terrorism	13,764	10,000	7,500	-6,264	-2,500	D
Total, General Departmental Management	178,033	163,177	165,487	-12,546	+2,310	
Federal funds	172,182	157,326	159,636	-12,546	+2,310	
Trust funds	(5,851)	(5,851)	(5,851)	---	---	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
OFFICE OF THE INSPECTOR GENERAL:						
Federal Funds	34,790	31,921	30,921	-3,869	-1,000	D
H.R. 3103 funding (non-add)	(60,000)	(80,500)	(80,500)	(+20,500)	---	NA
Total, Office of the Inspector General	34,790	31,921	30,921	-3,869	-1,000	
OFFICE FOR CIVIL RIGHTS:						
Federal Funds	16,183	17,216	16,345	+162	-871	D
Trust Funds	(3,307)	(3,314)	(3,314)	(+7)	---	TF*
Total, Office for Civil Rights	19,490	20,530	19,659	+169	-871	
Federal funds	16,183	17,216	16,345	+162	-871	
Trust funds	(3,307)	(3,314)	(3,314)	(+7)	---	
Policy Research	18,486	9,000	14,000	-4,486	+5,000	D
Total, Office of the Secretary	250,799	224,628	230,067	-20,732	+5,439	
Federal funds	241,641	215,463	220,902	-20,739	+5,439	
Trust funds	(9,158)	(9,165)	(9,165)	(+7)	---	
Public Health & Social Services Emergency Fund	15,000	---	---	-15,000	---	D
Total, Department of Health and Human Services	211,870,503	202,632,202	203,280,708	-8,589,795	+648,506	
Federal Funds	210,126,904	200,848,537	201,592,108	-8,534,796	+743,571	
Current year, FY 1997 / 1998	(178,482,911)	(169,230,348)	(169,973,919)	(-8,508,992)	(+743,571)	
FY 1998 / 1999	(31,643,993)	(31,618,189)	(31,618,189)	(-25,804)	---	
Trust funds	(1,743,599)	(1,783,665)	(1,688,600)	(-54,999)	(-95,065)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
TITLE III - DEPARTMENT OF EDUCATION						
EDUCATION REFORM (1)						
Goals 2000: Educate America Act:						
State & Local Ed. Systemic Improvement Grants.....	476,000	603,500	370,665	-105,335	-232,835	D
State & Local Ed. Systemic Improvement Grants (2).	---	1,500	1,500	+1,500	---	D
Parental Assistance (2).....	15,000	15,000	15,000	---	---	D
Subtotal, Goals 2000.....	491,000	620,000	387,165	-103,835	-232,835	
School-to-work opportunities:						
State Grants and Local Partnerships.....	199,973	200,000	200,000	+27	---	D
Education Technology (2).....	200,000	425,000	435,000	+235,000	+10,000	D
Subtotal, Non-Goals 2000 Ed Reform.....	399,973	625,000	635,000	+235,027	+10,000	
Total.....	890,973	1,245,000	1,022,165	+131,192	-222,835	
Subtotal, Forward funded.....	(675,973)	(803,500)	(570,665)	(-105,308)	(-232,835)	

(1) Forward funded except where noted.

(2) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
EDUCATION FOR THE DISADVANTAGED (1)						
Grants to Local Education Agencies (LEAs):						
Basic Grants	6,269,712	6,187,350	6,187,850	-81,862	+500	D
Basic Grants (2)	3,500	4,000	3,500	---	-500	D
Subtotal, Basic grants	6,273,212	6,191,350	6,191,350	-81,862	---	
Concentration Grants	1,022,020	999,249	949,249	-72,771	-50,000	D
Targeted Grants	---	350,000	400,000	+400,000	+50,000	D
Whole School Reform	---	---	150,000	+150,000	+150,000	D
Subtotal, Grants to LEAs	7,295,232	7,540,599	7,690,599	+395,367	+150,000	
Capital Expenses for Private School Children	41,119	41,119	41,119	---	---	D
Even Start	101,992	108,000	108,000	+6,008	---	D
State agency programs:						
Migrant	305,473	319,500	305,473	---	-14,027	D
Neglected and Delinquent/High Risk Youth	39,311	40,333	39,311	---	-1,022	D
State School Improvement	---	8,000	---	---	-8,000	D
Evaluation (2)	6,977	10,000	10,000	+3,023	---	D
Total, ESEA	7,790,104	8,067,551	8,194,502	+404,398	+126,951	

(1) Forward funded except where noted.

(2) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Migrant education:						
High School Equivalency Program (1)	7,441	7,634	7,634	+193	---	D
College Assistance Migrant Program (1)	2,028	2,081	2,081	+53	---	D
Subtotal, migrant education	9,469	9,715	9,715	+246	---	
Total, Compensatory education programs	7,799,573	8,077,266	8,204,217	+404,644	+126,951	
Subtotal, forward funded	(7,779,627)	(8,053,551)	(8,181,002)	(+401,375)	(+127,451)	
IMPACT AID						
Basic Support Payments	615,500	584,000	667,000	+51,500	+83,000	D
Payments for Children with Disabilities	40,000	40,000	40,000	---	---	D
Payments for Heavily Impacted Districts (Sec. f)	52,000	20,000	62,000	+10,000	+42,000	D
Subtotal	707,500	644,000	769,000	+61,500	+125,000	
Facilities Maintenance (Sec. 8008)	---	10,000	---	---	-10,000	D
Construction (Sec. 8007)	5,000	4,000	7,000	+2,000	+3,000	D
Payments for Federal Property (Sec. 8002)	17,500	---	20,000	+2,500	+20,000	D
Total, Impact aid	730,000	658,000	796,000	+66,000	+138,000	

(1) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SCHOOL IMPROVEMENT PROGRAMS						
Professional development (1)	310,000	360,000	310,000	---	-50,000	D
Program innovation (1)	310,000	---	350,000	+40,000	+350,000	D
Safe and drug-free schools:						
State Grants (1)	530,978	590,000	531,000	+22	-59,000	D
National Programs	25,000	30,000	25,000	---	-5,000	D
Subtotal, Safe and drug-free schools	555,978	620,000	556,000	+22	-64,000	
Inexpensive Book Distribution (RIF)	10,265	12,000	12,000	+1,735	---	D
Arts in Education	9,000	9,500	9,500	+500	---	D
Other school improvement programs:						
Magnet Schools Assistance	95,000	95,000	105,000	+10,000	+10,000	D
Education for Homeless Children & Youth (1)	25,000	27,000	27,000	+2,000	---	D
Women's Education Equity	2,000	4,000	2,000	---	-2,000	D
Training and Advisory Services (Civil Rights)	7,334	14,334	7,334	---	-7,000	D
Ellender Fellowships/Close Up (1)	1,500	---	1,500	---	+1,500	D
Education for Native Hawaiians	15,000	15,000	---	-15,000	-15,000	D
Alaska Native Education Equity	8,000	8,000	---	-8,000	-8,000	D
Charter Schools	50,987	100,000	100,000	+49,013	---	D
Subtotal, other school improvement programs	204,821	263,334	242,834	+38,013	-20,500	
Comprehensive Regional Assistance Centers	25,554	34,388	27,054	+1,500	-7,334	D
Total, School improvement programs	1,425,618	1,299,222	1,507,388	+81,770	+208,166	
Subtotal, forward funded	(1,177,478)	(977,000)	(1,219,500)	(+42,022)	(+242,500)	

(1) Forward funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
LITERACY INITIATIVE						
Current year	---	260,000	---	---	-260,000	D
1999 advance funding	---	---	260,000	+260,000	+260,000	D
Total, Literacy initiative	---	260,000	260,000	+260,000	---	
INDIAN EDUCATION (1)						
Grants to Local Educational Agencies	58,050	59,750	59,750	+1,700	---	D
Office of Indian Education	2,943	2,850	2,850	-93	---	D
Total, Indian Education	60,993	62,600	62,600	+1,607	---	
BILINGUAL AND IMMIGRANT EDUCATION						
Bilingual education:						
Instructional Services	141,700	160,000	160,000	+18,300	---	D
Support Services	10,000	14,000	14,000	+4,000	---	D
Professional Development	5,000	25,000	25,000	+20,000	---	D
Immigrant Education	100,000	150,000	150,000	+50,000	---	D
Foreign Language Assistance	5,000	5,000	5,000	---	---	D
Total, Bilingual and Immigrant Education	261,700	354,000	354,000	+92,300	---	

(1) Funding for this account for FY97 was provided in the Interior Appropriations Bill and is shown here for purposes of comparability.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SPECIAL EDUCATION						
State grants: (1)						
Grants to States Part B	3,107,522	3,240,750	3,425,911	+318,389	+185,161	D
Preschool Grants	360,409	374,825	388,985	+28,576	+14,160	D
Grants for Infants and Families	315,754	323,964	340,790	+25,036	+16,826	D
Evaluation	1,873	6,300	6,300	+4,427	---	D
Evaluation (2)	---	1,700	1,700	+1,700	---	D
Subtotal, State grants	3,785,558	3,947,539	4,163,686	+378,128	+216,147	
IDEA National Programs (P.L. 105-17):						
State Program Improvement Grants (1)	26,988	35,200	35,200	+8,212	---	D
Research and Innovation to Improve Services	62,803	64,508	64,508	+1,705	---	D
Technical Assistance and Dissemination	34,337	35,056	35,056	+719	---	D
Personnel Preparation	80,735	82,139	82,139	+1,404	---	D
Parent Information Centers	15,535	15,535	15,535	---	---	D
Technology and Media Services	30,023	30,023	32,523	+2,500	+2,500	D
Subtotal, IDEA special programs reauthorization	250,421	262,461	264,961	+14,540	+2,500	
Total, Special education	4,035,979	4,210,000	4,428,647	+392,668	+218,647	
Subtotal, Forward funded	(3,812,546)	(3,981,039)	(4,197,186)	(+384,640)	(+216,147)	

(1) Forward funded except where noted.

(2) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
REHABILITATION SERVICES AND DISABILITY RESEARCH						
Vocational Rehabilitation State Grants	2,176,038	2,246,888	2,246,888	+70,850	---	M
Client Assistance State grants	10,392	10,714	10,714	+322	---	M
Training	39,629	39,629	39,629	---	---	M
Special demonstration programs	18,942	16,942	15,942	-3,000	-1,000	M
Migratory workers	1,850	2,350	2,350	+500	---	M
Recreational programs	2,596	2,596	2,596	---	---	M
Protection and advocacy of individual rights (PAIR)	7,657	7,894	9,894	+2,237	+2,000	M
Projects with industry	22,071	22,071	22,071	---	---	M
Supported employment State grants	38,152	38,152	38,152	---	---	M
Independent living:						
State grants	21,859	21,859	21,859	---	---	M
Centers	42,876	44,205	44,205	+1,329	---	M
Services for older blind individuals	9,952	9,952	9,952	---	---	M
Subtotal, Independent living	74,687	76,016	76,016	+1,329	---	
Program Improvement	2,391	3,900	2,900	+509	-1,000	M
Evaluation	1,587	1,587	1,587	---	---	M
Helen Keller National Center for Deaf-Blind Youths & Adults	7,337	7,528	7,528	+191	---	M
National Institute for Disability and Rehabilitation Research (NIDRR)	69,990	71,000	76,800	+6,810	+5,800	M
Subtotal, mandatory programs	2,473,319	2,547,267	2,553,067	+79,748	+5,800	
Assistive Technology	36,109	36,109	36,109	---	---	D
Total, Rehabilitation services	2,509,428	2,583,376	2,589,176	+79,748	+5,800	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES						
AMERICAN PRINTING HOUSE FOR THE BLIND.....	6,680	6,680	8,186	+1,506	+1,506	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.....	43,041	43,041	43,841	+800	+800	D
GALLAUDET UNIVERSITY.....	79,182	79,182	80,682	+1,500	+1,500	D
Total, Special Inst for Persons with Disabilities.	128,903	128,903	132,709	+3,806	+3,806	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
VOCATIONAL AND ADULT EDUCATION (1)						
Vocational education:						
Basic State Grants	1,015,550	1,043,550	1,035,550	+20,000	-8,000	D
Tech-Prep Education	100,000	105,000	105,000	+5,000	---	D
Tribally Controlled Postsecondary Vocational Institutions (2)	2,919	2,919	3,100	+181	+181	D
National Progams: Research	13,497	20,497	13,497	---	-7,000	D
Subtotal, Vocational education	1,131,966	1,171,966	1,157,147	+25,181	-14,819	
Adult education:						
State Programs	340,339	382,000	340,339	---	-41,661	D
National programs:						
Evaluation and Technical Assistance	4,998	6,000	4,998	---	-1,002	D
National Institute for Literacy	4,491	6,000	4,491	---	-1,509	D
Subtotal, National programs	9,489	12,000	9,489	---	-2,511	
Literacy Programs for Prisoners	4,723	---	---	-4,723	---	D
Subtotal, adult education	354,551	394,000	349,828	-4,723	-44,172	
Total, Vocational and adult education	1,486,517	1,565,966	1,506,975	+20,458	-58,991	
Subtotal, forward funded	(1,483,598)	(1,563,047)	(1,503,875)	(+20,277)	(-59,172)	

(1) Forward funded except where noted.

(2) Current funded.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
STUDENT FINANCIAL ASSISTANCE						
Pell Grant -- maximum grant (NA)	(2,700)	(3,000)	(3,000)	(+300)	---	NA
Pell Grants -- Regular Program	5,919,000	7,635,000	7,438,000	+1,519,000	-197,000	D
Federal Supplemental Educational Opportunity Grants	583,407	583,407	583,407	---	---	D
Federal Work Study	830,000	857,000	860,000	+30,000	+3,000	D
Federal Perkins loans:						
Capital Contributions	158,000	158,000	135,000	-23,000	-23,000	D
Loan Cancellations	20,000	30,000	30,000	+10,000	---	D
Subtotal, Federal Perkins loans	178,000	188,000	165,000	-13,000	-23,000	
State Student Incentive Grants	50,000	---	---	-50,000	---	D
Total, Student financial assistance	7,560,407	9,263,407	9,046,407	+1,486,000	-217,000	
FEDERAL FAMILY EDUCATION LOANS PROGRAM						
Federal Administration	46,482	47,688	47,688	+1,206	---	D

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
HIGHER EDUCATION						
Aid for institutional development:						
Strengthening Institutions	55,450	55,450	55,450	---	---	D
Hispanic Serving Institutions	10,800	12,000	12,000	+1,200	---	D
Hispanic serving institutions (Agriculture bill)	(2,000)	(2,000)	(2,000)	---	---	NA
Subtotal, Hispanic serving institutions	(12,800)	(14,000)	(14,000)	(+1,200)	---	
Strengthening Historically Black Colleges (HBCUs)	108,990	113,000	120,000	+11,010	+7,000	D
Strengthening historically black graduate insts	19,606	19,606	25,000	+5,394	+5,394	D
Endowment Challenge Grants, HBCU set-aside	---	2,015	---	---	-2,015	D
Subtotal, Institutional development	194,846	202,071	212,450	+17,604	+10,379	
Program development:						
Fund for the Improvement of Postsec. Ed. (FIPSE)	18,000	18,000	18,000	---	---	D
Minority Teacher Recruitment	2,212	3,727	2,500	+288	-1,227	D
Minority Science Improvement	5,255	5,255	5,255	---	---	D
International educ & foreign language studies:						
Domestic Programs	53,481	53,481	54,481	+1,000	+1,000	D
Overseas Programs	5,270	5,770	5,770	+500	---	D
Institute for International Public Policy	1,000	1,000	---	-1,000	-1,000	D
Subtotal, International education	59,751	60,251	60,251	+500	---	
Urban Community Service	9,200	---	---	-9,200	---	D
Subtotal, Program development	94,418	87,233	86,006	-8,412	-1,227	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Interest Subsidy Grants for Prior Year Const.....	15,673	13,700	13,700	-1,973	---	D
Special grants:						
Mary McLeod Bethune Memorial Fine Arts Center.....	1,400	---	6,620	+5,220	+6,620	D
Federal TRIO Programs.....	499,994	525,000	532,000	+32,006	+7,000	D
National Early Intervention Scholarships and Partn	3,600	---	---	-3,600	---	D
Advanced Placement Fees.....	---	6,000	---	---	-6,000	D
Scholarships:						
Byrd Honors Scholarships.....	29,117	39,288	29,117	---	-10,171	D
Presidential Honors Scholarships.....	---	132,000	---	---	-132,000	D
George Bush Fellowships.....	3,000	---	---	-3,000	---	D
Edmund Muskie Foundation.....	3,000	---	---	-3,000	---	D
Pell Institute for International Relations.....	3,000	---	---	-3,000	---	D
Calvin Coolidge Memorial Foundation.....	1,000	---	---	-1,000	---	D
Subtotal, Scholarships.....	39,117	171,288	29,117	-10,000	-142,171	
Graduate fellowships:						
Javits Fellowships.....	5,931	---	---	-5,931	---	D
Graduate Assistance in Areas of National Need.....	24,069	30,000	30,000	+5,931	---	D
Subtotal, Graduate fellowships.....	30,000	30,000	30,000	---	---	
Total, Higher education.....	879,048	1,035,292	909,893	+30,845	-125,399	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
HOWARD UNIVERSITY						
Academic Program	166,511	162,981	180,511	+14,000	+17,530	D
Endowment Program	---	3,530	---	---	-3,530	D
Howard University Hospital	29,489	29,489	29,489	---	---	D
Total, Howard University	196,000	196,000	210,000	+14,000	+14,000	
COLLEGE HOUSING & ACADEMIC FACILITIES LOANS PROGRAM:						
Federal Administration	698	1,069	698	---	-371	D
HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM						
Federal Administration	104	104	104	---	---	D

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT						
Research and statistics:						
Research	72,567	81,035	81,035	+8,468	---	D
Regional Education Laboratories	51,000	53,500	57,000	+6,000	+3,500	D
Statistics	50,000	66,250	66,250	+16,250	---	D
Assessment:						
National Assessment	29,752	35,502	35,502	+5,750	---	D
National Assessment Governing Board	2,865	2,871	2,865	---	-6	D
Subtotal, Assessment	32,617	38,373	38,367	+5,750	-6	
Subtotal, Research and statistics	206,184	239,158	242,652	+36,468	+3,494	
Fund for the Improvement of Education	40,000	40,000	80,000	+40,000	+40,000	D
International Education Exchange	5,000	5,000	---	-5,000	-5,000	D
21st Century Community Learning Centers	1,000	---	50,000	+49,000	+50,000	D
Civics Education	4,500	4,500	5,500	+1,000	+1,000	D
Eisenhower Professional Dvp. National Activities	13,342	30,000	21,000	+7,658	-9,000	D
Eisenhower Regional Math & Science Ed. Consortia	15,000	15,000	15,000	---	---	D
Javits Gifted and Talented Education	5,000	7,000	6,000	+1,000	-1,000	D
National Writing Project	3,100	---	3,100	---	+3,100	D
After School Learning Centers	---	50,000	---	---	-50,000	D

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
Education technology:						
Technology for Education	66,965	85,000	85,000	+18,035	---	D
Star Schools	30,000	26,000	---	-30,000	-26,000	D
Ready to Learn Television	7,000	7,000	---	-7,000	-7,000	D
Telcom Demo Project for Mathematics	1,035	2,035	---	-1,035	-2,035	D
Subtotal, Education technology	105,000	120,035	85,000	-20,000	-35,035	
Total, ERSI	398,126	510,693	508,252	+110,126	-2,441	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
LIBRARIES						
Public libraries:						
Services	100,636	---	---	-100,636	---	D
Construction	16,369	---	---	-16,369	---	D
Interlibrary Cooperation	11,864	---	---	-11,864	---	D
Library Education and Training	2,500	---	---	-2,500	---	D
Research and Demonstrations	5,000	---	---	-5,000	---	D
Institute of Museum and Library Services	---	136,369	142,000	+142,000	+5,631	D
Total, Libraries	136,369	136,369	142,000	+5,631	+5,631	
DEPARTMENTAL MANAGEMENT						
PROGRAM ADMINISTRATION	326,217	341,039	329,579	+3,362	-11,460	D
OFFICE FOR CIVIL RIGHTS	54,900	61,500	55,449	+549	-6,051	D
OFFICE OF THE INSPECTOR GENERAL	29,943	32,000	30,242	+299	-1,758	D
Total, Departmental management	411,060	434,539	415,270	+4,210	-19,269	
STUDENT LOANS						
New Annual Loan Volume (including consolidation):						
Federal Family Education Loans (FFEL)	(23,038,000)	(22,995,000)	(22,995,000)	(-43,000)	---	NA
Federal Direct Student Loans (FDSL)	(13,789,000)	(16,930,000)	(16,930,000)	(+3,141,000)	---	NA
Total Outstanding Loan Volume:						
Federal Family Education Loans (FFEL)	(88,864,000)	(101,148,000)	(101,148,000)	(+12,284,000)	---	NA
Federal Direct Student Loans (FDSL)	(23,153,000)	(36,829,000)	(36,829,000)	(+13,676,000)	---	NA
Total, Department of Education	28,957,978	32,069,494	32,144,189	+3,186,211	+74,695	
Current year	(28,957,978)	(32,069,494)	(31,884,189)	(+2,926,211)	(-185,305)	
1999 advance	---	---	(260,000)	(+260,000)	(+260,000)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
TITLE IV - RELATED AGENCIES						
ARMED FORCES RETIREMENT HOME						
Operations and Maintenance: TF Limitation.....	55,663	55,452	55,452	-211	---	D
Capital Program: TF Limitation.....	432	24,525	14,825	+14,393	-9,700	D
Total, AFRH.....	56,095	79,977	70,277	+14,182	-9,700	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE						
Domestic Volunteer Service Programs: (1)						
Volunteers in Service to America (VISTA).....	41,235	54,000	41,235	---	-12,765	D
National Senior Volunteer Corps:						
Foster Grandparents Program.....	77,812	85,972	84,106	+6,294	-1,866	D
Senior Companion Program.....	31,244	35,449	34,669	+3,425	-780	D
Retired Senior Volunteer Program.....	35,708	45,043	39,408	+3,700	-5,635	D
Senior Demonstration Program.....	---	10,000	---	---	-10,000	D
Subtotal, Senior Volunteers.....	144,764	176,464	158,183	+13,419	-18,281	
Program Administration.....	27,850	29,836	28,129	+279	-1,707	D
Total, Domestic Volunteer Service Programs.....	213,849	260,300	227,547	+13,698	-32,753	
Corporation for Public Broadcasting:						
FY2000 (current request) with FY99 comparable.....	250,000	325,000	300,000	+50,000	-25,000	D
FY99 advance with FY98 comparable (NA).....	(250,000)	(250,000)	(250,000)	---	---	NA
FY98 advance with FY97 comparable (NA).....	(260,000)	(250,000)	(250,000)	(-10,000)	---	NA
Federal Mediation and Conciliation Service.....	32,525	33,481	33,481	+956	---	D
Federal Mine Safety and Health Review Comm'n.....	6,049	6,060	6,060	+11	---	D

(1) The request earmarks $38 million for America Reads. Appropriations for Americorps are included in the VA-HUD bill.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
National Commission on Libraries and Info Science.....	897	1,123	1,000	+103	-123	D
National Council on Disability.....	1,791	1,793	1,793	+2	---	D
National Education Goals Panel.....	1,495	2,000	2,000	+505	---	D
National Commission on Cost of Higher Education.....	650	---	---	-650	---	D
National Labor Relations Board.....	174,661	186,434	174,661	---	-11,773	D
National Mediation Board.....	8,284	8,100	8,400	+116	+300	D
Occupational Safety and Health Review Comm'n.....	7,738	7,800	7,900	+162	+100	D
Physician Payment Review Commission (TF).....	(3,258)	(3,578)	(3,258)	---	(-320)	TF*
Prospective Payment Assessment Commission (TF).....	(3,257)	(3,579)	(3,257)	---	(-322)	TF*
RAILROAD RETIREMENT BOARD						
Dual Benefits Payments Account.....	223,000	206,000	206,000	-17,000	---	D
Less Income Tax Receipts on Dual Benefits.....	-9,000	-12,000	-12,000	-3,000	---	D
Subtotal, Dual Benefits.....	214,000	194,000	194,000	-20,000	---	
Federal Payment to the RR Retirement Account.....	300	50	50	-250	---	M
Limitation on administration:						
Consolidated Account.....	(87,728)	(88,800)	(85,728)	(-2,000)	(-3,072)	TF*
Inspector General.....	(5,394)	(5,400)	(5,000)	(-394)	(-400)	TF*

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SOCIAL SECURITY ADMINISTRATION						
Payments to Social Security Trust Funds	20,923	20,308	20,308	-615	---	M
Additional Administrative Expenses (1)	10,000	---	---	-10,000	---	M
SPECIAL BENEFITS FOR DISABLED COAL MINERS						
Benefit payments	625,450	581,470	581,470	-43,980	---	M
Administration	4,620	4,620	4,620	---	---	M
Subtotal, Black Lung, FY97/98 program level	630,070	586,090	586,090	-43,980	---	
Less funds advanced in prior year	-170,000	-160,000	-160,000	+10,000	---	M
Total, Black Lung, current request, FY97/98	460,070	426,090	426,090	-33,980	---	
New advances, 1st quarter FY98/99	160,000	160,000	160,000	---	---	M

(1) No-year availability.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
SUPPLEMENTAL SECURITY INCOME						
Federal benefit payments	26,559,100	23,710,300	23,710,300	-2,848,800	---	M
Beneficiary services	100,000	46,000	46,000	-54,000	---	M
Research and demonstration	7,000	16,700	16,700	+9,700	---	M
Administration	1,946,015	2,037,000	2,037,000	+90,985	---	D
Automation investment initiative	19,895	50,000	50,000	+30,105	---	D
Subtotal, SSI FY97/98 program level	28,632,010	25,860,000	25,860,000	-2,772,010	---	
Less funds advanced in prior year	-9,260,000	-9,690,000	-9,690,000	-430,000	---	M
Subtotal, regular SSI current year, FY 1997 / 1998	19,372,010	16,170,000	16,170,000	-3,202,010	---	
User Fee Appropriation	---	35,000	35,000	+35,000	---	D
Additional CDR funding	25,000	75,000	75,000	+50,000	---	D
SSI reforms (welfare)	150,000	100,000	100,000	-50,000	---	D
Total, SSI, current request, FY 1997 / 1998	19,547,010	16,380,000	16,380,000	-3,167,010	---	
New advance, 1st quarter, FY98/99	9,690,000	8,680,000	8,680,000	-1,010,000	---	M

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
LIMITATION ON ADMINISTRATIVE EXPENSES (1)						
OASDI Trust Funds	(3,068,300)	(2,992,440)	(2,934,440)	(-133,860)	(-58,000)	TF
HI/SMI Trust Funds	(846,099)	(965,000)	(965,000)	(+118,901)	---	TF*
Social Security Advisory Board	(1,268)	(1,600)	(1,600)	(+332)	---	TF
SSI	(1,946,015)	(2,037,000)	(2,037,000)	(+90,985)	---	TF
Subtotal, regular LAE	(5,861,682)	(5,996,040)	(5,938,040)	(+76,358)	(-58,000)	
User Fee Appropriation	---	(35,000)	(35,000)	(+35,000)	---	TF
OASDI Automation	(215,000)	(150,000)	(150,000)	(-65,000)	---	TF
SSI Automation	(19,895)	(50,000)	(50,000)	(+30,105)	---	TF
Subtotal, automation initative	(234,895)	(200,000)	(200,000)	(-34,895)	---	
TOTAL, REGULAR LAE	(6,096,577)	(6,231,040)	(6,173,040)	(+76,463)	(-58,000)	
Additional CDR funding (2)	(160,000)	(190,000)	(145,000)	(-15,000)	(-45,000)	TF
SSI reforms (welfare)	(150,000)	(100,000)	(100,000)	(-50,000)	---	TF
TOTAL, LAE	(6,406,577)	(6,521,040)	(6,418,040)	(+11,463)	(-103,000)	

(1) All trust fund limitations will be scored as BA in FY 98. Comparable adjustments for FY 97 and FY 98 displayed as scorekeeping adjustments.

(2) The request is $45 million above the authorized amount. The recommendation is for the full authorized amount.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request	
OFFICE OF INSPECTOR GENERAL						
Federal Funds	6,265	10,164	10,164	+3,899	---	D
Trust Funds	(31,089)	---	---	(-31,089)	---	TF
Portion treated as budget authority	---	(34,260)	(42,260)	(+42,260)	(+8,000)	TF*
Total, Office of the Inspector General	37,354	44,424	52,424	+15,070	+8,000	
Federal funds	6,265	10,164	10,164	+3,899	---	
Trust funds	(31,089)	(34,260)	(42,260)	(+11,171)	(+8,000)	
Total, Social Security Administration	36,331,934	32,231,862	32,136,862	-4,195,072	-95,000	
Federal funds	29,894,268	25,676,562	25,676,562	-4,217,706	---	
Current year FY 1997 / 1998	(20,044,268)	(16,836,562)	(16,836,562)	(-3,207,706)	---	
New advances, 1st quarter FY 1998 / 1999	(9,850,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---	
Trust funds	(6,437,666)	(6,555,300)	(6,460,300)	(+22,634)	(-95,000)	
United States Institute of Peace	11,149	11,160	11,160	+11	---	D
Total, Title IV, Related Agencies	37,411,054	33,450,497	33,272,434	-4,138,620	-178,063	
Federal Funds (all years)	30,873,751	26,793,840	26,714,891	-4,158,860	-78,949	
Current year, FY 1997 / 1998	(20,773,751)	(17,628,840)	(17,574,891)	(-3,198,860)	(-53,949)	
FY 1998 / 1999	(9,850,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---	
FY 1999 / 2000	(250,000)	(325,000)	(300,000)	(+50,000)	(-25,000)	
Trust funds	(6,537,303)	(6,656,657)	(6,557,543)	(+20,240)	(-99,114)	

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request
SUMMARY					
Title I - Department of Labor:					
Federal Funds	8,739,722	9,422,853	9,225,845	+486,123	-197,008
Current year	(8,739,722)	(9,422,853)	(9,125,845)	(+386,123)	(-297,008)
1999 advance	---	---	(100,000)	(+100,000)	(+100,000)
Trust Funds	(3,432,410)	(3,726,020)	(3,596,917)	(+164,507)	(-129,103)
Title II - Department of Health and Human Services:					
Federal Funds	210,126,904	200,848,537	201,592,108	-8,534,796	+743,571
Current year	(178,482,911)	(169,230,348)	(169,973,919)	(-8,508,992)	(+743,571)
1999 advance	(31,643,993)	(31,618,189)	(31,618,189)	(-25,804)	---
Trust Funds	(1,743,599)	(1,783,665)	(1,688,600)	(-54,999)	(-95,065)
Title III - Department of Education:					
Federal Funds	28,957,978	32,069,494	32,144,189	+3,186,211	+74,695
Current year	(28,957,978)	(32,069,494)	(31,884,189)	(+2,926,211)	(-185,305)
1999 advance	---	---	(260,000)	(+260,000)	(+260,000)
Title IV - Related Agencies:					
Federal Funds	30,873,751	26,793,840	26,714,891	-4,158,860	-78,949
Current year	(20,773,751)	(17,628,840)	(17,574,891)	(-3,198,860)	(-53,949)
1999 advance	(9,850,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---
2000 advance	(250,000)	(325,000)	(300,000)	(+50,000)	(-25,000)
Trust Funds	(6,537,303)	(6,656,657)	(6,557,543)	(+20,240)	(-99,114)
Total, all titles:					
Federal Funds	278,698,355	269,134,724	269,677,033	-9,021,322	+542,309
Current year	(236,954,362)	(228,351,535)	(228,558,844)	(-8,395,518)	(+207,309)
1999 advance	(41,493,993)	(40,458,189)	(40,818,189)	(-675,804)	(+360,000)
2000 advance	(250,000)	(325,000)	(300,000)	(+50,000)	(-25,000)
Trust Funds	(11,713,312)	(12,166,342)	(11,843,060)	(+129,748)	(-323,282)

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request
BUDGET ENFORCEMENT ACT RECAP					
Federal Funds (all years)	278,698,355	269,134,724	269,677,033	-9,021,322	+542,309
Mandatory, total in bill	211,774,424	198,701,281	198,572,081	-13,202,343	-129,200
Less advances for subsequent years	-39,556,993	-38,458,189	-38,458,189	+1,098,804	---
Plus advances provided in prior years	40,385,350	38,949,993	38,949,993	-1,435,357	---
Adjustment for savings related to CDRs	-100,000	---	---	+100,000	---
Total, mandatory, current year	212,502,781	199,193,085	199,063,885	-13,438,896	-129,200
Discretionary, total in bill	66,923,931	70,433,443	71,104,952	+4,181,021	+671,509
Less advances for subsequent years	-2,187,000	-2,325,000	-2,660,000	-473,000	-335,000
Plus advances provided in prior years	260,000	2,187,000	2,187,000	+1,927,000	---
Scorekeeping adjustments:					
Trust funds considered budget authority	6,110,432	6,597,917	6,378,594	+268,162	-219,323
Childcare welfare reform rescission	-6,120	---	---	+6,120	---
Title I advance funding, 1997/1998	1,298,239	1,298,386	1,298,239	---	-147
Title I advance funding, 1998/1999	-1,298,239	-1,298,386	-1,298,239	---	+147
LIHEAP 1997 Contingency	300,000	---	---	-300,000	---
Adjustment to balance with FY97 bill	-9,778	---	---	+9,778	---
Community schools transfer	(12,800)	---	---	(-12,800)	---
Adjustment for leg cap on Title XX SSBGs	120,000	---	---	-120,000	---
Emer designations, child care & terrorism	-28,575	---	---	+28,575	---

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES ($000)

	FY 1997 Comparable	FY 1998 Request	Recommended in bill	Bill compared with FY 1997 Comparable	Bill compared with FY 1998 Request
Reclassification of non-BA trust funds (1)....	3,461,970	3,271,425	3,167,466	-294,504	-103,959
Supplemental Child Care provision.....	1,000	---	---	-1,000	---
HEAL provision.....	499	---	1,000	+501	+1,000
SSA user fee collection.....	---	-35,000	-35,000	-35,000	---
Direct Loan Administration limitation.....	-218,000	---	---	+218,000	---
Total, discretionary, current year.....	74,728,359	80,129,785	80,144,012	+5,415,653	+14,227
Crime trust fund.....	61,000	144,000	144,000	+83,000	---
General purposes.....	74,667,359	79,985,785	80,000,012	+5,332,653	+14,227
Grand total, current year.....	287,231,140	279,322,870	279,207,897	-8,023,243	-114,973
Total amount provided in this bill.....	278,698,355	269,134,724	269,677,033	-9,021,322	+542,309
Total 602(b) adjustments.....	8,532,785	10,188,146	9,530,864	+998,079	-657,282
Grand total, current year.....	287,231,140	279,322,870	279,207,897	-8,023,243	-114,973

(1) Reflects adjustments in scoring adopted in FY98. These adjustments are included in the FY97 comparable figures only for the purposes of comparability.

The CHAIRMAN pro tempore. Are there further amendments?

If not, the Clerk will read the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1998''.

Ms. LOFGREN. Mr. Chairman, there are many elements of this legislation that are very favorable and deserving of our support, such as additional funding for Pell grants, Head Start, and other education programs. However, I reluctantly must oppose the bill due to the adoption of the Goodling amendment prohibiting the Department of Education from developing national standards for reading and mathematics.

Education of our Nation's young people, the future workers and leaders of this country, must be our highest priority. If America is to remain competitive in the global economy, we must have the best educated and best trained work force in the world. In order to ensure this, it is incumbent on the Federal Government to ensure that children across America are receiving adequate instruction, particularly in the core subjects of reading and math. The Goodling amendment will prevent this and may allow many students to fall through the cracks and deny them the education that is critical for their own success and for America's prosperity.

I am hopeful that the conference committee will delete the Goodling amendment from the conference report, and that we are ultimately presented with an appropriations bill for the Departments of Labor, Health and Human Services, and Education that provides adequate funding for the educational needs of our young people, and ensures that these resources are actually utilized to prepare them for their future.

The CHAIRMAN pro tempore. If there are no further amendments, under the order of the House of Thursday, July 31, 1997, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. COLLINS) having assumed the chair, Mr. LATOURETTE, Chairman pro tempore 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, pursuant to the previous order of the House of Thursday, July 31, 1997, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 346, nays 80, not voting 7, as follows:

[Roll No. 402]

YEAS—346

Abercrombie
Ackerman
Allen
Andrews
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Goss
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hayworth
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
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
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—80

Aderholt
Archer
Bachus
Barr
Bartlett
Barton
Brady
Bryant
Burton
Chabot
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Crapo
Cubin
Doolittle
Everett
Goode
Goodlatte
Graham
Granger
Hastings (WA)
Hefley
Herger
Hill
Hilleary
Hoekstra
Hostettler
Hutchinson
Inglis
Istook
Johnson, Sam
Jones
Largent
Linder
Lofgren
Manzullo
McCollum
McInnis
McIntosh
Mica
Moran (KS)
Myrick
Neumann
Norwood
Paul
Paxon
Pease
Petri
Pitts
Pombo
Radanovich
Riley
Rohrabacher
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shuster
Smith (MI)
Snowbarger
Souder
Stearns
Stump
Talent
Taylor (MS)
Thornberry
Tiahrt
Wamp
Weldon (FL)

NOT VOTING—7

Condit
Furse
Gonzalez
Gutierrez
Kasich
Schiff
Yates

☐ 1404

Messrs. WAMP, ADERHOLT, COX of California, BACHUS, and TAYLOR of Mississippi changed their vote from ''yea'' to ''nay.''

Ms. SANCHEZ, and Messrs. HILLIARD, SUNUNU, PORTMAN, and Ms. CARSON changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. MENENDEZ. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House. The form of the resolution is as follows:

Whereas, former Representative Robert Dornan has abused his privileges as a former

Member of the House of Representatives, and has conducted himself on the floor in a manner which brings discredit to the House;

Whereas in the course of Representative Menendez of New Jersey representing his constituents, exercising his rights as an elected representative of the people and a Member of this House to debate on the House floor, and asking a valid parliamentary inquiry that did not name any individual by name, Robert Dornan, a former Member of this House, verbally assaulted Representative Menendez of New Jersey, using profane language, accused Representative Menendez of religious bigotry, called his integrity into question, and by the tone of voice and the context of his remarks clearly attempted to lure Representative Menendez off the floor into a physical altercation;

Whereas Representative Menendez' family did not face persecution and come to this land, the home and cradle of democracy, so that anyone could attempt to intimidate his constitutional exercise of the democratic process on behalf of the people of his district;

Whereas, clause 2 of rule I of the Rules of the House of Representatives calls upon the Speaker of the House to preserve order and decorum on the House floor Therefore, be it

Resolved that, the Sergeant-at-Arms is instructed to remove former Representative Robert Dornan from the Hall of the House and rooms leading thereto, and to prevent him from returning to the Hall of the House and rooms leading thereto until the election contest concerning the 46th District of California is resolved.

The SPEAKER pro tempore (Mr. LAHOOD).

Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedent only at a time or place designated by the Chair in the legislative schedule within 2 legislative days of its being properly noticed.

The Chair will announce the Chair's designation at a later time. The Chair's determination as to whether the resolution constitutes a question of privilege will be made at the time designated by the Chair for consideration of the resolution.

PARLIAMENTARY INQUIRY

Mr. MENENDEZ. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MENENDEZ. Mr. Speaker, in view that the House is in pro forma session Friday, presuming that the interpretation is that this is an appropriate privileged resolution, would that mean that the resolution would have to be considered within the next 2 days, meaning either today or tomorrow?

The SPEAKER pro tempore. Under the rule, within the next 2 legislative days.

Mr. MENENDEZ. Further parliamentary inquiry. A legislative day in which we are in pro forma session and on which there is no one here, is that considered to be a legislative day in the context of the ruling of the Chair?

The SPEAKER pro tempore. Yes. The gentleman is correct.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1609 FOR THE PURPOSE OF ADDING COSPONSORS AND REQUESTING REPRINTS

Mr. WELLER. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 1609, a bill originally introduced by Representative MOLINARI of New York, for the purposes of adding cosponsors and requesting reprints pursuant to clause 4 of rule XXII.

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

There was no objection.

AUTHORIZING CONGRESS TO AWARD CONGRESSIONAL GOLD MEDAL TO ECUMENICAL PATRIARCH BARTHOLOMEW

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be discharged from further consideration of the bill, H.R. 2248, to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. LAFALCE. Mr. Speaker, reserving the right to object, I do so for the purposes of an explanation.

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

Mr. LAFALCE. I yield to the gentleman from Iowa.

Mr. LEACH. Under the gentleman's reservation, Mr. Speaker, in response, let me state that H.R. 2248 was introduced by myself, the gentleman from Texas [Mr. GONZALEZ], the gentleman from New York [Mr. LAFALCE], the gentleman from Florida [Mr. BILIRAKIS], and the gentleman from Illinois [Mr. RUSH], and is cosponsored by 327 Members. It authorizes President Clinton to present Ecumenical Patriarch Bartholomew a gold medal on behalf of Congress in recognition of his enduring contributions towards religious understanding and peace.

Yesterday the House passed House Concurrent Resolution 134, introduced by the distinguished gentleman from Florida [Mr. BILIRAKIS], to authorize the use of the Capitol Rotunda for a congressional ceremony honoring the Patriarch Bartholomew later this month.

Patriarch Bartholomew is the spiritual leader of nearly 300 million Orthodox Christians around the world. Through his ministry he has devoted his life to world peace, religious understanding, and protecting the global environment. Patriarch Bartholomew's first visit to our country as Patriarch will provide an opportunity for him to meet with many Americans who comprise the more than 5 million Orthodox Christians in the United States, and to convey his message of reconciliation to citizens of all faiths. Patriarch Bartholomew has been formally recognized for his outstanding achievements by numerous governments and academic institutions around the world.

At this time I ask for the support of this House in awarding the Patriarch a gold medal on behalf of the U.S. Congress and the citizens of the United States. This will be a fitting symbol of our appreciation for his admirable work towards world peace, and I urge my colleagues on a bipartisan basis to support this legislation.

Mr. LAFALCE. Mr. Speaker, further reserving the right to object, I want to point out that I am very, very proud to be a cosponsor of this bill, H.R. 2248, as I was of House Concurrent Resolution 134 yesterday, sponsored by the gentleman from Florida [Mr. BILIRAKIS.]

The gentleman from Florida, myself, and a number of others, the gentleman from New Jersey, [Mr. MICHAEL PAPPAS], the gentleman from Pennsylvania, [Mr. RON KLINK], the gentleman from Colorado, [Mr. DAN SCHAEFER], and the gentleman from California, [Mr. DUKE CUNNINGHAM] recently went to Greece in the last week in August. We know how proud the people of Greece are of their Patriarch Bartholomew, but not just the people of Greece, the 300 million Orthodox Christians across the entire globe.

The people of Greece are also proud of so many other things going on in their country presently, and in the years to come. They rejoiced and sang and danced in the streets of Athens, Salonika when the decision was made to award Athens as the site for the Olympics in the year 2004.

□ 1415

It is most fitting, most appropriate, that the Congress award a gold medal to Patriarch Bartholomew and President Clinton present that medal to him.

Mr. RUSH. Mr. Speaker, I rise today in strong support of H.R. 2248, to authorize President Clinton to present his all Holiness Ecumenical Patriarch Bartholomew of Constantinople with a congressional gold medal to honor his leadership in promoting world peace and interfaith understanding.

Patriarch Bartholomew has promoted peace in the war torn countries of the Balkans, helping to advance reconciliation among the Catholic, Muslim, and Orthodox communities. He has been a leader in defense of human rights worldwide, in promoting global environmental protection and in strengthening interfaith relations.

Patriarch Bartholomew has been a champion of religious unity and cooperation, encouraging interfaith dialogue between the Orthodox Church, the Roman Catholic Church, leading Protestant denominations and Muslim leaders. He has also sought to strengthen bonds between Judaism and Orthodox Christianity. In 1994 he worked with Rabbi David Schneier and the Appeal of Conscience Foundation to cosponsor the Peace and Tolerance Conference.

He has been a dynamic leader in efforts to ease Greek-Turkish tensions and to promote international cooperation and adherence to international law. He also cares deeply about

the environmental legacy we will leave our children, cosponsoring an annual conference devoted to the protection of the environment.

I am honored to be a co-sponsor of this bill. Patriarch Bartholomew is truly an outstanding world leader whose dedication to promoting religious tolerance and unity is an inspiration to all of us.

Mr. LAFALCE. Mr. Speaker, with those remarks, I join with the distinguished chairman of the Committee on Banking and Financial Services, the gentleman from Iowa [Mr. LEACH] and I withdraw my reservation of objection.

The SPEAKER pro tempore [Mr. LAHOOD]. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2248

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) Ecumenical Patriarch Bartholomew—

(A) is the spiritual leader of nearly 300 million Orthodox Christians around the world and millions of Orthodox Christians in America; and

(B) is recognized in the United States and abroad as a leader in the quest for world peace, respect for the earth's environment, and greater religious understanding;

(2) the extraordinary efforts of Ecumenical Patriarch Bartholomew continue to bring people of all faiths closer together in America and around the world;

(3) the courageous leadership of Ecumenical Patriarch Bartholomew for peace in the Balkans, Eastern Europe, the Middle East, the Eastern Mediterranean, and elsewhere inspires and encourages people of all faiths toward his dream of world peace in the new millennium; and

(4) the outstanding accomplishments of Ecumenical Patriarch Bartholomew have been formally recognized and honored by numerous governmental, academic, and other institutions around the world.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, a gold medal of appropriate design to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions to religious understanding and peace.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be charged against the Numismatic Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medal authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sales of duplicate bronze medals under section 3 shall be deposited in the Numismatic Public Enterprise Fund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2248, the bill just passed.

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

There was no objection.

PERMISSION TO FILE SUPPLEMENTARY REPORT ON H.R. 10, ENHANCEMENT OF COMPETITION IN THE FINANCIAL SERVICES INDUSTRY

Mr. LEACH. Mr. Speaker, I ask unanimous consent to file on behalf of the Committee on Banking and Financial Services a supplemental report to accompany the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes.

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

There was no objection.

25TH ANNUAL REPORT ON FEDERAL ADVISORY COMMITTEES, FISCAL YEAR 1996—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Government Reform and Oversight:

To the Congress of the United States:

As provided by the Federal Advisory Committee Act (FACA), as amended (Public Law 92–463; 5 U.S.C., App. 2, 6(c)), I am submitting the Twenty-Fifth Annual Report on Federal Advisory Committees, covering fiscal year 1996.

The executive branch continues to implement my policy of maintaining the number of advisory committees within the ceiling of 534 required by Executive Order 12838 of February 10, 1993. As a result, the number of discretionary advisory committees (established under general congressional authorizations) was held to 501, or 37 percent fewer than those 801 committees in existence at the beginning of my Administration. Savings achieved through the elimination of discretionary committees during fiscal year 1996 totalled $2.5 million.

Through the advisory committee planning process required by Executive Order 12838, departments and agencies have worked to minimize the total number of advisory committees specifically mandated by statute. The 407 such groups supported at the end of fiscal year 1996 represents a modest 7 percent decrease over the 439 in existence at the beginning of my Administration. However, more can be done to assure that the total costs to fund these groups in fiscal year 1997, or $38.5 million, are dedicated to support high-priority public involvement efforts.

During fiscal year 1996, the General Services Administration (GSA) initiated a process for collaborating with executive departments and agencies to increase public participation opportunities at all levels of American society. Building upon my Administration's commitment to expand access to Federal decisionmakers, managers at all levels will be provided with more timely guidance that includes enhanced options for achieving objectives, better training, and exposure to a variety of tools and techniques, which when used in conjunction with advisory committees, offer additional flexibility to address a wide variety of public participation needs.

Actions to broaden the scope and effectiveness of public participation within the Federal sector will continue during fiscal year 1997. During the year, GSA will develop newly updated guidance implementing FACA. At the same time, GSA will continue to support and work closely with such agencies as the Council on Environmental Quality and the Departments of Agriculture and the Interior to align its efforts with key Administration policies relating to ecosystem and land management priorities.

My Administration will continue to work with the Congress to assure that all advisory committees that are required by statute are regularly reviewed through the congressional reauthorization process and that remaining committees are instrumental in achieving national interests.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 17, 1997.*

REPORT ON DEVELOPMENTS CONCERNING CONTINUING NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national

emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 Fed. Reg. 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Speaker of the House and the President of the Senate by letter dated March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order 12959 (60 Fed. Reg. 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits dealings by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of certain reexport, investment, trade transactions that a United States person is prohibited from performing; (6) continues the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by a United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

At the time of signing Executive Order 12959, I directed the Secretary of the Treasury to authorize, through specific licensing, certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakhstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Speaker of the House and the President of the Senate by letter dated May 6, 1995.

2. On March 5, 1997, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the authority for the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for trade in information and informational materials and certain other limited exceptions.

3. On August 19, 1997, I issued Executive Order 13059 in order to clarify the steps taken in Executive Order 12957 and Executive Order 12959, to confirm that the embargo on Iran prohibits all trade and investment activities by United States persons, wherever located, and to consolidate in one order the various prohibitions previously imposed to deal with the national emergency declared on March 15, 1995. A copy of Executive Order 13059 was transmitted to the Speaker of the House and the President of the Senate by letter dated August 19, 1997.

The order prohibits (1) the importation into the United States of any goods or services of Iranian origin or owned or controlled by the Government of Iran except information or informational material; (2) the exportation, reexportation, sale, or supply from the United States or by a United States person, wherever located, of goods, technology, or services to Iran or the Government of Iran, including knowing transfers to a third country for direct or indirect supply, transshipment, or reexportation to Iran or the Government of Iran, or specifically for use in the production, commingling with, or incorporation into goods, technology, or services to be supplied, transshipped, or reexported exclusively or predominantly to Iran or the Government of Iran; (3) reexportation from a third country of controlled U.S.-origin goods, technology, or services by a person other than a United States person; (4) purchase, sale, transport, swap, brokerage, approval, financing, facilitation, guarantee, or other transactions or dealings by United States persons, wherever located, related to direct or indirect trade with Iran or the Government of Iran or to goods or services of Iranian origin or owned or controlled by the Government of Iran; (5) new investment by United States persons in Iran or in property or entities owned or controlled by the Government of Iran; (6) approval, financing, facilitation, or guarantee by a United States person of any transaction by a foreign person that a United States person would be prohibited from performing under the embargo; and (7) any evasion, avoidance, or attempt to violate a prohibition under the order.

Executive Order 13059 became effective at 12:01 a.m., eastern daylight time on August 20, 1997. Revocation of corresponding provisions in prior Executive orders does not affect the applicability of those provisions, or of regulations, licenses, or other administrative actions taken pursuant to those provisions, with respect to any transaction or violation occurring before the effective date of Executive Order 13059. Specific licenses issued pursuant to prior Executive orders continue in effect, unless revoked or amended by the Secretary of the Treasury. General licenses, regulations, orders, and directives issued pursuant to prior orders continue in effect, except to the extent inconsistent with Executive Order 13059 or otherwise revoked or modified by the Secretary of the Treasury.

4. The Iranian Transactions Regulations, 31 CFR Part 560 (the ''ITR''), were amended on April 18, 1997 (62 Fed. Reg. 19670, April 23, 1997), on July 30, 1997 (62 Fed. Reg. 41851, August 4, 1997), and on August 25, 1997 (62 Fed. Reg. 45098, August 25, 1997). In April 1997, Section 560.603 was amended to require a United States person to file a transaction report as to each foreign affiliate that engages in reportable oil-related transactions involving Iran of $1,000,000 or more during the calendar quarter.

In July 1997, sections 560.510(d)(1) and (d)(2) were amended to generally license all payments of awards against Iran issued by the Iran-U.S. Claims Tribunal in The Hague, irrespective of

the source of funds for payment, and to generally license implementation (except exports or reexports that are subject to export license application requirements of Federal agencies other than the Department of the Treasury's Office of Foreign Assets Control (OFAC)) as well as payment of awards or settlements in cases to which the United States Government is a party.

Sections 560.525(a)(3) and (a)(5)(i) were amended to generally license the provision of legal services to initiate and conduct U.S. court and other domestic legal proceedings on behalf of persons in Iran or the Government of Iran and to initiate proceedings to resolve disputes between the Government of Iran or an Iranian national and the United States or a United States national, notwithstanding the prohibition on exportation of services to Iran. On August 25, 1997, general reporting, record keeping, licensing, and other procedural regulations were moved from the ITR to a separate part (31 CFR Part 501) dealing solely with such procedural matters. (62 Fed. Reg. 45098, August 25, 1997). A copy of these amendments is attached.

5. During the current 6-month period, OFAC made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 12 licenses. The majority of denials were in response to requests to authorize commercial exports to Iran—particularly of machinery and equipment for various industries—and the importation of Iranian-origin goods. The licenses issued authorized certain financial transactions, including those relating to disposal of U.S.-owned goods located in Iran and extension of, but not payment under, standby letters of credit. Pursuant to sections 3 and 4 of Executive Order 12959 and consistent with the Iran-Iraq Arms Non-Proliferation Act of 1992 and other statutory restrictions concerning certain goods and technology, including those involved in air-safety cases, Treasury continues to consult with the Departments of State and Commerce on these matters.

The U.S. financial community continues to scrutinize transactions associated with Iran and to consult with OFAC about their appropriate handling. Many of these inquiries have resulted in investigations into the activities of U.S. parties and, where appropriate, the initiation of enforcement action.

6. On March 20, 1997, a seven-count indictment was returned by a grand jury in the District of Maryland against a U.S. resident and two Iranian co-conspirators. The March indictment superseded a two-count indictment handed down on February 13, 1997. Each indictment charged violations of IEEPA and the ITR involving the attempted exportation from the United States to Iran of sophisticated state-of-the-art gas chromotographs used in the electric power industry, which were prevented from reaching Iran.

The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued. Since my last report on March 14, 1997, OFAC has collected four civil monetary penalties totaling nearly $22,000. The violations relate to the unlicensed import from or export of goods to Iran. Civil penalty action is pending against 37 companies, financial institutions, and individuals for violations of the Regulations.

7. The expenses incurred by the Federal Government in the 6-month period from March 15 through September 14, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately $850,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Intelligence and Research, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

8. The situation reviewed above continues to present an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the United States Government opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957 and 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 17, 1997.*

POSTPONING VOTES ON AMENDMENTS DURING CONSIDERATION OF H.R. 2378, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that during the consideration of H.R. 2378, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

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

There was no objection.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on (H.R. 2378) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

Mr. KOLBE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2378) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1998, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Maryland [Mr. HOYER] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona [Mr. KOLBE].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from California [Mr. DREIER] as Chairman of the Committee of the Whole, and requests the gentleman from Ohio [Mr. LATOURETTE] to assume the chair temporarily.

□ 1425

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2378, with Mr. LATOURETTE, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the order of today, the bill is considered as having been read the first time.

Under the unanimous consent agreement, the gentleman from Arizona [Mr. KOLBE] and the gentleman from Maryland [Mr. HOYER] each will control 30 minutes.

The Chair recognizes the gentleman from Arizona [Mr. KOLBE].

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

Mr. Chairman, today I present to the House H.R. 2378, the fiscal year 1998 Treasury, Postal Service and General Government appropriations bill, a bill that is consistent with our objectives of achieving a balanced budget by 2002, a bill strong on oversight of the agencies that come under this subcommittee's jurisdiction. I present to my colleagues legislation that very dramatically changes and improves the way the White House accounts for political events held there; a bill that continues the aggressive oversight over the Internal Revenue Service's modernization program; and a bill that tackles important issues of integrity in the Customs Service.

Mr. Chairman, this bill balances the competing demands of being fiscally responsible and providing what is needed to fully fund drug and law enforcement programs under our jurisdiction. As reported, H.R. 2378 provides $12.5 billion in budget authority and is exactly as it's 602(b) allocation in both budget authority and outlays. At the same time, we continue our strong commitment to counter-narcotic and law enforcement programs, providing $3.4 billion for these efforts, an increase of $287 million over fiscal year 1997 funding.

This includes $1.5 billion for drug-related activities, including $195 million for the Office of National Drug Control Policy's proposed media campaign that is targeted to the youth of this country—that is $20 million more than the President requested. It also includes $10 million for the recently authorized Drug-Free Communities Act, and $47 million for additional Customs Service equipment for drug interdiction and passenger processing.

I am also pleased to report a bill that I think makes a strong stand on oversight. During the fiscal year 1998 hearing cycle, the committee learned of instances of taxpayer subsidization of political events in the White House, overspending in GSA's Federal Building Fund, vulnerability within the Customs Service operations, and an ongoing need to get the Internal Revenue Service on track in the development of a modernized tax collection system. H.R. 2378 addresses each of these issues.

Let me just highlight a couple of the ways in which we do that. First, there is a moratorium on construction and major repair projects within GSA's Federal Building Program. There are no GSA construction projects funded in this bill.

Mr. Chairman, I cannot think of a time when we have had a bill that had no Federal building projects in it.

It includes a requirement that the Office of Professional Responsibility within the Treasury Department undertake a comprehensive and aggressive review of Customs Service operations in order to address concerns that agents and inspectors may be vulnerable to corruption, and it includes a continuation of the requirement that IRS complete and submit a comprehensive capital investment blueprint prior to obligating a penny toward computer modernization.

Let me briefly address one issue all Members should be aware of. As I mentioned earlier, we did discover in our hearing process that taxpayers have traditionally, this is not a new thing, subsidized the cost of political fundraisers in the Executive residence of the White House. I fully acknowledge the political hat that the President wears, and I have no intention of limiting the President's duties as the head of his political party. However, all of us in this body and as American citizens should be opposed to using Federal dollars to pay for political events. Apparently, and despite initial protests, the White House now agrees with that position and supports the changes in this bill that would ensure that taxpayers no longer support political events in the Executive residence.

This bill establishes an entirely new appropriation account to be used for official and political events within the White House. It requires that all political events be paid for up front without the use of taxpayer funds. It requires prompt reimbursements for political and official events held in the Executive residence. It requires the Executive to develop a standard definition for the classification of political or nonpolitical events and, based on input from the minority side, it establishes a $25,000 revolving fund, capitalized by the national political party of the President who sits in the White House, to accommodate those political events which cannot be scheduled in advance, such as the spontaneous meetings on legislation that the President may have with congressional leaders from his party.

The changes made to the accounting structure of the Executive residence are based on good budgeting, good government and the fundamental principles of appropriation laws. The changes proposed here are the exact ones I would have proposed for a Republican administration, had we known about this practice of Federal taxpayers paying for political events in the White House.

Mr. Chairman, before I yield back my time I do want to thank the gentleman from Maryland, Mr. STENY HOYER, my ranking member, who has worked with me and my staff to produce a bill that all Members can support. I have never had a Member that I have worked with as closely as the gentleman from Maryland [Mr. HOYER] and I appreciate the cooperation that he has shown.

Mr. Chairman, I would like also to note the work that has been done by our staff. I think the really exceptional work by our staff, two of them of course are now national media figures with the Wall Street Journal, are: The clerk of the subcommittee, Michelle Mrdeza, and Betsy Phillips, who is also the staff assistant. Without their work and the work of our other staff, Jeff Ashford, Melanie Marshall, Jennifer Rouse, and from the minority side Pat Schlueter, we would not have the bill that we have today.

Let me finally mention the personal work of my assistant Jason Isaak and Mr. HOYER's assistant Seth Statler, who have been instrumental in getting this bill to us.

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

□ 1430

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

Mr. Chairman, I want to begin by complimenting the chairman, the gentleman from Arizona [Mr. KOLBE], for the fine job he and his staff have done in producing this bill. This bill represents a measured and responsible effort to allocate sufficient funds to each of the agencies covered by the bill so that they can carry out the duties assigned to them in an effective way.

Very frankly, I believe this is the best bill that we have passed in last 3 years; and I congratulate the chairman, the gentleman from Arizona [Mr. KOLBE], and our famous staff and others for this accomplishment.

Overall, within the constraints of the Budget Act, our allocation in this bill includes a reduction of $596 million in budget authority from the 1998 requested sum.

Mr. Chairman, basically this bill deals adequately with the IRS. We have had problems with that. That is the biggest component of the bill. Unfortunately, it does not fund law enforcement quite as much as I would like to see done. That is because of the fiscal constraints that confront us. That is understandable.

With respect to other portions of the bill, the gentleman from Arizona [Mr. KOLBE] has pointed out that there are no, I repeat, no GSA projects in this bill. That is unfortunate, I know, from the standpoint of many Members who know that there are needs in their districts. But again, the fiscal constraints that have confront us have compelled us to that objective.

Mr. Chairman, I simply want to restate that the gentleman from Arizona [Mr. KOLBE] has done an outstanding

job. The members of the committee have worked very hard on this bill. I think it is a bill that Members can be proud of and will feel meets the Congress' responsibility to fund the important agencies that come within the ambit of this bill.

Mr. HOYER. Mr. Chairman, I have no requests for time, and I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time in general debate.

The CHAIRMAN pro tempore (Mr. LATOURETTE). All time for general debate has expired.

Pursuant to the order of the House today, the bill shall be considered for amendment under the 5-minute rule. The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2378

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

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; $113,410,000: *Provided,* That section 113(3) of the Fiscal Year 1997 Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Public Law 104–208 (110 Stat. 3009–22) is amended by striking ''12 months'' and inserting in lieu thereof ''2 years'': *Provided further,* That $200,000 are provided to conduct a comprehensive study of gambling's effects on bankruptcies in the United States.

OFFICE OF PROFESSIONAL RESPONSIBILITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Professional Responsibility, including purchase and hire of passenger motor vehicles, $1,500,000: *Provided,* That the Under Secretary of Treasury for Enforcement shall task the Office of Professional Responsibility to conduct a comprehensive review of integrity issues and other matters related to the vulnerability of the U.S. Customs Service to corruption, to include examination of charges of professional misconduct and corruption as well as analysis of the efficacy of departmental and bureau internal affairs systems.

AUTOMATION ENHANCEMENT

(INCLUDING TRANSFER OF FUNDS)

For the development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $25,989,000, of which $11,500,000 shall be available to the United States Customs Service for the Automated Commercial Environment project, of which $5,600,000 shall be available to Departmental Offices for the International Trade Data System, and of which $8,789,000 shall be available to Departmental Offices to modernize its information technology infrastructure and for business solution software: *Provided,* That these funds shall remain available until September 30, 1999: *Provided further,* That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That none of the funds appropriated shall be used to support or supplement Internal Revenue Service appropriations for Information Systems: *Provided further,* That of the $27,000,000 provided under this heading in Public Law 104–208, $12,000,000 shall remain available until September 30, 1999: *Provided further,* That none of the funds appropriated for the International Trade Data System may be obligated until the Department has submitted a report on their system development plan to the Committees on Appropriations: *Provided further,* That none of the $11,500,000 appropriated for the Automated Commercial Environment may be obligated until the systems architecture plan has been reviewed by the General Accounting Office and approved by the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses; including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; $30,927,000, of which $26,034 shall be transferred to the ''Departmental Offices'' appropriation for the reimbursement of Secret Service personnel in accordance with section 117 of this Act.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $6,484,000, to remain available until September 30, 1999.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement; $22,835,000: *Provided,* That funds appropriated in this account may be used to procure personal service contracts.

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 103–322, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as follows:

(a) As authorized by section 190001(e), $88,000,000; of which $21,528,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including $3,000,000 for administering the Gang Resistance Education and Training program, $6,000,000 for firearms trafficking initiatives (including the Youth Crime Gun Initiative, Project LEAD, and the National Tracing Center), $5,458,000 for increased explosives inspections, $462,000 for laboratory and investigative supplies, $5,000,000 for vehicles and laboratory, communication, and information technology equipment, and $1,608,000 for collection of information on arson and explosives; of which $1,000,000 shall be available to the Financial Crimes Enforcement Network; of which $16,837,000 shall be available to the United States Secret Service, including $9,323,000 for expenses related to White House Security, $5,000,000 for investigations of counterfeiting, and $2,514,000 for forensic support of investigations of missing and exploited children, of which $514,000 shall be available as a grant on September 30, 1998, for activities related to the investigations of exploited children and shall remain available until expended; of which $43,635,000 shall be available for the United States Customs Service, including $15,000,000 for high energy container x-ray systems and automated targeting systems, $4,000,000 for redeploying agents and inspectors to high threat drug zones, $5,735,000 for laboratory modernization, $10,000,000 for vehicle replacement, $7,800,000 for automated license plate readers, and $1,100,000 for construction of canopies for inspection of outbound vehicles along the Southwest border; and of which $5,000,000 shall be available to the Counterdrug Technology Assessment Center for a program to transfer technology to State and local law enforcement agencies.

(b) As authorized by section 32401, $8,000,000 to the Bureau of Alcohol, Tobacco and Firearms for disbursement through grants, cooperative agreements, or contracts to local governments for Gang Resistance Education and Training: *Provided,* That notwithstanding sections 32401 and 310001, such funds shall be allocated to State and local law enforcement and prevention organizations.

(c) As authorized by section 180103, $1,000,000 to the Federal Law Enforcement Training Center for specialized training for rural law enforcement officers.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $9,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109; $64,663,000, of which up to $13,034,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2000: *Provided,* That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value

which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further,* That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further,* That funds appropriated in this account shall be available, at the discretion of the Director, for: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training at the Center: *Provided further,* That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training at the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further,* That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $32,548,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, $73,794,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $199,675,000, of which not to exceed $13,235,000 shall remain available until September 30, 2000 for information systems modernization initiatives: *Provided,* That beginning in fiscal year 1998 and thereafter, there are appropriated such sums as may be necessary to reimburse Federal Reserve banks in their capacity as depositaries and fiscal agents for the United States for all services required or directed by the Secretary of the Treasury to be performed by such banks on behalf of the Treasury or other Federal agencies.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 650 vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $15,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and provision of laboratory assistance to State and local agencies, with or without reimbursement; $477,649,000; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in drug-related joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided,* That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in the fiscal year ending on September 30, 1998: *Provided further,* That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further,* That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further,* That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further,* That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further,* That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority who has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government: *Provided further,* That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

LABORATORY FACILITIES

For necessary expenses for construction of a new facility or facilities to house the Bureau of Alcohol, Tobacco and Firearms National Laboratory Center and the Fire Investigation Research and Development Center, not to exceed 185,000 occupiable square feet, to remain available until expended $55,022,000: *Provided,* That these funds shall not be available until a prospectus of authorization for the Laboratory Facilities is approved by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,050 motor vehicles for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $30,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; $1,526,078,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations, and not to exceed $4,000,000 shall be available until expended for research and not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081 and up to $6,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation: *Provided,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $97,258,000, which shall remain available until expended: *Provided,* That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, Department, or office outside of the Department of the Treasury, during fiscal year 1998 without the prior approval of the House and Senate Committees on Appropriations.

CUSTOMS SERVICES AT SMALL AIRPORTS

(TO BE DERIVED FROM FEES COLLECTED)

Beginning in fiscal year 1998 and thereafter, such sums as may be necessary for expenses for the provision of Customs services at certain small airports or other facilities when authorized by law and designated by the Secretary of the Treasury, including expenditures for the salary and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary pursuant to section 236 of Public Law 98–573 for each of these airports or other facilities when authorized by law and designated by the Secretary, and to remain available until expended.

HARBOR MAINTENANCE FEE COLLECTION

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and

merged with the Customs ''Salaries and Expenses'' account for such purposes.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $173,826,000, of which $2,000,000 shall remain available until September 30, 2000 for information systems modernization initiatives: *Provided*, That the sum appropriated herein from the General Fund for fiscal year 1998 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at $169,426,000, and in addition, $20,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 102 of Public Law 101–380: *Provided further*, That notwithstanding any other provisions of law, effective upon enactment, the Bureau of the Public Debt shall be fully and directly reimbursed by the funds described in Public Law 101–136, title I, section 104, 103 Stat. 789 for costs and services performed by the Bureau in the administration of such funds.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; providing tax law and account assistance to taxpayers by telephone and correspondence; matching information returns and tax returns; management services; rent and utilities; and inspection; including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $2,915,100,000, of which up to $3,700,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

(INCLUDING RESCISSION)

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; tax and enforcement litigation; technical rulings; examining employee plans and exempt organizations; investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; statistics of income and compliance research; the purchase (for police-type use, not to exceed 850), and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,108,300,000: *Provided*, That of the funds made available under this heading in Public Law 104–208, $10,000,000 are rescinded and in Public Law 104–52, $4,500,000 are rescinded.

INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,292,500,000, which shall be available until September 30, 1999: *Provided*, That under the heading ''Information Systems'' in Public Law 104–208 (110 Stat. 3009), the following is deleted: ''of which no less than $130,075,000 shall be available for Tax Systems Modernization (TSM) development and deployment''.

INFORMATION TECHNOLOGY INVESTMENTS

For necessary expenses for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisition, including contractual costs associated with operations as authorized by 5 U.S.C. 3109, $326,000,000, which shall remain available until September 30, 2000: *Provided*, That none of these funds is available for obligation until September 30, 1998: *Provided further*, That none of these funds shall be obligated until the Internal Revenue Service and the Department of the Treasury submits to Congress for approval, a plan for expenditure that (1) implements the Internal Revenue Service's Modernization Blueprint submitted to Congress on May 15, 1997; (2) meets the information systems investment guidelines established by the Office of Management and Budget in the fiscal year 1998 budget; (3) has been reviewed and approved by the Internal Revenue Service's Investment Review Board, the Office of Management and Budget, and the Department of the Treasury's Modernization Management Board, and has been reviewed by the General Accounting Office; (4) meets the requirements of the May 15, 1997 Internal Revenue Service's Systems Life Cycle program; and (5) is in compliance with acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SECTION 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The funds provided in this Act for the Internal Revenue Service shall be used to provide, as a minimum, the fiscal year 1995 level of service, staffing, and funding for Taxpayer Services.

SEC. 104. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1986 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection, including any private sector employees under contract to the Internal Revenue Service, complies with subsection (a) of section 805 (relating to communications in connection with debt collection), and section 806 (relating to harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692.)

SEC. 105. The Internal Revenue Service shall institute policies and procedures which will safeguard the confidentiality of taxpayer information.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase not to exceed 705 vehicles for police-type use, of which 675 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $20,000 for official reception and representation expenses; for sponsorship of a conference for the Women in Federal Law Enforcement, to be held during fiscal year 1998; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; $555,736,000.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $5,775,000, to remain available until expended for the Secret Service's Headquarters Building.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 111. Any obligation or expenditure by the Secretary in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 1998, shall be made in compliance with the reprogramming guidelines contained in the House and Senate reports accompanying this Act.

SEC. 112. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 113. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 1998 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, U.S. Customs Service, and U.S. Secret Service may be transferred between such appropriations upon the advance approval of the

House and Senate Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the House and Senate Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. (a) The Bureau of Engraving and Printing and the Department of the Treasury shall not award a contract for Solicitation No. BEP–97–13(TN) or Solicitation No. BEP–96–13(TN) until the General Accounting Office (GAO) has completed a comprehensive analysis of the optimum circumstances for government procurement of distinctive currency paper. The GAO shall report its findings to the House and Senate Committees on Appropriations no later than August 1, 1998.

(b) The contractual term of the distinctive currency paper ''bridge'' contract shall not exceed 24 months, and the contract shall not be effective until the Secretary of the Department of the Treasury certifies that the price under the terms of any ''bridge'' contract is fair and reasonable and that the terms of any ''bridge'' contract are customary and appropriate according to Federal procurement regulations. In addition, the Secretary of the Treasury shall report to the Committees on Appropriations on the price and profit levels of any ''bridge'' contract at the time of certification.

SEC. 117. The Secretary of the Treasury shall pay from amounts transferred to the ''Departmental Offices'' appropriation, up to $26,034 to reimburse Secret Service personnel for any attorney fees and costs they incurred with respect to investigation by the Department of the Treasury, Inspector General concerning testimony provided to Congress: *Provided*, That the Secretary of the Treasury shall pay an individual in full upon submission by the individual of documentation verifying the attorney fees and costs: *Provided further*, That the liability of the United States shall not be inferred from enactment of or payment under this provision: *Provided further*, That the Secretary of the Treasury shall not pay any claim filed under this section that is filed later than 120 days after the date of enactment of this Act: *Provided further*, That payment under this provision, when accepted, shall be in full satisfaction of all claims of, or on behalf of, the individual Secret Service agent who was the subject of said investigation.

SEC. 118. (a)(1) Effective beginning on the date determined under paragraph (2), the compensation and other emoluments attached to the Office of Secretary of the Treasury shall be those that would then apply if Public Law 103–2 (107 Stat. 4; 31 U.S.C. 301 note) had never been enacted.

(2) Paragraph (1) shall become effective on the later of—

(A) the day after the date on which the individual holding the Office of Secretary of the Treasury on January 1, 1997, ceases to hold that office; or

(B) the date of the enactment of this Act.

(3) Nothing in this subsection shall be considered to affect the compensation or emoluments due to any individual in connection with any period preceding the date determined under paragraph (2).

(b) Subsection (b) of the first section of the public law referred to in subsection (a)(1) of this section shall not apply in the case of any appointment the consent of the Senate to which occurs on or after the date of the enactment of this Act.

(c) This section shall not be limited (for purposes of determining whether a provision of this section applies or continues to apply) to fiscal year 1998.

SEC. 119. (a) REQUIREMENT OF ADVANCE SUBMISSION OF TREASURY TESTIMONY.—During the fiscal year covered by this Act, any officer or employee of the Department of the Treasury who is scheduled to testify before the Committee on Appropriations of the House of Representatives or the Senate, or any of its subcommittees, shall, not less than 7 calendar days (excluding Saturdays, Sundays, and Federal legal public holidays) preceding the scheduled date of the testimony, submit to the committee or subcommittee—

(1) a written statement of the testimony to be presented, regardless of whether such statement is to be submitted for inclusion in the record of the hearing; and

(2) any other written information to be submitted for inclusion in the record of the hearing.

(b) LIMITATION ON TREASURY CLEARANCE PROCESS.—None of the funds made available in this Act may be used for any clearance process within the Department of the Treasury that could cause a submission beyond the specified time, as officially transmitted by the committee, of—

(1) any corrections to the transcript copy of testimony given before the Committee on Appropriations of the House of Representatives or the Senate, or any of its subcommittees; or

(2) any information to be provided in writing in response to an oral or written request by such committee or subcommittee for specific information for inclusion in the record of the hearing.

(b) EXCEPTION.—The time periods established in subsections (a) and (b) shall not apply to any specific testimony, or corrections, if the Secretary of the Treasury—

(1) determines that special circumstances prevent compliance; and

(2) submits to the committee or subcommittee involved a written notification of such determination, including the Secretary's estimate of the time periods required for specific testimony, information, or corrections.

SEC. 120. (a) NEW RATES OF BASIC PAY FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION.—Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958, as amended (D.C. Code, sec. 4–416), is amended—

(1) in subsection (b)(1), by striking ''Interior'' and all that follows through ''Treasury,'' and inserting instead ''Interior'';

(2) by redesignating subsection (c) as subsection (b)(3);

(3) in subsection (b)(3) (as redesignated)—

(A) by striking ''or to officers and members of the United States Secret Service Uniformed Division''; and

(B) by striking ''subsection (b) and inserting instead ''this subsection'';

(4) by adding after subsection (b) the following new subsection:

''(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division, serving in classes corresponding or similar to those in the salary schedule in section 101, shall be fixed in accordance with the following schedule of rates:

''SALARY SCHEDULE

''Salary class and title	Service Steps								
	1	2	3	4	5	6	7	8	9
''Class 1: Private	29,215	30,088	31,559	33,009	35,331	37,681	39,128	40,593	42,052
''Class 4: Sergeant	39,769	41,747	43,728	45,718	47,715	49,713			
''Class 5: Lieutenant	45,148	47,411	49,663	51,924	54,180				
''Class 7: Captain	52,523	55,155	57,788	60,388					
''Class 8: Inspector	60,886	63,918	66,977	70,029					
''Class 9: Deputy Chief	71,433	76,260	81,113	85,950					
''Class 10: Assistant Chief	84,694	90,324	95,967						
''Class 11: Chief of the U.S. Secret Service Uniformed Division	98,383	104,923							

''(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5, United States Code (or any subsequent similar provision of law), in the rates of pay under the General Schedule (or any subsequent similar provision of law), in the rates of pay under the General Schedule (or any pay system that may supersede such schedule), the annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division shall be adjusted by the Secretary of the Treasury by an amount equal to the percentage of such annual rate of pay which corresponds to the overall percentage of the adjustment made in the rates of pay under the General Schedule.

''(3) Locality-based comparability payments authorized under section 5304 of title 5, United States Code, shall be applicable to the basic pay under this section. However, locality-based comparability payments may not be paid at a rate which, when added to the rate of basic pay otherwise payable to the officer or member, would cause the total to exceed the rate of basic pay payable for level IV of the Executive Schedule.

''(4) Pay may not be paid, by reason of any provision of this subsection (disregarding any comparability payment payable under Federal law), at a rate in excess of the rate of basic pay payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

''(5) Any reference in any law to the salary schedule in section 101 with respect to officers and members of the United States Secret Service Uniformed Division shall be considered to be a reference to the salary schedule in paragraph (1) of this subsection as adjusted in accordance with this subsection.

''(6)(A) Except as otherwise permitted by or under law, no allowance, differential, bonus, award, or other similar cash payment under this title or under title 5, United States Code, may be paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year if, or to the extent that, when added to the total basic pay paid or payable to such officer or member for service performed in such calendar year as an officer or member, such payment would cause the total to exceed the annual rate of basic pay payable for level I of the Executive Schedule, as of the end of such calendar year.

''(B) This paragraph shall not apply to any payment under the following provisions of title 5, United States Code;

''(i) Subchapter III or VII of chapter 55, or section 5596;

''(ii) Chapter 57 (other than section 5753, 5754, or 5755); or

''(iii) chapter 59 (other than section 5928).

''(7)(A) Any amount which is not paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year because of the limitation under paragraph (6) shall be paid to such officer or member in a lump sum at the beginning of the following calendar year.

''(B) Any amount paid under this paragraph in a calendar year shall be taken into account for purposes of applying the limitations under paragraph (6) with respect to such calendar year.

''(8) The Office of Personnel Management shall prescribe regulations as may be necessary (consistent with section 5582 of title 5, United States Code) concerning how a lump-sum payment under paragraph (7) shall be made with respect to any employee who dies before an amount payable to such employee under paragraph (7) is made.''.

(b) CONVERSION TO NEW SALARY SCHEDULE.—

(1) Effective on the first day of the first pay period beginning after the date of enactment of this section, the Secretary of the Treasury shall fix the rates of basic pay for members of the United States Secret Service Uniformed Division as follows: Each officer and member receiving basic compensation, immediately prior to the effective date of this section, at one of the scheduled rates in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958, as adjusted by law and as in effect prior to the effective date of this section, shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule outlined in section 501(c) of such Act as added by subsection (a) of this section; except that (A) the Assistant Chief and the Chief of the United States Secret Service Uniformed Division shall be placed in and receive basic compensation in salary class 10 and salary class 11, respectively, in the appropriate service step in the new salary class in accordance such section 501(c), and (B) each member whose position is to be converted to the salary schedule under such section 501(c), and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before he or she is placed in the corresponding service step in the salary schedule under such section 501(c).

(2) Except in the cases of the Assistant Chief and the Chief of the United States Secret Service Uniformed Division, the conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Fireman's Salary Act of 1958 (D.C. Code, sec. 4–416(c)), as amended by subsection (a) of this section, and the initial adjustments of rates of basic pay of those positions and individuals, in accordance with paragraph (1) of this subsection, shall not be considered to be transfers or promotions within the meaning of section 304 of such Act.

(3) Each member whose position is converted to the salary schedule under such section 501(c) shall be granted credit for purposes of his or her first service step adjustment under the salary schedule in such section 501(c) for all satisfactory service performed by the member since his or her last increase in basic pay prior to the adjustment under that section.

(c) LIMITATION ON PAY PERIOD EARNINGS.—The first section of the Act of August 15, 1950 (64 Stat. 447), as amended (D.C. Code, section 4–1104), is amended—

(1) in subsection (h), by striking the phrase ''any officer or member'' each place it appears and inserting instead ''an officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, or of the United States Park Police'';

(2) by redesignating subsection (h)(3) as subsection (i); and

(3) by inserting after paragraph (2) the following new paragraph:

''(3)(A) No premium pay provided by this section shall be paid to, and no compensatory time is authorized for, any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, equals or exceeds the lesser of (I) 150 percent of the minimum rate payable for grade GS–15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law) or (II) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

''(B) In the case of any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, is less than the lesser of—

''(i) 150 percent of the minimum rate payable for grade GS–15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law); or

''(ii) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code, such premium pay may be paid only to the extent that such payment would not cause such officer or member's aggregate rate of compensation to exceed such lesser amount with respect to any pay period.''.

(d) SAVINGS PROVISION.—On the effective date of this section, any existing special salary rates authorized for members of the United States Secret Service Uniformed Division under section 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustment under sections 403–405 of the Federal Law Enforcement Pay Reform Act of 1990, as amended, applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

(e) CONFORMING AMENDMENT.—Sections 405(b)(1) and 405(c)(1) of the Federal Law Enforcement Pay Reform Act of 1990 (104 Stat. 1466) are hereby repealed.

(f) EFFECTIVE DATE.—The provisions of this section shall become effective on the first day of the first pay period beginning after the date of enactment.

SEC. 121. Section 117 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) is hereby repealed.

SEC. 122. In tax-year 1998, and each tax-year thereafter, the Internal Revenue Service shall pay qualified transmitters who electronically forward and file tax returns (form 1040 and related information returns) properly formatted and accepted by the Internal Revenue Service, up to $3.00 per return so filed: *Provided*, That the transmitter provides the necessary electronic filing service without charge to the taxpayer whose return is so filed: *Provided further*, That in those instances where the transmitter receives a tax return from an electronic return originator (ERO) and/or a paid preparer, the transmitter may only accept the payment from the Internal Revenue Service if the ERO and/or the paid preparer has certified to the Internal Revenue Service that no fee was charged to the taxpayer for electronic filing of the return: *Provided further*, That the Internal Revenue Service shall reduce its paper returns processing seasonal workforce commensurate with any increase in electronic filing resulting from this initiative.

SEC. 123. Subsection (a) of section 5378, title 5 U.S.C., is amended to read as follows:

''(a) The Secretary of the Department of the Treasury, or his designee, shall fix the rates of basic pay for positions within the police forces of the United States Mint and the Bureau of Engraving and Printing without regard to the provisions of title 5, United States Code, except that no entry-level police officer shall receive basic pay for a calendar year that is less than the basic rate of pay for General Schedule GS–7 and no executive security official shall receive basic compensation for a calendar year that exceeds the basic rate of pay for General Schedule GS–15.''

SEC. 124. (a) Notwithstanding any other provision of law, paragraph (3)(A) of section 9703(g) of title 31, United States Code, is amended—

(1) by striking ''1996, and 1997'';

(2) by inserting in lieu thereof ''and 1996''; and

(3) by adding at the end of the first sentence of (3)(A) the following new sentence: ''No further transfers from the Treasury Forfeiture Fund will be made to the Special Forfeiture Fund after those amounts transferred from excess unobligated balances at the end of fiscal year 1996.''

(b) Paragraph (3)(C) of section 9703(g) of title 31, United States Code, is amended—

(1) by adding after the last sentence of that paragraph as amended by Public Law 104–208, the following sentence: ''Unobligated balances remaining pursuant to section 4(B) of 9703(g) shall also be carried forward.''

(c) Paragraph (4)(B) of section 9703(g) of title 31, United States Code, is amended—

(1) by striking '', subject to subparagraph (C),'' from the first and only sentence of that paragraph.

This title may be cited as the ''Treasury Department, Appropriations Act, 1998''.

TITLE II—POSTAL SERVICE

PAYMENTS TO THE POSTAL SERVICE FUND

PAYMENT TO THE POSTAL SERVICE FUND FOR REVENUE FORGONE

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $86,274,000: *Provided*, That mail for overseas voting and mail for the blind shall continue

to be free: *Provided further,* That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further,* That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further,* That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1998.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

For payment to the Postal Service Fund for meeting the liabilities of the former Post Office Department to the Employees' Compensation Fund pursuant to 39 United States Code 2004, $34,850,000.

This title may be cited as the ''Postal Service Appropriations Act, 1998''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102; $250,000: *Provided,* That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further,* That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $51,199,000: *Provided,* That $873,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan: *Provided further,* That $9,800,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $8,045,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided,* That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further,* That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further,* That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further,* That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further,* That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further,* That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further,* That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further,* That the Executive Residence shall prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further,* That the Executive Residence shall (1) implement a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical; and (2) prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate, by not later than December 1, 1997, a report setting forth a detailed description of such system and a schedule for its implementation: *Provided further,* That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $200,000, to remain available until expended for renovation and relocation of the White House laundry, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; $3,378,000: *Provided,* That $69,800 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan.

OPERATING EXPENSES

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; $334,000: *Provided,* That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,542,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; $3,983,000: *Provided,* That $30,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the system architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $6,648,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles $28,883,000, of which $2,000,000 shall remain available until expended for a capital investment plan which provides for the modernization of the information technology infrastructure: *Provided,* That $2,023,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the system architecture plan, and an estimate of the funds required to support the fiscal year 1998

capital investments associated with that plan.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, $57,240,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of 44 U.S.C. chapter 35: *Provided,* That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further,* That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further,* That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the House and Senate Committees on Appropriations or the House and Senate Committees on Veterans' Affairs or their subcommittees: *Provided further,* That this proviso shall not apply to printed hearings released by the House and Senate Committees on Appropriations or the House and Senate Committees on Veterans' Affairs.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to title I of Public Law 100–690; not to exceed $8,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement; $43,516,000, of which $25,500,000 shall remain available until expended, consisting of $1,000,000 for policy research and evaluation and $24,500,000 for the Counter-Drug Technology Assessment Center for counternarcotics research and development projects of which $1,000,000 shall be obligated for state conferences on model State drug laws and of which $7,500,000 shall be available for a program to transfer technology to State and local law enforcement agencies: *Provided,* That the $24,500,000 for the Counter-Drug Technology Assessment Center shall be available for transfer to other Federal departments or agencies: *Provided further,* That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $146,207,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which $5,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area in the three State area of Kentucky, Tennessee, and West Virginia; of which $1,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area in central Florida; of which no less than $77,000,000 shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of enactment of this Act and up to $69,207,000 may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided,* That funding shall be provided for existing High Intensity Drug Trafficking Areas at no less than the fiscal year 1997 level.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and other purposes, as authorized by Public Law 100–690, as amended, $205,000,000, to remain available until expended: *Provided,* That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further,* That of the amount provided, $195,000,000 shall be to support a national media campaign, to reduce and prevent drug use among young Americans: *Provided further,* That none of the funds provided for the support of a national media campaign may be obligated until the Director, Office of National Drug Control Policy, submits a strategy for approval to the Committees on Appropriations of the House of Representatives and the Senate that includes (1) a certification that funds will supplement and not supplant current anti-drug community based coalitions; (2) a certification that none of the funds will be used for partisan political purposes; (3) an implementation plan for securing private sector contributions including, but not limited to, in-kind contributions; and (4) a system to measure outcomes of success of the national media campaign: *Provided further,* That of the funds provided for the support of a national media campaign, $46,000,000 shall not be obligated prior to September 30, 1998: *Provided further,* That of the amount provided, $10,000,000 shall be to initiate a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997.

This title may be cited as the ''Executive Office Appropriations Act, 1998''.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92–28, $1,940,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $30,350,000, of which no less than $2,500,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses: *Provided,* That of the amounts appropriated for salaries and expenses, $750,000 shall be transferred to the General Accounting Office for the sole purpose of entering into a contract with the private sector for a management review, and technology and performance audit, of the Federal Election Commission, and $300,000 may be transferred to the Government Printing Office.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; $21,803,000: *Provided,* That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further,* That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of $4,835,934,000, of which (1) $300,000,000 shall remain available until expended, for Basic Repairs and Alterations which includes associated design and construction services: *Provided,* That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further,* That the amounts provided in this or any prior Act for Repairs and Alterations may be used to fund costs associated with implementing security improvements to buildings necessary to meet the standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further,* That funds made available in this Act or any previous Act for Repairs and Alterations shall, for prospectus projects, be limited to the amount originally made available, except each project may be increased by an amount not to exceed 10 percent when advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount: *Provided further,* That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further,* That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any

projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (2) $142,542,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (3) $3,607,129,000, to remain available until expended, for building operations, leasing activities, and rental of space; and (4) $680,543,000 which shall remain available until expended for projects and activities previously requested and approved under this heading in prior fiscal years: *Provided further,* That for the purposes of this authorization, and hereafter, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further,* That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further,* That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further,* That revenues and collections and any other sums accruing to this Fund during fiscal year 1998, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $4,835,934,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $5,000 for official reception and representation expenses; $107,487,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $33,870,000: *Provided,* That not to exceed $10,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further,* That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $2,208,000: *Provided,* That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 1998 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided,* That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 1999 request for United States Courthouse construction that (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided,* That the fiscal year 1999 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency which does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Section 10 of the General Services Administration General Provisions, Public Law 100–440, is hereby repealed.

SEC. 407. Funds provided to other Government agencies by the Information Technology Fund, GSA, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104–106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 408. The Administrator of the General Services is directed to ensure that the materials used for the facade on the United States Courthouse Annex, Savannah, Georgia project are compatible with the existing Savannah Federal Building-U.S. Courthouse facade, in order to ensure compatibility of this new facility with the Savannah historic district and to ensure that the Annex will not endanger the National Landmark status of the Savannah historic district.

SEC. 409. (a) The Act entitled ''An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes'', approved August 25, 1958 (3 U.S.C. 102 note), is amended by striking section 2.

(b) Section 3214 of title 39, United States Code, is amended—

(1) in subsection (a) by striking ''(a) Subject to subsection (b), a'' and inserting ''A''; and

(2) by striking subsection (b).

SEC. 410. There is hereby appropriated to the General Services Administration such sums as may be necessary to repay debts to the United States Treasury incurred pursuant to section 6 of the Pennsylvania Avenue Development Corporation Act of 1972, as amended (Public Law 92–578, 86 Stat. 1266, 40 U.S.C. 875), and in addition such amounts as are necessary for payment of interest and premiums, if any, related to such debts.

SEC. 411. From funds made available under the heading ''Federal Buildings Fund Limitations on Revenue,'' claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House and Senate.

SEC. 412. (a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of General Services shall sell the property described in subsection (b) through a process of competitive bidding, in accordance with procedures and requirements applicable to such a sale under section 203(e) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(e)).

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) is the property known as the Bakersfield Federal Building, located at 800 Truxton Avenue in Bakersfield, California, including the land on which the building is situated and all improvements to such building and land.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 65, line 11, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN pro tempore. Are there any points of order to that portion of the bill through page 65 line 11?

POINT OF ORDER

Mr. COLLINS. Mr. Chairman, I make a point of order against an item within the bill found on page 15, line 7 through 11, on the ground that it violates clause 2(b) of rule XXI of the Rules of the House.

The CHAIRMAN pro tempore. Will the gentleman identify the proviso that begins on line 7.

Mr. COLLINS. On page 15, line 7 through 11.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. HOYER. Mr. Chairman, we would concede to the point of order that the gentleman from Georgia [Mr. COLLINS] has raised.

Mr. KOLBE. Mr. Chairman, I concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded and sustained. The proviso that begins on line 7 is stricken from the bill.

Are there any further points of order against that portion of the bill through page 65, line 11?

Are there any amendments to that portion of the bill?

AMENDMENT OFFERED BY MR. BLAGOJEVICH

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

The CHAIRMAN pro tempore. Has the gentleman from Illinois supplied the desk with the amendment?

Mr. BLAGOJEVICH. Yes. We have plenty of copies.

Mr. KOLBE. Mr. Chairman, I would reserve a point of order, not being sure which amendment.

The CHAIRMAN pro tempore. The point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAGOJEVICH:

Page 5, line 6, after the first dollar amount, insert the following: ''(reduced by $1,000,000)''.

Page 12, line 2, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

Mr. BLAGOJEVICH. Mr. Chairman, I will be very brief.

The amendment that I am sponsoring today with my colleague, the gentleman from Massachusetts [Mr. MEEHAN], is simple and straightforward. Our amendment will appropriate $1 million in the Treasury-Postal appropriations bill to be used to expand the Bureau of Alcohol, Tobacco and Firearms Youth Crime Gun Interdiction Initiative, an initiative which works with local law enforcement officials to trace the source of illegal guns found in the possession of juvenile criminals.

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

Mr. BLAGOJEVICH. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for his amendment. And on our behalf, we would certainly accept the amendment.

I yield back to the gentleman.

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

Mr. BLAGOJEVICH. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I withdraw my reservation of a point of order, and I accept the amendment of the gentleman from Illinois [Mr. BLAGOJEVICH]. But I would like to note that I do have concerns about other high priorities in this bill that are not being met at this time.

The amendment would rescind, as the gentleman from Illinois [Mr. BLAGOJEVICH] has pointed out, the $1 million funding for the Inspector General of the Treasury and place that money in the Bureau of Alcohol, Tobacco and Firearms for funding of the youth programs. And I would accept that amendment.

Mr. BLAGOJEVICH. I thank the gentleman from Arizona [Mr. KOLBE], and again, I want to thank the ranking member.

Before yielding back the balance of my time, I would simply close by saying that both the gentleman from Arizona [Mr. KOLBE], the chairman, and the gentleman from Maryland [Mr. HOYER] are great Members worth emulating; and since they were complimentary to their staffs, I would like to thank my staffer, Deanne Benos, for her work, as well as the staffer of the gentleman from Massachusetts [Mr. MEEHAN], Glen. I do not know his last name. I only met him 7 minutes ago. But he seemed to be very devoted and diligent, and I want to thank Glen for his help, as well.

Mr. Chairman, I rise to urge support for an amendment I am offering in conjunction with Mr. MEEHAN to increase funding for the Bureau of Alcohol, Tobacco and Firearms Youth Crime Gun Interdiction Initiative by $1 million. This successful program has proven to be an effective blueprint for local law enforcement in shutting the doors of the black market of illegal guns that supplies juvenile criminals.

Crimes committed with increasingly accessible available guns account almost entirely for the terrible surge of violent crime by youths that the Nation has experienced over the past decade. In my hometown of Chicago, where 15,000 to 20,000 crime guns are confiscated by police each year, the plague of gun violence has become the leading cause of death for teenagers, and individuals too young to purchase handguns legally, commit the largest number of firearm homicides than any other age group.

As a matter of fact, gun crime is virtually the only type of juvenile crime that is on the rise in our Nation. While juvenile arrests for homicides with guns have quadrupled, arrests for most crimes without guns haven't risen since 1984.

Now more than ever, law enforcement officials need to get to the source of these guns. We are learning that combating juvenile crime goes beyond simply apprehending the culprit. There are deeper layers to this problem that must be examined: Most notably, cutting off the illegal flow of these weapons to young criminals and gang members through both black markets and the iron pipeline that supplies guns to criminals in States with tough guns laws from States with weaker gun laws.

For the past year, the Youth Crime Gun Interdiction Initiative has created partnerships in 17 cities throughout our Nation to trace guns used in juvenile crimes. In the program's first year, 37,000 crime guns were traced back to their sources. On many occasions, this information has led to the arrest of individuals who supply guns to young people—young people who later use them to commit violent crimes.

By expanding the volume of tracing, participating cities have not only provided data needed to identify community crime patterns, but have contributed important analyses that can be useful in deciding how best to focus investigative resources to reduce the illegal firearms supply that has had such a devastating effect on our Nation's youth.

Studies from the program have also led us to some startling, yet helpful information that is leading local law enforcement officials in communities across our Nation to decide how best to focus investigative resources to reduce the illegal firearms supply used in violent crime.

As a representative of the city of Chicago, I look forward to the expansion of this successful program, which will give our law enforcement officials more tools to stop violent juvenile crime I urge adoption of the amendment.

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

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to the portion of the bill read through page 65, line 11?

AMENDMENT OFFERED BY MR. SUNUNU

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

The CHAIRMAN pro tempore. Will the gentleman supply the Clerk with a copy of the amendment.

Mr. HOYER. Reserving a point of order, Mr. Chairman, I do not have the amendment in front of me.

The CHAIRMAN pro tempore. A point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SUNUNU:

Page 50, line 7, after ''chapter 35'' insert the following: ''including $200,000 to be used under those provisions to coordinate implementation of chapter 8 of title 5, United States Code (popularly known as the Congressional Review Act)''.

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

Mr. SUNUNU. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, if the gentleman is amenable to this, we quickly reviewed the amendment. We believe if his staff indicates that there may be flex, because this is a very small number, that we would not object to this amendment.

Mr. SUNUNU. Mr. Chairman, I am pleased that the gentleman will accept the amendment, and I will yield back the balance of my time.

The CHAIRMAN pro tempore. Does the gentleman from Maryland withdraw his reservation of a point of order?

Mr. HOYER. Yes, sir, I do.

Mr. KOLBE. Mr. Chairman, I also accept the amendment. I would like to reserve the option to review the resource requirements that OMB has when this bill proceeds to conference with the Senate. I realize it does not create any new money, but it earmarks money within the OMB.

What the gentleman from New Hampshire [Mr. SUNUNU] is trying to do I think is correct, to provide for efficient implementation of the Congressional Review Act, but I would simply like to review this issue when it does get to conference. But I would accept the amendment of the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, if the gentleman will yield, I thank him very much. Just to emphasize that point, this allocates $200,000 of the $5 million reserved for administrative cost at

OMB to implement an important piece of the legislation, the Congressional Review Act, that was passed as part of the 104th Congress to try to ensure proper congressional oversight on new rules and regulations that have a tremendous effect on small business.

The CHAIRMAN pro tempore. The question is on amendment offered by the gentleman from New Hampshire [Mr. SUNUNU].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to this portion of the bill as read?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 413. Section 201(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481) as amended to read as follows:

''(b) The Administrator shall as far as practicable provide any of the services specified in subsection (a) of this section to any other Federal agency, mixed ownership corporation (as defined in chapter 91 of title 31, United States Code), or the District of Columbia, upon its request.''.

POINT OF ORDER

Mr. DAVIS of Virginia. Mr. Chairman, I make a point of order against language on page 65, lines 12 through 20, because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states, in pertinent part, that ''no amendment to a general appropriation bill shall be in order if changing existing law.''

The amendment modifies existing powers and duties and changes existing law. I would ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentlewoman from Kentucky [Ms. NORTHUP] desire to be heard on the point of order?

Ms. NORTHUP. Mr. Chairman, regarding the point of order, I understand that this probably will be considered legislating on appropriations, to be subject to the point of order. However, I want to reserve my right to strike the last word and speak to the merits of it when this is concluded.

The CHAIRMAN pro tempore. Does any other Member desire to be heard on the point of order?

Mr. HOYER. Mr. Chairman, we concede the point of order.

Mr. KOLBE. Mr. Chairman, we also concede the point of order. This was a spirited debate in our subcommittee and full committee, but it is clearly, given the fact of the circumstances under which this bill has been brought to the floor, it is legislation on an appropriation and clearly would not be protected as a result of that.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MORAN of Virginia. Mr. Chairman, I would ask be heard on the point of order. I will not take but a few seconds.

As the Chair and ranking member have said, this was fully debated in the full committee consideration. It clearly is legislation on an appropriation bill. It belongs in government operations. It does not belong on an appropriations bill. I personally think the Cooperative Purchasing Agreement is a good government measure. I am glad that it is in this bill, and it certainly does not deserve to be taken out by an amendment that is not in order for debate.

So I strongly support the point of order having been raised, and I thank the chairman for his attention.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

If not, the point of order is conceded and sustained and section 413 is stricken from the bill.

Ms. NORTHUP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, recognizing that the provisions of the Cooperative Purchasing Agreement have been struck, I do want to bring to the attention of the House that the language that was struck was passed in its entirety by the Senate and that that language was also voted by the Committee on Appropriations to be included in this bill.

So while it has been struck on the technical provisions, I do think that the intent and the interest and the perspective of the Committee on Appropriations, the entire committee in the House and the Senate, are clear on this issue. And so I look forward in the conference committee to look at this again and to see if we cannot resolve the questions that divide us.

In particular, I want to bring up that the blind community is very concerned about the fact that the complete repeal repealed provisions that have allowed them for many years, under other statutes, to engage in certain business arrangements with the Federal Government and local and State governments.

While I understand that they support the repeal with regard to State and local governments, they do have concerns about their continued operations of the supply depots. I think it is very important, when we iron out these substantive problems that we have, that we make sure that we do not do anything that would upset the existing arrangement with that community.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Trust Fund, to be available for purposes of Public Law 102–259, $2,000,000, to remain available until expended.

JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW BOARD

For the necessary expenses to carry out the John F. Kennedy Assassination Records Collection Act of 1992, $1,600,000: *Provided*, That $100,000 shall be available only for the purposes of the prompt and orderly termination of the John F. Kennedy Assassination Records Review Board, to be concluded no later than September 30, 1998.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $25,290,000, together with not to exceed $2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $202,354,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, and to provide adequate storage for holdings, $10,650,000, to remain available until September 30, 1999.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended. $5,500,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100–598, and the Ethics Reform Act of 1989, Public Law 101–194, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses; $8,078,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where

Voting Rights Act activities require an employee to remain overnight at his or her post of duty; $85,350,000; and in addition $91,236,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided,* That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by section 8348(a)(1)(B) of title 5, United States Code: *Provided further,* That, except as may be consistent with 5 U.S.C. 8902a(f)(1) and (i), no payment may be made from the Employees Health Benefits Fund to any physician, hospital, or other provider of health care services or supplies who is, at the time such services or supplies are provided to an individual covered under chapter 89 of title 5, United States Code, excluded, pursuant to section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7–1320a-7a), from participation in any program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.): *Provided further,* That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further,* That the President's Commission on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during the fiscal year ending September 30, 1998, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $960,000; and in addition, not to exceed $8,645,000 for administrative expenses to audit the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided,* That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided,* That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $8,116,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $33,921,000: *Provided,* That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the ''Independent Agencies Appropriations Act, 1998''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SECTION 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 1998 and hereafter, for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Treasury Department.

SEC. 505. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 506. The Office of Personnel Management may, during the fiscal year ending September 30, 1998, and hereafter, accept donations of supplies, services, land, and equipment for the Federal Executive Institute and Management Development Centers to assist in enhancing the quality of Federal management.

SEC. 507. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 508. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 509. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 510. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 1998 from appropriations made available for salaries and expenses for fiscal year 1998 in this Act, shall remain available through September 30, 1999, for each such account for the purposes authorized: *Provided,* That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official

background investigation report on any individual, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. Notwithstanding any other provision of law, no part of any appropriation contained or otherwise made available in this Act for any fiscal year shall be available for paying Sunday premium or night differential pay to any employee unless such employee actually performed work during the time corresponding to such premium or differential pay, except that differential pay may be paid to an employee in a paid leave status if that employee is permanently assigned to work a shift entitled to such pay and has been in night differential pay status for a minimum of 26 weeks immediately prior to the date of paid leave.

SEC. 514. In addition to any other amount appropriated for the salaries and expenses of the Federal Election Commission in this Act, for necessary expenses of the Commission for internal automated data processing systems, $4,200,000, to remain available until expended except that such amount shall not be available for obligation until the conditions set forth in section 515(a) (requiring the filling of Commission vacancies and prohibiting the reappointment of Commission members) have been satisfied.

SEC. 515. (a) CONDITIONS ON ADDITIONAL FUNDS FOR FEC.—The additional amount provided in this Act under the heading ''Federal Election Commission—Salaries and Expenses'' for internal automated data processing systems of the Federal Election Commission shall not be available for obligation until—

(1) all vacancies that existed in the membership of the Commission as of July 15, 1997, have been filled; and

(2) there is enacted into law a prohibition on the reappointment of members of the Commission.

(b) PROHIBITING REAPPOINTMENT OF MEMBERS OF FEDERAL ELECTION COMMISSION.—

(1) IN GENERAL.—Section 306(a)(2)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(a)(2)(A)) is amended by striking ''for terms of 6 years'' and inserting ''for a single term of 6 years''.

(2) EFFECTIVE DATE; TRANSITION RULE.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply with respect to individuals appointed as members of the Federal Election Commission on or after the date of the enactment of this Act.

(B) TREATMENT OF CURRENT COMMISSIONERS.—No individual serving as a member of the Federal Election Commission as of the date of the enactment of this Act may be reappointed as a member of the Commission after the expiration of the individual's current term of service.

(3) COORDINATION OF PROVISIONS.—The amendment made by paragraph (1) shall be considered to satisfy the condition set forth in subsection (a)(2).

□ 1445

Mr. HOYER (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 80, line 6, up to but not including section 516, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN pro tempore. Are there points of order to the portion of the bill now read, from section 502 to 516, up to but not including section 516? Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 516. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

AMENDMENT OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. LOWEY:

Page 80, strike lines 7 through 15.

The CHAIRMAN pro tempore. The Chair would note that the gentlewoman's amendment touches not only section 516, but also section 517. Is there objection to its being considered at this time?

There was no objection.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN pro tempore. The gentlewoman from New York [Mrs. LOWEY] and the gentleman from New Jersey [Mr. SMITH] each will control 10 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

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

Mr. Chairman, the Lowey-Hoyer-Morella amendment will allow Federal employees to choose a health care plan that covers the full range of reproductive health care services just like other American workers. Right now women working for the Federal Government are the only group of American women legally prohibited from obtaining employer-provided insurance that includes abortion coverage. These women cannot use their own money. Remember, it is their salary. They cannot use their own money to purchase such coverage.

Let me be very clear. Congress has taken away the right to choose for more than 1 million American women of reproductive age who rely on FEHBP for their medical care. Two years ago, before we enacted this ban, just about half of the plans covered abortion services. Now women relying on FEHBP for health care must go to an abortion provider on their own and pay for the services out of their own pocket. This prohibition has made it more difficult and more dangerous for Federal employees to get an abortion.

Let me give Members an example, real life, what this is all about. I received a letter from a woman in Alabama whose story shows how destructive lack of coverage for abortion services can be. Kim Mathis and her husband, who works for the Federal prison in their town, were expecting twins, but during the pregnancy things went terribly wrong. They learned that the twins had a rare malady with many complications, and there was a very slim chance of either twin surviving the pregnancy.

After consulting with the doctor, Kim and her husband made what she calls ''the hardest decision of my life,'' to terminate the pregnancy. Knowing that that kind of abortion could cost up to $12,000, the doctor asked them about their insurance. They went home, checked the booklet for the insurance they had through Kim's husband's job at the Federal prison, and saw that all legal abortions were covered. Unfortunately, their booklet was 1 year old.

After the procedure was done, they started getting notices from the insurance company stating that their claims were denied. They found out that because of the law enacted by Congress in November 1995, their coverage for abortion had been terminated. Soon the hospital began harassing them for payment, turned the case over to a collections agency, and after receiving threatening letters and phone calls at work, they were forced to file for bankruptcy.

As Kim wrote to me in a letter, ''Our lives and financial future have been ruined. Families like ours should not have to go bankrupt in order to receive appropriate medical care.''

We have been wrong, my colleagues, for the last 2 years to pass this restriction. I urge Members to vote for the Lowey-Hoyer-Morella amendment.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

First of all, Mr. Chairman, I want to thank the gentleman from Louisiana [Mr. LIVINGSTON] for his very humane and courageous leadership in ensuring that the legislation before the body today does not have an authorization to provide money to pay for abortion. The Livingston amendment, which is a continuous effort that has been made over the years going back to the early 1980's when I first offered this amendment to the Treasury-Postal bill, ensures that taxpayers and premium payers do not subsidize abortion on demand, and that is what the issue is before us today.

Let me make it very clear that taxpayers pay into this program approximately 73 percent of the total funding for our health insurance. The premium payers, and that is all of us, myself included, and my other colleagues, we pay the remaining 27 percent. But the major share, three-fourths of the money that goes into the Federal Employees Health Benefits Program

comes from the U.S. taxpayers, and they have shown consistently in every poll that they do not want to pay for abortions on demand.

The Hyde amendment and the vote that we had last week, one of the high water marks in terms of the votes that were garnered for the Hyde amendment, make it very clear that even people who take the other side of this issue recognize that there are many of us who conscientiously believe we should have no complicity in the killing or the maiming of unborn children.

Let me also say, Mr. Chairman, and this does afford us this opportunity, that when we talk about abortion, we very often sanitize it. We try to treat it euphemistically. Some people always like to refer to it as choice, but the bottom line is abortion is violence against children. It takes the life of a baby whether it be by dismembering that unborn child or by injecting poisons like salt poison into the baby's amniotic sac, which kills the baby in a very slow and a very painful way.

As we saw earlier in this session, Mr. Chairman, there are other hideous methods of abortion as well, like the partial-birth abortion. Yes, it was banned by the House and by the Senate. The legislation has not yet gone to the White House, but that, too, could be paid for under the Federal Employees Health Benefits Program if we do not have this language contained within it.

Let me also point out to my colleagues that the language in the bill makes exceptions for rape, incest and life of the mother, but the majority of the abortions, the majority of those children who otherwise would have their lives snuffed out and subsidized by this body and by the premium payers, would not happen if this language stays in the bill.

I urge Members to vote against this amendment that has been offered. It would subsidize abortion on demand, no doubt about that.

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

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time. She has been a great leader in the prochoice movement and for Federal employees.

Mr. Chairman, I rise in strong support of the amendment. It is going to simply prevent discrimination against Federal employees. Two years ago, Congress voted to deny Federal employees coverage for abortions provided to most of the rest of the country's work force through their health insurance plans. This decision was discriminatory, and it was another example of Congress chipping away at the benefits of Federal employees in their opportunity to choose an insurance plan that best meets their own health care needs.

The coverage of abortion services in Federal health plans would not mean that abortions are being subsidized by the Federal Government. Currently the government simply contributes to the premiums of Federal employees in order to allow them to purchase private health insurance. The many participating plans in the FEHBP may or may not choose to include coverage for abortion services, and prior to last year's decision, about half of the participating plans provided this coverage. Thus an employee who did not wish to choose a plan with abortion coverage could do just that.

Unfortunately, Congress denied Federal employees their access to abortion coverage, therefore discriminating against them and treating them differently from the vast majority of private sector employees. Currently two-thirds of private fee-for-service plans and 70 percent of HMO's provide abortion coverage. It is really insulting to Federal employees that they are being told that part of their own compensation package is not under their control.

Thousands of Federal employees struggle to make ends meet. Many Federal employees are single parents or the sole wage earners in their families. For these workers, the cost of an abortion would be a significant hardship, interfering with a woman's constitutionally protected right to choose. For these women, the lack of this health coverage could result in delayed abortions occurring later in the pregnancy, an outcome no one here wants to see.

Mr. Chairman, this amendment simply restores the rights of Federal employees to the same health care services covered by most private sector health plans. I urge my colleagues to support this amendment and reverse the unwise decision made 2 years ago.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER], the very distinguished ranking member of this subcommittee.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I very much appreciate the leadership she has shown on this issue. I want to say that I appreciate the leadership that the gentleman from New Jersey [Mr. SMITH] has shown as well.

This is a very wrenching issue for every Member of the House. It is my perspective, as the Members know, on this particular issue that this is really not about abortion. It is about Federal employees' pay and benefits. Every other employee in America gets certain benefits from their employer. Those benefits are paid in consequence of and in consideration of the services rendered by the employee to the employer. Therefore, the benefit in this case is not the Federal Government's nor the taxpayer's any longer. It is, in fact, the compensation paid to the employee.

Having said that, Mr. Chairman, I know that there is a very serious disagreement on this issue and perception as to whether or not this is the application of taxpayers' funds towards a procedure that many taxpayers find unacceptable; in fact, most taxpayers find unacceptable, whether or not they are for Government action to prohibit it.

□ 1500

Mr. Chairman, I would simply say that it has been historically my position and continues to be that this is the Federal employees compensation package. It is not ours to control one way or the other. I know there is a significant dispute on that.

I thank the gentlewoman for offering this amendment so it could be brought again for our attention before the House.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume, just so the body is very clear that we are voting on whether or not to permit abortion on demand in the Federal Employees Health Benefits Program.

The Committee on Appropriations wisely included language that would preclude the use of funds under the Federal Employees Health Benefits plan for that, and just to remind Members that just under three-fourths of all of the funding that goes into that health plan comes from the taxpayers, and roughly a quarter of that comes from the premium payers, which, again, is us as well. For that reason, this is a publicly funded abortion scheme.

Just to follow up to what my friend from Maryland said a moment ago, it really is up to the Congress to set it. This is not a collective bargaining issue, and it is up to the Congress to establish the parameters of what this program will look like. That is in the statute. There is nothing out of the ordinary with regards to what we are doing here today.

Let me also remind Members that this pro-life rider was in effect from 1984 to 1993, and it has also been in effect for the last two years.

It has already passed in the other body, and my hope is it will continue so we have no complicity in the killing of unborn children.

I urge a no vote on the amendment Lowey-Hoyer-Morella amendment.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 2 minutes to my good friend, the distinguished gentlewoman from the State of Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, I would like to clarify what we are talking about here. First of all, respectfully, I totally and completely disagree with the comments of the gentleman from New Jersey. We are not talking about abortion on demand. The Supreme Court decision does not allow abortion on demand and we all know that, and in the third trimester it is very hard in America to get an abortion, as it should be, and in the mid-trimester it is very difficult, as it should be.

Now, we are talking about whether or not Federal employees ought to have access to the same legal medical procedures as other Americans. Remember, these are people who are paying taxes to fund the health benefits of the people who work at General Electric. We spend $80 billion every year subsidizing private sector health plans, and our Federal employees pay that. Yet you would deny them the same benefits that they are funding for other Americans.

If you want to make abortion illegal, bring the bill to the floor and let us vote on it; but do not make Federal employees second-class citizens. Do not make the kind of woman that the gentlewoman from New York [Mrs. LOWEY] just described.

I have one here, but it takes too long to talk about it. Here was a 36-year-old mother, she and her husband dying to have a family. She had a child with no brain at all. On medical advice she was urged to abort it, did, wants to have another child. She is an older mother, there are risks. She is trying to preserve her fertility because she desperately wants to have not one child, but several. After extensive testing, the medical community said this child has no chance of life at all, it has no brain at all, and you need to abort it and go on.

So I just ask for equal treatment of Federal employees. It is only fair.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield the balance of my time to the gentlewoman from Connecticut [Ms. DELAURO], a woman who has been a fighter on this issue and so many others.

The CHAIRMAN pro tempore (Mr. LATOURETTE). The gentlewoman from Connecticut is recognized for 30 seconds.

Ms. DELAURO. Mr. Chairman, I rise in strong support of this amendment, which will end the prohibition of abortion coverage for American women, coverage under the FEHB health plan. It seems that every time we turn around we see that some on the other side of the aisle would like to draw back the line of a woman's right to choose.

This is a constitutional right to choose. This is a choice and decision that should be made by a woman, her family, in consultation with her clergy, and with her doctor. No matter what income level, no matter where she lives or what she does for a living, every woman has a right to make this decision on her own. We have no right to take that decision away.

I urge my colleagues to support this amendment. Let us stop discriminating against government workers.

The CHAIRMAN. All time under the unanimous-consent agreement has expired.

The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

The amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 517. The provision of section 516 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

CERTAIN HISTORIC U.S. ORIGIN FIREARMS IMPORTS

SEC. 518. Notwithstanding any other provisions of law, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with the denial of an application for the importation of military firearms (or ammunition, components, parts, accessories, and attachments for such firearms) submitted under section 38(b)(1)(B) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)(B), as added by section 8142(a) of the Department of Defense Appropriations Act, 1988), if the application meets the otherwise applicable requirements of section 178.112 and 178.113 of title 27, Code of Federal Regulations (as in effect on January 1, 1996), and the application is not for the importation of articles on the United States Munitions Import List from a proscribed country. For purposes of the preceding sentence, the term ''proscribed country'' means a country with respect to which the proscriptions contained in section 47.52 of title 27, Code of Federal Regulations, apply.

POINT OF ORDER

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to a point of order.

The CHAIRMAN pro tempore. The gentlewoman will state her point of order.

Mrs. MCCARTHY of New York. Mr. Chairman, I make a point of order against section 518 on page 80 because it proposes to change existing law and constitutes legislation in an appropriations bill, and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part no amendment to a general appropriations bill shall be in order if in changing law. The amendment does not apply solely to the appropriations under consideration.

I am asking for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Maryland [Mr. HOYER] wish to be heard on the point of order?

Mr. HOYER. Yes.

The CHAIRMAN pro tempore. The gentleman is recognized.

Mr. HOYER. Mr. Chairman, reserving the right to speak on the point of order, we will concede the point of order. We have reviewed it, and the gentlewoman is correct.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, we would concede the point of order is correct. While I strongly favor this provision, given the circumstances that this bill is brought to the floor, this provision is clearly legislation on an appropriations bill.

Mrs. MCCARTHY of New York. Mr. Chairman, if section 518 were passed as part of the Treasury and Postal Operations Appropriation bill, I believe the result would be an increase in gun violence and increased danger to the lives and safety of our Nation's police officers.

Section 518 would effectively allow foreign governments to resell millions of dangerous, high-powered M1 carbine semiautomatic weapons, M–1 garand rifles, and .45 caliber M1911 pistols in the United States as curios and relics. Importing such high-powered weapons would flood the U.S. gun market, thereby lowering the price of these military weapons, making them more affordable for dangerous criminals.

Congressman PATRICK KENNEDY and Congresswoman CAROLYN MALONEY introduced legislation earlier this year that would help keep our streets safe by permanently banning the importation of these military weapons. The point of order offered today will only prevent the importation of such weapons for 1 year. It is time for Congress to follow Mr. KENNEDY's leadership and pass his bill to provide protection for America's families and police officers by ending the importation of these high-powered military weapons once and for all.

If anyone thinks that these curios and relics are not dangerous and should be imported freely into the United States, I would like to draw their attention to two critical facts. First, with the addition of three inexpensive pieces of hardware, the M–1 carbine—a semiautomatic weapon—can be easily converted into an automatic submachine gun with the potential of firing up to 30 rounds in a matter of seconds. This would effectively squash any rapid response law enforcement officers could ever hope to give.

Second, in the last several years, police officers have been killed and crimes committed at an alarming rate by these dangerous weapons. Nine officers have lost their lives to these so-called relics since 1990. According to the Bureau of Alcohol, Tobacco and Firearms, nearly 2,000 M–1 garand rifles and M1911 pistols were traced to crime scenes in 1995 and 1996. In New York, 71 of these so-called curios and relics were linked to crimes committed during the past 2 years.

Foreign governments should not be allowed to profit off of our misery. We need to make sure that we put a stop to that while trying to reduce gun violence. It is bad policy to allow anyone, including our own Government, to profit off of the agony and pain of others.

Gun violence takes a serious financial toll on our society and on our Nation's healthcare system. According to a May 1997 Violence Policy Center study, firearm injuries cost society approximately $20.4 billion in 1990. Of that figure, at least $17.4 billion represents the value of lost productivity due to premature deaths. According to the Center to Prevent Handgun Violence, direct healthcare expenditures for firearm-related injuries in the United States in 1995 was $4 billion. This figure is high because firearm wounds are the most costly injuries to treat.

Aside from the physical healing that takes place after gun violence there is also the emotional healing. Gun violence leaves families in shambles. It leaves the loved-ones to pick up the pieces of their lives and an empty hole in the hearts of family and friends that can never again be filled. I know from my own experience that gun violence can completely alter the course of a person's life—it did mine.

Congress shouldn't allow foreign countries to dump their weapons in our country. We all

know what happens when high-powered weapons fall into the hands of the wrong people. Although some may consider these weapons collectors' items, they are lethal weapons. We need to permanently end the importation of these weapons.

The CHAIRMAN pro tempore. Does the gentleman from Rhode Island [Mr. KENNEDY] wish to be heard?

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would like to join in raising the point of order.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on this point of order?

The point of order is conceded and sustained, and section 518 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 519. No funds appropriated for the United States Postal Service under this or any other Act may be expended by the Postal Service to expand the Global Package Link Service.

POINT OF ORDER

Mr. MCHUGH. Mr. Chairman, I rise to a point of order.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. MCHUGH. Mr. Chairman, section 519, found on page 81, lines 13 through 16 of the legislation before us, applies not only to current appropriations, but incorporates by reference the permanent appropriations authority contained in title 39 United States Code section 2401(a), and thus violates clause 2 of rule XXI of the House prohibiting reporting a provision which changes existing law.

The CHAIRMAN pro tempore. Does any other Member wish to be on the point of order heard?

Mrs. NORTHUP. Mr. Chairman, regarding the point of order, I understand this provision is probably subject to a point of order and will be stricken, but I want to reserve my right to strike the last word after it is completed and make a few comments.

The CHAIRMAN pro tempore. Does the gentleman from Pennsylvania [Mr. FATTAH] wish to be heard on the point of order?

Mr. FATTAH. Mr. Chairman, I rise as the ranking minority Member on Postal Service in support of the point of order, and would hope that the Chair would concur that clause 2 of rule XXI would be in play as relates to this amendment, and that it should be struck because it attempts to add legislative language to an appropriations bill.

The CHAIRMAN pro tempore. Does the gentleman from Maine [Mr. ALLEN] wish to be heard on the point of order?

Mr. ALLEN. Mr. Chairman, the point of order just made by the gentleman from New York [Mr. MCHUGH] was made against section 519 of the bill, which would restrict the U.S. Postal Service's Global Package Link System.

That provision does not belong in this bill. Not only is it inappropriate in an appropriations bill, but it is also bad policy. What this provision seeks to prohibit is the expansion of the Global Package Link System by the Postal Service.

In changing the authority governing the Postal Service's operations, it violates the House rule against legislating on an appropriations bill.

Legislation affecting the Postal Service is clearly within the jurisdiction of the Committee on Government Reform and Oversight, on which I serve. The committee will be looking at Global Package Link as part of postal reform, and that is an appropriate course for review, rather than through this rider.

The Global Package Link, or GPL, is a valuable program that helps U.S. businesses gain new markets and opportunities overseas, which means more jobs here at home. GPL was established by the Postal Service at the request of U.S. catalog companies, who wanted a faster and better way to ship their packages to international customers.

One of these customers is L.L. Bean, which is in my districts in Freeport, Maine. GPL is good for American business and good for jobs. It is innovative. Other competitors like UPS could establish similar systems and streamline their own overseas delivery service.

The CHAIRMAN pro tempore. The Chair would ask the gentleman to confine his remarks to the point of order and not the merits of the section.

Does the gentleman from Arizona wish to be heard?

Mr. KOLBE. Just to say, reluctantly, I accept the point of order, that it is legislation on the appropriations bill. Given the circumstances of bringing this bill to the floor, this would not be in order on this bill.

The CHAIRMAN pro tempore. Does any other Member wish to be heard?

Mr. HOYER. Mr. Chairman, we concede the point of order on this side.

The CHAIRMAN pro tempore. The point of order is conceded and sustained, and section 519 is stricken from the bill.

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

Mr. Chairman, the Global Package Link provision, authored by Representative Northrup, (R–KY) would prohibit the United States Postal Service (USPS) from expanding its Global Package Link international parcel service for one year, while a Government Accounting Office (GAO) report is completed on the issue of international mail. The GPL, an ''electronic Customs preparatory system'' was developed by the USPS in direct response to its customers demands. It allows our nation's largest and leading retailers such as Lands' End, Neiman Marcus, J.C. Penny, L.L. Bean and others to deliver merchandise to their catalog customers in the United Kingdom, Canada, and Japan. These and many other companies support and rely upon the Postal Service to send their products via the GPL service.

By way of legitimately responding to a postal matter under the jurisdiction of the Subcommittee on the Postal Service, the Subcommittee in July asked the GAO to investigate charges that the GPL service enjoys any unfair advantages over shipments by private carriers. We expect to have a report on this matter early next year.

The Blair Corporation, a large mail-order company located in my State of Pennsylvania provided some very thoughtful comments on the Northrup provisions. Thoughtful, because unlike the numerous mail-order firms currently using the Postal Service's GPL service, it is not a current user. The President of Blair Corporation states:

''We cannot believe that our Congress would stop a valuable international delivery service, which has become very important to expanding the exports of U.S. direct mail companies, and could become the means by which our company and others like it are able to enter the international market, without even a hearing before the appropriate Committees of Congress, which understand postal operations and their importance to the direct mail industry.

This attempt to prevent the Postal Service from operating as any other business would, when so many in the Congress as well as the business community have pleaded with the Postal Service to become more businesslike and more efficient, is ironic. Global Postal Link and other Postal Service innovations are a serious response by the Postal Service to those pleas. This amendment will wipe out an important Postal Service effort to become more businesslike and will represent a serious blow to many mail order companies and damage this country's export efforts. We urge you to reject this effort to end-run the authorizing committees and vote ''yes'' to strip the ''Northrup'' Amendment from H.R. 2378.''

In conclusion, the Northrup provision is framed as a limitation on funds, but contains legislative language. It does not belong on an appropriation bill. This is a violation of House Rules.

Mrs. NORTHUP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, understanding that the last provision that we struck was the Global Package Link freeze for one year, I just want to take this opportunity to comment on the importance of this issue.

We all believe that we need to expand all trading opportunities that businesses in this country have. In particular it is important that we open and expand opportunities for overnight delivery services.

The concern that the committee had and that I raised in the committee is that when we open these opportunities, we should not allow the United States Post Office to create a monopoly so that only they can deliver overnight packages.

That is what you do when our government, a government entity, negotiates with another government that this overnight link occurs only if the packages are brought in by the Postal Service.

These arrangements allow the Post Office to bypass both customs, pricewise and timewise, so that they can deliver overnight and no private carriers can. We believe all private carriers should have an opportunity to expand trade in this country.

So it is not in an effort to limit what companies in this country have and the

opportunities they have, but, rather, to expand those opportunities through multiple carriers.

We felt like the one-year freeze was a fair balance. Since that has been struck, I want to say that I am reassured by the Committee on Postal Oversight that they are going to take up this issue, that they are going to hold hearings, and that they are going to try to find the fair balance in their reauthorization bill that will come before us early next year.

We all agree that it needs to be looked at; we all agree that it needs to be examined. I look forward to the promise of the subcommittee chairman or the committee chairman of the Committee on Postal Oversight that his committee will do a fair and equitable job at looking at this.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SECTION 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1998 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Notwithstanding 31 U.S.C. 1345, any agency, department, or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences, or other meetings in connection with the provision of such services: *Provided,* That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 604. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 605. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–24.

SEC. 606. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence, (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975, or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in the current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 607. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 608. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order 12873 (October 20, 1993), including any such programs adopted prior to the effective date of the Executive Order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 609. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 611. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 612. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 613. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 614. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal year ending on September 30, 1998, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 616 of the Treasury, Postal Service and General Government Appropriations Act, 1997, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 1998, in an amount that

exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 616; and

(2) during the period consisting of the remainder of fiscal year 1998, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 1998 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 1998 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1997 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1997, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1997, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 1997.

(f) For the purpose of administering any provision of law (including section 8431 of title 5, United States Code, and any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 615. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 616. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

SEC. 617. Notwithstanding section 1346 of title 31, United States Code, or section 611 of this Act, funds made available for fiscal year 1998 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

SEC. 618. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 619. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1998 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 620. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: *Provided*, That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designees, persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 621. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 622. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988;

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or

(6) includes content related to human immunodeficiency virus-acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 623. No funds appropriated in this or any other Act for fiscal year 1998 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 12356; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. section 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive Order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also

make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 624. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 625. (a) IN GENERAL.—No later than September 30, 1998, the Director of the Office of Management and Budget shall submit to the Congress a report that provides—

(1) estimates of the total annual costs and benefits of Federal regulatory programs, including quantitative and nonquantitative measures of regulatory costs and benefits;

(2) estimates of the costs and benefits (including quantitative and nonquantitative measures) of each rule that is likely to have a gross annual effect on the economy of $100,000,000 or more in increased costs;

(3) an assessment of the direct and indirect impacts of Federal rules on the private sector, State and local government, and the Federal Government; and

(4) recommendations from the Director and a description of significant public comments to reform or eliminate any Federal regulatory program or program element that is inefficient, ineffective, or is not a sound use of the Nation's resources.

(b) NOTICE.—The Director shall provide public notice and an opportunity to comment on the report under subsection (a) before the report is issued in final form.

SEC. 626. None of the funds appropriated by this Act or any other Act, may be used by an agency to provide a Federal employee's home address to any labor organization except when it is made known to the Federal official having authority to obligate or expend such funds that the employee has authorized such disclosure or that such disclosure has been ordered by a court of competent jurisdiction.

SEC. 627. The Secretary of the Treasury is authorized to establish scientific certification standards for explosives detection canines, and shall provide, on a reimbursable basis, for the certification of explosives detection canines employed by Federal agencies, or other agencies providing explosives detection services at airports in the United States.

SEC. 628. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the House and Senate Committees on Appropriations.

SEC. 629. Notwithstanding section 611, interagency financing is authorized to carry out the purposes of the National Bioethics Advisory Commission.

SEC. 630. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 631. None of the funds appropriated in this or any other Act shall be used to acquire information technologies which do not comply with part 39.106 (Year 2000 compliance) of the Federal Acquisition Regulation, unless an agency's Chief Information Officer determines that non-compliance with part 39.106 is necessary to the function and operation of the requesting agency or the acquisition is required by a signed contract with the agency in effect before the date of enactment of this Act. Any waiver granted by the Chief Information Officer shall be reported to the Office of Management and Budget, and copies shall be provided to Congress.

PERSONAL ALLOWANCE PARITY AMONG NAFTA PARTIES

SEC. 632. (a) IN GENERAL.—The United States Trade Representative and the Secretary of the Treasury, in consultation with the Secretary of Commerce, shall initiate discussions with officials of the Governments of Mexico and Canada to achieve parity in the duty-free personal allowance structure of the United States, Mexico, and Canada.

(b) REPORT.—The United States Trade Representative and the Secretary of the Treasury shall report to Congress within 90 days of enactment of this Act on the progress that is being made to correct any disparity between the United States, Mexico, and Canada with respect to duty-free personal allowances.

(c) RECOMMENDATIONS.—If parity with respect to duty-free personal allowances between the United States, Mexico, and Canada is not achieved within 180 days after the date of enactment of this Act, the United States Trade Representative and the Secretary of the Treasury shall submit recommendations to Congress for appropriate legislation.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 101, line 18, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN pro tempore. Are there points of order to the portion of the bill read?

If not, are there amendments?

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

Add at the end of the bill on page 101, after line 18 the following new section:

SEC. . None of the funds appropriated by this Act may be used for any tax-related mailing to any person if the social security account number issued to any individual for purposes of section 205(c)(2)(A) of the Social Security Act is included—

(1) on the outside of such mailing, or

(2) as part of the contents of such mailing unless—

(A) the contents are in an envelope (or other appropriate wrapper) which is sealed, and

(B) such number may not be viewed without opening such envelope (or wrapper).

For purposes of this section, the term ''tax-related mailing'' means any mailing related to the administration of the Internal Revenue Code of 1986.

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. FILNER. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I am prepared from the majority side to accept this amendment. I know that the Committee on Ways and Means has expressed some concerns about some of the language, and I would advise the gentleman that I would certainly protect those interests in the conference that the Committee on Ways and Means has expressed. They have not objected and suggested that this amendment should not be accepted here today. I am prepared to accept it.

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

Mr. FILNER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thought the amendment might be offered and withdrawn, but in light of the chairman's action, I certainly am not going to object to this amendment. We will look at it and work with the gentleman between now and conference to see if it is workable, and, if it is workable, the gentleman has brought up a good idea. I understand also that Mr. BILBRAY of California is in agreement with the gentleman.

□ 1515

Mr. FILNER. I thank the chairman and the ranking member.

The amendment orders the IRS, because they have refused to do it informally, to stop the printing of Social Security numbers on the front of mailings to taxpayers or on their refund checks. This allows a practice that has become known as identity theft. People steal your Social Security number and then steal your money.

So I appreciate the Chair and the ranking member for accepting this amendment to stop the IRS complicity in identity theft.

Mr. Chairman, I stand to offer an amendment to the Treasury/Postal Appropriations bill because our constituents cannot wait to have the Internal Revenue Service protect them from identity theft. It is up to Congress to safeguard them from a serious attack on personal privacy—an insidious practice that has become known as identity theft—which is facilitated by the IRS.

My amendment to the Treasury/Postal Appropriations bill will forbid the IRS from visibly printing our Social Security numbers on the mailing labels of the tax booklets the IRS mails to us every year. It will also stop the IRS from printing Social Security numbers on the refund checks that millions of people receive annually in a way that they are visible through the window envelope. Identity theft is one of the fastest growing crimes of the 1990's. Identity thieves make off with billions of dollars each year, and each day more than 1,000 people are being defrauded.

With just your name and Social Security number, a thief can open credit lines worth $10,000, rent apartments, sign up for utilities, and even earn income. Your credit rating is ruined, you risk being rejected for everything from a college loan to a mortgage, and it's up to you to fix it all.

Law enforcement generally will not pursue identity theft cases. That is why it is crucial that we act now—to prevent the IRS from making identity thieves' work even easier by

allowing public view of Social Security numbers on their mailings and refund checks.

I don't like to ask the Congress to pass judgment of a relatively simple issue. When I asked the IRS to change this practice, all I got was a bureaucratic runaround. I was told that this was a very complex issue and there is no way that they could correct it before the 1999 filing season. I find it incomprehensible that neither the agency nor its contractor can change a computer program for booklets that will be mailed in 1998. The IRS apparently has decided to be the conduit for identity theft—with the Postal Service as a de facto accomplice.

My amendment will force the IRS to make this change in time to protect one of the most precious keys to our personal information—our Social Security numbers—before the coming tax filing season.

To do any less would expose millions of us to devastating personal and financial losses, and the most important loss of all—our good name.

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

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

Mr. BILBRAY. Mr. Chairman, I appreciate the gentleman from California yielding to me.

Mr. Chairman, what we are saying is that the IRS should not be violating the rules and the procedures that we impose on everyone else; that this is a privacy issue. The IRS has got to be kept within proper boundaries. Technologies need to reflect the privacy laws of this country, and we should be leading by example. Even the IRS should be leading through example to show the rest of society how we should operate.

Posting this information on the front of a piece of mail, where anybody can look at it that opens up that mailbox, really should be addressed. The private sector would probably go to jail for doing this. I do not think those of us in the public sector should be exempt from those privacy rules.

Mr. FILNER. I thank my colleague; I thank the Chair and the ranking member.

The CHAIRMAN pro tempore [Mr. LATOURETTE]. The question is on the amendment offered by the gentleman from California [Mr. FILNER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

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).

Mr. SANDERS. Mr. Chairman, my understanding is that both the majority and the minority have accepted this amendment and I thank them.

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

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

Mr. KOLBE. Mr. Chairman, yes, that is correct. I am prepared to accept the amendment by the gentleman from Vermont [Mr. SANDERS], which would amend the bill to prohibit Customs using any of its funding to allow any imports into the United States of goods that are produced by forced or indentured child labor.

This is a limitation on an expenditure and it would underscore the existing legal barrier. This is already an existing barrier that we have on imports which sometimes, however, may not be adequately enforced. I think the provision that the gentleman is suggesting here is simply a reinforcement of what is existing law, that Customs should vigorously enforce the law with regard to imported merchandise that uses forced child labor.

So in my view it supports and clarifies the current legal requirement and a practice that is very much in law, and I urge the Members to support this amendment.

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

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

Mr. HOYER. Mr. Chairman, I thank the gentleman for his amendment. I agree with the remarks of the chairman, the gentleman from Arizona [Mr. KOLBE], and we would accept the amendment on this side.

Mr. SANDERS. Mr. Chairman, I want to thank the gentleman from Arizona [Mr. KOLBE] and the gentleman from Maryland [Mr. HOYER]. Indentured child labor is one of the ugliest forms of slavery that exists in this world. This Congress should stand up for those children. We should not be importing products made by indentured child labor, and I thank both parties for their support.

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

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to the bill?

If not, the Clerk will read the last two lines.

The Clerk read as follows:

This Act may be cited as the ''Treasury, Postal Service, and General Government Appropriations Act, 1998''.

Mr. SANDLIN. Mr. Chairman, it is with regret that I rise today in opposition to the Treasury-Postal appropriations bill. This bill contains many worthwhile programs that are deserving of funding. However, the manner in which this bill came to the floor denied Members the opportunity to vote for or against the cost of living pay increase for Members of Congress. I strongly believe we should be honest enough with ourselves and with the American people to openly support or oppose this increase instead of sitting silently by while it automatically goes into effect.

When I introduced my legislation, H.R. 2219, to prevent Members from receiving the 1998 pay adjustment, I did so because I believe it is irresponsible for us to increase our own pay at a time when we have not met our obligation to the American people to balance the Federal budget. Only days after I introduced my legislation, the Republican leadership in both houses was widely quoted in the press as saying the pay raise was dead for the year. But instead of letting it die a well-deserved death, they made late night, back room deals and brought this bill to the House floor in a manner accorded precious few pieces of legislation. They brought it to the floor with no rule to ensure that the pay raise would go into effect.

I made a commitment to the people of east Texas to eliminate the Federal deficit before I would agree to raise my pay. I made a commitment to ensure that Medicare is solvent before we raise our pay. I made a commitment to ensure that veterans' benefits are fully funded before we raise our pay. I made a commitment to ensure that every student has an opportunity for a college education before we raise our pay.

The infrastructure across our country is crumbling. However, this body narrowly defeated a proposal earlier this year to increase spending for the infrastructure. The Republican leadership has made it clear to members of the Transportation and Infrastructure Committee that BESTEA will break the budget agreement and that they will oppose this legislation, even though there is additional money in the highway trust fund. They want to continue to use the trust fund to mask the size of the deficit on the one hand, but on the other they are willing to raise our pay. Their logic doesn't make any sense. Why should we pass legislation to benefit 535 people when we can't get an agreement that will benefit millions of people?

The Taxpayer Relief Act raised the estate tax exemption from $600,000 to $1 million by the year 2007. There should be no estate tax. We should not be raising our pay until we have eliminated this punitive tax. Why should we pass legislation to benefit 535 people when we can't get an agreement to protect a family farm?

When I introduced my bill, I said that I hoped my fellow Members would join me in opposing a congressional pay raise until we have taken care of the people. Mr. Chairman, it seems to me that we have not taken care of the people. I can only hope that the conferees will accept the Senate language and deny this disingenuous attempt at a pay raise.

Mrs. MORELLA. Mr. Chairman, I would like to thank the gentleman from Arizona, the distinguished chairman of the Treasury, Postal Appropriations Subcommittee, and the gentleman from Florida, the distinguished chairman of the Civil Service Subcommittee, for pledging to resolve an issue that is very important to me.

In the course of our discussions about this bill, we have all agreed to resolve the issue of pay equity between administrative appeals judges and administrative law judges. I appreciate the good work that the chairman has done on this bill. He knows that I would have liked to have offered an amendment on this subject, but I appreciate his desire to resolve pay equity issues through the authorizing committee, in this case, the Civil Service Subcommittee on Government Reform and Oversight, on which I serve. It is important to raise

this issue, however, during consideration of this legislation that addresses so many Federal employee issues, and I appreciate Mr. KOLBE and Mr. MICA's pledge to resolve this issue.

Last spring, along with my colleague TOM DAVIS, I wrote to OPM in hopes that they could resolve this issue. Unfortunately, they could not; we need a legislative solution to resolve this problem. As you know, there are 23 administrative appeals judges at the Social Security Administration. These judges review numerous decisions made by administrative law judges, yet they are not compensated at the same level. The appeals council is now the only administrative appellate body whose members are paid less than the judges whose orders and decisions they review. Historically, AAJ's and ALJ's have been compensated at the same level, but in 1990, when we passed the Federal Employees Pay Comparability Act, the Congress did not include administrative appeals judges in the new administrative law judges special pay category. What I want to do is simply ensure that administrative appeals judges are paid at the same level as those judges whom they review, administrative appeals judges.

I thank Chairman MICA for his commitment to finally resolve this issue in the Civil Service Subcommittee. I look forward to working with him in this endeavor.

Mr. KUCINICH. Mr. Chairman, I rise in support of striking section 413 of H.R. 2378. As a former local official, I know that every dollar counts, and that local taxpayers are being asked to shoulder an ever-increasing burden of services the Federal Government no longer provides. That is why I support a money saving program for local and State governments, and why I now support striking its repeal in this appropriations bill.

The cooperative purchasing program, which Congress passed into law in 1994—section 1555 of the Federal Acquisition Streamlining Act—was designed to allow local and State governments, school districts, and public hospitals to purchase goods and services at the super-discounted Federal rate, saving local taxpayers hundreds of millions of dollars per year. But special interests have manipulated the legislative process in order to repeal the program and block local entities from getting the most for their tax dollars. They would have Washington let local governments be fleeced.

Here's how the cooperative purchasing program is supposed to work: A school district has to purchase computers, chalkboards and basic furniture. Thanks to the cooperative purchasing program, the school district could buy the supplies and services it needed directly from vendors at the discounted prices the General Services Administration [GSA] negotiated. GSA is the procurement agency for the Federal Government.

These GSA-negotiated prices are often the lowest anywhere. The Federal Government is a very large consumer of all kinds of goods and services. That is why it is able to negotiate discounted prices. The 1994 law simply allowed State and local governments and public agencies to benefit from those prices. It is a good example of allowing government officials to think and act efficiently.

Nursing homes and public hospitals would also benefit, since they must purchase equipment, medical devices, and life-saving drugs for elderly citizens and the ill, especially people with AIDS. Basic local government would also operate more efficiently and less expensively, since local governments could purchase many products and services at discounted prices, saving State and local taxpayers billions of dollars.

Initiated by the National Performance Review, led by Vice President Gore, cooperative purchasing aims to bring efficient practices to local and State governments without onerous regulations or government mandates. If for some reason a locality did not want to use the cooperative purchasing program, it would not have to. Cooperative purchasing is also completely voluntary for industry, and it costs the Federal Government nothing.

The bottom-line savings would be realized by local taxpayers, who pay the bill of local government. A pilot project in West Virginia demonstrated that police departments could purchase cruisers at the GSA discount price, saving local governments close to 10 percent. Furniture is available at a discount of 25 percent. Pharmaceuticals and medical devices are available at up to a 37 percent savings.

Athough saving money for local taxpayers is a good idea, there are those who oppose it. Certain industry groups benefit from government inefficiency and would like nothing more than to have the law repealed. The pharmaceutical industry wants to see the program repealed, because cooperative purchasing would entitle public hospitals and AIDS clinics to significant discounts on life-saving drugs—why sell AIDS drugs at a life-saving discount when you can sell at full price? The medical equipment industry is also mobilizing against the discounts.

I believe that a reasonable policy is to allow willing industries to participate in the cooperative purchasing program. Indeed, it has received support from a group of Fortune 500 backers, especially in the computer and software industry. In addition, every major association of elected and appointed officials has endorsed the cooperative purchasing program, from mayors to Governors, from school boards to regional hospitals.

Local police departments benefit from a similar, voluntary program administered by the Department of Defense. That program faced initial resistance from certain industry groups, but it has blossomed into a program where hundreds of local police departments are able to purchase police cars, bullet-proof vests, and other crime fighting equipment at money-saving prices.

Strong interest groups have spent large amounts in political contributions to kill the cooperative purchasing program, without even a hearing or congressional debate. Repeal of cooperative purchasing is tantamount to a tax increase on every resident in America.

We have a way to reduce the cost of government. It's called the cooperative purchasing program. Today, the House will keep this idea and this program alive by striking its repeal with a point of order. Let us hope that the House conferees may see to it to preserve the program in conference with the other body.

Mr. PORTER. Mr. Chairman, I am disappointed that this bill has been considered in a manner that has led to the language repealing section 1555 of the Federal Acquisition Streamlining Act being stricken on a point of order.

Mr. Chairman, section 1555 sounds like a good idea, but like many efforts to control the marketplace through Government price fixing, it can trigger certain law of unintended consequences. The most basic unintended consequence is pretty simple to understand—instead of leading suppliers to lower their prices charged to State and local buyers, section 1555 will lead them to raise their prices to the Federal Government. What else can be expected when the Government suddenly decrees that a discount price available to a volume buyer who constitutes 3 to 4 percent of a manufacturer's sales volume must be provided to perhaps to 30 to 40 percent of that manufacturers sales volume?

Mr. Chairman, this law should be repealed and I am certain that the votes to do so exist in this body. It is unfortunate that the provision has been removed in this manner. I urge the conferees to recede to the Senate on this issue and I am certain that a conference report repealing this unfortunate law would receive overwhelming support in the House.

Mrs. ROUKEMA. Mr. Chairman, I rise to express deep regret that the committee bill for FY 1998 would not permit waiver under the rules.

My amendment would have required the creation and enforcement of new standards of security for the firearms inventories of federally licensed gun dealers. Let me explain to the committee why this amendment is so important. First, this amendment will not infringe on the rights of any gun owner to buy a gun. This amendment only creates new Federal guidelines to secure the inventories of firearms in gun shops. It, in fact, makes gun shops safer for gun owners to go and buy a new gun.

Second, this amendment meets a pressing need to make our neighborhoods and streets safer from criminals who use guns stolen from gun shops to commit horrible crimes. On April 19, 1997, a young man named Georgio Gallara age 24 was working at Tony's Pizza and Pasta, a new small business he owned in Sussex County NJ. He was joined by his employee, 22-year-old Jeremy Giordano to go on a pizza delivery. When they arrived to deliver the pizzas, they were brutally gunned down, being shot eight times in the head and neck. When police arrested two men for the murders they found that the gun used in the crime was stolen from a local sporting goods store a couple of weeks earlier.

Guns stolen from gun shops have become a major crime problem in our communities. Since September 1994, licensed firearms dealers have reported 23,775 guns stolen, lost, or missing to the BATF. Up to 32 percent of firearms used in the commission of a crime are obtained by the criminal directly by theft. Stolen guns are a serious threat to our safety.

This amendment will require the BATF, under the direction of the Secretary of Treasury, to create security standards for gun dealers. Gun inventories will have to be secured within the store in order to prevent a common thief from stealing them. Store owners use a safe to put their money in at the end of the business day. Store owners do not leave valuable inventories sitting in window displays vulnerable to smash and grab robberies. Why shouldn't we require gun dealers to secure their inventories especially when so many guns are stolen and used in crimes.

This amendment is based on common sense. Any law abiding gun owner should welcome this improvement as a real means of reducing crime. Critics may call this another

form of gun control, but the only guns this amendment controls are the ones in the hands of violent criminals. Based on this, Mr. Chairman, I ask that my amendment be Treasury/Postal appropriations bill of 1997.

Mr. Chairman, this issue will not go away. I an others will use every means of persuasion to urge the Judiciary Committee to take this up on an expedited basis.

A copy of my amendment follows:

Page 101, after line 18, insert the following:

MINIMUM SAFETY AND SECURITY STANDARDS FOR GUN SHOPS

SEC. 633. (a) IN GENERAL.—Section 923 of title 18, United States Code, is amended hereafter by adding at the end the following:

''(m) SAFETY AND SECURITY STANDARDS FOR GUN SHOPS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary of the Treasury, action through the Director of the Bureau of Alcohol, Tobacco, and Firearms, shall issue final regulations that establish minimum firearm safety and security standards that shall apply to dealers who are issued a license under this section.

''(2) MINIMUM STANDARDS.—The regulations issued under this subsection shall include minimum safety and security standards for—

''(A) a place of business in which a dealer covered by the regulations conducts business or stores firearms;

''(B) windows, the front door, storage rooms, containers, alarms, and other items of a place of business referred to in subparagraph (A) that the Secretary of the Treasury, acting through the Director of the Bureau of Alcohol, Tobacco and Firearms, determines to be appropriate; and

''(C) the storage and handling of the firearms contained in a place of business referred to in subparagraph (A).''.

(b) INSPECTIONS.—Section 923(g)(1) of title 18, United States Code, is amended hereafter—

(1) in subparagraph (A)—

(A) in clause (i), by striking '', and'' and inserting a semicolon;

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

(C) by adding at the end the following:

''(iii) with respect the place of business of a licensed dealer, the safety and security measures taken by the dealer to ensure compliance with the regulations issued under subsection (m).''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''and the place of business of a licensed dealer'' after ''licensed dealer'';

(B) in clause (ii), by striking ''or'' at the end;

(C) in clause (iii), by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(iv) not more than once during any 12-month period, for ensuring compliance by a licensed dealer with the regulations issued under subsection (m).''.

(c) PENALTIES.—Section 924(a)(1) of title 18, United States Code, is amended hereafter—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) being a licensed dealer, knowingly fails to comply with any applicable regulation issued under section 923(m); and''.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I insert this letter into the RECORD, concerning H.R. 2378, Treasury-Postal Service appropriations for fiscal year 1998.

SEPTEMBER 8, 1997.

DEAR REPRESENTATIVE: In late-July, during mark-up of the Fiscal Year 1998 Treasury-Postal Service-General Government Appropriations bill, the Appropriations Committee accepted an amendment that would allow foreign governments to export to the United States for commercial sale, millions of military weapons the United States previously made available to foreign countries through military assistance programs.

For a range of public health and safety, national security, and taxpayer reasons, we strongly urge you vote to delete this provision from the Fiscal Year 1998 Treasury-Postal Service-General Government Appropriations bill.

Supporters of this amendment describe it as an innocuous measure which simply allows the importation of some obsolete ''curios and relics.'' In reality, the amendment would allow the import of an estimated 2.5 million weapons of war, including 1.2 million M1 carbines. The M1 carbine is a semi-automatic weapon that can be easily converted into automatic fire and comes equipped with a 15–30 round detachable magazine.

THIS IS A PUBLIC SAFETY ISSUE: Although the backers of the provision claim that these World War II era weapons are now harmless ''curios and relics'', in reality they remain deadly assault weapons. According to the Bureau of Alcohol, Tobacco, and Firearms, the M1 Carbine can easily be converted into a fully-automatic assault rifle. For this reason, the Department of Defense has refused to sell its surplus stocks of these weapons to civilian gun dealers and collectors in the United States.

According to Raymond W. Kelley, the Treasury Department's Under-Secretary for Enforcement, the inflow of these weapons will drive down the price of similar weapons, making them more accessible to criminals. Already, during 1995–1996, ATF has traced 1,172 M1911 pistols and 639 M1 rifles to crimes committed in the United States.

THIS IS A GOVERNMENT OVERSIGHT CONCERN: Nearly 2.5 million of these weapons were given or sold as ''security assistance'' to allied governments. Under United States law, recipients of American arms and military aid must obtain permission from the United States government before retransferring those arms to third parties. Setting a dangerous precedent, this amendment fundamentally undercuts the ability of the United States government to exercise its right of refusal on retransfer of United States arms.

The Reagan, Bush, and Clinton Administrations have all barred imports of these military weapons by the American public. The Appropriations bill explicitly overrides this policy, prohibiting the government from denying applications for the importation of ''U.S. origin ammunition and curio or relic firearms and parts.'' In effect, the provision would force the Administration to allow thousands of M1 assault rifles and M1911 pistols into circulation with the civilian population, thereby not only threatening public safety but also undermining governmental oversight and taxpayer accountability.

This is also a taxpayer concern. The amendment also presents a windfall of millions of dollars to foreign governments and United States gun dealers. The amendment effectively terminates a requirement that allies reimburse the United States treasury if they sell United States-supplied weapons. According to ATF, each M1 Carbine, M1 Garand rifle, and M1911 pistol currently sells for about $300–500 in the United States market. The South Korean, Turkish, and Pakistani governments and militaries stand to make millions from the resale of these weapons. South Korea has 1.3 million M1 Garands and Carbines, while the Turkish military and police have 136,000 M1 Garands and 50,000 M1911 pistols. These weapons were originally given free, or sold at highly subsidized rates, or retrieved as ''spoils of war.'' The United States Department of Defense does not sell these lethal weapons on the commercial market for profit. Why should we allow foreign governments to do so?

Again, we strongly urge you vote to delete this provision from the Fiscal Year 1998 Treasury-Postal Service-General Government Appropriations bill.

Thank you.

American College of Physicians; American Friends Service Committee, James Matlack, Director, Washington Office; American Jewish Congress, David A. Harris, Director, Washington Office; American Public Health Association, Mohammad Akhter, M.D., Executive Director; Americans for Democratic Action, Amy Isaacs, National Director; British American Security Information Council, Dan Plesch, Director; Ceasefire New Jersey, Bryan Miller, Executive Director; Children's Defense Fund.

Church of the Brethren, Washington Office, Heather Nolen, Coordinator; Church Women United, Ann Delorey, Legislative Director; Coalition to Stop Gun Violence, Michael K. Beard, President; Community Healthcare Association of New York State, Ina Labiner, Executive Director; Concerned Citizens of Bensonhurst, Inc., Adeline Michaels, President; Connecticut Coalition Against Gun Violence, Sue McCalley, Executive Director; Demilitarization for Democracy; Episcopal Peace Fellowship, Mary H. Miller, Executive Secretary.

Federation of American Scientists, Jeremy J. Stone, President; Friends Committee on National Legislation, Edward (Ned) W. Stowe, Legislative Secretary; General Federation of Women's Clubs, Laurie Cooper, GFWC Legislative Director; Handgun Control, Inc., Sarah Brady, Chair; Independent Action, Ralph Santora, Political Director; Iowans for the Prevention of Gun Violence, John Johnson, State Coordinator; Legal Community Against Violence, Barrie Becker, Executive Director; Lutheran Office for Government Affairs, ELCA, The Rev. Russ Siler; Mennonite Central Committee, Washington Office, J. Daryl Byler, Director.

National Association of Children's Hospitals & Related Institutions, Stacy Collins, Assoc. Director, Child Health Improve; National Association of Secondary School Principals, Stephen R. Yurek, General Counsel; National Black Police Association, Ronald E. Hampton, Executive Director; National Coalition Against Domestic Violence, Rita Smith, Executive Director; National Commission for Economic Conversion and Disarmament, Miriam Pemberton, Director; National Council of the Churches of Christ in the U.S., Albert M. Pennybacker, Director, Washington Office; National League of Cities; New Hampshire Ceasefire, Alex Herlihy, Co-Chair.

New Yorkers Against Gun Violence, Barbara Hohlt, Chair; Orange County Citizens for the Prevention of Gun Violence, Mary Leigh Blek, Chair; Peace Action, Gordon S. Clark, Executive Director; Pennsylvanians Against Handgun Violence, Daniel J. Siegel, President; Physicians for Social Responsibility, Robert K. Musil, PhD., Executive Director; Presbyterian Church (U.S.A.), Washington Office, Elenora

Giddings Ivory, Director; Project on Government Oversight, Danielle Brian, Executive Director; Saferworld, Peter J. Davies, U.S. Representative.

Texans Against Gun Violence-Houston, Dave Smith, President; Unitarian Universalist Association of Congregations, The Rev. Meg A. Riley, Director, Washington Office for Faith In Action; U.S. Conference of Mayors; Unitarian Universalist Service Committee, Richard S. Scobie, Executive Director; Virginians Against Handgun Violence, Alice Mountjoy, President; WAND (Women's Action for New Directions), Susan Shaer, Executive Director; Westside Crime Prevention Program, Marjorie Cohen, Executive Director; YWCA of the U.S.A., Prema Mathai-Davis, Chief Executive Off; 20/20 Vision, Robin Caiola, Executive Director.

Ms. MILLENDER-McDONALD. Mr. Chairman, I would like to thank the distinguished chairman and ranking member for their work in securing adequate funding for some essential antidrug initiatives. I am particularly proud to support the drug free communities matching grants, which will help community coalitions in the 37th District of California and throughout the country address the Nation's drug problem.

From 1991 to 1996, the proportion of eighth-graders using an illicit drug more than doubled from 11 to 24 percent. Ten years ago, 18.6 percent of high school students reported using at least one illicit drug over the course of a year, and now, 29 percent of high school students report using at least one illicit drug. That is a 58.6-percent increase.

Thanks to the drug-free communities grants, we can change these numbers and parents, teachers, churches, and entire communities can come together to prevent, treat and ultimately, end drug abuse. Creating opportunities for community coalitions to overcome the problem of drug abuse is essential in our effort to maintain and strengthen communities in the 37th District of California, and throughout the entire country.

Mr. MICA. Mr. Chairman, I would like to thank the authors of this bill for their work in increasing funding for drug enforcement activities.

One million dollars in funding for the designation of central Florida as a High Intensity Drug Trafficking Area [HIDTA] has been provided in the House Treasury, Postal Service and General Government appropriations bill. I made this request because I feel it is necessary that we commit every available resource to combat the drug scourge in central Florida.

A HIDTA designation would provide additional resources to help better coordinate Federal, State, and local drug activities. My intent is to support local efforts to combat the influx of drugs and the attending crime that results.

In the Orlando area, heroin overdose deaths went from zero in 1993 to 30 last year. More teens died locally of overdoses than almost any other major U.S. city. So you can see the situation we are in. In fact, my area in Orlando also ranked second behind Miami in total cocaine deaths in Florida. This situation has deteriorated to such an extent in Florida that I have asked our drug czar, Barry McCaffrey, to cooperate in qualifying central Florida as a HIDTA which would bring much needed resources to our area and into our State.

There already are HIDTA's operating in many cities and regions throughout the country—including a successful program in Miami—and they have proved successful in aiding with command and control, manpower and funding issues. Your support for adding central Florida to the HIDTA list guarantees that Florida will continue to have adequate funding to battle the increasing amount of illegal drugs that are trafficking through our state.

Following are additional alarming statistics about drug use which argue for strengthening our resolve to winning the war on drugs for the sake of our children:

1997 CASA (NATIONAL CENTER ON ADDICTION AND SUBSTANCE ABUSE AT COLUMBIA UNIVERSITY) SURVEY OF PUBLIC OPINION

By the Time Middle School Students Reach 13—

40% know someone who has used acid, cocaine or heroin.

29% can buy marijuana within a day; 12% can buy marijuana within an hour or less.

27% have friends who use marijuana.

1 in 4 have attended a party in the last six months where marijuana was available.

15% have witnessed the sale of drugs in their neighborhood.

1 in 10 have a schoolmate who died because of drugs or alcohol.

1997 CASA (NATIONAL CENTER ON ADDICTION AND SUBSTANCE ABUSE AT COLUMBIA UNIVERSITY) SURVEY OF PUBLIC OPINION

By the Time High School Students Reach 17.

Almost 3 out of 4 know someone personally who uses acid, cocaine or heroin.

Two thirds can buy marijuana within a day; 44% within an hour or less.

62% have friends who use marijuana; 21% will say more than half of their friends use marijuana; 34% say at least half of their friends use marijuana.

60% have attended a party in the past six months where marijuana was available; for 30%, more than half of the parties they attend have marijuana.

Half have personally seen drugs sold on their school grounds.

One third have witnessed the sale of drugs in their neighborhood.

1 out of 4 have a schoolmate who died because of drugs or alcohol.

Only 1 in 4 are willing to report a drug user in their school to school officials.

Mr. KOLBE. Mr. Chairman, I move the Committee do now rise and report the bill back to the House, with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SMITH of New Jersey) having assumed the chair, Mr. LATOURETTE, Chairman pro tempore 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. 2378) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 192, not voting 10, as follows:

[Roll No. 403]

YEAS—231

Abercrombie
Ackerman
Andrews
Archer
Armey
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Callahan
Calvert
Camp
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cook
Coyne
Crapo
Cummings
Davis (IL)
DeGette
Delahunt
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Farr
Fattah
Fawell
Fazio
Filner
Flake
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Green
Greenwood
Hall (OH)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefner
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Hunter
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McKeon
McNulty
Meehan
Meek
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne
Pelosi
Pickering
Pickett
Pomeroy
Porter
Quinn
Rahall
Rangel
Regula
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sawyer
Scott
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stark
Stokes
Stupak
Tanner
Tauzin
Taylor (NC)
Thomas
Tierney
Torres
Towns

Traficant
Upton
Velazquez
Vento
Walsh
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Wicker
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—192

Aderholt
Allen
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (WI)
Becerra
Berry
Bono
Boswell
Brady
Bryant
Bunning
Burr
Campbell
Canady
Cannon
Capps
Carson
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Condit
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Deal
DeFazio
DeLauro
Deutsch
Dickey
Duncan
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Foley
Forbes
Ford
Fox
Franks (NJ)
Gejdenson
Gibbons
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hooley
Hostettler
Hulshof
Hutchinson
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kelly
Kennedy (RI)
Kennelly
Kildee
Kind (WI)
Klug
Kucinich
LaHood
Lampson
Largent
Lazio
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manzullo
McCarthy (MO)
McInnis
McIntosh
McIntyre
McKinney
Menendez
Metcalf
Minge
Moran (KS)
Myrick
Nethercutt
Neumann
Northup
Norwood
Pappas
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pitts
Pombo
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Redmond
Reyes
Riggs
Riley
Rivers
Rogan
Rohrabacher
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Shimkus
Slaughter
Smith (MI)
Smith, Adam
Snowbarger
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tauscher
Taylor (MS)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Turner
Visclosky
Wamp
Watkins
Watts (OK)
Weller
Weygand
Whitfield
Wise

NOT VOTING—10

Davis (VA)
Foglietta
Furse
Gonzalez
Goss
Oberstar
Schiff
Smith, Linda
White
Yates

☐ 1544

Messrs. GRAHAM, BRYANT, JENKINS, RADANOVICH, LAMPSON, BOSWELL, CRAMER, BARCIA, PETERSON of Minnesota, FRANKS of New Jersey, and GIBBONS, Ms. NORTHUP, and Messrs. MCINNIS, POSHARD, PRICE of North Carolina, ETHERIDGE, and HINOJOSA, Ms. LOFGREN, and Messrs. SCHUMER, THOMPSON, PITTS, and BONO, Mrs. CUBIN, Mrs. TAUSCHER, and Messrs. HALL of Texas, CHAMBLISS, BAESLER, WATTS of Oklahoma, FORD, REYES, GOODLING, DEUTSCH, DICKEY, STENHOLM, LAZIO of New York, SESSIONS, KENNEDY of Rhode Island, and COX of California changed their vote from ''yea'' to ''nay''.

Mr. MCGOVERN, Mr. PAYNE and Ms. PELOSI changed their vote from ''nay'' to ''yea.''

☐ 1545

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2160, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, Wednesday, September 17, 1997, to file a conference report on the bill (H.R. 2160) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1998, and for other purposes.

This request has been cleared by the minority.

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

There was no objection.

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.

RECORDED VOTE

Mr. MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 57, noes 359, not voting 17, as follows:

[Roll No. 404]

AYES—57

Allen
Andrews
Barrett (WI)
Barton
Berman
Berry
Bonior
Cardin
Clayton
Coburn
Conyers
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Emerson
Eshoo
Fazio
Filner
Ford
Frank (MA)
Gephardt
Goodling
Hilleary
Hinchey
Jackson (IL)
Kaptur
Largent
Levin
Lewis (GA)
Lowey
Markey
McNulty
Miller (CA)
Mink
Moakley
Olver
Owens
Pallone
Pastor
Pelosi
Sanford
Shadegg
Skaggs
Slaughter
Spratt
Stark
Torres
Towns
Vento
Waters
Waxman
Woolsey

NOES—359

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
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
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Payne
Pease
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
Riggs
Riley

Rivers	Sherman	Thompson
Rodriguez	Shimkus	Thornberry
Roemer	Shuster	Thune
Rogan	Sisisky	Thurman
Rogers	Skeen	Tiahrt
Rohrabacher	Skelton	Tierney
Ros-Lehtinen	Smith (MI)	Traficant
Rothman	Smith (NJ)	Turner
Roukema	Smith (OR)	Upton
Roybal-Allard	Smith (TX)	Velazquez
Royce	Smith, Adam	Visclosky
Rush	Smith, Linda	Walsh
Ryun	Snowbarger	Wamp
Sabo	Snyder	Watkins
Salmon	Solomon	Watt (NC)
Sanchez	Souder	Watts (OK)
Sanders	Spence	Weldon (FL)
Sandlin	Stearns	Weldon (PA)
Sawyer	Stenholm	Weller
Saxton	Stokes	Wexler
Scarborough	Strickland	Weygand
Schaefer, Dan	Stump	Whitfield
Schaffer, Bob	Stupak	Wicker
Schumer	Sununu	Wise
Scott	Talent	Wolf
Sensenbrenner	Tanner	Wynn
Serrano	Tauzin	Young (AK)
Sessions	Taylor (MS)	Young (FL)
Shaw	Taylor (NC)	
Shays	Thomas	

NOT VOTING—17

Ackerman	Goss	Schiff
Dicks	Hefner	Stabenow
English	Houghton	Tauscher
Foglietta	Lewis (CA)	White
Furse	Moran (VA)	Yates
Gonzalez	Neal	

□ 1605

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2029

Mr. PAUL. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Florida [Mr. HASTINGS] be removed as cosponsor of my bill, H.R. 2029, the Selective Service Registration Privacy Act of 1997. His name was placed on this legislation in error.

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

There was no objection.

SPECIAL ORDERS

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

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

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

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

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

IN SUPPORT OF DIVERSITY IN HIGHER EDUCATION

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

Mr. DOGGETT. Mr. Speaker, I rise this afternoon in solidarity with several thousand students at the University of Texas who yesterday were on the main mall there in front of the tower at the University of Texas to express their concerns about the need for diversity in education throughout the University of Texas system and, in particular, to express their concerns about some very unfortunate comments that were made in the previous week by a member of the University of Texas faculty.

Indeed, to call them unfortunate is quite charitable. Because it appeared to me that masquerading under some form of pseudo-intellectualism, these comments demeaned African-American and Hispanic-American students, their families, and many hard-working Texan taxpayers that finance the University of Texas system and have every reason to be concerned when those who are attending the University of Texas, those who are teaching at the University of Texas, do not reflect the rich diversity of our State.

I know, from my own experience as a lifelong Texan, that the comments that were made by that professor are quite contrary to reality. Some of the hardest working people that I see, some of the people that I see in the central Texas area most concerned with educational advancement and contributing to our community, are people that were unfortunately and unwisely and unfairly attacked during the last week by the comments of that University of Texas professor.

Putting those comments behind us must be done in the context of moving forward at the university to try to assure most diversity. An all-white university is not going to be a university that gives its students, white, brown, black, yellow, or any other color, a sense of what it is to participate in a diverse society and to compete economically in the global marketplace that involves tremendous diversity.

So, for the future of all of us, without regard to race or ethnicity, we need a university educational system across this country that assures that every American has an opportunity to participate, and that puts behind us the racist days of the past and looks forward to working together to provide that educational opportunity for our citizens.

Mr. Speaker, I also wish this afternoon to address a second issue that came up on the floor today and a very closely related issue that needs to come up in the future. Today we had a very interesting matter come up. In fact, it consumed only about 10 minutes of time. And that 10 minutes, without prior announcement, dealt with a little matter of a $50 billion tax break that was stuck into page 300-and-some-odd of the balanced budget agreement to give a $50 billion tax break that was never discussed for 1 second on the floor of this Congress, in either the House or the Senate, to the major tobacco companies of this country.

□ 1615

I think it no coincidence that those same tobacco companies that got a $50 billion tax break at the expense of the rest of the American taxpayers, that they just happened to be very involved in the political process. In fact, as I looked over the figures, the No. 1 and the No. 2 corporate contributors were tobacco companies in soft money to the Republican Party this year. Though certainly not anywhere near as much as to the Republicans, they gave an ample amount of soft money to the Democratic Party as well.

It seems to me that what makes Americans cynical about the way this Congress works is to see that kind of thing happen, where hundreds of thousands of dollars, in fact I think the tobacco companies in the first 6 months of this year gave about $2 million in soft money to political parties, and then in month 7, not coincidentally in month 7, they get a $50 billion tax break.

What was particularly strange about this situation is that while no one would claim the parentage, the paternity, for this tax break, that today suddenly by unanimous consent it is now gone, and I think it tells us a lot about where we are headed as we consider this tobacco settlement that has been proposed, as we consider other issues that concern the tobacco industry. We need to have them exposed in the full light of day rather than handled in the back room.

The second thing it tells us is that we have a very, very strong need for full and complete campaign finance reform. Many of us have been out here day in and day out since we came back in September saying, give us campaign finance reform now. Only Monday in Georgia, Speaker GINGRICH was again saying he was opposed to doing that. It will only be by the demand of the American people that we get that changed.

IN MEMORY OF BILL BURNS, PITTSBURGH BROADCASTING ICON

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

Mr. KLINK. Mr. Speaker, I rise today on the floor of the House to lament the death and to pay tribute to a gentleman who for literally millions of people in the Pittsburgh region has been a father figure, has been a source of information and inspiration. His name is William Michael Burns.

Bill Burns, as he was known to so many of his viewers on the television

news, was for 40 years a television personality and was really the anchor and the conscience of many television journalists in a medium that was just finding itself in the 1950's and the 1960's, in the 1970's and the 1980's when Bill Burns came to anchor many of the newscasts on KDKA–TV, the CBS affiliate in Pittsburgh. It was my honor during the last 12 years of Bill's career to sit very near him, to learn from him and to work with him in that very same newsroom.

Bill Burns has passed away after so many years and is really an icon to those people in broadcasting. Walter Cronkite has said of Bill Burns that he could have come to New York to be with the network any time he wanted to, but the problem with Bill Burns, if there was indeed a problem, was that Pittsburgh was his home. It was where he always wanted to live. It was the community that he loved. It was where he wanted to serve.

Bill Burns was born in the tiny town of Houtzdale, PA, in Clearfield County. I remember doing news stories there myself when I was a young cub reporter at channel 10 in Altoona. He always joked about the fact that here he was, a used sewing machine salesman from Houtzdale, PA, and Uncle Sam gave him a gun, let him off a boat near Normandy, and told him to take on the Third Reich's greatest army. He bore the injuries of a very heavy, deep shrapnel wound to his leg. He was awarded the Purple Heart and carried a brace on that leg for the rest of his life.

It was always amazing as he carried his 6-foot-plus carriage into any news conference the respect that he commanded not only from his fellow reporters both in the print and in electronic journalism, but from the people that he interviewed as well. One newscaster, another friend of mine, Adam Lynch, talked about the story when they were all standing in an area waiting for people to come out to give them an interview and the police said to all the reporters, ''You have to stay here.'' Here comes Bill Burns with that leg brace on and that stoic walk that he had, brisked right by all of these people that were behaving dutifully, having been told to wait in a specific place. A uniformed police officer reached over and opened the door and allowed Bill Burns to go in the room. He was the only reporter that was able to have access and to get the story.

He was respected because he cared about not only delivering the news, but he cared so much about the community and the accuracy of the news that he reported. If only just a small part of that honesty and integrity that Bill Burns represented to television journalism were to exist throughout that medium today, it would be a much finer medium.

Those of us who were young reporters, who had to labor under a tough taskmaster, know that when you had to go out in the Pittsburgh market, and particularly working at KDKA with Bill Burns, and you had to cover a news story, if you could answer the questions that Bill had for you when you got back from the story, there was no problem facing the television audience that night. He was fantastic at debriefing a reporter, making sure that before you came on his newscast, that you knew what it was you were talking about, that you had done the A's, the B's and the C's of good news gathering.

And, in fact, right up to his retirement in 1989, he worked many hours every day, 5, 6, 7 days a week if he was needed, well into his seventies. If the reporters who were on the street every day had a problem gathering a news story, if they did not know who to talk to or where to go, all they had to do was talk to Bill Burns. Bill had contacts.

He was respected very much throughout the entire community by those who worked with him, those who competed against him. In fact, Bill Burns commanded the ratings in the city of Pittsburgh. I do not think that any major television news market will ever be dominated again by one particular person. It was not unlike Bill Burns to be able to achieve numbers of 60, 65 percent of the television viewing audience watching his noon newscast.

One of the greatest moments I know in Bill Burns' life came back on October 18, 1976, the year of our Nation's bicentennial, when he was able to sit shoulder to shoulder with his daughter Patty Burns. They anchored the news together. It was jokingly called the Patty and Daddy Show.

To his daughter Patty Burns, who is a wonderful lady and a great friend, I wish her all of our sympathies. To his son Michael, I wish them all of our sympathies. We will miss Bill Burns. We will miss that arching eyebrow as he gave us the news. That, of course, will never happen again.

To Bill Burns1, wherever he is, I would like to say, good night, good luck, and good news tomorrow.

FEDERAL BUREAUCRATS ON THE RISE

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

Mr. PAUL. Mr. Speaker, earlier this year, another Member severely criticized me on the House floor for declaring on C-SPAN that indeed many Americans justifiably feared their own government. This fear has come from the police state mentality that prompted Ruby Ridge, Waco and many other episodes of an errant Federal Government.

Under the constitution, there was never meant to be a Federal police force. Even an FBI limited only to investigations was not accepted until this century. Yet today, fueled by the Federal Government's misdirected war on drugs, radical environmentalism, and the aggressive behavior of the nanny state, we have witnessed the massive buildup of a virtual army of armed regulators prowling the States where they have no legal authority. The sacrifice of individual responsibility and the concept of local government by the majority of American citizens has permitted the army of bureaucrats to thrive.

We have depended on government for so much for so long that we as people have become less vigilant of our liberties. As long as the government provides largesse for the majority, the special interest lobbyists will succeed in continuing the redistribution of welfare programs that occupies most of Congress's legislative time.

Wealth is limited, yet demands are unlimited. A welfare system inevitably diminishes production and shrinks the economic pie. As this occurs, anger among the competing special interests grows. While Congress and the people concentrate on material welfare and its equal redistribution, the principals of liberty are ignored, and freedom is undermined.

More immediate, the enforcement of the interventionist state requires a growing army of bureaucrats. Since groups demanding special favors from the Federal Government must abuse the rights and property of those who produce wealth and cherish liberty, real resentment is directed at the agents who come to eat out our substance. The natural consequence is for the intruders to arm themselves to protect against angry victims of government intrusion.

Thanks to a recent article by Joseph Farah, director of the Western Journalism Center of Sacramento, CA, appearing in the Houston Chronicle, the surge in the number of armed Federal bureaucrats has been brought to our attention. Farah points out that in 1996 alone, at least 2,439 new Federal cops were authorized to carry firearms. That takes the total up to nearly 60,000. Farah points out that these cops were not only in agencies like the FBI, but include the EPA, U.S. Fish and Wildlife, and the Army Corps of Engineers. Even Bruce Babbitt, according to Farah, wants to arm the Bureau of Land Management. Farah logically asks, ''When will the NEA have its armed art cops?'' This is a dangerous trend.

It is ironic that the proliferation of guns in the hands of the bureaucrats is pushed by the antigun fanatics who hate the second amendment and would disarm every law-abiding American citizen. Yes, we need gun control. We need to disarm our bureaucrats, then abolish the agencies. If government bureaucrats like guns that much, let them seek work with the NRA.

Force and intimidation are the tools of tyrants. Intimidation with government guns, the threat of imprisonment, and the fear of harassment by government agents puts fear into the hearts of millions of Americans. Four

days after Paula Jones refused a settlement in her celebrated suit, she received notice that she and her husband would be audited for 1995 taxes. Since 1994 is the current audit year for the IRS, the administration's denial that the audit is related to the suit is suspect, to say the least.

Even if it is coincidental, do not try to convince the American people. Most Americans, justifiably cynical and untrusting toward the Federal Government, know the evidence exists that since the 1970's both Republican and Democratic administrations have not hesitated to intimidate their political enemies with IRS audits and regulatory harassment.

Even though the average IRS agent does not carry a gun, the threat of incarceration and seizure of property is backed up by many guns. All government power is ultimately gun power and serves the interests of those who despise or do not comprehend the principles of liberty. The gun in the hands of law-abiding citizens serves to hold in check arrogant and aggressive government. Guns in the hands of the bureaucrats do the opposite. The founders of this country fully understood this fact.

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

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

THE STRONG NATIONAL ECONOMY

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

Mr. WELDON of Florida. Mr. Speaker, I rise in the Chamber today to talk about a very important issue to all Americans, and that is our economy, and specifically what I would like to address is some of the questions surrounding why is our economy doing so well.

There are lots of economists, people on Wall Street, who are marveling at the low unemployment rates, the low inflation rate, the very, very strong stock market. Indeed many people are saying that this is the best economy since World War II, possibly one of the best economies in our Nation's history. Why is that? What is going on? What are the causes for this?

□ 1630

In particular, I want to address an issue that a lot of people have been bringing up, is it indeed secondary to the consequences of the policies and programs of the Clinton administration?

I have had the opportunity to hear both the Vice President and the President speak on a number of occasions, and, indeed, taking advantage of the situation with this strong economy and taking some credit for the good times that exist right now.

I would like to just, first of all, begin by extending my opinion that I personally believe the single biggest reason why the economy is as strong as it is right now is because of the hard work of the American people.

It has, in my opinion, little to do with the policies that are emanating from Washington DC, but very much everything to do with people all over this country who are willing to get up in the morning, work hard to make a living, and, in particular, those people who are willing to take a risk and invest some of their hard-earned money in a new business, start a new company or, more importantly, many of the entrepreneurs all over this country who deny themselves pay raises and instead reinvest their money back into their business, and, in so doing, they create new jobs and make the country a better place to live.

Getting back to the issue I was talking about earlier regarding what impact have the policies of the Clinton administration so far on all this, as we all know, the economy began to turn around in 1992, even before the election when Bill Clinton was elected.

There were lots of economic indicators that we were coming out of the recession of the early nineties and that the economy was going to be turning around.

After being elected, the administration put forward its economic stimulus package to help jump start, quote-unquote, the economy, even though it was beginning to take off, and that was defeated in this House. That was one of the centerpiece issues of the economic package.

The other centerpiece piece was their health care plan, and their health care plan additionally was defeated. Their rationale for their health care plan helping the economy, of course, was by lowering health care costs, our businesses would become more competitive.

One of the most compelling reasons why this economy is going so well is revealed in this chart next to me on the left. What is shown here is interest rates, long-term interest rates, and this very much impacts the ability of businesses to borrow money, their competitiveness, their ability to be profitable and reinvest money back into creating new jobs.

After Bill Clinton was elected, interest rates went up and up and up, and that is because budgets were being presented and passed by this House that increased spending, deficits as far as the eye can see.

This line right here demonstrates the November election of 1994. You can see on this chart that interest rates dropped dramatically, almost 2 points, following the election of 1994, when, for the first time in 40 years, you had a Republican Congress that was going to hold the line on spending, you were going to get the budget balanced. And when the Government is not out there borrowing $200 billion every year, the cost of borrowing money goes down, and that not only helps businesses to do better, it helps moms and dads to make ends meet better because they can get a home mortgage for less money, they can buy a car for less money.

Now, interest rates went back up over here, and that was after the government shutdown. Now they have leveled off since then. In my opinion, yes, if you wanted to say who is responsible for this strong economy, it is the hard working American people.

But if anything coming out of this city has played a role in these economic good times that we are in right now, it has been Washington holding the line on spending, getting the budget balanced, and that was a consequence of the Republican Congress coming in and holding the line on spending.

There another dividend of the Government spending less. Interest rates go down, yes, and that makes it easier for businesses to be successful and for families to be able to refinance a home mortgage. But when the Government is not spending so much money, it helps keep the inflation rate low. That is why we have this good situation, a situation that has not existed since the 1950's, the last time there was a Republican Congress, where you have low interest rates, a strong economy, low unemployment rates, and, importantly, low inflation rates, because inflation robs people of their hard-earned money.

So, Mr. Speaker, I have to say that though I believe that this economy is so strong, that there is a lot to be proud of, an economy is a fragile thing, and we need to continue to hold the line on spending, we need to continue to work toward balancing the budget.

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

[Mr. SMITH of Michigan addresed 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 California [Ms. MILLENDER-MCDONALD] is recognized for 5 minutes.

[Ms. MILLENDER-McDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

CLEAN MONEY, CLEAN ELECTIONS BILL

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

Mr. TIERNEY. Mr. Speaker, I rise this afternoon just to speak briefly on the issue of campaign finance reform.

As the Speaker knows, we have had very little opportunity for deliberation and debate of this issue in the current Congress, over the objections of a fair number of people who really believe strongly that the American people deserve and in fact are requesting that Congress deal with this matter.

One of the bills that has been presented of the many bills that are before this Congress that could be debated and deliberated and voted upon this session, if the Republican leadership so desired, is the clean money, clean elections bill which I was proud to sponsor, H.R. 2199.

I would like to take a little bit of this time to explain some of the concepts in this bill so people will understand just what one of the proposals is that could be dealt with in this particular session.

The clean money, clean elections bill would have a privately funded candidate, if so desired, and a publicly funded candidate. That would be the option.

If you are a clean money candidate, or the publicly funded candidate, then the campaign would start six months before your primary date. That is when the effort would begin.

Anything before then would only be an opportunity to collect seed money, so-to-speak, just $35,000 or less in contributions of $100 or less to fund the operation of an office and a campaign staff to help you get your grassroots organization to get together. There would be no money involved in that small seed amount for TV or radio or other advertising.

From that period of six months prior to the primary date onward up until the thirtieth day before the election, one month before the election, candidates would seek to qualify these public funded candidates by collecting a set number of $5 contributions from individual residents of the state.

Once that amount was received and you were qualified for the primary, if in fact you won the primary, you would be qualified for the final. The total amount you could receive as a clean money candidate for the primary and the general election would be 80 percent of the national average of campaign expenditures by all winning House candidates for the previous three election cycles. That amount would be limited and set. In addition, if you opted to be a publicly funded candidate, you would receive TV and radio time free, and that would be compensation to the broadcast companies for the spectrum that they already receive from the American public.

This should be a strong incentive for people to forego the private money chase, to become a member of this system of clean money financing.

Soft money would be prohibited. And, yes, if you elect to have private funding, you can certainly go about and raise as much as you want, but there are strong disincentives for you not to do that.

Issues campaigns run for a private money candidate against a clean money candidate would count toward the private money candidate's sum. If they surpassed the limits allowed in the campaign, the clean money candidate would get offsetting moneys, so that this would always be an evenly balanced campaign.

The five objectives that are basically addressed in this particular bill, Mr. Speaker, are as follows: It would eliminate any perceived and real conflicts of interest caused by the direct financing of campaigns by private interests; it would limit campaign spending by requiring that candidates who choose to participate in the clean money system spend no more money than the fixed amount of funding that they receive; it allows qualified individuals to run for office, regardless of their economic status or their access to large contributors; it frees candidates and elected officials from the burden of the continuous money chase; last, it would shorten the effective length of campaigns by defining the point at which candidates receive clean money financing to pay for campaign expenditures.

Mr. Speaker, this bill creates a voluntary system. Candidates may choose to rely upon private financing, though the system provides strong incentives not to do that. For candidates, it also gets rid of the system of disfavored soft money.

It creates a level playing field. There would be no unilateral disarming of any party. In effect, Mr. Speaker, I find that is generally the complaint of one side of this House or another, that many of the campaign finance bills would disarm unilaterally one faction against the other. That is not the case with this bill. It sets an even, level playing field, so the candidate with the message, with the ability to organize, get their message out, put together a strong grassroots campaign, would be the candidate that would get the voters' attention.

It is, I think, Mr. Speaker, a fact that best organized candidates would prevail, and voters would in fact prevail. They would own back their own electoral process and they would once again have faith and the system would have credibility.

Mr. Speaker, I put that out there as one of the options that are available for people as they wonder why it is that this House under the Republican leadership has not dealt with the issue of campaign finance reform.

I say there are a number of other credible bills up for consideration that deserve a chance to be debated, deserve the deliberation of this great body, and deserve to come to a vote in a meaningful way.

I would urge the Republican leadership to put this matter on the floor of the House before we go home for recess this fall, and I hope that other Members who have presented their bills will take the opportunity to address to the public the substance of their bills so that we can in some fashion have a debate that I think is much deserved and long overdue.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington [Mrs. LINDA SMITH] is recognized for 5 minutes.

[Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

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

PERSIAN GULF WAR SYNDROME STILL A MYSTERY AFTER 6 YEARS

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

Mr. SANDERS. Mr. Speaker, I want to address one of the most important issues facing American veterans and one of the great medical dilemmas facing our entire country, and that is that over 70,000 veterans of the Persian Gulf war, including hundreds in my own State of Vermont, continue to suffer from gulf war illness, and 6 years, 6 years after the completion of that war, there is still no understanding of the cause of that illness and no effective treatment for it.

Mr. Speaker, as you know, the gentleman from Connecticut [Mr. SHAYS], who is the chairman of the Subcommittee on Human Resources, has held 10 hearings on gulf war illness since March, 1996. As a member of that committee, I cannot begin to express the frustration that many of us feel regarding the ineptitude of the Department of Defense and the Veterans Administration in responding adequately and effectively to the needs of those veterans who continue to hurt.

Pure and simple, the bottom line is that 6 years after the end of the Persian Gulf war, the Department of Defense and the Veterans Administration still have not developed an understanding of the cause of gulf war illness or an effective treatment protocol. In fact, their record has been so inadequate that several weeks ago the Presidential Advisory Committee on Persian Gulf War Veterans Illnesses indicated that it will be recommending to the President that an independent agency outside of the Pentagon take responsibility for investigating the health effects of low level chemical and biological weapons exposure.

According to Arthur L. Kaplan, a bioethics professor at the University of

Pennsylvania, and a member of that panel, ''The Pentagon is not credible to continue inquiries that veterans and the public do not find persuasive.''

The New York Times writes in discussing that issue:

A special White House panel said today that the Pentagon had lost so much credibility in its investigation of the release of Iraqi chemical weapons in the 1991 Persian Gulf War that oversight of the investigation must be taken away from the Defense Department permanently.

Mr. Speaker, I am happy to inform my colleagues that there is language in the committee report of Labor-HHS, which passed the House today, language which I introduced, which funds an independent, scientific research program, into how chemical exposures in the Persian Gulf relate to the illnesses suffered by 70,000 of our veterans.

□ 1645

This research program is to be implemented through the Secretary of Health, with the National Institute of Environmental Health Science as the lead agency. The committee has agreed to appropriate $1.1 million for next year and $7 million over a 5-year period.

What is important here, and it is very important, is that for the first time a governmental agency outside of the Department of Defense and the Department of Veterans Affairs is going to take a hard look at the role that chemicals may have played in causing gulf war illness. This is a major breakthrough, and we have to continue in that effort.

This report language is strongly supported by the American Legion, the Veterans of Foreign Wars, and the National Gulf War Resource Center. Veterans and Americans all over this country are, to say the least, less than impressed about the role that DOD and VA have played in this entire process from the very end of the war until today.

Mr. Speaker, the military theater in the Persian Gulf was a chemical cesspool. Our troops were exposed to chemical warfare agents, leaded petroleum, widespread use of pesticides, depleted uranium, and burning oil wells. In addition, they were given a myriad of pharmaceuticals as vaccines.

Further, and perhaps most importantly, as a result of a waiver from the FDA, hundreds of thousands of our troops were given pyridostigmine bromide, which was being used as an antinerve gas agent, had never been used in this capacity before. Under an agreement between the DOD and the FDA in regards to this waiver, the DOD was required to collect data on any use of pyridostigmine bromide. However, they failed to do that.

Mr. Speaker, we are beginning to make some progress by going outside of the DOD and the VA. It is a breakthrough. We have to continue in that direction in order to address this enormously serious problem.

For 5 years, the Pentagon denied that our soldiers had been exposed to any chemical warfare agents. Finally, after being forced to admit that there were exposures, they suggested that the exposures were ''limited''. The DOD's first estimates were 400 troops exposed, then 20,000 troops. In July of this year, the DOD and DIA gave us their best estimate—that as many as 98,910 American troops could have been exposed to chemical warfare agents due to destruction of ''the Pit'' in Khamisyah, an Iraqi munitions facility. Mr. Chairman, I would not be surprised if this estimate is revised upward in the not too distant future, as more information is gathered regarding other incidents of chemical warfare exposure.

Mr. Speaker, an increasing number of scientists now believe that the synergistic effect of chemical exposures, plus the investigational vaccine pyridostigmine bromide, may well be a major cause of the health problems affecting our soldiers:

Dr. Robert W. Haley of the University of Texas Southwestern Medical Center concludes that the gulf war syndromes are caused by low level chemical nerve agents combined with other chemicals, including pyridostigmine bromide. Doctors Mohammed Abou-Donia and Tom Kurt, of Duke University Medical Center, in studies using hens, found that a combination of two pesticides used in the gulf war, in combination with pyridostigmine bromide causes neurological deficits in test animals, similar to those reported by some gulf war veterans Doctors Garth and Nancy Nicolson have completed research which concludes that gulf war veterans' illnesses may be due to combinations of chemical exposures in the Persian Gulf. Dr. Claudia Miller reports that there are similarities between the gulf war veterans' symptoms and those of some civilians exposed to organophosphate pesticides, carbamate pesticides, or low levels of volatile organic chemical mixtures. Dr. William Rea concludes that neurotoxic environmental exposures and other personal exposures prior to and during deployment in the gulf may have resulted in chronically deregulated immune and nonimmune detoxification systems, resulting in multi-symptom illness. In addition, a number of these scientists and physicians have devised treatment protocols for gulf war illnesses and some are reporting success in their treatments. These are the types of research programs and treatment protocols which our Government should be aggressively pursuing for the sake of our veterans, and what I hope will be accelerated as a result of this language.

The National Institute of Environmental Health is eager and ready to begin research and to provide its results to Congress in an expedient manner. This research program will address three areas of which are necessary to better understand the nature of the problem. These are: First, capitalizing on the existing body of knowledge of a similar disorder called multiple chemical sensitivity, second, defining individual genetic differences in the ability to metabolize environmental agents commonly encountered during Desert Storm, and third, developing a better understanding of how multiple exposures interact to exert their toxicity on an organism. Moreover, the research program is to include an investigation of treatment protocols which are being developed in the public and private sectors for illnesses resulting from chemical and other environmental exposures.

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

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

SECRETARY OF THE ARMY'S SENIOR REVIEW PANEL ON SEXUAL HARASSMENT

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

Ms. NORTON. Mr. Speaker, a number of women members of the women's caucus may be coming to the floor this afternoon to make speeches concerning the report of the Secretary of the Army's Senior Review Panel on Sexual Harassment.

The reason women Members of the House would speak to this subject relates to the fact that sexual harassment in the Armed Forces was the first issue of the 105th Congress to come to the attention of the women's caucus. We did not choose it; it chose us. We came back to find a full-blown scandal. This time it was not Tailhook and the Navy, it was Aberdeen and the Army, and it looked like a far more serious scandal than the Tailhook scandal.

We had a meeting with the Secretary of the Army. We have followed this issue, met with officials. Some of our Members have given very special attention to it. We have sought remedies, we have monitored this issue, and now a report comes through.

Mr. Speaker, what is important to note about this report is the absence of equivocation. The findings of the report are nothing short of refreshing, and the Secretary of the Army, Mr. Togo West, deserves our compliments for sending forth a panel to do a job, frank and full, so that the Armed Forces of the United States would not be disgraced by continuing allegations of sexual harassment.

Examples of findings that are bold and unequivocal are, and I am quoting: ''The Army lacks institutional commitment to the EO Program. Examples: Sexual harassment exists throughout the Army, crossing gender, rank and racial lines.'' Pretty stark, pretty frank, and the kind of straight talk that will pierce the ranks up and down. That is what we need if we want to get rid of this stuff.

The panel said, ''We are firmly convinced that leadership is the fundamental issue.'' That is indeed refreshing. At Aberdeen we saw that there were drill sergeants and others of lower rank who were prosecuted and sanctioned. Only now are we seeing that at Aberdeen some of the upper ranks have also been sanctioned. Unless that happens,

there is no credibility for sanctions at all in a command structure. If one is at the top, one is in charge and one is accountable for whatever happens throughout the ranks.

Among the conclusion and recommendations is one that says that ''It is necessary to imbed human relations training in the Army training system as a doctrinal imperative.'' That is very strong, because a doctrinal imperative means when it is part and parcel of a mission, and the mission is incomplete unless it is part of that mission.

I was struck by a recommendation that the EO Programs had to be engineered to protect those who use it and ensure that those working in it are not stigmatized. That said to me that if one was in the EO part of the program, one was not in the regular Army, or at least one did not have the same respect as those who were. This says that those people must be given credit for what they are doing, take pride in it and do it well. And when it says protect those who use it, it implies that in fact what we know to be true was true, and that is that the EO Program just as well may not have been there when it came to matters of sexual harassment because it did not do its job.

According to this report, women did not feel that they could come and report the sexual harassment at all. That is a comment on a justice system that no one ever wants to hear. The report says that a command climate assessment down to company size units, at least annually, should take place. If that had taken place, if there had been annual assessments at the company level, then it seems to me sexual harassment, which included criminal conduct, could have been found out. Unless one is willing to go down to that level, of course one is not going to find out about sexual misconduct. People do not come out, salute, and then engage in sexual harassment.

We do not think that there needs to be a witch-hunt, but one can uncover these matters if we do our job, and I congratulate the Army on this report. We will be looking to see if they carry out the report with the strength that its language implies.

SEXUAL HARASSMENT IN THE MILITARY

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

Mrs. MORELLA. Mr. Speaker, I want to thank my Women's Caucus colleagues for calling this afternoon's series of special orders dealing with sexual harassment and discrimination in the U.S. Armed Forces.

The seriousness of this problem first came to light with reports of sexual harassment and violence at the Aberdeen Proving Ground in my own State of Maryland. Not only were these reports confirmed, but, regrettably, further investigation has revealed that they were only the tip of the iceberg.

In contrast to prior such scandals within the military, the Army, and Secretary Togo West, deserve credit for their quick and serious response to these reports. The Army's Senior Review Panel on Sexual Harassment and the Inspector General's Special Inspection of Initial Entry Training concluded that sexual harassment is widespread, ''crossing gender, rank, and racial lines,'' and that job discrimination is even more pervasive. Additionally, they found that ''respect as an Army core value is not well institutionalized in the [initial Entry Training] process.''

Clearly, when 47 percent of military women experience unwanted sexual attention, when 15 percent experience sexual coercion, when 7 percent are victims of sexual assault, and the victims are not only afraid to report acts of misconduct against them, but also feel that their charges will go unheeded, the unit cohesion and personal respect necessary for peak military performance, and the defense of the Nation, are jeopardized.

As these two reports also make clear, these issues are complex, and cannot be resolved overnight. Nonetheless, we do expect the Army to undertake every possible effort to remedy these problems as quickly as possible, and to work to maintain a high standard of personal conduct for all of its soldiers and officers.

Mr. Speaker, I again want to thank my Caucus colleagues for calling this special order, and I also want to thank Congresswomen FOWLER and HARMAN, our Caucus members serving on the National Security Committee, for the work which they have done on this issue. I look forward to continuing to work with them, as well as the Chairman of the Military Personnel Subcommittee, Mr. BUYER, on gender issues in the military. I look forward to the hearings which the subcommittee will hold on this issue in October, to learn more specifically what actions the Army will take to correct its personnel problems, and what we in Congress can do to assist in their implementation.

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

[Ms. SLAUGHTER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

KEEPING COSTS DOWN: COMPETITION AMONG VENDORS FOR PROCUREMENT OF POSTAL UNIFORMS

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

Mr. STRICKLAND. Mr. Speaker, I come to the floor this afternoon to talk about an issue that is of great concern not only to myself but to other Members of this body.

Under our current system, the United States Postal Service allows employees of the service to choose where to purchase their uniforms. Consequently, literally hundreds of small manufacturing companies and vendors from throughout this country are now supplying these needed uniforms on a choice basis to those who work for the Postal Service.

My concern and the concern of many of my colleagues is that the Postal Service is contemplating a change of policy, and rather than working with these large number of vendors and manufacturers, they are contemplating the selection of a single large vendor that would take over the responsibility for the procurement of postal uniforms.

Now, why does this concern me? The Postal Service contends that such a change in policy would save them money. My concern is that it would cost American jobs. I believe that the Postal Service should be required to purchase uniforms that are American-made, and that they should only purchase uniforms from companies which uphold and maintain certain high standards for the way they treat their workers and the fact that they are good corporate citizens.

In my district, in the small town of Nelsonville, OH, we have Rocky Shoes, Rocky Shoes and Boots, and a significant percentage of Rocky Shoes and Boots' business goes to provide shoes for those who work for the Postal Service. It is a good deal for Rocky Boots, and I believe it is a good deal for the men and women who work for our Postal Service.

So it troubles me that an institution, an agency such as the postal system which currently is very profitable and is realizing significant yearly profits, would in the name of cost savings take action which could cost my constituents and the constituents of many other Members of this body their livelihoods and their jobs.

Now, nearly 70 Members of this body have signed letters to the postal system and the Postmaster General expressing our concern about this proposed policy. I am happy with the fact that the postal system has at least temporarily put a moratorium on this proposed policy change. I remain concerned, however, that in the name of cost savings and efficiency, an action could be taken and is currently under consideration that would be very, very damaging to working men and women and working families in this country.

I believe that the best way to realize cost savings is to maintain a system where there is fair competition, where small manufacturers and vendors must compete for the business, rather than placing this responsibility in the hands of a single large vendor. Over 100 manufacturers and over 800 vendors are at risk.

So I come to the floor this evening to express in this venue my concern for this proposal and to ask Members of this body to join me as we request a

face-to-face meeting with the Postmaster General of this country, so that as elected representatives of the people we can sit down and express directly to the Postmaster General what our concerns are, and to seek from the Postmaster General guarantees and assurances that the people that we represent, the small American companies and these American workers, will not have to pay this heavy price in terms of job loss. So I close my remarks by saying that it is my intention within the next few days to approach other Members of this body and to ask them to join me in this effort as we carry on these discussions with the Postal Service.

U.S. POSITION IN BOSNIA

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

Mr. POSHARD. Mr. Speaker, a couple of years ago I was asked to go to Bosnia with 14 other Members of the United States Congress here to ascertain for our colleagues here what America's position should be in that war-torn country. I was honored to go there.

The first day we flew over to Serbia and met with President Milosevic and his people, and the second day we went to Croatia and met with President Tudgman and his folks. The third day we flew into Sarajevo, and not since I had been an 18-year-old kid walking around the hills of Korea with the First Division had I witnessed such devastation in a country.

□ 1700

We landed at the airport, and guards picked us up at the edge of the airport property. They began to take us through town. People lived in burned-out buildings and shells and bunkers and basements, anywhere they could live. Eighty-six percent of the water supply was gone in the city. Very little food was getting in except through the United Nations.

But I noticed as our bus was traveling under heavy security throughout state of Sarajevo, people began running up from the bunkers and clapping, because they understood that there were 15 United States Congressmen visiting their country who were going to have something to say about their future.

We eventually prevailed upon security to let us stop in a little square where just a few months before a mortar round from the surrounding mountainside had killed 57 people. The security said, no one will come out and talk to you. They are too afraid. But by the time we got off the bus, every street filtering into that little square was filled with hundreds of people rushing to the square to surround our bus.

This one elderly gentleman, in the press of that crowd, grabbed me by the arm and said something to me that made such an indelible imprint upon my mind I have never forgotten it to this day. He said to me, after telling me that he had lost every member of his family, his wife was gone, his brothers and sisters, his children, he was alone in the world, he said to me, with tears streaming down his eyes, Congressman, do you not understand that we only trust America? We only trust America.

In the press of the crowd, I did not think too much about his words. We got back on the bus and went to our appointed rounds, and as we were flying up to Germany to see the troops, I began to think about the words of that old man. Some things in this business you know innately in the gut.

He was not saying to me, Congressman, we only trust America's military prowess, or America's economic strength. What he was saying to me was, Congressman, we only trust the experience of America.

We live here in a multiracial, multiethnic, multireligious society, and because we have chosen not to tolerate each other's differences, we have killed or maimed 200,000 of our people beyond repair.

But we know America, and we know the message of America to all of the world, because you are like us. You came from every corner of the world, with different values, different cultures, different ethnicity, different religions. But for some reason or another, not perfectly so, you have made it work better than anybody else in the world, because you tolerate the differences among you. We trust you.

Two weeks to the day after I left that old man in the streets of Sarajevo, I stood before a college class of 25 21-year-old students in this country, who, one by one, rose and looked me square in the eye and said to me in no uncertain terms, Congressman, we do not trust any of you people. You are all in it for the special interests.

Mr. Speaker, to restore the trust in this country between the Representative and the represented, we must enact campaign finance reform to restore confidence from our own children and our government here.

TIME FOR CAMPAIGN FINANCE REFORM TO BE BROUGHT TO THE FLOOR OF THE HOUSE

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

Mr. MILLER of California. Mr. Speaker, I want to thank the gentleman from Illinois [Mr. POSHARD] for an incredibly moving statement, and thank him for his support of campaign finance reform.

Mr. Speaker, people watching the House of Representatives today should be clear about what has happened here. As we speak right now, leaders of the Republican Party and members of the Republican Party are flying to New York City in private jets to attend a fund-raising dinner. It is not even 5 o'clock, and yet we have stopped doing the legislative business for this day. The fact is that raising money is more important to the Republican Party than finishing the work that we have before us.

We are not finishing a number of important bills to make sure that government does not close at the end of this month, as we recall it closed twice in 1995 and 1996. The fact is that we have one very important piece of legislation that is not yet resolved, but which we have been repeatedly told there is just not enough time to consider. I am talking about campaign finance reform.

Mr. Speaker, my colleagues and I have been demanding for this entire year that Speaker GINGRICH schedule time on the House floor for a measure that would reform our corrupt campaign finance laws and ban soft money. The term ''soft money'' refers to large contributions to political parties that are not supposed to help elect candidates, but really do.

Some soft money has some very real impact. It comes in a variety of sizes, $25,000, $50,000, $250,000, and most recently even $1 million from a single individual or organization. We want to ban soft money because we believe it has distorted our democracy. We believe that public policy has become for sale to the highest bidder, and we believe that is wrong.

But the Speaker of the House, the gentleman from Georgia [Mr. NEWT GINGRICH] thinks it is more important to go to New York for a fund-raiser than to stay in Congress and work on legislation that will make our election laws more secure and protected from the influence of special interest money. Apparently there is time to go to New York to raise money for the Republican Party, but there is no time to stay here and work to perfect our democracy, and work to reduce the influence of special interest money, and ban soft money.

Mr. Speaker, I am troubled by this decision. I am deeply troubled by it, and I can imagine many Americans are troubled as well. The Speaker once said, we should clean this system up. In fact, over 2 years ago, many Members will remember, he shook hands with President Clinton in New Hampshire over a pledge to reform campaign finance laws, a pledge to the American people.

Do Members know what reforms have been implemented in that time? None. The Speaker has done nothing in 28 months to clean up our campaign finance laws, but he has continued to raise record amounts of money, and continues to believe that what American democracy needs is more money in politics, not less.

The fact is, money has simply overwhelmed our democracy. Too many decisions today in Congress are made based upon whether or not contributions were received with regard to a particular issue. It is not just whether

issues are brought to the floor for a vote, it is also the issues that are not brought to the floor for a vote.

Health care reform, labor protections, minimum wage increases, these issues are hard to raise in Congress, in part because of the narrow interests that have fed the political machine with cold, hard cash. Money in politics affects everything lawmakers do in Washington, even our health and our safety.

For example, the meat institute and the grocery manufacturers reportedly spent over $300,000 in the 1996 elections, and today they are actively lobbying against new proposed meat inspection standards in the wake of the E. coli concerns that all Americans share.

Then there is the infamous $50 billion tax break for the tobacco industry in the recent balanced budget and tax agreement approved by Speaker GINGRICH and TRENT LOTT, $50 billion of taxpayers' money given away in the middle of the night. Do Members think it is a coincidence that the tobacco companies are among the largest contributors to political parties and Members of Congress? I do not.

Despite the overwhelming evidence that this system needs to be changed, the leadership in Congress refuses to allow us to have a vote on a bill to reform our campaign finance reform laws. If we are serious about reform, there is still time to ban soft money in the upcoming 1998 elections. That is what I believe we should do, but we cannot get a vote on the House floor to do that. Again, we cannot do it because they say there is no time. Clearly there is time, because as we see, most Republicans have left this Chamber today early to go to New York for a fundraiser.

Mr. Speaker, I will continue and my colleagues will continue to call on Speaker GINGRICH to schedule a vote this month on a ban on soft money, and to restore the will of the people to the House of the people. Mr. Speaker, we are entitled to this vote, and the American people are entitled to this vote.

SEXUAL HARASSMENT IN THE ARMY

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

Ms. DELAURO. Mr. Speaker, I would like to say thank you to my colleagues, the gentlewoman from the District of Columbia [Ms. ELEANOR HOLMES NORTON] and the gentlewoman from Connecticut, [Mrs. NANCY JOHNSON], for the opportunity to join with them this evening from the Women's Caucus to discuss an important issue, which is sexual harassment in the Army's ranks; more importantly, what the Army is doing about this sexual harassment.

The Army released its report on the extent of sexual harassment in its ranks last Thursday. I commend the Army for conducting and for making public this extensive review of the circumstances that have led to sexual misconduct at Aberdeen Proving Ground and at other Army installations throughout the Nation. This review hammers home the need for fairness, fairness in our armed services.

According to the findings of the review, 78 percent of women in the Army have experienced crude or offensive behavior, 47 percent have received unwanted sexual attention, and 15 percent have experienced actual sexual coercion. This is a mind-boggling number of women, women who have chosen to serve their Nation in the Army, who are being sexually harrassed or even assaulted.

This kind of treatment is intolerable anywhere in society, and it is particularly disturbing to find it so prevalent in our Armed Forces, from people whose mission it is to stand up for justice, not to promote inequality or discrimination.

It is important to note that while the spotlight of harassment has focused on women, and certainly that is a tremendous problem, the review also shows that men have also been subject to unevenhanded treatment. Seventy-six percent of men questioned said they had experienced crude or offensive behavior, 30 percent have received unwanted sexual attention, and 8 percent have been subject to coercion.

The Army's review states that the U.S. Army lacks commitment, it lacks commitment to its equal opportunity program. Soldiers sometimes do not even receive sexual harassment training until they are 3 or 4 months into their service. Even more disturbing, once soldiers receive the training, there is no strong enforcement of the rules.

Harassment complaints are, and I quote from the Inspector General's report, ''generally not processed in accordance with . . . timeliness standards. Required complaint feedback is frequently not provided. Required investigation extensions are generally not done for cases exceeding regulatory timeliness. Required follow-up is generally not conducted to ensure corrective action is taken following investigation.''

Most importantly, the Army lacks commitment among its young drill sergeants to teach respect as a core army value. Drill sergeants exercise total power over their charges. They have a tremendous responsibility to exercise that power wisely and fairly, and the Army has a responsibility to see that they do so.

In the past the Army has served as a shining example to the rest of the country by leading the way in desegregation. I hope that the Army will live up to its tradition of fairness by instituting policy changes that will ensure that every member of the service is treated with fairness and with dignity.

While sensitivity training is important, it needs to go further. We need to know if the findings of this report reflect a trend throughout all branches of the military. We need to institute policies to ensure that the strong regulations and procedures which are already in place will be put into practice. Women must know that their complaints will be acted on so they will not need to be afraid to report misconduct. We need to ensure that all of our soldiers are treated with fairness and with equality.

Women serve our country with great distinction and honor throughout the ranks of all of the branches of our armed services. They play an essential role in our Armed Forces. They should be able to do so without discrimination or fear of violence of any kind.

EDUCATION SHOULD BE AMERICA'S NUMBER ONE PRIORITY

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

Mr. MCGOVERN. Mr. Speaker, as a Democrat who believes strongly that education should be this Nation's and this Congress' number one priority, I have found the past week's debate most disturbing and frustrating.

What could be more important to our children's future than providing them with a world-class education? Nothing. So why does the majority party continue to cut and cut and cut the education budget? Why do they continue to block old and positive initiatives aimed at improving the quality of education for all our kids?

□ 1715

In the Third Congressional District of Massachusetts, the district that I represent, we have children going to classes in buildings in desperate need of repair. There are school buildings in my district that were built when Ulysses S. Grant was President of the United States.

Now, Democrats applauded President Clinton earlier this year when he proposed $5 billion for school construction that would help local communities leverage up to $20 billion for school construction and repairs. One-third of American schools need extensive repair, and I bet they are not all in Democratic districts. But what happened to that proposal? Why did that proposal not become law? Well, the Republican majority killed it in the budget deal.

So let us talk about priorities for a moment. What are the priorities of the Republican majority in this Congress? Well, the Republicans said that $5 billion for school construction was too much money to spend on education. We just do not have that kind of money, they said; and yet many of us were absolutely outraged to learn that those same Members, in the very dead of night, secretly inserted into the budget

bill a $50 billion tax break for the tobacco industry.

What message can that possibly send to our children; that they are not worth the $5 billion it takes to repair the leaky roofs and the crumbling walls of your schools, but the wealthy and powerful tobacco lobby deserves a tax break of 10 times that amount? How insulting, Mr. Speaker. Tobacco tax breaks rather than investing in education. Talk about getting our national priorities out of whack.

The overcrowding of schools has become a national issue and a local crisis in towns and cities all across America. School enrollment in the United States is breaking all previous records. A new Department of Education report found that more than 52 million children just enrolled in schools this last fall. The fastest growing group is high school students, with high school enrollment expected to grow by 13 percent over the next 10 years. In Massachusetts, that growth is projected to be 23 percent.

So while Republicans are giving tax breaks to executives in corporate palaces, our children are being shoved into overcrowded classrooms with too many students for even our best teachers to provide them with a quality education. For shame, Mr. Speaker. For shame.

During the budget debate it was the Republican majority that tried to punish graduate students who are serving in our Nation's colleges and universities as teaching and research assistants by stripping away their tuition tax waivers. It was the Republicans who sought to punish the clerks, the secretaries, the janitors and the speech professors at community colleges and other academic staff and faculty by taking away tuition waivers for their children.

But Democrats fought back and saved these provisions for students and workers who dedicate their lives to making sure that our children receive a good education. It was the Democrats who fought for the $1,500 HOPE scholarship. It was the Democrats who made the Taxpayer Relief Act one that promotes lifelong learning and helps families across the country find financial relief from the burden of higher education costs.

Mr. Speaker, many of us read in the newspaper about the 200-page guide that a Republican political consultant has been circulating among party members. It contains some suggested language for how Republicans can make themselves seem less unfriendly toward education. Well, let us take a closer look at how the Republican majority really feels about education.

It has been the goal of the Republican majority, ever since they took control of this House, to destroy the Department of Education. In the last session the Democrats said no, that is not what the American people want; people want the President's Cabinet meetings to include an advocate for American education. And Americans from across the land also sent a resounding message of no, eliminating the Department of Education is not the way to improve the quality of American education.

So the Republicans were defeated in their plans to destroy funding for education. And this year they have attempted to dismantle Federal funding programs for a number of important education programs. In fact, we have seen attacks on the very programs that work the best, Safe and Drug Free Schools, School to Work, Educational Technology Challenge Grants, Goals 2000, a program initiated by President George Bush, Bilingual and Immigrant Education, and the Eisenhower Teacher Training Grants.

In school districts across this country these grants and moneys are being used for the most effective and innovative education programs. They supply computers and link classrooms together on the Internet. They support businesses, employers, and school-to-work closely together in promoting education curriculum and job creation. They hold schools accountable to high academic standards, and they help school districts provide professional development for teachers and upgrade their training.

Why do the Republicans want to break apart the very programs that are working best? Now, I understand that there can be legitimate differences of opinion and priorities between Republicans and Democrats, but I cannot understand why anyone would hold hostage the future of America's children and the Nation.

Democrats will fight to improve our country's schools and our children's education. I have decided to make education my No. 1 priority as a Member of Congress, and Democrats, I am proud to say, have fought hard to stem the education cutting frenzy that too many of my Republican colleagues continue to incite.

I call upon my Republican colleagues to abandon their education slashing ways and to join Democrats in our efforts to offer an affordable quality education to every American who wants one.

Mr. Speaker, at this time I wish to yield to my colleague and friend from Massachusetts, JOHN TIERNEY, who is a very eloquent advocate on behalf of education.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for yielding to me. I was struck by the gentleman's remarks on education. I want to commend the gentleman for his work he has done on the floor in the last several weeks along with the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Subcommittee on Labor, Health and Human Services and Education.

When we dealt with the education matters, we did come up against a barrage of measures, all incidently from the Republican side of the House, but not all Republicans participating in that, that seemed to attack the very foundation of the Federal role in the educational system.

I, as does my colleague, go home every weekend, Friday, Saturday, Sunday, and Monday, and when we have in-district weeks, and we take that time to go from school district to school district, visiting the high schools, the junior high schools, and some of the elementary schools; going to the businesses, talking to the people that work in those businesses as well as the people that run those businesses, to find out what their thoughts are on the work force, on their own children, their own communities, and their own schools. I have yet, in the entire 6th District of Massachusetts, heard anyone telling me they are in favor of slashing the Federal role, which is already somewhat minimal in terms of what we provide for resources in education.

I think it is notable that the school-to-work program, which the gentleman just mentioned, which was targeted to be wiped out completely, except for the matter that the Member figured, I think, that he did not have the support and finally withdrew his motion, it was targeted to be wiped out completely, and every business in my district is supportive of that program, every community is supportive of that program. The Chambers of Commerce, the individual businesses, the people that work either unionized or nonunionized that participate as mentors for high school students, helping them acclimate to the adjustment that it will be going from school to work or school to work plus going back to college or junior college. These are important programs that are working that are showing success.

Two weeks ago I spent time with 14 students from the Lynn, Massachusetts High School that had been working with NYNEX, now known as Bell Atlantic, and basically they have been on that school-to-work program and they have been getting mentored by people that work within the company. And the business itself would put management people into work with that program.

The students were so impressed with what they were learning, when it came time at the end of that summer to get a week's vacation, all of them have opted not to take the week off but to stay in the program right up to the time they went back to school and asked the company if they could not work something out to do part-time, because they were learning valuable skills. They were learning valuable behaviors about the workplace and also learning what they had to know further in order to do very well in the workplace; what other schooling behind high schooling they might need, whereas before they were not everyone anything in that direction. So that is important.

Literacy in our district. We have 15,000 people in Massachusetts that are waiting in line to get into an adult literacy program; that want to help their children with mathematics skills and

with reading; that want to be able to encourage their children to go to school and do better. They want to be able to get a job of their own that earns more money for their family and gives them a better quality of life, yet they are waiting in line. Programs like that were targeted to be eliminated, when the ones that we have are working and can be made to work better.

For the first time in our district we got all of the literacy programs, public and private together, introduced them to each other, told them how the system works, how the funding works down, and got them to work cooperatively so that there was not a contest to sort of pull the funds away from each other but to maximize their use, to work with one another so that the programs would dovetail and more people could participate and benefit.

I could go on and on, but I suspect the gentleman has comments he can make of his own.

Mr. MCGOVERN. Well, Mr. Speaker, I think my colleague is absolutely right and he realizes, as I do, and as the President of the United States does, that education is really everything. It is the most important priority we can have in this Congress.

We talk about competing in the global economy, we talk about being the economic superpower of the world, but that is not going to continue if we do not have a well educated work force, if we do not invest in our young kids now. I would suggest that we need to invest starting at age zero, and we need to also focus some attention on the very important issue of early childhood development.

Mr. TIERNEY. If the gentleman would further yield, one of the more insidious aspects of this debate that happened over the last couple of weeks was the intention and the repetition that we do not want National Government to get involved with education. We do not want to nationalize education. We do not want the Federal Government doing education programs.

Nothing could be further from the truth in the programs that have been created over the last 15 years, and the resources for which are provided to States and local communities. And the superintendents and the school committees, the principals and the teachers and the parents all recognize that these resources otherwise would not be available.

These programs came into being because local communities and States either were not purposely doing things that they should have been doing or did not have the resources to work on these programs and to give these opportunities, particularly in areas or communities where money is hard to come by, where the tax rate may already be stretching the limits and the base is not big enough to expand.

The programs were designed for participation. One of the programs that people attacked on the other side of the aisle repeatedly was the whole school concept. We have debated that for several days and eventually we passed it, I am happy to say. We needed only to change the language so that others on the other side of the aisle could perhaps feel more comfortable that their efforts had gone for something. Now I believe it is known as the comprehensive school concept.

But to show how it was really not the idea of nationalizing education that they were attacking, that what they were attacking was education and the Department of Education, the project that they eventually ended up working with us to pass takes the resources and brings them down to the community. There is nothing in that package that says the Federal Government instructs them to take any particular action.

What it says is that we go down to a local community and we have to have that community working together to support the concept of building a mission and a foundation for that school or school district. Parents get together, teachers come back to the table to negotiate what changes have to be made, administrators get into the program, businesses in the community and colleges in the community. And they work together and get the kind of effort that identifies what that school's goals are going to be, what are the standards of achievement that are going to exist for those children to live up to. What are the tools that will work, in terms of curriculum and materials to provide those children. How many hours a day will they go and how many days a week in a year will they attend school.

This was a program that was put together, and there are 1200 programs across the country and it has worked.

Mr. MCGOVERN. My colleague raised an important point. Some of our friends on the other side of the aisle accuse us of trying to take the decision-making aspects with regard to education out of the hands of local communities. That is not the truth. What we are advocating here is the Federal Government to support some of the great efforts that are going on in our cities and towns all throughout this country. They need help.

When we go to a town that has a crumbling school, the cost of rebuilding that schooling is phenomenal. It can break the budget of a town. We need to provide the Federal resources to help those towns build the very best schools that are available.

The programs that the gentleman has outlined here today all deserve the support of the Federal Government. Nobody is advocating taking the decisionmaking role away from the local communities. I think that is an important point. But what we are advocating here in Washington, and I think it is appropriate, and I commend the President for doing this, is we are advocating higher standards. We are urging people to aim high and nothing could be more important.

Mr. TIERNEY. If I can interject for a second, all of the business community in my area is very, very focused on having the product of our public school system and our private school systems get up to a level where they can hire these people and put them to work and do the fine-tune finish training for their particular product or service.

But all of them expect that the school system, through the elementary and secondary level, is going to prepare these people either for a community college or college and/or work, so that they can come in and contribute and make us a productive society and make those businesses be able to perform.

In my area of Massachusetts, which the gentleman also represents a part of, we are going to need millions of jobs in the next decade. Somebody has to fill them. All these jobs will require a lot more in terms of skill and education than we have known in the past, and businesses understand that. That is why they support the school-to-work program. That is why they generally get involved in each one of these local efforts to try to make sure these schools have higher standards and the students have the bar lifted for them to meet.

One of the more inane exercises around here in the last few days was the Republicans arguing against testing on a national level and saying they do not want it, and then arguing, in fact, they want the States to set the standards, in the same breath fighting against Goals 2000, which in fact provides resources so that States can do just that, establish achievement standards and have their students meet those levels.

□ 1730

So a lot of times we get into the rhetoric of the debate. It is more about politics. It is more about trying to establish who wants bureaucracy in government versus who wants to bring the money to the classroom, and it gets obstructed that way.

One of the debates before the amendment was withdrawn, an amendment that sought to block grant all the programs and throw them down to the State, talked about wanting to take government bureaucracy out. The fact of the matter was that under the block grant up to 15 percent of the money could be spent on State bureaucracy to implement the programs, whereas if they were left alone, virtually every one of the programs required that 90 percent, usually 95 percent of the money get to the student and not be absorbed through bureaucracy or administration.

It also implies the fact that some administration is necessary. There is no program that is going to work by going out and handing a check to a kid in the 5th grade. The fact of the matter is that somebody has to construct a program and make sure that it works and that that child deserves and gets the benefits of it.

So to bring the debate to that level and to try to make it that clear is to

sort of distract the issue when we try to work on that basis. I think we have to get back down to sensible discussions about what works and what does not. And that is fine. We can disagree on that and have the debate on that level.

Mr. MCGOVERN. Reclaiming my time, let me just raise one other aspect with regard to education that I think is important, and I think Democrats can take some pride in having fought for some real accomplishments, and that is making college education more accessible to so many young people in this country.

This tax cut bill that eventually passed this House in the end was a much better bill because Democrats fought for over $35 billion in tax cuts for education that are in that bill. There is not a day that goes by when I am home in Massachusetts, when I do not bump into a family who complains about the high cost of a college education, who wonders how they are going to finance the college education of their daughter or son, and who are looking for help. One way to help them is through the tax cut system, and we have done that, I think, to a certain extent in this tax cut bill. But we need to do much more.

My first bill that I introduced in this Congress was a bill to increase the maximum amount of Pell grants from $2,700 to $5,000, which is where it should be if we kept on adjusting Pell grants for inflation. We need to make the dream of a college education not just a dream. Anybody in this country who wants a college education should be able to get one. People should not be told they cannot get a college education because they do not have the economic resources to do so.

Mr. TIERNEY. If the gentleman would continue to yield, John Kenneth Galbraith, who lives in our State and is well-known by everyone, wrote a book recently called ''The Good Society.'' Is not a difficult book to read. It is not long. He has an excellent small chapter on education.

He talks with an historical perspective about colleges being very private in nature at first because, obviously, wealthy families wanted the best for their children and society thought that education was the important instrument to obtain that. So they moved in that direction and they provided college education for their children. And at some point society woke up and decided this was a good thing for society, to have a large number of people, in fact the more people as possible, who could be trained and educated to increase our productivity and to make it a better place to live, to be better participants in the Government, and simply to raise the quality and standard of life for each individual.

So we created a public higher education system, and most States started with a State college and university system and community college system, and that works basically through a fee system also. But then we started to decide, as the economy got tougher, that we had to find other ways to encourage people and enable them to get their families and children on to college. That is the Pell Grant Program that you started, that you did not start but that you enhanced. But the basic Pell grant was an effort to give the children and families the opportunity to get that entry into college and to go.

As school became more and more expensive and there were not enough public college slots for people, we also tried to help people get into those institutions through scholarships and loans. Now the situation in front of the Subcommittee on Higher Education will be to look and see how, if at all, we can constrain the rising costs that are rising disproportionate to other rising costs, and how we can further enable families to make sure that their children get the opportunity. Because, in essence, we are helping our businesses and we are helping everybody in society.

Mr. MCGOVERN. Reclaiming my time, as the gentleman from Massachusetts [Mr. TIERNEY] knows, it is not just young people who are concerned about the cost of college education, it is people mid-career.

The Department of Labor tells us that the average person who enters the workforce today may have 7 or 8 jobs in his or her lifetime. There may be a point in that person's career where they may need to get additional education. And again, it is in our interest as a Nation to make sure that that education is available and affordable for that person. I mean, that should be a priority of this Congress. That should be a more urgent priority than it is right now.

Mr. TIERNEY. If the gentleman will yield further, I think that we are going to find that education is not an issue that is going to go away with the American public. I think that the polling that my colleague referenced that was done for the Republican party is going to have to move beyond linguistics, going to have to move beyond the idea of semantics as to what language to use. We are going to have to move in the direction of doing something substantive.

Vouchers, where you run away from the public school system, where you try to abandon it and take a few people with you on the way out, it clearly is not going to work on its face. It does not seem to make sense or reason. What we need to do is work within the public school system to improve them so that there is equal opportunity for every family and every child to go on. When we do that at the secondary level and at the elementary level, then we will also be improving the people that go into our college level and we will be able to move forward in that direction.

Mr. MCGOVERN. Reclaiming my time, let me say one thing about the public school education in this country. I spent a lot of time during my visits back home in Massachusetts touring schools. My district almost goes across the entire State, from Princeton to Dartmouth, in Massachusetts. I have visited countless schools, and I have to tell my colleagues that I am very impressed by the quality of teachers that I have encountered, by the curiosity of the students, by the eagerness to constantly challenge those students and to try to basically provide them the very best education.

I think what we need to do here in Washington is to support our teachers back home, to support our school districts, to make sure that they have the funding, to make sure that they are teaching in a classroom that is adequate, that provides the right environment so kids can learn, so there is not this problem of overcrowding, so they have the best textbooks that are available, so they have all the tools that are available, making sure that every classroom in this country is hooked up to the information super highway.

All of those things are vitally important. And we here in Washington can play a vital role in supporting some of those initiatives.

Mr. TIERNEY. If the gentleman will continue to yield, one of the important things we need to do is to focus the debate where it belongs. In order for a voucher program to get support, not only for the abandonment of public schools to get support, I think the polling that we referenced earlier of the other party shows that first they have to denigrate the system so badly that people want to walk away. They have to disparage it. They have to say all schools are bad, all teaching systems are bad, all participants are not performing.

And that simply cannot be done. My colleague knows from the tour of his schools, and I can see that we have with us a former superintendent of schools in his State, that the fact of the matter is a number of public schools are performing and performing well; a number of pilot programs are working and working extraordinarily well; that teachers are trying very hard; that, given the tools, they do perform to an extraordinary degree; that we have teacher involvement programs, the Eisenhower program being one; that we have technology programs available which allow teachers to have the technology in their classrooms and enable them be able to use them effectively in teaching students. So that the whole entire public education system is not broken.

I like to use, instead of the word ''reform,'' the word ''improvement.'' We need to improve those systems that need improvement. We need to build better schools when that is the issue. We need to have smaller classrooms where that is the issue. We need to have better materials, more teacher improvement. We need to have community involvement and parent involvement.

We have all the tools for that in the various programs that we have implemented here as a small part of the Federal budget spent on education. But it is a major impetus for communities to be able to embark on those avenues that will give them hope and equal opportunity for every public school student.

I think that block granting is the first step for the Republican party trying to eliminate education as a Federal part of the agenda, and I think we ought to move away from that.

I thank the gentleman from Massachusetts for allowing me to participate.

Mr. MCGOVERN. I thank the gentleman from Massachusetts [Mr. TIERNEY] for his remarks, and I think he has made very clear that the priority of this Congress should be education, education, education.

I would like to yield to my colleague, the gentleman from New Jersey [Mr. PALLONE], who has spoken many times on this issue.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Massachusetts [Mr. MCGOVERN]. I was listening to some of his comments before I came down on the floor. Obviously, both gentlemen from Massachusetts are very concerned about where we were going with the education system and want to do whatever they can to improve public education here in the United States. I know they have got some very good ideas which they articulated about how to go about that.

One of the things that I am very proud of is that our party, the Democratic party, for the last few years and historically, but the last few years particularly, has stressed the need to upgrade education, not only at the higher education level in terms of providing finance assistance, loans, grants, work study programs, which we did as part of the balanced budget agreement, and we insisted that there be more money available for assistance programs to students so that they would have access to college and university education, but also now particularly we feel as Democrats that it is important to try to improve and provide additional resources for public schools, for secondary schools.

We talked in the last few weeks on the floor about the need to upgrade infrastructure because schools are overcrowded, that we need to provide a program to provide funds to local boards of education so that they can fix up crumbling schools, address the concerns of overcrowding, because there are so many schools that need repair.

We also talked about standards. One of the major aspects of the Democrats' program for education is to upgrade standards and provide for national standards and provide for ways to help the local boards of education to improve standards.

One of the things that I think that we stress as Democrats is that this needs to be a partnership with the Federal Government. We all know that primarily States and local communities and local governments are the ones that have the primary responsibility for public schools. But there is no reason why the Federal Government cannot be a partner in that, particularly with regard to resources.

I just want to say, one of the things that has been upsetting me a great deal in this appropriations bill, the Labor, Health, Education bill that we have been dealing with in the past few weeks here in Congress, here in the House, is that the Republicans repeatedly put up amendments which seek to attack and I think ultimately reduce resources that are available for public education.

Today there was an amendment that would basically provide a block grant and eliminate Safe and Drug-Free Schools, School-to-Work, Goals 2000, teacher training programs. And I know that the Republicans who are sponsoring that amendment will say, ''Well, we are going to give the money back to the schools but we are not going to tell them what to do with it, so that is okay, they are still going to get the same amount of money.''

The bottom line is that Federal policy should, in my opinion, be based on what the needs are. We need safe schools. And Goals 2000 has been a very effective program, and the whole School-to-Work program. All these things have been very effective.

I just want to give my colleagues an idea. In New Jersey when we talk about Goals 2000, which the Republicans also tried to eliminate last year, last year, in the 104th Congress, they had a whole series of cuts in elementary and secondary education which included significant cuts in Goals 2000. Goals 2000 is basically a way for the Federal Government to help individual States with their educational programs.

Just to give my colleagues an idea, in New Jersey, with a relatively small amount of money, I do not know if I have the figure here or how important the figure ultimately is in terms of how much New Jersey got, but it was in the millions. It was several million dollars. And basically what they did was to use the money that came from the Federal Government to provide for schools to be safe from violence.

We in New Jersey launched a multifaceted safe school initiative in December of 1994. And reported findings, as a result of that program, indicate a reduction in the number of reported incidents of vandalism and violence in New Jersey public schools for the 1995–96 school year. I can give you the specifics about how crime declined. This was as a direct result of Federal funding coming down through Goals 2000.

I will give my colleagues some of the others, but I see my friend, the gentleman from North Carolina [Mr. ETHERIDGE] would like to comment, and I would certainly yield to him at this time with your permission.

Mr. ETHERIDGE. I thank the gentleman from New Jersey [Mr. PALLONE] and the others who have organized this evening.

The point my colleague made earlier I think is so important for us to understand as we are talking about block grants and education. I do not know why it is just block grant education we want to deal with. We are not talking about block granting funds to the Department of Defense. We do not talk about block granting materials to other things.

As my colleague just indicated, it is important to have a priority; and if there is an issue we want to deal with, what we are talking about is reducing the funds. I cannot imagine this body ever, or any other body who has to report to people, turning over the funds without asking for accountability.

The truth is that is a good way to put it out and do away with it. That is really the bottom line. I remember revenue sharing a long time ago when I was a county commissioner. And when revenue sharing came, I said to the folks, ''We do not spend any of this money in programs, because I guarantee you it is going to be cut out because we are getting it without any strings.''

□ 1745

Guess what happened to it? It got cut out. If you block grant it without the people who are in your appropriations process understanding what is happening and having feedback directly from what is happening, it is going to be cut out.

The last thing we need to do at a time when this country is growing and expanding and we are dealing in a global economy, we are asking our young people to change and the whole economy to change for that matter in a way like we have never had, we do not need to be pulling away the needed resources for our schools. Six to 7 percent, depending on the State, where they are, is about all the Federal Government is putting in. By and large those dollars are going to specific programs. Most of it goes to chapter 1 and other programs that are for children who have special needs, and that really helps with reading and with math, some of it in very targeted areas for children who are the poorest among our poor children in this country. That does not go equally to States. It really is divided up among the States who have the greatest population of those students and with the greatest needs.

As the gentleman indicated, funds for safe and drug-free schools, that is based on a student population. But if it is sent down and it does not have some direction, I can assure the gentleman, I have been in the Department, I know what will happen. There will be competition for those dollars, and unless there is a requirement to go to certain areas, they may not get there, because the last time I checked, there were those who will stand up and tell us there are too many dollars in education, that we are spending too much money.

If that is true, if that is true as a premise, then why does almost every school in this country have a PTA, and every night on TV we have parents complaining about children retailing to get funds into schools to buy paper and books and all the other things? It is nothing more than a half truth at best and an outright sham at worse. It is not true. It is absolutely not true. It may be true in some communities, but in the bulk of the communities in my State, it is absolutely not true. Otherwise we would not have parents from PTA's selling all these things and doing things and having kids to sell them.

There are not enough resources. We have allowed our schools, as the gentleman indicated, almost half of them in this country have need of some attention, either plumbing, electrical or overcrowding, for a variety of reasons.

What we care about in our communities are what we pay attention to. If you ride through a community, the last thing that is really held in communities in this country right now, in my opinion, that is still intact is that public school where children go. The families are having problems. There are a lot of problems in a lot of institutions, and the school may be the last thing that is holding the community together. The last thing we need to do as a Nation is to pull the underpinnings out from under the one thing that is helping hold this country together.

I would be the first to say if every family was intact, and we had two-parent households and they were there, man, things would be great. It is great to wish that. It is just not true. It is not true in this country today.

We need to give children a safe haven if we can and an opportunity to learn and participate in this great adventure we call America and we call democracy. Education is the one way that we allow those children, whether they come from a Hispanic household, an African-American household, wherever they may come from, as they come to the shores of this country, or if they have been here for 10 generations, they have an opportunity to share in the American dream. If we take away that opportunity for education, and their parents cannot afford to send them to a private school, we have guaranteed them and the next generation that they will not have the opportunity to participate in it. We should never let that happen as long as this Congress meets in Washington, DC.

Mr. PALLONE. I just wanted to say very briefly, I am not going to go into the rest of these things that outline what New Jersey is doing with its Goals 2000 money. We can go into it more. It is very effective. But I just want to say, the gentleman is so much on point. He talks about the public schools being the basis for the community. I think that is totally true.

What I find is that it is true that my constituents talk to me about the need to improve the public schools. They recognize that there are problems. They recognize that the schools can do better, but they want them to do better. They want us as their elected officials to help in that regard. They do not want us to go for voucher systems which are basically going to drain the resources of the public schools and make it so that more and more people go to private school, whatever those schools happen to be, because the bottom line is that public schools historically have brought people together. They have been the equalizer, so to speak. They have been the vehicle for equal opportunity. We just cannot give up. Our constituents do not want us to give up.

I think those who argue for vouchers and encourage voucher-type programs, they have basically given up on the public schools. They are telling us, oh, if we do the vouchers, that that somehow is going to benefit the public schools, and they are going to get better. Not true. It is the people who have given up on the public schools that want to go to a voucher system. That is not what the majority of our constituents want. They want us to do what we can do to improve the public schools and to provide them with adequate resources.

Mr. ETHERIDGE. I could not agree more. I think the American people do believe in the institution of public schools because most of them came through it. The truth is that will be where they will be in the future. We need to strengthen every institution we have, and we can define any number in America today. Those institutions are changing. Whether it be financial, whether it be legal, whether it be medical, whatever that institution is, it is changing. The public schools are changing. If we are defining the public schools as some do as they ride by and see the same building they have seen, they do not go inside and they do not talk, they do not see what is happening in those classrooms.

I have had occasion to do that, as the gentleman has. You will see they are changing. But it takes time, and it takes resources, and it takes commitment, and as the gentleman indicated earlier, it takes support. It is awful hard to ask an institution to change when all you do is throw rocks because you are too busy ducking. I served in the military. There is one thing you learn to do is keep your head down when you are in a fire storm. When you have got your head down, it is kind of hard to be moving forward.

We need to as an institution, Democrats and Republicans, stop throwing rocks and start giving a helping hand. Stop the rhetoric. Quit being rhetoric makers and become help makers. The teachers would applaud us, the children will appreciate it, and I can assure my colleagues their parents would welcome it. That is what it is about.

That is one reason I ran for this people's House, because I want us to have a positive voice in Washington, talking about there are good things happening. Are there problems? Absolutely, as everyone has said already. There are problems in every institution. But we ought to help correct those problems and not just try to destroy the institution. That is so important to the foundations of our democracy, because if we destroy it, I can assure my colleagues our democracy will shortly follow.

Mr. MCGOVERN. Mr. Speaker, I for one am glad that the gentleman ran and got elected to this Congress because he has been one of the most passionate and eloquent defenders of education. I think this Congress is absolutely in need of more voices like his.

I would also say that he is right on target when he says that we should stop throwing rocks. That means, I think, we should stop blaming everything on the teachers. I have two sisters, Wendy Talcott and Kelly Tuttle, who are teachers in the Worcester Public School System, where I am from. I do not know of two people who work harder, who care more about the well-being of those children than they. They are not unique. In every school that I visit throughout my congressional district and throughout Massachusetts, I encounter teachers who are thoroughly dedicated to those kids. It is inspiring. They need support. Instead, what they are getting too much of is they are being blamed for everything. Not that every teacher is perfect, but the vast majority are good, and we need to give them the support.

Mr. Speaker, I yield to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. I am delighted to once again join this discussion about education. I think we can approach the situation from a couple of points of view. I think everybody has acknowledged that we know and we understand that there are difficulties in the public school system. But we can approach it in two ways.

We can say, OK, we are going to end this, move on to something else; or we can say, OK, this has been a provider of excellence in the past. It has, as my colleague from New Jersey pointed out, been truly the great equalizer in education for youngsters from every walk of life, from every social strata, from every economic strata, and the opportunity for people to succeed according to their God-given talent. It has proven its mettle and its worth in those areas in the past. That is something that we should applaud, and we ought to say, where are the difficulties, and how can we make this a better system, and how can we change what patterns there are here that are helping to bring down the system? That is, I think what we are suggesting that it is fundamentally a good system, and that what we need to be doing is focusing in on how to make it a better place to be.

I find it just strange when we do have so many people on the other side of the aisle who will say that the system is

bad, that it is not producing youngsters who can read or write, that it is a dangerous place, their schools are dangerous places to be, that they are not being run properly, and, therefore, one change that could be made, which was the amendment that was offered today by some of our friends on the other side of the aisle which was to take billions of dollars from the Department of Education and giving it to, in fact, the places that are responsible for a poorly run system.

The Federal Government is only about 6 or 7 percent of the Federal budget that is engaged in the public school system. It is a small amount of money. The Federal Government is not running the education system in the United States. In fact, most of the emphasis is in States with local school boards. Yet there are people here who would like to talk about how bad the institution is on the one hand and yet want to take the billions of dollars from the Federal Government and send it to those who would continue a failing system. It seems wrongheaded, which seems to me to be, as I said, crazy.

Parents today want to make sure that their kids have the best possible education, that there are standards, particularly because parents are not home after school every single day in the way that that used to be the case. They just cannot be. It is economically not feasible.

I used to volunteer my time at the community school in my neighborhood. I had one of the best experiences of my life. I used to teach at that time. I used to go from school to school and teach calligraphy as an afterschool program, a writing program. No one would believe that today, but I was a volunteer in the public school system. I was a substitute schoolteacher in the public school system. I watched community schools, which we took money away from years ago, I watched them open at 7 o'clock in the morning, close at 9 or 10 o'clock at night, and see youngsters and middle school kids and high school kids playing basketball, grandmothers coming in for a program, parents coming in for programs, and this was in an inner city, in the city of New Haven. But we ended that. We did not think that that was such a hot idea.

Now we have got, as I said, mothers and fathers and aunts and uncles in the workplace, and we do not have community schools where kids can go to. Instead of focusing our time and our effort and our resources at making this existing system a better place, we are spending our time denigrating it and trying to put an end to it.

There has been an attempt by some on the other side of the aisle to try to eliminate the Department of Education. I think the American people spoke loud and clear about that, and they said no. I think that we are seeing trying not to go at decimating the Department of Education in one fell swoop, but looking at it piece by piece. As I mentioned the amendment today, which, thank God, was ultimately withdrawn, that amendment would have eliminated Federal initiatives that do work, safe and drug-free schools, school-to-work program, and a whole variety of other programs that are working.

Mr. MCGOVERN. I want to thank the gentlewoman from Connecticut for her remarks. I also want to commend her for her leadership in another area of education which is vitally important, and that is on the issue of early childhood development. She has been a leader, and it is something that this Congress needs to focus more attention on.

□ 1800

EDUCATION IN AMERICA

The SPEAKER pro tempore (Mr. COBLE). Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey, [Mr. PALLONE] will be recognized for the balance of the minority leader's hour and for the gentleman's information, that is 16 minutes.

Mr. PALLONE. Mr. Speaker, I yield to the gentlewoman from Connecticut.

Ms. DELAURO. I thank my colleague. I just want to say, I find that we are looking at another tool in the arsenal of some of my Republican colleagues when they are talking about education issues today. I think this is worth pointing out. The kind of new catch phrases and code words to hide some of this effort to try to, if you go back when we were talking about school lunch and we were talking about the whole variety of educational programs, the single biggest cuts in education in the history of the country were initiated in the last session of Congress by the majority. So they were unable, and thank God, really unable to succeed in that effort, mainly because the American public spoke out loud and clear.

But there is kind of a new tool in this arsenal, the catch phrases and code words. I just want to call my colleagues' attention to something that was produced by Frank Luntz, who is a Republican pollster, as part of a series of materials. This one is called Education: A Smarter American.

If I can just mention a couple of things here, it says ''overview.'' This was put together to present to the Republican majority as a communications tool, how to talk about specific issues, not what to do about them but how to talk about the issue.

Education: A Smarter America. Overview. ''We have been able to isolate specific words, sentences and ideas that may help Republicans sell their education legislation and undercut the President.''

I mean, that is the first item of this document. If I can give you some examples, what Luntz is trying to do is teach people, as I said, how to talk about destroying America's public schools in a way that makes it sound as if they are doing the opposite. Again, as I say, a few examples. He recommends that Members, ''talk about children in almost every sentence.'' If you listen closely to the debate on this floor, you can hear it loud and clear. Yet when it comes to putting money where their mouth is, sometimes the majority is leaving America's kids out in the cold.

As I pointed out before, it was the Republican majority, and this is not all, believe me, this is not everyone, because there are reasonable people on the other side of the aisle who in fact do believe that we need to foster a good, solid and strong education system.

They try to eliminate the Department of Education. They insist that the bipartisan budget agreement not include any money for school construction, and they have been pushing a voucher program that my colleague from New Jersey mentioned before that would siphon off needed funds for public schools.

I think one of my colleagues on the other side of the aisle brought up a New York situation with regard to the voucher program and said well, you know there has been a commitment to assist 1,000 youngsters in being able to go to the school of their choice.

I applaud that effort. I do. I think that is a good thing. But that is 1,000 youngsters. We have hundreds of thousands of youngsters. If we begin to pull out money and resources from the public school system to only help a few, we then go back to what we dealt with years and years ago, which is education is the purview of the privileged and of the few, that is not what it is about. It is what public education has stood for, is to be there for everyone to take and get that opportunity that my colleague from North Carolina talked about before.

Mr. PALLONE. Just briefly, just to give you an example, I know for example in my local schools how difficult it is for them just to provide the curriculum that they would like to provide. In other words, if they do not have enough money to hire a teacher at the end of the year, they may not be able to have an advanced placement course or have a program for the disadvantaged or a sports program. You talk about starting to take the money away from vouchers from the public schools, even in a small way, even if it impacts 5 or 10 or 1 percent of their budget, that is going to mean no advanced placement classes, no tutorials for kids having a problem reading. They may have to abolish one of their sports programs, because they are on tight budgets. It is not pie in the sky where they have the opportunity to spend all kinds of money. Everything they do is watched. Most of it is subject to an annual referendum about how much they spend.

Ms. DELAURO. I wanted to make one comment, because I think this voucher program, which is going to be the subject of great debate here, in his documents Frank Luntz goes so far as to

admit that the American people are against the Republican voucher program, so he advises Members to call their program, a direct quote, ''opportunity scholarships.''

Opportunity scholarships. I mean, that is how far we have come here, where we are changing the nature of words to describe a way in which we want to wreck havoc on the public school system, and in fact take this money, taxpayer funds, out of public schools into private and religious schools. That is not the direction we should be going.

Mr. ETHERIDGE. Mr. Speaker, the point is what you are talking about is truly taking money, not putting additional money in for anything. I was in a school just this past Monday, and schools have changed. I think a lot of folks forget how much they have changed. And this is just not in an upscale neighborhood or in a poor neighborhood, or even in a middle class neighborhood. This is in all neighborhoods, by and large.

These were two-parent households. They are dropping their children off at school at 6:15 in the morning. They have the gym open, where the parents were paying for prior to school opening at 8 o'clock. They were picking the children up at 6 p.m.

These folks work in textile plants. Some of them work in the Research Triangle in North Carolina, in which they make good money, so they pay the full cost of the before and after school child care.

My point in making this is a point you just made. Schools have changed dramatically. We are asking people in education to do more than just educate children.

There are a lot of folks who would like for schools to continue to have custodial care. That means you take care of them during the day and teach them when you can, but just take care of them.

It is about more than that. It is about education, it is about opportunity, and it is about giving that child a vision of where he or she can go, what he or she can be, and what the future holds.

Go visit most any school today and you will see bankers, you will see astronauts in the schools, you will see a lot of business people, because in most communities now they are starting to form those partnerships. That is why when you talk about the polling data, it says we are not in favor of vouchers, we are really in favor of the public schools. We realize they are working hard to change.

Our friend from Massachusetts talked a while ago, and I must get this personal point in, about how hard teachers work. Teachers, by and large, and I think this would be true anywhere in this country, put in 50 to 60 hours every week when school is in session. I believe that. I have a wife who works in the public school system. I have two children, one who is teaching the second grade and the other who will start. I know how hard they work. I have seen them work, because their day does not end when they leave.

They are a little bit like legislators. They carry work home with them, but they have to bring it back the next day prepared for the student, they have to prepare the lesson plan and grade those papers.

That is why I think it is so important that at the highest level, in this Congress, and I am glad the President has made it a high priority and raised that vision, and I think he has given educators an awful lot of hope and the American people a lot of hope, that we are going to pay attention to education. Even though we do not put the bulk of the money to the K–12 level, we can do a lot toward raising the vision and the hope.

We have seen business people across this country come together and say ''we want to be your partner.'' I think that is why we are seeing such strong indications of their help. I am very committed to that.

Mr. PALLONE. I just wanted to say it is interesting what you said about President Clinton, because I think he has done more to basically be an advocate for prioritizing education on the Federal level than really anybody else.

I watch him, and I have watched over the years how he has approached it. I think a lot of it just comes from his own background, having grown up in not a wealthy background by any means. I think his father had actually died before he was born or when he was 6 months old, and he had a rough time.

Mr. ETHERIDGE. Without the public schools, he would not have had the opportunities.

Mr. PALLONE. Exactly. He went from public school to very good universities. He was a Rhodes Scholar. He is really sort of the example of how everything can open up and, given equal opportunity, that people really can achieve great things, can become the President of the United States.

I think all the Democrats are saying is we want that to be true for the next generation and generations to come. We do not want that opportunity to be lost, because it may very well be if we do not continue to prioritize the public schools.

I think that is really what may be the reason why so many of us in our party feel so strongly about these education initiatives, because we have seen it ourselves.

You and I were talking earlier about how many Members of Congress went through public schools and how oftentimes we will see those very same Members get up, sometimes on the other side of the aisle, and talk about vouchers or ways that we think will actually drain public school resources.

Sometimes I just wish they would look at themselves in the mirror as an example at how they got here to these hallowed halls, so-to-speak, and it was mostly through public education.

So do not tear it apart. Try to come up with ways that will improve it. That is really all we are saying. I mean, we keep saying it over and over again. We worked on it a lot with the budget in terms of higher education and providing more opportunity and more money that is available, and now we are saying we have to do the same thing with the secondary schools, with preschool, all the way to high school graduation.

Ms. DELAURO. We have to give parents the sense and the confidence that the teachers are accountable, that their kids are learning, and they have a role and a responsibility. We can do that. That has been the way of the public school system in the past. We do not have to take the resources out and, again, as I said before, make education the purview of the few and not the many.

Parents want to know there are standards that are being met. They want it better for their kids. It is what everybody's parents here wanted for their kids.

My dad could not speak English when he came to this country and he suffered for that, because at that time he was in a school where his classmates and teachers laughed at him because he could not speak the language and he left school. Sure, he did fine and did OK. He worked very hard so that I could get an education and I could realize my dreams. But, my God, would it not have been an easier road if we had an understanding, like we try to do today with the great diversity of our public schools, which has made it as strong as it can possibly be.

That is what we need to be about. That is what the great strength of this country is about; it is diversity. That is what its schools need to foster, and make each and every piece of that effort as strong as it can possibly be, and not leave a shell where the public school system used to be.

As I said, this is not a partisan issue. This is a national issue, and we need to try to come together so that we can recognize where there are things that are wrong, agree that they need to be changed, and put our mind and our resources to making the change for the betterment of our country and for our kids.

Mr. ETHERIDGE. If the gentlewoman would yield, I could not agree more. One of the things we need to keep in mind as we are talking about our schools as they change, et cetera, is the public school system that we now see and that has served us well does not go to the founding of this country.

Truthfully, in a lot of States, particularly the southern States, we are talking about the turn of the century. If you dropped out of school, there was a job in business, somewhere in industry, and a place you could be plugged in.

Today we are asking the public schools to have 100 percent graduates,

we are asking them to be at a much higher level than they ever have been. So schools are changing. This is a tremendous challenge, and they need all the help to get there, because our economy changed, and as our schools change, they meet some very difficult tasks. All of us can cite some examples that why we made it was because of the public schools, and there are a lot of examples in the Halls of this Congress on both sides, and it is true all across the country.

□ 1815

AIR SERVICE NEGOTIATIONS BETWEEN UNITED STATES AND JAPAN

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

Mr. HASTERT. Mr. Speaker, I am going to share some time with my good friend from the other side of the aisle, but before I do that, I have seen the previous speakers here kind of quote figures on the other side of the aisle and say that some folks do not believe in public education.

I have to tell my colleagues, I am a product of public education. I taught in the public schools for 16 years. I think one of the real issues that these folks missed in this presentation was that people want to make choices for their kids, and I do not think that it is something that we want to decide in bureaucratic offices in Washington, how our kids should be taught, how our money should be spent.

One of the things that we think might be a good idea is to send our money back to where those local schools are and let those local school boards and those local folks who run schools and State organizations decide what is best for those kids in those areas.

One other thing. I heard people talking on the other side of the aisle, saying we want to deflate school because of vouchers. Vouchers give parents a choice, and if public schools are lacking, it is not up to the Congress to give people the confidence in the public schools. It is the public schools themselves that have to build confidence so that parents believe that their children are getting a good education, that they have the opportunities, and when they graduate from that school they are going to have the same opportunities somebody else has.

So I would join with my friends on the other side of the aisle who just gave this presentation, yes, I think public schools are important, but I think parents ought to have choice and I think vouchers ought to be part of that decision. If a parent wants to send a child to a school, he ought to have the choice to do that. So I would say that there is room maybe for more bipartisanship than just the presentation we just saw.

One of the reasons that I have asked for this time tonight is to discuss really an area of economics, far away from education, but to educate people about what is going on in this country especially with competition of major airlines, and competition with a country that has sometimes been a bitter competitor for us, and that is Japan.

Japan entered into an agreement in 1952 that basically limited airline transportation between the United States and Japan between four airlines, two of those airlines from Japan and two airlines from the United States. One of those airlines from the United States has subsequently gone out of business. The other airline has been enjoying most of the air routes between the United States and Japan over the last almost 40 years plus, and as a consequence, the old story, at least out in the countryside where I am from in rural Illinois, about the farmer standing out in his field and somebody coming and saying, ''How do you get to Wright's Corners?'' And the old farmer scratches his head and says, ''Son, you can't get there from here.''

That is a problem, especially in the Midwest. If one wants to fly to Japan from some place like Chicago or Indianapolis or St. Louis or Kansas City or even Atlanta, GA, one cannot get there from there. So what we are saying is there ought to be a change.

What is happening today, there are discussions, high-level discussions between the United States and Japan on changing the way that we put in the regulation on air traffic between the United States, the number of flights between the United States and Japan. The airline who has the sole, not the sole monopoly but a major monopoly of air traffic between the United States and Japan, the American carrier says, well, it is open skies or nothing. In other words, absolutely free regulation, or we stay the same way.

Well, probably we are not going to get to open skies, or at least immediately. Open skies is certainly something that we would like to have, open competition. Open competition means that if one is going to fly as a business trip from Chicago to Tokyo or Chicago to Osaka, instead of paying $4,000 a ticket we may pay less than $3,000 a ticket. That means more people can go, more competition. We have a better infrastructure, interface in business and economic relationships between this country and Japan, and Lord knows we could use that.

However, what happens when we limit the number of flights, especially from the interior of this country, we just cannot get there, so one has to take a train or take another flight to Los Angeles where there are 80-some flights a week, or one has to go to Seattle or San Francisco, or one has to fly to the east coast to get a flight to the Far East, which means one would have to go west.

So it is an issue of fairness. We need to open the skies. We need to have these negotiations take place, but it cannot be all or nothing. What we are looking for is the ability for us to start to open the doors, to allow a place like O'Hare Field, which has one of the largest airfields, at least in capacity and the number of flights that happen in this country. It is No. 1 in this country for domestic passengers, flights in and out and the number of passengers, but we are 30th in the number of trips overseas. So what does that mean? That means that we have less visitors coming from Japan.

If we just had one more flight per day, whether it is a Japanese carrier or an American carrier, out of the Midwest, out of Chicago, an average visitor from Japan spends about $1,500 while they are a guest in this country for a week or 10 days. If we had one more flight a day, that would mean over a year's time we would have almost $15 million more business.

When we start to talk about trying to balance the trade between the United States and Japan, we send a lot of dollars to Japan. We have a lot of Japanese sound equipment and electronic equipment and automobiles. The best thing we can do is try to bring some of those dollars back, and the best way we can capture those dollars is having Japanese tourists come back not just to Washington, DC or New York City or Los Angeles, but yes, to the Midwest and to the South as well.

If we start to open up airline availability so that those people can fly into the Midwest and the mid-South, then we could start to get more people involved, we can start to bring more dollars from Japan here, and certainly even start to balance that imbalance in trade.

One of my colleagues who serves on the Committee on Transportation and Infrastructure and is involved in airline jurisdiction is my good friend from the other side of the aisle, the gentleman from Illinois [Mr. LIPINSKI]. I would like to yield to the gentleman at this time and hear his comments.

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman. It is an honor for me to participate in this special order with the gentleman, but before I get into my comments, I would appreciate it very much if my colleague would yield to a fellow Chicagoan, the gentleman also from Illinois [Mr. DAVIS] on this subject.

Mr. HASTERT. Mr. Speaker, it would be my honor.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman. I certainly want to thank my colleagues for putting together this opportunity to talk about the needs of the Midwest.

I rise today to join my Illinois colleagues in urging the Clinton administration and the Japanese Government to use this historic opportunity to put an end to the limits on direct air service between Chicago's O'Hare International Airport and Asia. It is imperative that current negotiations with

Japan yield an air service policy that will benefit Midwest businesses and consumers.

Liberalization of Midwest air service is an important first step in ensuring real economic gains to our region which has been historically disadvantaged by current air service agreements. It is time for the Midwest to receive its fair share of access to the growing Asia markets.

Under current air service agreements, Chicago's O'Hare, the hub of the Midwest and one of the most frequently-used air terminals in the world, is restricted to only 20 weekly direct flights to and from Tokyo, the gateway to Asia. This is not adequate service for the thousands of midwesterners who do business with companies in Asia.

Four of Illinois's top 10 export markets are in Asia and account for more than $6 million in annual revenue. A new agreement would have enormous economic potential for our region, and would enable the Midwest to be more competitive in the largest and fastest growing economic market in the world.

In fact, it is estimated that lifting current restrictions could bring as many as 2,670 new jobs to the Midwest, 1,820 of those in Illinois alone. Expanding current service of trans-Pacific flights will also provide additional access to the Midwest region for foreign businesses wishing to invest in our region. Unless these restrictions are lifted, the Midwest stands to lose up to $1 billion in Japanese investments in property, plants, and equipment.

It is unfair to require our airline industry to operate under an antiquated post-World War II agreement which only granted limited air service rights to Asia for certain United States cities. As a result of this agreement, flights to and from Chicago are severely restricted.

These outdated regulations do not realize the global economic dependency on efficient air service, nor the state-of-the-art technology of today's airline industry. Furthermore, a new agreement must provide for increased hub-to-hub connections which could provide lower fares for consumers. These reduced fares could generate about $16 billion a year in tourism revenue for the Midwest region.

Mr. Speaker, the Midwest must not be forced to compete in today's global economy while operating under an antiquated air service agreement. Therefore, I, along with my colleagues, urge the Clinton administration to reach an agreement and the Japanese government to reach an agreement which would increase Midwest-Asia air service. These negotiations offer an unprecedented opportunity to not only expand tourism, increase employment and economic growth for the Midwest region, but to open up enormous opportunities not only in the Midwest but in other major areas throughout the country.

So I thank the gentleman from Illinois [Mr. HASTERT] for giving me the opportunity to share my thoughts and ideas on this subject.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Chicago, a good friend and certainly a supporter of economic development, not only in Illinois and Chicago, but also the Midwest.

It is interesting, his comments. If I wanted to fly from Chicago or Atlanta or New Orleans or St. Louis and the few flights there are, the one flight a day or two flights a day that fly out of Chicago, if I cannot get on one of those flights, that means that I have to fly to San Francisco or Los Angeles or maybe Seattle, but probably from the West, either San Francisco or Los Angeles. All of those are nice towns, but it means one is going to sit around that airport for 2 or 3 hours extra before one gets on his flight or makes his connection, and the cost of that flight is probably going to be $1,000 or $1,500 or $2,000 more than if there was open competition, if we let airlines fly in and out and let the marketplace decide what those prices are.

So not only are we hindering the convenience of people to move from the Midwest and mid-South to the Far East, but we are also saying it is going to cost more money, by the way, and we are not going to let that free competition in.

On September 22 of this year there is that meeting in Japan, in Tokyo, and it is important for our administration and the Japanese Government to try to come to an agreement or an accord. It also means one other thing.

□ 1830

It means if we want to do business, we have to open that business up. We just cannot constrain that business to one airline that gets the majority of it.

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

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

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman for yielding to me. I have some prepared remarks in regard to this subject. It is a subject that is enormously important not only to Chicago, IL, the Midwest, but I believe to the entire Nation. Aviation is not only the future, but aviation is the present and will be the future. It is something that we have to be involved in, involved in deeply, and we have to really have it be one of the vanguards of our economy.

The bilateral agreement between the United States and Japan was signed in 1952, over 45 years ago. The agreement gave three airlines the right to fly to Japan and beyond to other points in Asia. The three airlines are Northwest, United, which purchased its rights from Pan American, and Federal Express, which purchased its rights from the Flying Tigers.

Federal Express, as we all know, is not a passenger-carrying airline, it is a cargo airline. So actually, these two airlines, Northwest and United, are considered incumbent carriers. Since 1952 the United States and Japan have signed memoranda of understanding granting additional carriers such as American, Delta, Continental, and UPS limited rights to serve Japan. Once again, UPS is not a passenger carrier, but a cargo carrier, so the three additional passenger carriers we have gotten into Japan under a memorandum of understanding are American, Delta, Continental.

These MOU carriers, as they are referred to, fly to and from Japan, but with frequency, capacity, and gateway limitations, and with no beyond rights, which means they can fly into Tokyo, but they cannot fly beyond Tokyo. No other place in Asia can they fly to. They have to return immediately to the United States.

There have been several aviation disputes between the United States and Japan in recent years. Most of the tension has stemmed from Japan's protectionist restrictions on its market. Japan has steadfastly refused to open its international markets in order to protect its national carriers.

Japan fears that its national carriers cannot compete successfully against the larger, more efficient U.S. carriers in an open skies market. However, for the first time in decades, Japanese negotiators have indicated a willingness to be flexible in regard to increased access for U.S. carriers.

The United States must seize upon this rare opportunity to ease the restrictions in the U.S.-Japan aviation market. Obviously, an open skies agreement should be our ultimate goal. However, Japan is adamant in its opposition to open skies. Therefore, we should work on a bilateral agreement that will ease current restrictions in the market and will eventually lead to open skies. It is either a phased-in approach to open skies, or to status quo. The status quo will only keep Chicago and the Midwest isolated from Japan, causing our region to continue to lose a million dollars in missed opportunities.

Right now only two carriers are incumbent carriers. One is a United States carrier, Northwest, and the other a Japanese, JAL, can operate from their primary hub airport without any frequency restrictions. United, although it is considered an incumbent carrier, is restricted to only six flights per week from its principal hub at O'Hare International Airport.

Let me run that by the Members once again. Right now, only two incumbent carriers, one a U.S. carrier, Northwest, and the other a Japanese carrier, JAL, can operate from their primary hub airports without frequency restrictions. United, although it is considered an incumbent carrier, is restricted to only six flights per week from its principal hub at O'Hare International Airport. American, which also hubs at Chicago-O'Hare, is completely shut out of the Chicago-Tokyo market.

Japan wants its other national carrier, ANA, to also have unlimited access between the United States and Japan from its major hubs. This is one of Japan's primary goals in negotiating a new agreement. In fact, as far as I am concerned, it is their number one goal in negotiating a new agreement. The United States should only grant ANA unlimited access normally reserved for incumbent carriers if Japan guarantees that a second U.S. carrier will also enjoy all the rights of an incumbent carrier. Then, with two carriers from each country having unlimited access, each community could potentially be served by four different carriers.

However, if JAL and ANA, Japan's only two international carriers, both have unlimited access between the U.S. and Japan, the nonincumbent U.S. carriers would be at a great disadvantage. Therefore, increased frequencies and additional gateways are needed for MOU carriers so they can also provide service from their major hub airports. U.S. negotiators should not grant ANA incumbent status without also gaining increased access for U.S.A. MOU carriers.

Finally, a phased-in approach to open skies with Japan should definitely allow code-sharing between all United States carriers and Japanese carriers. The aviation industry is moving in a definite direction of abandoning attempting to have beyond rights to relying upon code-sharing networks. Code-sharing networks allow U.S. carriers to offer the service and convenience of a foreign hub without the expense of a self-operating hub.

For example, code-sharing agreements have enabled U.S. carriers to be effectively competitive all over Europe. In fact, all U.S. carriers now rely on code-sharing alliances with one or more European carrier to feed passengers to and from their transatlantic flights. Unfortunately, under the current bilateral with Japan, code-sharing alliances are not permitted, and as a consequence, U.S. incumbent carriers depend solely on their limited beyond rights to provide service beyond their Japanese hubs.

Code-sharing agreements between U.S. and Japanese carriers would provide the service and the access to Japan and beyond that we want for Chicago, the Midwest, the East, and the South. In Japan's Tokyo Narita airport, that is the primary gateway to the rest of Asia. However, available space is severely constrained there. The best use of the limited space at Narita would result from a code-sharing agreement between a U.S. carrier and a Japanese carrier.

For example, if an airline has 100 markets beyond its United States hub and no hub in Tokyo, 100 markets are served. But if an airline has a code-sharing agreement with a carrier with a hub on the other side of the Pacific, with 100 American markets beyond the U.S. hub and six Japanese markets beyond the Tokyo hub, over 600 city pairs can be served.

With O'Hare's position as a hub for both United and American, any service from Chicago O'Hare to Tokyo Narita would provide the greatest number of potential city pairs, representing the best use of limited space at both airports. Code-sharing agreements do not equal open skies, but they do open the market tremendously, increasing access to Japan and beyond.

In addition, once code-sharing agreements are in place, Japanese carriers will want antitrust immunity to maximize the effectiveness of their code-sharing alliances. The Government of the United States does not and will not grant an alliance between a U.S. and a foreign carrier for antitrust immunity until open skies are achieved between the two nations.

Therefore, it is easy to see how our liberalized agreement now will lead to open skies with Japan in the future. Again, a phased-in approach to open skies is much better than the status quo. If the United States does not seize this opportunity with Japan's willingness to be flexible by the end of the month, we will be stuck with limited access to Japan and beyond, and Chicago and the Midwest will continue to be big, big losers.

I thank the gentleman from Illinois [Mr. HASTERT] for this time. There are a number of other people here to speak. I will be back in the future.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Chicago. One of the things, just in a practical application of what the gentleman said, for instance, if I wanted to take a trip to Chicago's sister city, which happens to be Osaka, Japan, a small city in Japan, only about 15 million people in its greater Kansai area, we could not go directly from Chicago to the new airport outside of Osaka.

So what we would have to do, we would have to fly to Tokyo, and because there are not any rights for American carriers to go beyond Tokyo. We would have to fly some other airline from Tokyo to Osaka, and hope that maybe if we wanted to fly from Osaka back to the United States you could do that, but you could not fly direct to Chicago, you would have to fly to Los Angeles, then wait and change planes, and fly from Los Angeles back to Chicago.

Not only does it complicate the ability to do business or to travel or to make exchanges between these two countries, it makes it virtually impossible for people to have free and easy travel plans.

I appreciate the comments of the gentleman from Chicago.

Mr. LIPINSKI. Mr. Speaker, I would just like to say that we all know that the Japanese are extremely difficult people to deal with on all trade issues. One of the reasons for that is because it is a very small island. They are very much people who like to deal with themselves, and if they are actually willing to give us an opportunity to get in there and open up that market in some way, we should certainly take advantage of it.

Mr. HASTERT. I appreciate that, Mr. Speaker. Any time we sit down and deal with trade, we have to sit down honestly and hope that the parties on the other side of the table sit down honestly and try to bargain. Each side will always try to get their best deal.

Mr. Speaker, it is my great privilege to yield to the gentleman from Peoria, Illinois [Mr. LAHOOD].

Mr. LAHOOD. Mr. Speaker, I thank the gentleman for allowing me to offer a few comments regarding this important issue that the gentleman has taken time to set aside this hour for to discuss. I have some prepared remarks that I would like to make, and as a member of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, our committee has discussed this issue, and there is an awful lot of concern about it.

In 1952, the United States and Japan entered into a highly restrictive aviation agreement that to this day severely restricts the number of flights between O'Hare International Airport in Chicago and Japan. Despite being the busiest airport in the world, O'Hare ranks only 30th in terms of the international passenger travel. This makes no sense at all. Because of this restrictive 1952 agreement, all of the Midwest and the entire country have been hurt by the lost business opportunities.

Fortunately, the U.S. and Japan are currently negotiating an agreement that would drastically increase the number of flights to Japan and all of Asia. The potential economic impact of this agreement cannot be overestimated. An independent study by Arthur Andersen has concluded that lifting the current restrictions would increase passenger travel between Chicago and Tokyo to more than 700,000 by the year 2000, bring in over 2,600 jobs to the Midwest, and result in an additional $80 million in spending throughout the region.

I might add that the Midwest-Asia Aviation Coalition has stepped in to provide important leadership in this effort. This coalition is made up of a diverse group of business, trade associations, labor and civic organizations, and tourism groups.

□ 1845

Additionally, this group includes a very distinguished list of over 290 individuals, including Gov. Jim Edgar of Illinois, Mayor Richard Daley of Chicago, and our former Republican leader Bob Michel.

I have no doubt that through the efforts of the Midwest-Asia Coalition and others, that when the final negotiations are completed, we will all soon realize the tremendous benefit of this new aviation agreement. Again I wish to thank my friend the gentleman from Illinois [Mr. HASTERT], and all of the Members who are contributing so much in this issue that we are discussing this evening.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Peoria, and at this time I would like to introduce and yield to the gentleman from southern Illinois [Mr. POSHARD].

Mr. POSHARD. Mr. Speaker, I thank the gentleman for yielding to me. This is a very important issue to the State of Illinois, because in just a few days the Clinton administration and the Japanese Government will meet again to discuss the United States-Japan Passenger Air Service Agreement. This time I hope we do the right thing.

It is time, indeed it is past time, to reach an agreement that will expand service between the two countries and beyond. The United States-Japan aviation agreement is, to some extent, a relic. It was reached in 1952, an era before jet service and before extensive commercial air travel between the two countries began.

At the time, Japan was a weak economy, still recovering from World War II. Because it was a different era, with different circumstances, the two sides agreed on an aviation agreement that fit those times, but not today. The agreement they reached then, which has largely stood through the years, severely limits flights between the two countries. Cities and airports were handpicked by governments, not the markets.

In recent years, the agreement has been loosened a tiny bit, yet there is nothing close to open access or a free market. The result is that only 11 United States mainland cities, only 11 cities, are allowed to have flights to Japan. Currently, Chicago's O'Hare Airport is the busiest airport in the world, yet ranks only 30th in terms of international travel. One of the reasons for this is that access to Japan is severely limited from Chicago, totaling only 20 flights per week. Meanwhile, Los Angeles has 87 flights per week to Japan.

Moreover, the west coast has 160 weekly flights to Japan, while the central part of the country has only 59. What this means is that most residents in the Midwest and the East, where three-fifths of our population reside, are not conveniently located for air travel to Japan. This problem begs to be corrected when we consider that the Arctic Circle flight path from Chicago to Japan is the most efficient route for this trip.

This is not the free market at work. In my State of Illinois, logic and economics demand that Chicago have more flights. Economic research by Coopers & Lybrand indicates that adding just seven round trip flights per week between Chicago and Osaka would bring traffic totaling 60,000 to 70,000 people a year, and this would bring in as much as $503 million a year to the economy.

The U.S. airline industry, except for one airline, has lined up behind the push for more service. Northwest, which currently has a dominant share of the United States-Japan market, has taken a stance that backs stagnation and the status quo. They might be serving their interests but not the interests of people who live in my State and could benefit from the expanded service.

A new expanded agreement with Japan would produce an additional 3,600 new flights a year in the United States-Japan market, more additional flights than any of the 25 so-called open skies agreements that the United States has signed in the past 2 years.

There is more. A new agreement would produce a 25-percent increase in competition by adding new airlines and increasing the number of cities in the United States that could gain service. All that would produce more than $10.8 billion in annual economic activity, which would support nearly 250,000 U.S. jobs across this Nation.

Mr. Speaker, we should push ahead with a new United States-Japan Passenger Air Service Agreement. A new agreement would produce more flights by more airlines to more cities between the United States and Japan and beyond. That is real competition and it benefits all of us.

Mr. Speaker, I wish to thank the gentleman from Illinois for giving me this time and opportunity on this very important issue facing our State.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Illinois, and he brings up some very interesting statistics. One of the things I want to share with my fine colleague from southern Illinois is that he said if we open up one flight a day between Chicago and Osaka, and of course, Osaka is Chicago's sister city, that we affect some 700,000 people.

But what we really do is increase the economy, Japanese yen flowing to the United States and the Midwest. And of course, we know we have that trade deficit, so the more dollars we can get, the better off we are. But just by opening this up, a half billion dollars just to Illinois, not counting what would happen in Texas and Louisiana and Georgia and other places.

I think that is just an amazing piece of information, and I really appreciate the gentleman's effort.

Now, Mr. Speaker, I wish to yield to the gentleman from Texas [Mr. SESSIONS].

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Illinois [Mr. HASTERT]. I appreciate this opportunity to speak about this very important subject, and I rise to offer my support also to the United States and Japan negotiating team who are now entering the next rounds of meetings to continue talks on the long-awaited air transport agreement between our two countries.

I think history will look at this moment as one that is a very important crossroads in the future of both our countries and our nations as we work together, not only now but in the future.

For the first time in almost 50 years, the United States and Japan will come together and agree to a new level of passenger air service between the United States, Japan and beyond. What is even more significant, though, is the economic impact that that will accord and the opportunities that will surely follow in the coming years.

This agreement will provide United States air carriers with a 25-percent increase in passenger flights to Japan. Nearly 3,600 new flights will be added each year. Further expansion can be expected as other carriers begin this service to the region, which I believe can only breed more competition in the marketplace. And the best part is that is only the beginning.

This agreement will have an enormous economic impact to our economy. At present it is estimated that this agreement will generate almost $10.8 billion in direct and indirect economic impact. More importantly, this accord will open additional routes for United States carriers in growing Asian markets and certainly beyond Japan. That factor alone could inflate an additional $1.6 billion for U.S. air carriers.

Clearly the biggest gain in this agreement can be felt in access to markets for American business men and women. The unprecedented increase in commercial and passenger air traffic will open a new day for each and every one of our business men and women as they wish to do business in Asian export sectors. We cannot underestimate the power that these new emerging markets will bring and the opportunities that are before us.

Likewise, these increased opportunities will enhance Japanese investments in our country. The anticipated increase in cargo and tourism and traffic will enhance our own marketplaces and our economy. The possibilities are almost endless for a person from Texas to think about. Not only will it help our economy and our country, but it will bring new and expanded tourism to Texas and the United States.

In closing, I would like to say that I agree with what has been stated here today; it is the marketplace, it is economics at its very best, and it is economic development. And I would like to thank my colleagues from Illinois, and in particular [Mr. HASTERT] for taking the time to discuss this important development and support for our negotiators as they enter into these important agreements.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Texas. And when we talk about what happens and, of course both United and American tend to hub and do hub in Chicago, but American has a big hub in Texas, and so the dynamics we talk about and how that brings economic activity certainly to the Midwest, certainly happens in the Midwest, in the Texas area and the Southwest, and certainly in the Mid-South.

Mr. SESSIONS. Of course it does. We have many, many people who have come to our country with not only opportunities for their lives but have

brought high-technology abilities to our country. They want to make sure that we are selling our products overseas. They want to make sure it is easy for us to do business. They do not want to have two or three stops before they get to Japan.

So it is not only faster and better service, but it is a real boom as we near the 21st century.

Mr. HASTERT. Another interesting thing the gentleman brings up, he talks about a $10 billion increase in economic activities. That just does not accrue to any one area in this country. It certainly accrues across the board.

If cities, and especially important cities in Texas and important cities in Illinois and Louisiana and other places, have the ability to get involved and to partake in this, that certainly spreads out. Again, as we talked about, it starts to level out that imbalance of trade that we have.

I really appreciate the gentleman's participation and being here tonight. And at this time, Mr. Speaker, I would like to introduce and yield to one of the youngest members of the Illinois delegation but certainly one of the hardest working, the gentleman from Chicago, IL [Mr. BLAGOJEVICH].

Mr. BLAGOJEVICH. Well, Mr. Speaker, let me thank my colleague from Illinois [Mr. HASTERT], and I want to comment briefly, piggybacking on some of my predecessors speaking here today, principally those from Illinois, but also the gentleman from Texas [Mr. SESSIONS] and agree with them that we need to urge the negotiators from the White House to try to do what they can to free up our skies and make our skies more available for American carriers to fly to Asia.

Closed skies are not friendly skies, they are unfriendly skies. It is probably not realistic to think we are going to have completely open skies, but it is important to realize we need to make an incremental approach and to gradually open the skies and increase routes to Asia from the United States.

Now, much has been said about the 1952 agreement that governs the present rules that decide aircraft flights from the United States to Asia. Let me put that in perspective, if I may. Back in 1952, there was no rock and roll. That is how long ago this was. We were operating under an agreement that is so dated rock and roll had not even existed yet. Elvis was only a junior in high school when this was entered into. Nobody in the NBA dunked back in 1952. Virtually everybody in the NBA dunks.

These are changing times. We live in a changing world. The Baltimore Orioles did not exist in 1952. I think my other colleague from Illinois [Mr. LIPINSKI] is an expert on this. They were the St. Louis Browns, am I right?

Mr. LIPINSKI. The gentleman is correct.

Mr. BLAGOJEVICH. I am right. So we have seen a great deal of change not only in cultural and social developments but a great deal of change in more important things, like technological changes and changes in trade and the like.

□ 1900

So we have seen a great deal of change in other societies, in fact in the world, since 1952. We have an agreement that governs the policy with regard to aircraft flights from the United States to Asia that was agreed to in 1952, yet the world has seen a great deal of changes.

Technological changes have been rapid and continue to change with every passing day. International trade is different today. In fact, the Asian market back in 1952 is not the Asian market that exists in the United States. Over the past two decades, U.S. foreign trade and foreign investment with East Asia has soared, increasing faster than economic ties with any other region.

Between 1978 and 1996, U.S. exports to East Asia grew 620 percent, while during the same period U.S. exports to all of Europe increased by around 246 percent. Back in 1952 Europe was the chief trading partner with the United States. That is a fact that is no longer as relevant as it once was.

In 1996 the value of total U.S. exports to Asia surpassed that of exports to all of Europe. So Asia is a major, major place in the world and is a very, very important region in the world with regard to United States and our economic health and vitality.

Today Japan, for example, is the second largest international destination for United States travelers after the United Kingdom. In fact, by the year 2015 the Asian Pacific region is expected to represent 40 percent of total air travel between North America and any international destination, surpassing the volume of air travel between North America and Europe.

So it seems to me we ought to scrap this 1952 agreement, bring it into the modern era, and apply routes and have a more open sky so that American carriers can reach Asia and American business can enjoy some of the fruits and benefits of those expanding and emerging markets in and throughout Asia.

With regard to technological changes, let me just point out that air travel is different today in 1988 than it was in 1952, when most aircraft flights came out of the West Coast because you could not fly directly from New York to Japan or from New York to Tokyo back in 1952. Forty-five years have transpired. Aviation technology has made it possible to fly directly between Chicago and Japan.

In fact, between 1952 and 1998 we were actually able to fly to the moon, which we did in 1969 for the first time. So there is a great deal of technological change; and, therefore, this agreement needs to be renegotiated so that it fits the times and the era in which we live.

There are advocates who believe we ought to have one or the other, we ought to have only open skies or not change the 1952 agreement, and I would submit that those advocates are either totally erroneous or disingenuous.

The fact of the matter is that the Japanese Government has said publicly that they will not entertain any discussions about completely opening the skies. Therefore, I think it is important that we again try to make incremental gains and slowly approach opening the skies so that the Japanese Government becomes more comfortable with Japanese carriers in more direct competition with American carriers, who would generally have a better record of being able to succeed in a nonregulatory free market environment.

So I hope we can have more flights to Asia. I hope more cities throughout the United States can have more access to Asian flights, in particular to Japan. I hope we can expand some of the buy-on rights agreements, and I would urge the negotiators to continue in their efforts in developing some of the co-chairing efforts that they have been doing.

One final point. As we open access to American airports and access to Asian and Japanese airports and air traffic, I would hope that the Midwest is properly represented. And I would urge that we take a serious look at Chicago, which has historically been a transportation hub in the United States, with rail, with trucking, with air travel, and with sea and lake travel.

Chicago historically has been the center of transportation. Chicago O'Hare International Airport is among the busiest in the world. It has a built-in infrastructure that would work perfectly with more flights from Chicago directly to Japan. Chicago would also be able to service other parts of the Midwest.

Three out of five Americans live east of the Mississippi River, yet the region's airports can only offer one out of five weekly flights to and from Japan. There are 87 flights per week between Los Angeles and Asia. There are only 20 flights per week between Chicago and Asia.

As the gentleman from Illinois [Mr. POSHARD] noted moments earlier, there are 160 flights per week to and from Asia which originate from the Western United States. There are only 59 flights per week to and from Asia which originate from the Central United States.

So we should have more air travel from the Midwest United States and Central United States to Asia. I would argue that since O'Hare Airport is a perfect place to fly that has a built-in infrastructure, those flights, many of them, should come out of Chicago's O'Hare International Airport.

One last point, if I may. There are financial considerations, as well. Fifteen different Japanese banks have branches in Chicago. So when you consider the business aspect, it is very convenient for those who want to do business from Chicago to Japan or Asia to be able to

fly directly from Chicago to Asia, and having more flights available I think helps with regard to that. There are in fact more Japanese banks and branches in Chicago than any other foreign banks and branches represented in Chicago from other countries.

And one last thing. Chicago is the international leader in the trading of commodities, stock options and currency. Chicago is the home of five major exchanges. It makes perfect sense to have direct travel from Chicago to Asia. As I close, 80 percent of the world's commodities are traded through three of Chicago's exchanges.

So having said that, I hope the negotiators listen to what I hope are words of wisdom. I know that whenever the gentleman from Illinois [Mr. HASTERT] speaks, those are words of wisdom, and I am less confident about my own words.

Mr. HASTERT. I thank the gentleman from Illinois [Mr. BLAGOJEVICH]. Just, you left out the Chicago Bulls. I do not know how we did that.

Mr. BLAGOJEVICH. If the gentleman will yield, I do not want to be parochial.

Mr. HASTERT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. WELLER], who also represents Chicago and parts of down-State Illinois.

Mr. WELLER. I thank the gentleman from Illinois [Mr. HASTERT], my friend and the chief deputy whip and one the leaders in our House. Also, I want to recognize the gentleman from Illinois [Mr. LIPINSKI], who represents the neighboring district, for his leadership on aviation issues. And of course, I echo the words of my friend, the gentleman from Illinois [Mr. BLAGOJEVICH], on why improving aviation opportunities, particularly the connections between the Midwest and the United States and Japan, what it means in jobs for the folks in the Chicago region, which I have the privilege of representing.

I believe it is time that we move forward with negotiations to improve and open more skies to flights for American carriers, particularly between Chicago and the Midwest and Japan.

Today, Chicago O'Hare is the world's busiest airport. We have quite the privilege. Chicago is considered America's second city. It is a global financial center. It is a world class city, and it is also home to the world's busiest airport. More flights come in and out of Chicago's airspace than any other place in the world.

But the surprising thing is that we rank 30th, Chicago O'Hare ranks 30th overall in international flights and international passengers. Now if we were to change that and improve opportunities for American carriers to fly between Chicago and Japan, it would have a big impact financially and economically for working, middle-class families right in the Chicago region.

In fact, according to one study which I have read, one additional flight between Chicago and Japan could generate over one-half a billion dollars in additional economic benefits to the Chicago region. One-half of a billion dollars would benefit from just one more, one additional flight between Chicago and Japan.

As I have always said, when we improve transportation, we create jobs. That is why these negotiations have been underway, and we need to make an even greater effort to open the skies between Japan and the United States, because in doing so we are going to create jobs for working, middle-class families in Chicago, in the Midwest, and also throughout the United States.

It has been said, according to studies, the economic impact of lifting the current restrictions on nonstop Chicago-Japan flights could bring over 2,600 new jobs to the Chicago region just in the next 2 years. Our own Governor, Jim Edgar, stated recently that greater access to the expanding economies of Asia will mean more investments, more trade and more jobs for the people of Illinois and the Midwest.

That is why business and labor and politicians of both political parties have joined together in the Midwest-Asia coalition, working together to emphasize how important opening the skies between the United States and Japan is to working folks right here in the United States, particularly in our home area, in the Chicago area.

Some would say, ''Well, what would happen if we do nothing, if nothing changes? What happens if we are unable to expand our current agreement with Japan?'' Recent study found that the current restrictions on air travel between the United States and Japan cost the Midwest thousands of jobs and millions of dollars in salaries and probably at least $1 billion in lost investment in the Midwest and in the Chicago region, $1 billion in lost investment because of the current restrictions.

Think about what that would mean to the folks in the Chicago area, working middle-class families who would benefit from increased economic opportunity, more jobs and more opportunity.

My colleagues, I stand in strong support of the negotiations that are currently underway. I stand in strong support, as I know the folks back home do as well, of opening the skies between Japan and the United States. Because, as these negotiations move forward, I think it is important that our negotiators know that we stand behind them and that we are looking to them to open the skies, because by opening the skies, bringing in additional flights between Chicago and Japan will bring jobs to the Chicago region, more jobs, more opportunity. And frankly it is going to be in the best interest of the working folks, the middle class, in the Chicago region.

I yield back my time to the gentleman from Illinois, and again thank the gentleman from Illinois [Mr. HASTERT] for the opportunity to speak on this important issue.

Mr. HASTERT. Mr. Speaker, I include for the RECORD two editorials from Midwest papers:

[From the Chicago Tribune, July 3, 1997]

PHASING IN OPEN SKIES WITH JAPAN

O'Hare International Airport is the world's busiest in terms of passenger volume, yet it ranks only 30th in international business. Its overseas volume is less than half that of New York, Los Angeles and Miami—the top three international airports.

A broad-based, clout-heavy group of Midwest businesses and civic leaders—headed by Gov. Jim Edgar, Mayor Richard Daley and former U.S. Rep. Robert Michel—wants Washington to do something to help O'Hare. The administration should take the group's advice and act accordingly.

Specifically, the Midwest-Asia Aviation Coalition wants United States negotiators to reach a deal with Japan that would adopt a phased-in approach to competition, gradually allowing more flights between the two countries and permitting marketing agreements between U.S. and Japanese airlines.

A bilateral pact that immediately establishes open trade, or ''open skies,'' would be preferable and should be the first, and ultimate, goal, but the Japanese government so far has refused, arguing the U.S. won't open its domestic market to foreign airlines. Japan, however, would accept phased-in competition.

United Airlines and American Airlines, which operate hubs at O'Hare, are coalition members and favor a phased-in approach like that taken with Germany and Canada. Minneapolis-based Northwest Airlines wants unrestricted access to Japan, with no limits on the rights of U.S. carriers to fly to other Asian destinations. Japan is willing to phase in open skies if there are limits on flying on to other countries.

International flights at O'Hare are restricted by the aviation pact between the U.S. and Japan. It gave United, Northwest and Federal Express the right to fly to Japan and beyond, but American and other airlines are allowed only limited service. At O'Hare, United has only six flights a week to Japan, while American can't even fly between Chicago and Tokyo. Northwest, with hubs in Detroit and Minneapolis, has almost as many weekly flights from the U.S. to Japan as the rest of the domestic airlines combined.

The coalition is just being realistic; Northwest is being protectionist. The choice doesn't have to be between immediate open skies or the status quo. The U.S. and Japan can allow more flights and new alliances that will promote business and growth.

A recent study by Arthur Andersen concluded that the number of passengers flying through O'Hare to Asia would more than double if sufficient flights were available. The increased traffic would add jobs and foreign investment in Illinois and the Midwest.

Gradual liberalization doesn't mean the goal of open skies should be abandoned. In fact, as the benefits of greater competition and service are realized, the resistance to open skies will dissolve. Meantime, some progress is better than none.

[From the Chicago Sun-Times, July 2, 1997]

MORE FLIGHTS TO JAPAN

As a Trivial Pursuit question, it is a lock for Chicagoans: What's the busiest airport in the world? O'Hare of course.

But where does O'Hare rank in international flights?

A surprising 30th. O'Hare's international volume is less than half that of New York, Los Angeles or Miami.

An opportunity to help rectify that comes as negotiators from the U.S. and Japan meet to retool a 1952 pact governing flights between the two countries. Under the outdated rules Chicago is artificially held to about 20 flights to and from Tokyo a week.

Some in the airline industry are pushing for ''open skies'' legislation, essentially allowing an unfettered flow of air traffic between the two countries. Negotiations, however, should not be allowed to collapse into an ''all-or-nothing'' conclusion. While we favor open skies just a liberalized stop-gap measure featuring a phase-in approach would be acceptable. Such a moderate approach is backed by a broad coalition of Midwest business, labor, trade, civic and tourism groups.

Economics demand it. currently, Japanese businesses may find the Chicago and Midwestern economic climate attractive, but the hassles of getting here send them searching for other American locales. If restrictions were dropped, the number of trans-Pacific passengers could double by 2000, says the Midwest-Asia Aviation Coalition. The coalition estimates that increased air service could result in 2,670 jobs to the Midwest and $52 million in additional salaries.

The current system, as Department of Aviation commissioner Mary Rose Loney says, ''has put Chicago at a competitive disadvantage with other cities.'' Chicago is too important an economic engine for the Midwest to be hamstrung by regulations written 45 years ago in the pre-commercial-jet age.

Mr. Speaker, I yield to my colleague on the Subcommittee on Aviation, who also serves with another Illinois colleague who could not be here tonight and talk. The gentleman from Pontiac, IL [Mr. EWING], certainly has been a leader in this country. The gentleman has served with great distinction and has been a very active advocate of getting these talks in place and done so that we can start to open up our trade and air trade, aviation trade with Japan, and certainly hope that this would be expedited, especially in these talks that are going on this month and next week, September 22.

Mr. Speaker, I yield to my good friend, the gentleman from Chicago [Mr. LIPINSKI].

Mr. LIPINSKI. I thank the gentleman from Illinois [Mr. HASTERT] for yielding.

The American and Japanese negotiators are on the verge of replacing this outmoded 1952 agreement with a new accord which would dramatically increase air service between our two countries. Eventually such an agreement can lead to total deregulation or open skies.

I hope that Japan is not posturing. I hope that we are not posturing. I hope that we can use common sense and really make progress. I urge the administration to complete an agreement with Japan this month which liberalizes air service. We really cannot afford to wait. We have waited far too long already.

We have been asking both sides to put aside symbolic differences in the spirit of achieving real gains for consumers and business, not only in Chicago, IL, the Midwest, but really throughout this Nation. Opening up air travel with Japan just will give us enormous economic benefits, not only in this Nation but in Japan also.

Liberalization is a very important first step. The next step in ensuring that the Midwest historical disadvantage in air service to and from Asia is corrected with significant gains in the number of flights.

Mary Rose Loney, the city of Chicago aviation commissioner, said a new agreement is sorely needed even if it stops short of complete open skies. Dogmatic insistence on open skies may forgo present-day opportunities for a greater liberalized regime between the United States and Japan.

I recognize that open skies with Japan is not on the immediate horizon. The United States may need to accept a phased-in approach so our agreements would be like Germany or Canada, ones that started out very slowly but have expanded tremendously.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 168, IMPLEMENTING THE RECOMMENDATIONS OF BIPARTISAN HOUSE ETHICS REFORM TASK FORCE

Mr. SOLOMON (during the special order of the gentleman from Illinois, Mr. HASTERT, from the Committee on Rules, submitted a privileged report (Rept. No. 105–250), on the resolution (H. Res. 230) providing for consideration of the resolution (H. Res. 168) to implement the recommendations of the bipartisan House ethics reform task force, which was referred to the House Calendar and ordered to be printed.

□ 1915

AIR SERVICE NEGOTIATIONS AIM TO INCREASE INTERNATIONAL FLIGHTS

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 60 minutes.

Mr. LIPINSKI. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SHIMKUS].

Mr. SHIMKUS. Mr. Speaker, I rise today with my colleagues to urge the administration to complete an agreement with Japan to liberalize air service as soon as possible. As a new legislator, I am amazed at the arcane and outdated restrictions on air services to and from Japan. The restrictions agreed upon over 40 years ago severely limit the number of flights between Chicago's O'Hare airport and Japan.

One might think that at the world's busiest airport, serving approximately 118,000 passengers a day, a wide range of flights to Japan would be available. Yet with 42 weekly flights, even smaller urban airports in Detroit and Minneapolis offer more service than O'Hare. In fact, recently a San Francisco-based firm was looking into relocating to Chicago. However, because of the limited number of flights to Japan, the decision was made not to relocate.

The effects of this restriction are felt not only in Chicago, but throughout the rest of the State. According to a study recently completed by Arthur Andersen, O'Hare misses out on tens of thousands of passengers annually. Since 4 of Illinois' top 10 export markets are in Asia, just one additional flight between Chicago and Japan would generate up to $503 million annually in total economic impact.

A new agreement would unleash tremendous economic potential for the Asia-Pacific region and enable the Midwest to capitalize on the fastest growing economic market in the world. Again, Mr. Speaker, I urge the administration to complete an agreement with Japan which would liberalize air service and allow the Midwest to share in expanded service to Asia.

Mr. LIPINSKI. Mr. Speaker, I want to thank the gentleman for participating in this special order. I know that his words are sincere, and I think his words were potent.

Before I yield to the gentleman from Illinois [Mr. HASTERT], I would like to make mention of the fact that the gentleman from Illinois [Mr. EWING], who is very much involved in aviation, who serves on the Subcommittee on Aviation, unfortunately has not been able to join us thus far this evening because he is tied up on other business. But in the event that he does not join us by the time we finish our special order tonight, I want everyone within the sound of my voice to know that he, too, supports this and has been very much interested and involved in this issue for a very long period of time.

I yield to the gentleman from Illinois.

Mr. HASTERT. Mr. Speaker, I want to thank the gentleman from Chicago, my colleague and good friend from the other side of the aisle, in joining with this effort tonight. I think the message is strong and clear, strong and clear to our negotiators that are going to Japan next week and to those negotiators in Japan. It is time that we see eye to eye. It is time that we start to let competition into the process. It is time to let U.S. air carriers have the rights to carry passengers beyond Tokyo. It is time to have the right of U.S. carriers to be able to move from cities in the Midwest to other cities, such as Osaka. Those decisions should be forthcoming. They should be made next week. There are many, many people here in this Congress that are urging that to happen.

Again I thank the gentleman from Chicago.

Mr. LIPINSKI. I thank the gentleman from Illinois [Mr. HASTERT], a leader from the Republican side of the aisle, for taking the 1-hour special order and then joining in the 1-hour special order that I have on this very important topic. It has been through his leadership here in the House of Representatives that many of us have been very fortunate to be able to achieve a number of legislative goals that we

have been interested in. With him aiding and assisting us in this particular effort, I believe that we will also be successful.

I want to go out of my way, though, to thank the individuals who came here tonight to speak in behalf of this issue: The gentleman from Illinois [Mr. POSHARD], the gentleman from Illinois [Mr. DAVIS], the gentleman from Illinois [Mr. BLAGOJEVICH], the gentleman from Illinois [Mr. WELLER], the gentleman from Illinois [Mr. LAHOOD], the gentleman from Illinois [Mr. SHIMKUS], the gentleman from Texas [Mr. SESSIONS], who joined us, and, of course, the gentleman from Illinois [Mr. HASTERT].

Mr. Speaker, before I conclude this special order, there are a few comments that I would like to make in regard to this subject. In recent editorials, both the Chicago Tribune and the Chicago Sun-Times called for the United States to adopt a phased-in approach to open skies if Japan continues to resist complete deregulation of air service between our two nations. The Sun-Times wrote, ''Negotiations should not be allowed to collapse into an all-or-nothing conclusion.'' The Tribune said, ''The choice doesn't have to be between immediate open skies or the status quo. The United States and Japan can allow more flights and new alliances that will promote business and growth.''

Our largest aviation trading partner is Canada. Until 1995, the air transport market was extremely restricted. Like Japan, Canada feared open skies. What United States and Canadian negotiators forged was not an open skies agreement. It was something less. For example, beyond rights were and remain limited. The result, however, has been extraordinary. In the first year of the agreement, an added $2 billion was pumped into the United States and Canadian economies.

O'Hare International Airport in Chicago, the Midwest's primary aviation hub, is the world's busiest, but it has been mentioned several times earlier tonight that it ranks only 30th in the world for international passenger travel. This is a direct result of the restrictions of the 1952 bilateral agreement.

The gentleman from Illinois [Mr. BLAGOJEVICH] mentioned that back in 1952, the Baltimore Orioles did not exist. They were still the St. Louis Browns. The Oakland A's did not exist, either. They were the Philadelphia A's. But if we go back to that period of time, to show you that the expansion that has taken place in so many areas has not occurred in the aviation industry in regards to our relationship with Japan, there were eight teams in the National League, eight teams in the American League, and look at how many teams we have today.

The same thing could be talked about in regards to the National Football League, the great expansion since 1952; the National Basketball Association; the National Hockey League. Everything has expanded. More people are involved, more businesses created. Yet our relationship with the Japanese in regards to aviation has been stymied because of the Japanese refusal to liberalize the agreements that were agreed to back in 1952, before rock and roll, as the gentleman from Illinois [Mr. BLAGOJEVICH] mentioned here earlier.

The point I want to make is that we must get the relationship between the United States and Japan into the 21st century. The Japanese need it, we need it in this country, and for far too long we in the Midwest, the East, and the South have been deprived of the opportunity to expand our business dealings, our tourism with Japan.

We have a historic opportunity this month to explode the business we can do with Japan. All we have to do is have our negotiators be willing to take something less than open skies. Take the deal that I outlined the first time I spoke. It will be beneficial to every carrier in this country. It will be beneficial to every business in this country. And most importantly, it will be beneficial to every citizen of this Nation.

TEEN PREGNANCY PREVENTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I am here this evening to really report good news and bad news on the level of teen pregnancy. Because we care about our young people, and because they care about themselves, we must celebrate the good news and work to improve the bad.

Mr. Speaker, the good news is that fewer North Carolina teenagers became pregnant in 1996 than in 1995. It was the sixth year in a row that the teen pregnancy rate has fallen in North Carolina, and that is good news.

The bad news is although the teen pregnancy rate has fallen, and that rate continues to fall, it has been rising in many countries including the United States. And in 1996, the teen pregnancy rate for North Carolina girls between the ages of 15 and 19 was 10th highest in the country, 89.8 out of 1,000. That is indeed the bad news.

I am here today for our young people, because they care and they need to have an opportunity. They want a job, they want a career, they want a chance. They want to be both positive and productive in their future. Our young people want an education, a career and a chance, a chance for the future to make a difference, not only in their lives, but in their communities' and in their families' lives.

I have had now nearly one dozen teen pregnancy forums in my district over the past few years, and for the express purpose of helping our young people look towards achieving their goals of having a career and having a positive future. In those forums, we focused on the importance of both boys and girls taking responsibility to prevent adolescent pregnancy.

Premature pregnancy can affect teens physically, but more importantly it impairs their stride toward success. Each year approximately 1 million teens become pregnant. Once a teenager becomes pregnant, there simply is no good solution to that problem. The best solution is to prevent the pregnancy in the first place. The ''Kids Having Kids'' report released by the Robinhood Foundation gives the alarming costs and consequences of teenage childbearing. It shows that teenage childbearing costs U.S. taxpayers a staggering $6.9 billion each year, and the cost to the Nation in lost productivity rises to as much as $29 billion annually.

□ 1930

The consequences to the families and to the children of these teen parents in health, social, and economic development are devastating.

Let me just cite a few of those report findings. More childhood health problems: They are more likely to be born prematurely, and 50 percent more likely to be born with low birth weight than if their mothers had been older when they were born.

Increased child abuse: They are twice as likely to be abused and neglected if they are born to teenage parents. Trouble in school: They are 50 percent more likely to repeat grades and to perform significantly worse on cognitive development tests.

Reproducing the cycle of poverty: The girls born to adolescent moms are more than 83 percent more likely to become teen moms themselves, 83 percent.

Behind bars: The teenage sons of adolescent mothers are up to 2.7 times more likely to land in prison than their counterparts in the comparative group.

By extension, adolescent child bearing in and of itself costs taxpayers roughly $1 billion each year to build and maintain prisons for the sons of young teenage mothers.

Kids having kids is the most comprehensive report done on the costs and consequences of teenage pregnancy to parents, children, and society. This ground breaking report graphically illustrates the financial loss in terms of social and economic costs to our Nation. I want young people to be in the optimum position to prepare for the rest of their lives. That means postponing sexual involvement until a much later time in their life when they are mature on these decisions.

There are positive options we should make sure that all of our teenagers have as they grow to be adults. Young people should recognize those positive options. But we should make them available to them. We must provide real choices for a real chance in life.

Some of the young people in North Carolina have taken this first step, and we want to say congratulations to

them. However, Mr. Speaker, the good news is that they have done that. The bad news is not enough have done that.

We are part of the responsibility, and we are part of the solution to make sure that the bad news turns into good news.

TAX CODE NEEDS REVAMPING

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

Mr. KINGSTON. Mr. Speaker, I wanted to talk tonight about a number of issues, but before I do so, I wanted to commend the gentlewoman from North Carolina on a very, very important topic, one which I think is probably one of the biggest issues in America today, and certainly I appreciate your leadership on it. I am from Savannah, your hometown. As the gentlewoman knows, we have a tremendous problem because of so many teenage pregnancies.

Mrs. CLAYTON. I appreciate the gentleman recognizing this as an important problem, and part of the thing I have been trying to get my colleagues to recognize is we are part of the problem if we are not part of the solution. We as adults in society or parents or leaders or colleagues in this deliberative body, we have to make opportunities for young people to say yes to positive options, rather than their saying yes to negative ones.

As the gentleman and I know, there are no good solutions to teenage pregnancy. Once they are pregnant, there are a lot of consequences to that action. There is a young kid raising a kid. That kid, as I said earlier, may have societal problems where they draw on the public for a variety of their assistance. They are sometimes behind in school, the young ladies sometimes repeat that cycle, and part of my bringing this issue up is to suggest that all of us have a responsibility.

I am not here to hold them up in scorn. I am up here to say I care about young people, and if I care about them, I want them to be positive in life, and teenage pregnancy gets in the way of them developing themselves and being the adult that they could be.

Mr. KINGSTON. I agree with the gentlewoman. I was speaking the other day in Brunswick High School, to the junior school, a lot of 16-year-old kids. The young women in that class were particularly interested in a lot of issues, but we got on the success of abortion and so forth, and the subject of choice, and one of the things that I said is remember, you are 16 years old. Decisions about sex are tremendous, major league, life-affecting decisions. You may be pro-life, you may be pro-choice. Whatever your decision is, it is a major league decision when you get into that arena.

So I would say to you, young 16-year-old boys and girls, be very, very careful. This is not deciding what kind of car you are going to drive, what you are going to study, what sport you are going to play or what band you are going to go to. This is a major league decision, whatever you choose.

You need to be very, very cautious about it. Sometimes I think that we as adults do not talk to the kids enough. I have a 14-year-old daughter, and in talking to her, and then turning around and talking to my peer group parents, I am alarmed at what the parents are not talking to their children about.

To some degree, and I would say it is my opinion, if my daughter gets pregnant, it is not her school's fault, at some point it is not my fault or her mother's fault, it is her fault. To put that kind of mentality in her where she is shifting the responsibility and saying you know what, look at yourself in the mirror, you have to take a major role here, and we are always reluctant to talk frankly with our young people, and yet in so many ways they can handle it. But we have got to put them on notice and talk to them.

I find time and time again, parents are not talking to them. I have some drug statistics that I will share later on, it is just unbelievable that parents do not know what is going on with their kids.

Mrs. CLAYTON. I appreciate the gentleman yielding. I want to say to you young people can handle more than you think, and they are handling more than you realize. We are afraid somehow to converse with our young people, but we are conversing non-verbally with them. We give mixed signals that it is not important. We talk about those things that are important to us. We have somehow a reservation about talking about sex.

I am old enough to know my mother had reservations in talking to me about it. I probably conveyed that similar reservation to my adult children, they tell me. But as we get older, we understand that we need to embrace that.

I have looked at talking about sexuality very early, through your church, your home setting, as well as your school, so young people can see that this is not a mystery. This is God's way of procreation, but it is also having people to be positive about themselves. Just as a young man is positive about himself running around the track. He abstained from smoking and staying up. Why? Because he wants to achieve something.

We want to have that same attitude in our young people, that they want to achieve something in life, so you have to say yes to this set of things, staying in school, making sure you do not put certain things in your body, you do not engage in premature sex, that you find those kind of development skills that challenge your mind. You take difficult classes. That is because you have a goal.

So if we begin giving young people goals, rather than scorning them, I think you would have less young people in trouble. I commend the gentleman and express my appreciation for allowing me to interact. I know the gentleman cares about this issue.

Although we come at it a different way, I think abstinence certainly is the number one issue. I also think we should do a lot about family planning. I just think to ignore that young people are engaged in conversation with people is to ignore reality. That is why family planning is so important. That is why I think parents ought to talk to the young people, because other young people are talking to them.

You would be amazed. I just had a forum with a group to talk about the media's influence on them. You would be amazed at what young people are saying to each other about the subject.

Mr. KINGSTON. On the subject of family planning, the most effective course is going to be at home in the family, not the extended institutional family.

Mrs. CLAYTON. You know, all of our young people are not blessed like your young people and mine, and to ignore that is to dump them in the streets. They need some institution embracing them or somewhere where they get factual information and credible information, not the stuff they hear on the street.

Mr. KINGSTON. I agree. Parents have got to come back into the formula. We are moving in the same direction on this.

Let me say one thing that I have been appalled about with the parents. They are bombarded. When you ask parents, well, do you listen to your kids' rock and roll? And parents think rock and roll, they think the Beatles, the Rolling Stones, Pink Floyd or Jimi Hendrix. They think of their rock and roll generation. They do not understand the Fujis or Tori Amos or some of the groups now that are out there. They are not singing ''I want to hold your hand.'' They are very explicit on sex. Sometimes those explicit sex labels or lyrics are not on the CDs that the kids are buying. Parents should take that opportunity to say ''let me see what you are listening to,'' because now most of them have the words out there.

I have had this happen with my daughter Betsy, because I like music, and I like to sit down with her. I cannot believe some of the stuff, the ''F'' word all the time; sex, all the time. What it does is it gives parents an opportunity to see what their kids are up against every single day of their life, but it also gives, between parent and child, an opportunity to talk. Sometimes parents say ''I am a little reluctant to talk to my kids about sex or whatever, and I do not know how to bring it up.''

All you have got to do is open some of their magazines, maybe read some of the inscriptions in the yearbook, read some of the lyrics on their records and CDs. There is a volume of material

that is an entree for parents to get involved and started talking.

Mrs. CLAYTON. I agree. There is a lot of opportunity for parents to give monitoring guidance and advice about not only the magazines they read, the music they hear, the shows they look at, but that comes from parents being engaged with their young people and taking some responsibility and not leaving it indiscriminately to their young people to buy whatever they want or watch whatever TV they watch.

Also parents ought to express concerns to the media. Still, it is a market-driven situation. If there were enough parents speaking out, young people are going to like different music from what their parents liked. What we call rock and roll, our parents called something else. So you should expect that. Young people want their music. Your music is called the oldies. They do not want to hear that stuff. My kids used to turn the radio when they got in my car. They knew where it was.

So you have got to have an opportunity for them choosing their own music. So the idea is to set standards for them to select within their sphere. You cannot make them like what we like. That is inconceivable, for young people to embrace what their parents liked. But we can have standards by saying what is acceptable for your development, what is ideal for your character formation. Those are things that come from parents engaging, and not enough parents are there, so institutions must be engaged. To ignore that is to relegate too many young people to the street, and we will continue having what is happening already.

Mr. Speaker, I commend the young man for allowing me to interact in his special order.

Mr. KINGSTON. I appreciate your leadership, and look forward to working with you as we wrestle with the issues.

Mr. Speaker, one of the issues I wanted to talk about, that ties into this on the subject of age-appropriate parenting and marriage-based parenting, has to do with the kooky policy that we have in our Internal Revenue Code that says when two people get married, they pay more taxes. It is true, Mr. Speaker, that right now it is less expensive to live together than to get married.

If we agree that marriage is a good institution and we agree that marriage-based parenting is the best way to raise kids, then we should have a tax policy that says when you get married, you either get a tax credit, or at least you do not have to pay higher taxes because of the union between a man and a woman. But right now we have what is called a marriage tax penalty, and it penalizes, of course, working folks.

It is time for this Congress to act on the marriage tax penalty, to repeal it, so that people are not encouraged to live together and they are encouraged to get married, if that is what they want to do, or at least not be discouraged by the tax system.

□ 1945

A couple of things also that are affecting the family that I wanted to share with my colleagues, Mr. Speaker, on this subject of children. Right now, average middle school students, and this is a very recent survey, shows that by the age of 13, 40 percent of American students know someone who has used acid, cocaine or heroin. Thirty-four percent of the 13-year-olds have friends who are regular drinkers. Twenty-nine percent of the 13-year-olds in America can buy marijuana within a day, and 12 percent can buy it within an hour. Twenty-seven percent have friends who use marijuana, and one of four have attended a party in the last six months where marijuana was used. I do not think parents know to what extent the drug problem is in America.

Now, let us go up a couple of years. By the time these kids are out of middle school and in their senior year, age 17, two-thirds can buy marijuana within a day, 44 percent within an hour; 62 percent have friends who have used marijuana, and 21 percent will say that more than half of their friends use marijuana. Half of the kids have seen drugs personally sold on their school grounds, and 60 percent of American 17-year-olds attend schools where 60 percent of the kids drink on the grounds.

We are losing the war against drugs. I think that the President certainly has a right to bring up this tobacco situation, and we need to reduce teen tobacco use. There is no question about it, and I think we can do a lot in that regard. Yet, while we are debating the tobacco wars, it is a shame that for the columns and the ink and the advertising and the air time that has been spent on tobacco, probably not even one-tenth has been spent on the drug problem. These are tremendous problems, Mr. Speaker.

This is something that centrally affects all of the children in America, and if one does not believe it, talk to a 13-year-old, 14-year-old, 15-year-old, 16-year-old, 17-year-old; find out from them directly, do not take my word for it. Sit down and talk to the kids. As somebody who goes to lots of high schools and lots of student groups to talk, I have seen these statistics are roughly true. I believe that is a tremendous crisis that is facing our country.

Our country, as my colleagues know, Mr. Speaker, has lots of crises, and we as Americans, the great Nation that we are, we face crisis after crisis and we live up to it, and time and time again we pull through. I think a lot of the secret to our success is because of something that happened on this date in history, September 17 in 1787, and that was of course the signing and general ratification of the United States Constitution. Our Constitution, as my colleagues know, came as a result of the Articles of Confederation not being strong enough to meet the needs of the American system of government after the Revolutionary War.

The thing about after the Revolutionary War, we spend a lot of time talking about Francis Scott Key, and we can stand on the gunnel of the ship with him as we see the ramparts in the air and the flying through the night, and we think about the glory of the great American Revolution. We think about Francis Marion, the Swamp Fox of the Revolution, hiding in the oak trees and the Spanish moss with the alligators and the snakes and the mosquitoes and running raids on the British soldiers, and them realizing that if somebody is willing to sacrifice that much for freedom that they probably cannot be defeated on the battlefield.

We think about the Francis Marions of the world. We think about George Washington at Valley Forge. We think about Nathan Hale, a school teacher who went behind enemy lines to spy on Cornwallis, and who, when caught, with a noose around his neck, utters the words, ''I regret that I have but one life to give for my country.''

Incidentally, Mr. Speaker, that was moments after the British asked him what his last request was, and his last request was to write a letter to his mother and asked them to deliver it, and the British soldier took the paper and tore it up, and he turned around and made this great and wonderful lasting statement about America.

That is our glorious Revolution, and yet sometimes we do not remember that once in war, after we take the hill, sometimes the work is not finished at all, but just beginning in a new phase, and that is where America was after the Revolutionary War. We had a weak executive. We had no, virtually no court system, and the power of the States was tremendous, so there was little State unity. It was clear that the Articles of Confederation needed to be rewritten. So a Constitutional Convention was called on May 14, 1787.

Now, politicians being politicians, it took them from the 14th until the 25th until they had a quorum. Now, we think about how long it takes us to have a quorum coming over from Longworth and Cannon and so forth, but here they had to go by horseback and sometimes they did not even know there was a quorum call. But it took them a while, and finally they got a quorum and they went to work, and out of 55 delegates, 39 made it until September 17 to sign the Constitution.

It was a great period in history. A lot of the big minds, the great minds of our history were in the room: Alexander Hamilton, Benjamin Franklin, Madison, Washington, a lot of the great thinkers, and yet other people were gone. Thomas Jefferson was in France; John Adams was in Britain; Samuel Adams, not a delegate; Patrick Henry refused to because he did not like the idea of a strong, centralized government.

They got together and in September passed it. It took until July 1788 before

the State of New York actually ratified it, but the Constitution was brilliant. It was profound, and it was concise.

The major parts of it, part one, the legislative branch, the apportionment, at that time there was a lot of growth in the State of Virginia, some growth of Georgia coming on, but a question as to how many Members of Congress would we in Georgia have. It was decided through a tie, and I believe that Washington and Franklin were both very integral on this, George Washington actually leading the way, that we would have one Member of Congress per 30,000 people, so Georgia ended up with three Members of Congress and Virginia with 25.

Now, when we think about our Congress today, we are at 600,000, and no doubt at the next reapportionment it will probably ease up to 625,000 or something like that.

The legislative branch was outlined in section 1. Also, the power to collect taxes and borrow money. Now, just think about that. We have certainly utilized section 1 of the Constitution to the fullest extent. Section 2 gave the executive branch strong authority. Section 3, the judicial branch.

Now, one of the problems that I think we are experiencing in some parts of the judiciary, the judges can get in an ivory tower. We know the case last year, Mr. Speaker, of a judge who when a drug case got to his court, and the circumstances were such that a woman was driving around in a high-risk area in, I believe, New York City, some guys came out from the darkness. She opened the trunk, and they pulled out of it two duffle bags of cocaine. When this happened, the police sting operation moved in, and the people ran, and the judge threw out the two duffle bags of cocaine as inadmissible evidence because he said that in that part of the country, in that part of the city, it was appropriate to run from the police because the police are oppressive.

Now, that was later, because of the public outcry, the judge backed down on that, but it is pretty bad when we have members of the judiciary who are so high in an ivory tower that they remove themselves from the real world.

I think that can happen in any branch, but with our legislative, executive and judicial branches of government, we all have to keep each other in check from time to time, and certainly the judges have no hesitation of keeping Congress in check.

Section 4 of the Constitution, the interstate commerce clause, part of that was how does a State become part of the Nation. When I was first elected to Congress in 1993, I believe one of the big issues was making Washington, DC, a new State, which was voted down, but that was actually outlined in the Constitution.

Section 5, amending the Constitution. Mr. Speaker, since the beginning, we have had 4,900 proposals to amend the Constitution. I believe only 27 have passed. And Miss Johnson at Brunswick High School corrected me on that the other day, so if I am wrong, we are going to talk to Miss Johnson about it, but Miss Johnson is never wrong.

We have votes on this this year. As my colleagues know, the Balanced Budget Amendment would be another amendment; and flag desecration, to prevent people from burning Old Glory or using it in certain manners, as they did in one art gallery where they put the flag, the United States flag on the floor and had, including young school children, had it arranged such that people had to walk on the flag to see the art exhibit. That would have been prohibited. Another so-called art exhibit had Old Glory stuck in a toilet halfway, and I guess in certain parts of the world, that is considered art. But the flag desecration amendment would have addressed things like that, and that was in section 5.

Section 6, one thing we argue very often around here is the Nation rules over State, national government can supersede State laws, and that is something that of course we fought a war over, and some other issues. That is constantly argued about and debated year after year.

Section 7 talks about how to ratify. As I said, actually New York waited almost a year to ratify the Constitution. North Carolina and Rhode Island actually held out for the Bill of Rights, and the Bill of Rights, as we know, were the first 10 amendments, including very, very importantly, the First Amendment, freedom of speech, freedom of religion, freedom of the right to assemble.

I reminded the school kids the other day, the right to assemble, how important that was to civil rights activists in the 1960s when the civil rights movement was at its heyday. Where did they meet? They met in churches, and they did not need a permit from the governor to do that, as in the early days of the colonies they had to have a permit from King George to get together and that was one way that they kept people from organizing.

In terms of freedom of speech, we are having huge debates right now on what should be on the airways, what should be on the Internet. The number one hit area on the Internet today is pornography.

Now, the question is, Mr. Speaker, should we have the right of freedom of information, freedom of speech on the Internet? I think most Americans would say yes to that. Okay, what about the 10-year-old? Should he or she have a right to it? People would say well, yes. Now, how do we draw the line? It gets a little more complicated the more we explore what our rights are and then what we are potentially exposing people to.

Other things, do we want certain people to have access to how to make a bomb, and would that be something that we would want to guarantee that freedom of speech right to certain folks, maybe prisoners or something like that? Points to ponder.

We have right now under the freedom of religion debated the Istook amendment. That is the Religious Freedom Restoration Act that would allow for nondenominational student-led prayer in school, and yet, there are some cases where that is going to be very controversial. We may and may not have a vote on that amendment. But again, it goes back to the First Amendment.

The Second Amendment, well, we never, ever debated gun control in this body, Mr. Speaker. At least not this week, we will probably get to it next week. But we are always debating these things, and I think the fact that we are makes the Constitution a living, breathing instrument. It shows how profound it is. People do not realize that the American Constitution, while over 200 years old, is one of the oldest constitutions in the world. Britain, France, Japan, all the major nations of the world have had to rewrite their constitutions, but not ours.

□ 2000

It is a great, great document. On this date we, as Americans, should be as aware of September 17 as we are of July 4. I want to mention some names. Mr. Speaker, I will submit all these names, but I want to read a few names, because I want to show what these people were.

George Washington, a planner, a soldier, a statesman;

Nathaniel Gorham from Massachusetts, a merchant;

Rufus King from Massachusetts, a lawyer;

From New Hampshire, John Langdon, a merchant;

William Samuel Johnson, from Connecticut, a lawyer;

Roger Sherman, from Connecticut, a shoemaker;

David Brearly, from New Jersey, a lawyer;

Benjamin Franklin, a printer, a statesman, a scientist, a philosopher;

Thomas Mifflin from Pennsylvania, a merchant;

Robert Morris from Pennsylvania, a merchant;

John Dickinson from Delaware, a lawyer;

Jacob Broom from Delaware, a surveyor;

William Blount from North Carolina, a landowner;

Hugh Williamson from North Carolina, a physician;

Charles Pinckney, from South Carolina, a lawyer and a soldier;

William Few, from Georgia, a lawyer and member of the State legislature;

And Abraham Baldwin from Georgia, a clergyman.

They came from all walks of life, and they got together and formed almost a perfect document, or to the world of government certainly one.

Mr. Speaker, I yield to my friend, the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Georgia. Indeed, as he recalls those who signed the

document that was ratified as the Constitution of the United States, I am reminded that in just a few hours, in the Valley of the Sun in the Sixth District of Arizona, many who reference this Constitution will gather to celebrate the vibrancy of this document and its importance.

As the chairman of the Congressional Caucus founded during the 104th Congress, I would say to my colleagues in this institution, and Mr. Speaker, to those who watch throughout our Nation and around the world, that it is this document that we swear to uphold and defend when we take the oath of office.

The challenge for us, I believe, Mr. Speaker, is not one that can be summed up with some sort of political phraseology. There are those here in this body and elsewhere in this town who talk about reinventing government. There are others who have written, part of the Fourth Estate who have written, as journalists, that this new conservative majority in Congress is here for a revolution.

Mr. Speaker, let me simply say that I do not believe what we are all about is a reinvention or a revolution. I think, instead, that we would be better off as a country and as a Congress representing those in our country to really try to work for a restoration, a restoration of what this document intends, enumerated powers specified in the Constitution of the United States.

Sadly, what we have seen over the years is that many have taken this document, and they have put it up on the shelf. It is dusted off from time to time in commemorative weeks for historical observance, but our challenge is to live the Constitution. It is a remarkable document, founding this great Republic. If we remember, if we restore what this document means, with its limited and enumerated powers, then we will serve the American people well.

I would say that certainly there are differences of opinion. We champion those differences of opinion. There are those who claim that this document has great implied powers. That debate should continue. That is the essence of our constitutional republic.

But I think it would be important to remember that as one author put it, Catherine Drinker Bowen, in that remarkable title that reviews the history of the Constitutional Convention, that what our founders were about was putting together what she titled in her book ''The Miracle at Philadelphia''; the fact that people from different walks of life, enduring hardship, covering great distances, would embrace a notion that has continued to thrive over two centuries, the notion that here in this Nation, the people are sovereign, a thought that was groundbreaking 2 centuries ago, where, in the kingdoms of Europe, and indeed throughout the world, the notion was that power was conferred from God on a sovereign, someone sitting upon a throne. Here, our notion of governance is that God confers rights on people first, and then people confer power on the government.

Small wonder, then, that the document starts with the three words, ''We, the people.'' And to understand the eloquence and the miracle of that accomplishment in Philadelphia is something that I think all too often we perhaps minimize or perhaps try to put in a special relationship. These were very human people with very human failings.

The book, ''Miracle at Philadelphia'' encapsulates some debates that, quite candidly, Mr. Speaker, were less than civil, emotional outpourings, honest disagreements; and yes, from time to time, dare I say it, personal attacks. But even through the midst of that type of strife came this remarkable document.

It would be my hope that as we continue to work through this 105th Congress, that we work together, acknowledging differences, coming to the floor in this remarkable Chamber, where 435 of us have been chosen by our fellow citizens to represent them.

It would be my hope that we would do more than simply take this document out and dust it off and speak of it eloquently in commemorative fashion, but to remember that this is a living document, a Constitution of enumerated powers that, if we remember and restore that intent, we will have what Thomas Jefferson spoke of when he talked about a limited but effective government. That is what we should rejoice in and that is what we remember tonight.

Mr. Speaker, as pleased as I am to join my colleague, the gentleman from Georgia, I am also very pleased to join one of the newcomers to the people's House who joined us here in the 105th Congress, our good friend, the gentleman from New Jersey [Mr. PAPPAS].

Mr. KINGSTON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PAPPAS].

Mr. PAPPAS. Mr. Speaker, I thank the gentleman for yielding to me. I really was quite inspired in hearing the gentlemen speak of what is being celebrated this week as a truly momentous occasion, the history of the world.

We tend to overlook it, but the little booklet the gentleman is holding in his hand, I carry one of those in my briefcase. Every once in a while, especially traveling back and forth between here in Washington on the train, just the other day I read through it. I try to read through it every once in a while when we are dealing with an issue that a portion of the Constitution may deal with specifically. I just find it very helpful.

But as I was thinking about participating in this discussion tonight, I thought of doing something a little bit differently, and in talking to the gentleman from Arizona [Mr. HAYWORTH] and the gentleman from Georgia [Mr. KINGSTON] and those that may be viewing hopefully back home in New Jersey, I will talk a little bit about the four people from New Jersey who participated and signed the Constitution.

For my friend, the gentleman from Georgia [Mr. KINGSTON] and my friend, the gentleman from Arizona [Mr. HAYWORTH], and the chairman from Louisiana, I will give a little history on the four gentlemen.

William Paterson, Jonathan Dayton, David Brearly, and William Livingston.

William Paterson was born in Ireland in 1745. When he was almost 2 years of age his family emigrated to America, disembarking in Newcastle, Delaware. In 1750 he settled in Princeton, New Jersey, which is part of my district in central New Jersey, and became a merchant and manufacturer of tin goods. His prosperity enabled him to attend local private schools in the college of New Jersey, which is now referred to as Princeton University.

Paterson studied law at Princeton under Richard Stockton, a very famous name for those of us in central New Jersey, and later was to sign the Declaration of Independence. Near the end of the decade he began practicing law in New Bromley, in Hunterdon County, also a county in my district.

Then he moved to South Branch, a section of Somerset County, which is my home county. In 1779 he located in New Brunswick, central New Jersey, which is the town that I was born in. The War for Independence broke out. Paterson joined the vanguard of the New Jersey patriots, served in the provincial Congress from 1775 to 1776, the Constitutional Convention in 1776, several other capacities. He also held a militia commission, and from 1776 to 1783 he was the Attorney General for New Jersey, a task that occupied so much of his time that it prevented him from accepting election to the Continental Congress in 1780.

In 1789 he was elected to serve in the U.S. Senate, and he played a pivotal role in drafting the Judiciary Act of 1789. The next position was Governor of his State, my State, for 4 years. He began working on a publication called the Laws of the State of New Jersey. During the years of 1793 through 1806 he served, and I did not know this until this evening, he served as an Associate Justice of the U.S. Supreme Court, and served with distinction.

Jonathan Dayton was born in Elizabethtown, now known as Elizabeth. He practice studied law and established a practice. He sat in the Continental Congress through 1788. He became a foremost Federalist legislator, and although he was elected a representative, he did not serve in the first Congress in 1789, preferring, instead, to become a member of the New Jersey Council and Speaker of the State Assembly.

However, he did serve in this body, in the U.S. House of Representatives, from 1791 to 1799, and became Speaker in the Fourth and Fifth Congresses. The city of Dayton, Ohio, was named after him. He owned extensively landholdings there, I am told over 250,000

acres. The city of Dayton, named after him, many believed to be his greatest monument.

One of the two other people, David Brearly, was born in Trenton, New Jersey. He attended but did not graduate from Princeton; the College of New Jersey, now Princeton. He was elected Chief Justice of the New Jersey Supreme Court, a position he held until 1789. His career was short. He presided at the New Jersey Convention that ratified the Constitution in 1788, and served as a presidential elector in 1789, and President Washington appointed him as a Federal district judge. He served in that capacity until his death.

The last person, William Livingston, was born in Albany, New York, in 1723. He became a member of the Essex County, New Jersey, Committee of Correspondence, and in 1776 he left the Congress to command the New Jersey militia as brigadier general, and held this post until he was elected later. He was the first Governor of the State of New Jersey. Tom Caine served as the Governor of our State in the 1980s, and he is a direct descendent of William Livingston.

He served as a delegate to the Constitutional Convention, though his gubernatorial duties prevented him from attending many of the sessions. I am very proud of these four gentlemen from New Jersey.

Mr. KINGSTON. Mr. Speaker, I would say, Livingston also sat on the committee that drafted the Declaration of Independence.

Mr. PAPPAS. That is correct.

Mr. KINGSTON. He is a very important historical figure. The gentleman actually had a fifth delegate named William Churchill Houston who did not sign. And it is interesting, because in Georgia we had a William Houstoun who also did not sign. They spelled their names slightly differently. The one in the New Jersey was H-O-U-S-T-O-N and the Georgia one is H-O-U-S-T-O-U-N.

As was the case with so many of the delegates, they had to go back home and conduct business or see about family or whatever, and not all of them made it to the actual signing, but boy, did they make their imprint on history, not just for all of us, but in the world.

Mr. Speaker, I yield to the gentleman from Arizona.

□ 2015

Mr. HAYWORTH. Well, I thank my colleagues from Georgia and New Jersey, and I think about those who helped to write our Constitution but also those blessed in history to help draft the Declaration of Independence. I think of so many who gave so much, and indeed history has well-chronicled the hardships of many of those who signed our Declaration.

As eloquent as the first few words in the Constitution of the United States are, that wonderful, beautiful Preamble, I am also struck by the faith and the determination of our Nation's Founders in the final words in the Declaration. Those words we should remember.

And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

Mr. Speaker, I said earlier that for some reason, as years pass, we tend to view these events perhaps not through rose colored glass but with an unwillingness or, dare I say, ignorance of the hardships many of these people faced. Several signers of the Declaration saw their personal fortunes fall as the cause of this Nation rose. Others gave their lives. Others saw their families destroyed. It was not some small, some item done without consequence.

For as great as the impact was on the world, it can be argued the impact was felt also in a much more personal way by those who pledged their lives, their fortunes and their sacred honor.

Mr. Speaker, I mentioned earlier that this is a living document, our Constitution now, which we celebrate this week, over two centuries and a decade being applied, being the foundation of our constitutional republic, and after that beautiful Preamble——

Mr. KINGSTON. If the gentleman would yield. Would the gentleman go ahead and read the Preamble or should I? I think we should remind everybody about this.

Mr. HAYWORTH. I would be honored.

Mr. KINGSTON. Back years ago schoolchildren were required to memorize this. What a shame that is no longer the case.

Mr. HAYWORTH. I thank my colleague from Georgia for pointing that out, and let me indeed read the Preamble.

We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

Mr. Speaker, after that beautiful Preamble comes Article I, section 1 of the Constitution. And I believe that is something where we need to remember and restore the intent of our Founders of the past. ''All legislative powers herein grant,'' it reads in Article I section 1, ''All legislative powers herein granted shall be vested in a Congress of the United States,'' and yet one of the historically seismic shifts, if you will, in our opinion, constitutional republic has come in this century as this institution has ceded its power to a branch of government not articulated in this document but one, Mr. Speaker, that I believe historians will comment on, a fourth branch of government, the regulatory state.

With that in mind, I believe we should heed what Article I, section 1 of the Constitution says, and that is why I have introduced in the House and in the other body Senator BROWNBACK of Kansas has introduced the Congressional Responsibility Act; understanding that as industries have developed; that as life in these United States has changed over the years, that there must be a modicum of regulation; that as Theodore Roosevelt pointed out earlier in this century, it was good to involve experts, men of science in government, helping us draft regulations to ensure the safety of food product, to ensure transportation safety, to ensure cosmetic safety, and as we have seen with many different industries that have literally been born in this century, aviation, broadcasting, a variety of different endeavors, there needs to be regulation but, again, we should remember Article I, section 1 of this document.

So what the Congressional Responsibility Act would do would be to simply say that when regulations are promulgated by these executive agencies within the Executive Branch, that in addition to a time of public comment; that before these regulations, these proposed regulations, are published pell-mell in the Federal Register, that those proposed regulations be returned to the Congress for an up or down vote in expedited fashion. And if voted down, well, then those proposed regulations would be sent to a respective committee of jurisdiction and those regulations, proposed regulations, would be treated as any other proposed law.

Because here is the curious occurrence that exists today, and it is this. What we have done unintentionally, what we have done, born with the best of intentions, has been to transfer power not only from the people to their elected officials but ofttimes now to bypass elected officials and put the power in the hands of the unelected.

Mr. PAPPAS. If the gentleman would yield, Mr. KINGSTON.

Mr. HAYWORTH. I would gladly yield to the gentleman from New Jersey.

Mr. PAPPAS. If the gentleman would yield, I wanted to respond to my friend from Arizona. I experienced the same thing as a county elected official in my State of New Jersey; that the unelected bureaucracy, at whatever level of government, tends to desire to have more of the decision-making; that we as elected officials are accountable to our constituency for. That is something that is pervasive in all levels of government. What happens here at the Federal level, so difficult for the public to understand and to deal with, is the size of it, the scope of it and the sense that it is so distant; that there is an inability for the public, the taxpayer that provides the funds for these programs, to have any kind of an effect on the programs and the regulations that are enacted that affect our daily lives.

I have just been pleased to be a part of this special order, to again celebrate something that we have and are so fortunate to have as American citizens. I think we take it for granted, and this

opportunity to highlight an amazing document that an amazing group of people wrote, and were it not for divine providence, as they refer to it, the hand of God, we would not be here as Americans today.

Mr. KINGSTON. I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleagues for this opportunity and also to point out that this is a living document that we need to restore. That is our mission here in the 105th Congress as we work to honestly engage each other in debate and problem solving; as we work within this constitutional republic.

I mentioned earlier the work of Catherine Drinker Bowen and her book ''Miracle at Philadelphia.'' Let me say, Mr. Speaker, that the miracle that should continue to astound the world is that we, as human beings, for all our failings and frailties and disagreements and challenges, have been able to preserve this constitutional republic for two centuries and a decade.

Indeed, the miracle occurred not in Philadelphia two centuries ago, although that was important, the miracle occurs in Phoenix, AZ; in Phoenix city, AL; in Flagstaff, AZ; in Savannah, GA. The miracle endures, and our challenge is to preserve it, to protect it, to defend it and to represent those who sent us here to the best of our abilities. And it is my privilege to yield to my colleague from Georgia for his closing thoughts.

Mr. KINGSTON. Mr. Speaker, I thank my colleagues. The interesting thing, along the lines of the words of the gentleman from Arizona [Mr. HAYWORTH] in 1997 were said nearly 100 years ago by Grover Cleveland, and these are his comments that I want to close with. It says, Mr. Speaker, and I quote:

> The man who takes the oath today to preserve, protect, and defend the Constitution of the United States only assumes the solemn obligation which every patriotic citizen—on the farm, in the workshop, in the busy marts of trade and everywhere—should share with him. The Constitution which prescribes his oath, my countrymen, is yours; the government you have chosen him to administer for a time is yours; the laws and the entire scheme out of civil rule, from the town meeting to the State capitals and the national capital, is yours. Every voter, as surely as your chief magistrate, under the same high sanction, though in different spheres, exercises a public trust. Nor is this all. Every citizen owes to the country a vigilant watch and close scrutiny of fidelity and usefulness. This is the people's will impressed upon the whole framework of our civil policy—municipal, state, and federal; and this is the price of our liberty and the inspiration of our faith in the public.

CONFERENCE REPORT ON H.R. 2160

Mr. SKEEN submitted the following conference report and statement on the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes:

CONFERENCE REPORT (H. REPT. 105–252)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2160) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs 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 House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $2,836,000: Provided, That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,048,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,718,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,986,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,773,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,283,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, $613,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, $123,385,000: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $5,000,000, to remain available until expended; and in addition, for necessary relocation expenses of the Department's agencies, $2,700,000, to remain available until expended; making a total appropriation of $131,085,000.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, $15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $27,231,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,668,000: Provided, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: Provided further, That not less than $2,241,000 shall be transferred to agencies funded in this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $63,128,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including a sum not to exceed $50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed $95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98: Provided, That funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of the Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, to remain available until expended.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $28,524,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $540,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $71,604,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $118,048,000, of which up to $36,327,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That, notwithstanding any other provision of law, the Secretary of Agriculture shall conduct the 1997 Census of Agriculture, to the extent practicable, pursuant to the provisions of title 13, United States Code.

AGRICULTURAL RESEARCH SERVICE

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, $744,605,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $250,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: Provided further, That the item under the heading ''AGRICULTURAL RESEARCH SERVICE'' in title I of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104–37; 109 Stat. 304), is amended by striking the penultimate proviso, relating to conveyance of the Pecan Genetics and Improvement Research Laboratory.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $80,630,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $168,734,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a–i); $20,497,000 for grants for cooperative forestry research (16 U.S.C. 582a–a7); $27,735,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); $51,495,000 for special grants for agricultural research (7 U.S.C. 450i(c)); $15,048,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); $97,200,000 for competitive research grants (7 U.S.C. 450i(b)); $4,775,000 for the support of animal health and disease programs (7 U.S.C. 3195); $650,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); $550,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; $3,000,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); $4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); $1,000,000 for a higher education minority scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); $2,500,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); $4,000,000 for aquaculture grants (7 U.S.C. 3322); $8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); $9,200,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); $1,450,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382; and $11,226,000 for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $431,410,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 103–382 (7 U.S.C. 301 note), $4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $268,493,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $2,000,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $2,855,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,214,000; payments to upgrade 1890 land-grant college research, extension, and teaching facilities as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $7,549,000,

to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for a groundwater quality program under section 3(d) of the Act, $9,061,000; payments for the agricultural telecommunications program, as authorized by Public Law 101–624 (7 U.S.C. 5926), $900,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,554,000; payments for a food safety program under section 3(d) of the Act, $2,365,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $1,672,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $25,090,000; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $11,108,000; in all, $423,376,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, $618,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and to protect the environment, as authorized by law, $426,282,000, of which $4,500,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1998 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 1998, $88,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,200,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $90,000 for employment under 5 U.S.C. 3109, $46,592,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $59,521,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $10,690,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $23,928,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING SERVICE EXPENSES

Not to exceed $43,092,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $446,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, $589,263,000, of which $5,000,000 shall be available for obligation only after promulgation of a final rule to implement the provisions of subsection (e) of section 5 of the Egg Products Inspection Act (21 U.S.C. 1034(e)), and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: Provided, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $572,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $700,659,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $2,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $550,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $460,000,000 of which $400,000,000 shall be for guaranteed loans; operating loans, $2,395,000,000 of which $1,700,000,000 shall be for unsubsidized guaranteed loans and $200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $1,000,000; for emergency insured loans, $25,000,000 to meet the needs resulting from natural disasters; for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $34,653,000; and for credit sales of acquired property, $25,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $21,380,000 of which $15,440,000 shall be for guaranteed loans; operating loans, $71,394,000 of which $19,890,000 shall be for unsubsidized guaranteed loans and $19,280,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $132,000; for emergency insured loans, $6,008,000 to meet the needs resulting from natural disasters; for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $250,000; and for credit sales of acquired property, $3,255,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $219,861,000 of which $209,861,000 shall be transferred to and merged with the ''Farm Service Agency, Salaries and Expenses'' account.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $64,000,000: Provided, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i). In addition, notwithstanding the provisions of section 516(a)(1)(B) of the Federal Crop Insurance Act (7 U.S.C. 1516(a)(1)(B)), for discretionary expenses, $188,571,000 for the payment of administrative and operating expenses of approved insurance providers.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1998, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $783,507,000 in the President's fiscal year 1998 Budget Request (H. Doc. 105–3)), but not to exceed $783,507,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1998, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961: Provided, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $693,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $633,231,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,835,000 is for snow survey and water forecasting and not less than $8,825,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a–f) in demonstration projects: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2): Provided further, That the Secretary is authorized to transfer ownership of land, buildings and related improvements of the plant materials facilities located at Bow, Washington, to the Skagit Conservation District.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $11,190,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005, 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $101,036,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a): Provided, That not to exceed $50,000,000 of this appropriation shall be available for technical assistance:

Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $34,377,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,000,000, to remain available until expended.

TITLE III RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $588,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, and 1932, except for sections 381 E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), $652,197,000, to remain available until expended, of which $27,062,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; of which $577,242,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which $47,893,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That section 381E(d)(3)(B) of such Act is amended by inserting after the phrase, ''business and industry'', the words, ''direct and'': Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $15,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act; not to exceed $15,000,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $5,200,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amounts appropriated, not to exceed $20,048,000 shall be available through June 30, 1998, for empowerment zones and enterprise communities, as authorized by Public Law 103–66, of which $1,200,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $18,700,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which $148,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That any obligated and unobligated balances available for prior years for the ''Rural Water and Waste Disposal Grants,'' ''Rural Water and Waste Disposal Loans Program Account,'' ''Emergency Community Water Assistance Grants,'' ''Solid Waste Management Grants,'' the community facility grant program in the ''Rural Housing Assistance Program'' Account, ''Community Facility Loans Program Account,'' ''Rural Business Enterprise Grants,'' ''Rural Business and Industry Loans Program Account,'' and ''Local Technical Assistance and Planning Grants'' shall be transferred to and merged with this account.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,000,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,000,000,000 shall be for unsubsidized guaranteed loans; $30,000,000 for section 504 housing repair loans; $19,700,000 for section 538 guaranteed multi-family housing loans; $15,000,000 for section 514 farm labor housing; $128,640,000 for section 515 rental housing; $600,000 for section 524 site loans; $25,000,000 for credit sales of acquired property; and $587,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $135,000,000, of which $6,900,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,300,000; section 538 multi-family housing guaranteed loans, $1,200,000; section 514 farm labor housing, $7,388,000; section 515 rental housing, $68,745,000; credit sales of acquired property, $3,492,000; and section 523 self-help housing land development loans, $17,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $354,785,000, which shall be transferred to and merged with the appropriation for ''Rural Housing Service, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $541,397,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 1998 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $26,000,000, to remain available until expended (7 U.S.C. 2209b).

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95–313), $2,000,000 to fund up to 50 percent of the cost of organizing, training, and equipping rural volunteer fire departments.

RURAL HOUSING ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490c, 1490e, and 1490m, $45,720,000, to remain available until expended: Provided, That any obligated and unobligated balances available from prior years in ''Rural Housing for Domestic Farm Labor,'' ''Supervisory and Technical Assistance Grants,'' ''Very Low-Income Housing Repair Grants,'' ''Compensation for Construction Defects,'' and ''Rural Housing Preservation Grants'' shall be transferred to and merged with this account: Provided further, That of the total amount appropriated, $1,200,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1998, they shall remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, $58,804,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $520,000 may be used for employment under 5 U.S.C. 3109.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $16,888,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): 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 principal amount of direct loans of $35,000,000: Provided further, That through June 30, 1998, of the total amount appropriated, $3,345,000 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, $7,246,000.

In addition, for administrative expenses to carry out the direct loan programs, $3,482,000 shall be transferred to and merged with the appropriation for ''Rural Business-Cooperative Service, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $25,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $5,978,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 1998, as authorized by section 313 of the Rural Electrification Act of 1936, $5,978,000 shall not be obligated and $5,978,000 are rescinded.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901–5908), $7,000,000 are appropriated to the alternative agricultural research and commercialization corporation revolving fund.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $3,000,000, of which up to $1,300,000 may be available for cooperative agreements for the appropriate technology transfer for rural areas program.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $25,680,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, $125,000,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $500,000,000; and loans made pursuant to section 306 of that Act, rural electric, $300,000,000 and rural telecommunications, $120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, $12,265,000; cost of municipal rate loans, $21,100,000; cost of money rural telecommunications loans, $60,000; cost of loans guaranteed pursuant to section 306, $2,760,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $29,982,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1998 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $3,710,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses''.

DISTANCE LEARNING AND MEDICAL LINK PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $12,530,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, $33,000,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $105,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Consumer Service, $554,000.

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $7,767,816,000, to remain available through September 30, 1999, of which $2,616,425,000 is hereby appropriated and $5,151,391,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to $4,124,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $3,924,000,000, to remain available through September 30, 1999: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to $12,000,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That notwithstanding sections 17 (g), (h), and (i) of such Act, the Secretary shall adjust fiscal year 1998 State allocations to reflect food funds available to the State from fiscal year 1997 under sections 17(i)(3)(A)(ii) and 17(i)(3)(D): Provided further, That the Secretary shall allocate funds recovered from fiscal year 1997 first to States to maintain stability funding levels, as defined by regulations promulgated under section 17(g), and then to give first priority for the allocation of any remaining funds to States whose funding is less than their fair share of funds, as defined by regulations promulgated under section 17(g): Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966: Provided further, That State agencies required to procure infant formula using a competitive bidding system may use funds appropriated by this Act to purchase infant formula under a cost containment contract entered into after September 30, 1996, only if the contract was awarded to the bidder offering the lowest net price, as defined by section 17(b)(20) of the Child Nutrition Act of 1966, unless the State agency demonstrates to the satisfaction of the Secretary that the weighted average retail price for different brands of infant formula in the State does not vary by more than five percent.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $25,140,479,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and for administrative expenses pursuant to section 204 of the Emergency Food Assistance Act of 1983, $141,000,000, to remain available through September 30, 1999: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note), and section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a), $141,165,000, to remain available through September 30, 1999.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $107,619,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $135,561,000, of which $3,231,000 may be transferred from the Export Loan Program account in this Act, and $1,035,000 may be transferred from the Public Law 480 program account in this Act: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f, and 1731–1736g), as follows: (1) $226,900,000 for Public Law 480 title I credit, including Food for Progress programs; (2) $17,608,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985; (3) $837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) $30,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: Provided, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit agreements under said Act, $176,596,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 480 are utilized, $1,850,000.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed $3,231,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed $589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Farm Service Agency.

EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,500,000,000 in credit guarantees under its export credit guarantee program extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202(a) and (b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

EMERGING MARKETS EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $200,000,000 in credit guarantees under its export guarantee program for credit expended to finance the export sales of United States agricultural commodities and the products thereof to emerging markets, as authorized by section 1542 of Public Law 101–624 (7 U.S.C. 5622 note).

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $948,705,000, of which not to exceed $91,204,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 1998 shall be subject to the fiscal year 1998 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

In addition, fees pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $21,350,000, to remain available until expended (7 U.S.C. 2209b).

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act, $46,294,000: Provided, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 percent of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, $7,728,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109; $58,101,000, including not to exceed $1,000 for official reception and representation expenses: Provided, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $34,423,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1998 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 394 passenger motor vehicles, of which 391 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: Provided, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, and integrated systems acquisition project; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American Institutions Endowment Fund in the Cooperative State Research, Education, and Extension Service; and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1997 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 711. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 712. With the exception of grants awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219 (15 U.S.C. 638), none of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

SEC. 713. Notwithstanding any other provisions of this Act, all loan levels provided of this Act shall be considered estimates, not limitations.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1998 shall remain available until expended to cover obligations made in fiscal year 1998 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 1998 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 716. Hereafter: (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 718. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 719. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to the United States Mink Export Development Council or any mink industry trade association.

SEC. 720. Of the funds made available by this Act, not more than $1,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 721. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an export enhancement program if the aggregate amount of funds and/or commodities under such program exceeds $150,000,000.

SEC. 722. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104–127, the Federal Agriculture Improvement and Reform Act.

SEC. 723. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 724. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 725. None of the funds appropriated or otherwise made available in this Act may be expended or obligated to fund the activities of the Western Director and Special Assistant to the Secretary within the Office of the Secretary of Agriculture or any similar position.

SEC. 726. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board.

SEC. 727. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1998, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1998, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 728. Section 3(c) of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2802 (c)) is amended by inserting before the period at the end the following: '', and includes kudzu (Pueraria lobata Dc)''.

SEC. 729. Notwithstanding section 520 of the Housing Act of 1949, (42 U.S.C. 1490) the Martin Luther King area of Pawley's Island, South Carolina, located in Georgetown County, shall be eligible for loans and grants under section 504 of the Housing Act of 1949.

SEC. 730. None of the funds made available to the Food and Drug Administration by this Act

shall be used to close or relocate the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri.

SEC. 731. Effective on October 1, 1998, section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''Subject to paragraph (4), during'' and inserting ''During''; and

(B) in subparagraph (B), by striking ''130'' and inserting ''134'';

(2) by striking paragraph (4); and

(3) by redesignating paragraph (5) as paragraph (4).

SEC. 732. STUDY OF NORTHEAST INTERSTATE DAIRY COMPACT. (a) DEFINITIONS.—In this section:

(1) CHILD, SENIOR, AND LOW-INCOME NUTRITION PROGRAMS.—The term ''child, senior, and low-income nutrition programs'' includes—

(A) the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

(B) the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.);

(C) the summer food service program for children established under section 13 of that Act (42 U.S.C. 1761);

(D) the child and adult care food program established under section 17 of that Act (42 U.S.C. 1766);

(E) the special milk program established under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772);

(F) the school breakfast program established under section 4 of that Act (42 U.S.C. 1773);

(G) the special supplemental nutrition program for women, infants, and children authorized under section 17 of that Act (42 U.S.C. 1786); and

(H) the nutrition programs and projects carried out under part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e et seq.).

(2) COMPACT.—The term ''Compact'' means the Northeast Interstate Dairy Compact.

(3) NORTHEAST INTERSTATE DAIRY COMPACT.—The term ''Northeast Interstate Dairy Compact'' means the Northeast Interstate Dairy Compact referred to in section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256).

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(b) EVALUATION.—Not later than December 31, 1997, the Director shall conduct, complete, and transmit to Congress a comprehensive economic evaluation of the direct and indirect effects of the Northeast Interstate Dairy Compact and other factors which affect the price of fluid milk.

(c) COMPONENTS.—In conducting the evaluation, the Director shall consider, among other factors, the effects of implementation of the rules and regulations of the Northeast Interstate Dairy Compact Commission, such as rules and regulations relating to over-order Class I pricing and pooling provisions. This evaluation shall consider such effects prior to implementation of the Compact and that would have occurred in the absence of the implementation of the Compact. The evaluation shall include an analysis of the impacts on—

(1) child, senior, and low-income nutrition programs including impacts on schools and institutions participating in the programs, on program recipients, and other factors;

(2) the wholesale and retail cost of fluid milk;

(3) the level of milk production, the number of cows, the number of dairy farms, and milk utilization in the Compact region, including—

(A) changes in the level of milk production, the number of cows, and the number of dairy farms in the Compact region relative to trends in the level of milk production and trends in the number of cows and dairy farms prior to implementation of the Compact;

(B) changes in the disposition of bulk and packaged milk for Class I, II, or III use produced in the Compact region to areas outside the region relative to the milk disposition to areas outside the region;

(C) changes in—

(i) the share of milk production for Class I use of the total milk production in the Compact region; and

(ii) the share of milk production for Class II and Class III use of the total milk production in the Compact region;

(4) dairy farmers and dairy product manufacturers in States and regions outside the Compact region with respect to the impact of changes in milk production, and the impact of any changes in disposition of milk originating in the Compact region, on national milk supply levels and farm level milk prices nationally; and

(5) the cost of carrying out the milk price support program established under section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251).

(d) ADDITIONAL STATES AND COMPACTS.—The Director shall evaluate and incorporate into the evaluation required under subsection (b) an evaluation of the economic impact of adding additional States to the Compact for the purpose of increasing prices paid to milk producers.

SEC. 733. From proceeds earned from the sale of grain in the disaster reserve established in the Agricultural Act of 1970, the Secretary may use up to an additional $2,000,000 to implement a livestock indemnity program as established in Public Law 105–18.

SEC. 734. PLANTING OF WILD RICE ON CONTRACT ACREAGE.—None of the funds appropriated in this Act may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.

SEC. 735. RURAL HOUSING PROGRAMS. (a) HOUSING IN UNDERSERVED AREAS PROGRAM.—The first sentence of section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking ''fiscal year 1997'' and inserting ''fiscal year 1998''.

(b) HOUSING AND RELATED FACILITIES FOR ELDERLY PERSONS AND FAMILIES AND OTHER LOW-INCOME PERSONS AND FAMILIES.—

(1) AUTHORITY TO MAKE LOANS.—Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking ''September 30, 1997'' and inserting ''September 30, 1998''.

(2) SET-ASIDE FOR NONPROFIT ENTITIES.—The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking ''fiscal year 1997'' and inserting ''fiscal year 1998''.

(3) LOAN TERM.—Section 515 of the Housing Act of 1949 (42 U.S.C. 1485) is amended—

(A) in subsection (a)(2), by striking ''up to fifty'' and inserting ''up to 30''; and

(B) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:

''(2) such a loan may be made for a period of up to 30 years from the making of the loan, but the Secretary may provide for periodic payments based on an amortization schedule of 50 years with a final payment of the balance due at the end of the term of the loan;'';

(ii) in paragraph (5), by striking ''and'' at the end;

(iii) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(7) the Secretary may make a new loan to the current borrower to finance the final payment of the original loan for an additional period not to exceed twenty years, if—

''(A) the Secretary determines—

''(i) it is more cost-efficient and serves the tenant base more effectively to maintain the current property than to build a new property in the same location; or

''(ii) the property has been maintained to such an extent that it warrants retention in the current portfolio because it can be expected to continue providing decent, safe, and affordable rental units for the balance of the loan; and

''(B) the Secretary determines—

''(i) current market studies show that a need for low-income rural rental housing still exists for that area; and

''(ii) any other criteria established by the Secretary has been met.''.

(c) LOAN GUARANTEES FOR MULTIFAMILY RENTAL HOUSING IN RURAL AREAS.—Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p–2) is amended—

(1) in subsection (q), by striking paragraph (2) and inserting the following:

''(2) ANNUAL LIMITATION ON AMOUNT OF LOAN GUARANTEE.—In each fiscal year, the Secretary may enter into commitments to guarantee loans under this section only to the extent that the costs of the guarantees entered into in such fiscal year do not exceed such amount as may be provided in appropriation Acts for such fiscal year.'';

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

''(t) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 1998 for costs (as such term is defined in section 502 of the Congressional Budget Act of 1974) of loan guarantees made under this section such sums as may be necessary for such fiscal year.''; and

(3) in subsection (u), by striking ''1996'' and inserting ''1998''.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998''.

And the Senate agree to the same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR,
VIC FAZIO,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
DAVID R. OBEY,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER BOND,
SLADE GORTON,
MITCH M. MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS,
TOM HARKIN,
HERB KOHL,
ROBERT BYRD,
PATRICK J. LEAHY,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the

House and Senate Bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intent—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: ''Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.''

The House and Senate report language which is not changed by the conference are 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.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement adopts language as proposed by the Senate to prohibit the use of salaries and expenses to carry out section 793(c)(1)(C) of Public Law 104-127, a limitation on housing assistance, and section 793(d) of Public Law 104-127, a limitation on program levels in the Fund for Rural America. The House bill had no similar provisions.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides $5,048,000 for the Office of the Chief Economist instead of $4,844,000 as proposed by the House and $5,252,000 as proposed by the Senate. Included in this amount is $656,000 to enhance the Department's weather information activities.

NATIONAL APPEALS DIVISION

The conference agreement provides $11,718,000 for the National Appeals Division as proposed by the House instead of $12,360,000 as proposed by the Senate.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

The conference agreement does not include a separate appropriation of $783,000 for the Office of Small and Disadvantaged Business Utilization as proposed by the Senate. The funding for this office is included in the Departmental Administration appropriation as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $131,085,000 for Agriculture Buildings and Facilities and Rental Payments as proposed by the Senate instead of $141,085,000 as proposed by the House. Included in this amount is $5,000,000 for repairs, renovations, and construction as proposed by the Senate instead of $15,000,000 as proposed by the House. The conference agreement also deletes language proposed by the Senate expanding the use of operation and maintenance funds.

HAZARDOUS WASTE MANAGEMENT

The conference agreement provides $15,700,000 for Hazardous Waste Management as proposed by the Senate instead of $20,000,000 as proposed by the House.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $27,231,000 for Departmental Administration as proposed by the House instead of $26,948,000 as proposed by the Senate. Included in this amount is $783,000 for the Office of Small and Disadvantaged Business Utilization. The conferees direct that not less than $15,274,000 of the total amount appropriated be used for civil rights enforcement activities. This amount includes full funding for the establishment of an investigative unit within the Office of Civil Rights.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $63,128,000 for the Office of the Inspector General as proposed by the House instead of $63,728,000 as proposed by the Senate. Included in this amount is $95,000 for confidential operational expenses as proposed by the House instead of $125,000 as proposed by the Senate.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $28,524,000 for the Office of the General Counsel instead of $27,949,000 as proposed by the House and $29,098,000 as proposed by the Senate.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $71,604,000 for the Economic Research Service as proposed by the House instead of $53,109,000 as proposed by the Senate. Included in this amount is $18,495,000 for studies and evaluations of food stamp, child nutrition, and WIC programs to be coordinated with the Food and Consumer Service and other Departmental agencies. The conferees anticipate that minimum staff changes will be needed to carry out these studies and direct the agency to notify the House and Senate Committees on Appropriations at least 15 days prior to the use of these funds for any hiring of new employees.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $118,048,000 for the National Agricultural Statistics Service as proposed by the Senate instead of $116,861,000 as proposed by the House. Included in this amount is up to $36,327,000 for the Census of Agriculture as proposed by the Senate instead of $36,140,000 as proposed by the House. The conference agreement also includes bill language giving USDA the authority to conduct the 1997 Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

The conference agreement provides $744,605,000 for the Agricultural Research Service instead of $725,059,000 as proposed by the House and $738,000,000 as proposed by the Senate.

The following table reflects the conference agreement:

Amount	
FY 1997 appropriation	$716,826,000
Transfer: Office of Chief Economist	(29,000)
Adjusted FY 1997 appropriation	716,797,000
Emerging Diseases and Exotic Pests	$3,050,000
Vomitoxin in Wheat	(500,000)
Fusarium Head Blight, MN	(500,000)
Karnal Bunt, KS	(500,000)
Citrus Tristeza	(750,000)
Ergot Disease in Sorghum	(300,000)
Asian Long Horn Beetle	(500,000)
Food Safety	4,000.000
Apple E. Coli Research, PA	(250,000)
Food Safety Agency Study	(420,000)
Genetic Resources	1,500,000
Grazing Lands Utilization and Conservation	1,000,000
Logan, UT	(250,000)
El Reno, OK	(250,000)
Las Cruces, NM	(250,000)
University Park, PA	(250,000)
Human Nutrition	7,500,000
Food Consumption Survey Infant/Children	(5,000,000)
Little Rock, AR	(1,000,000)
Houston, TX	(500,000)
Beltsville, MD	(250,000)
Boston, MA	(250,000)
San Francisco, CA	(250,000)
Florida Everglades Restoration	1,250,000
Hydrology-Canal Point, FL	(500,000)
Hydrologist-Dade County, FL	(250,000)
Melaleuca	(500,000)
Integrated Pest Management and Biocontrol	2,500,000
Biological Control	(2,000,000)
Host Plant Resistance	(500,000)
Appalachian Soil and Water Conservation Lab, WV	250,000
Arctic Germplasm Repository	650,000
Coastal Wetlands & Erosion Control, LA	1,000,000
Cotton Genetics, MS	250,000
Cotton Ginning, TX	500,000
Fish Disease, AL	250,000
Food Fermentation, NC	250,000
Formosan Termite, Southern Regional Research Center	5,000,000
Grain Legume, WA	250,000
Honeybee, TX	500,000
Hops Research, OR	100,000
Lyme Disease	200,000
National Aquaculture Research Ctr., AR	500,000
National Ctr. for Cool and Cold Water Aquaculture., WV	250,000
National Warmwater Aquaculture Ctr., MS	500,000
Natural Products, MS	700,000
NW Nursery Crops, OR	500,000
Organics Management Research	500,000
Plant Genetics Equip./Greenhouse, MO	200,000
Poisonous Plant, UT	100,000
Poult Enteritis Mortality Syndrome, GA	250,000
Reproductive Efficiency of Beef Cattle, MT	250,000
Rice research:	
Beaumont, TX.	250,000
Stuttgart, AR.	700,000
Small Fruits, MS.	250,000
Small Grains, Raleigh, NC./Aberdeen, ID	450,000
Sugarcane Biotechnology Research, LA	200,000
Termination of ongoing projects	−3,119,000
Evaluation studies	−913,000
Administrative reductions	−3,760,000
Total	744,605,000

The conference agreement concurs in the following project terminations: improved cropping systems ($158,400), decision support systems ($80,000), CO; composts and organic residuals ($281,700), soybean inoculants ($171,800), populations of Fungi ($182,300), MD; differential root development ($221,100), NY; process modeling of soil and water ($384,300), PA; transferring technology for improvements in agriculture ($158,700), PR; biological control of horn flies ($221,500), improved cultivars for kenaf ($343,900), TX; and management savings ($550,000) headquarters and ($365,200), GA.

The agreement provides $420,000 for a study by the National Academy of Sciences on the scientific and organizational needs for an effective food safety system, including functions overseen by the Food Safety and Inspection Service, the Food and Drug Administration, and other Federal, state and local

agencies with responsibilities for food safety. The study will be conducted in two phases. The first phase will examine the current mechanisms in place for assuring a safe food supply and the extent to which they are effective in addressing food safety issues from the farm to the table. It will also analyze the extent to which current functions (i.e., inspection, surveillance, monitoring, research, risk assessment, and education) should be assigned or reassigned to existing food safety agencies or an independent food safety agency. It should also identify whether any functions would be compromised by such an action. If an independent food safety agency is recommended, the second phase will develop further guidance to ensure that the food safety system protects the public's health and is cost-effective. A report on the first phase should be transmitted to the appropriate Committees of Congress no later than August 15, 1998.

The conferees support the food safety initiative and expect the Agricultural Research Service to work with the Food and Drug Administration, the National Institute of Diabetes and Digestive and Kidney Diseases, the National Institute of Allergy and Infectious Diseases, and the Centers for Disease Control and Prevention to develop a biomedical research agenda on food safety.

The conferees expect the work on controlling root diseases of wheat and barley in cereal-based production systems to continue at the Pullman, WA, ARS research station at the fiscal year 1997 level.

The conferees support the addition of a new lettuce geneticist/plant breeder position at the U.S. Agricultural Research Station in Salinas, California.

The USDA-ARS National Sedimentation Laboratory is directed to initiate an integrated watershed research program of monitoring, analyzing, and evaluating sediment production, movement and deposition and their impacts with appropriate solutions on stream degradation, flooding and management of upland areas, environmental and ecological concerns in the Yalobusha River Basin, stream estuaries, and Grenada Lake.

The conferees expect the ARS to expand its work on Meadowfoam research in Oregon and at the Peoria laboratory.

The bill includes language proposed by the House that returns ownership of the Pecan Genetics and Improvement Research Laboratory to the Agricultural Research Service.

BUILDINGS AND FACILITIES

The conference agreement provides $80,630,000 for Agricultural Research Service, Buildings and Facilities instead of $59,000,000 as proposed by the House and $69,100,000 as proposed by the Senate.

The following table reflects the conference agreement:

California:	
Western Human Nutrition Research Center, Davis	$5,200,000
U.S. Horticulture Crop and Water Mgt. Lab., Parlier	23,400,000
France:	
European Biological Control Lab.	3,400,000
Illinois:	
National Center for Agriculture Utilization, Peoria	8,000,000
Louisiana:	
Southern Regional Research Center, New Orleans	1,100,000
Maryland:	
Agricultural Research Center, Beltsville	3,200,000
National Agricultural Library, Beltsville	2,500,000
Michigan:	
Avian Disease Labs, East Lansing	1,800,000
Mississippi:	
Biocontrol and Insect Rearing Lab., Stoneville	900,000
National Center for Natural Products, Oxford	7,000,000
Montana:	
Pest Quarantine and Integrated Pest Management, Sidney	606,000
New York:	
Plum Island Animal Disease Center	2,000,000
New Mexico:	
Joranado Range Research Center, Las Cruces	700,000
North Dakota:	
Human Nutrition Center, Grand Forks	4,400,000
Pennsylvania:	
Eastern Regional Lab.	5,000,000
South Carolina:	
U.S. Vegetable Laboratory, Charleston	4,824,000
Utah:	
Poisonous Plant Lab., Logan	600,000
West Virginia:	
National Center for Cool and Cold Water Aquaculture, Leetown	6,000,000
Total	80,630,000

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $431,410,000 for research and education activities instead of $421,223,000 as proposed by the House and $427,526,000 as proposed by the Senate.

The following table reflects the conference agreement:

Research and Education Activities

[In thousands of dollars]

	Conference agreement
Payments Under Hatch Act	168,734
Cooperative forestry research (McIntire-Stennis)	20,497
Payments to 1890 colleges and Tuskegee	27,735
Special Research Grants (P.L. 89–106):	
Aegilops cylindricum (WA)	346
Aflatoxin (IL)	113
Agriculture-based industrial lubricants (IA)	200
Agricultural diversification (HI)	131
Agricultural diversity/Red River Corridor (MN/ND)	250
Alliance for food protection (NE, GA)	300
Alternative crops (ND)	550
Alternative marine and fresh water species (MS)	308
Alternative salmon products (AK)	400
Animal science food safety consortium (AR, IA, KS)	1,521
Apple fire blight (NY, MI)	500
Aquaculture (IL)	158
Aquaculture (LA)	330
Aquaculture (MS)	642
Aquaculture produce and marketing development (WV)	600
Babcock Institute (WI)	312
Binational agriculture research and development	500
Biodiesel research (MO)	152
Center for animal health and productivity (PA)	113
Center for innovative food technology (OH)	281
Center for rural studies (VT)	32
Chesapeake Bay aquaculture	370
Citrus decay fungus (AZ)	250
Coastal cultivars (GA)	250
Competitiveness of agricultural products (WA)	677
Cool season legume research (ID, WA)	329
Cotton research (TX)	200
Cranberry/blueberry disease and breeding (NJ)	220
Dairy (AK)	250
Dairy and meat goat research (TX)	63
Delta rural revitalization (MS)	148
Drought mitigation (NE)	200
Ecosystems (AL)	500
Environmental research (NY)	486
Environmental risk factors/cancer (NY)	100
Expanded wheat pasture (OK)	285
Farm and rural business finance (IL)	87
Feed barley for rangeland cattle (MT)	600
Floriculture (HI)	250
Food and Agriculture Policy Institute (IA, MO)	800
Food irradiation (IA)	200
Food marketing policy center (CT)	332
Food processing center (NE)	42
Food safety	2,000
Food systems research group (WI)	221
Forestry (AR)	523
Fruit and vegetable market analysis (AZ, MO)	296
Generic commodity promotion research and evaluation (NY)	212
Global change	1,000
Global marketing support service (AR)	127
Grain sorghum (KS)	106
Grass seed cropping systems for a sustainable agriculture (WA, OR, ID)	423
Human nutrition (IA)	473
Human nutrition (LA)	752
Human nutrition (NY)	622
Hydroponic tomato production (OH)	140
Illinois-Missouri Alliance for Biotechnology	1,184
Improved dairy management practices (PA)	296
Improved fruit practices (MI)	445
Institute for Food Science and Engineering (AR)	950
Integrated production systems (OK)	161
International arid lands consortium	329
Iowa biotechnology consortium	1,564
Landscaping for water quality (GA)	300
Livestock and dairy policy (NY, TX)	445
Lowbush blueberry research (ME)	220
Maple research (VT)	100
Michigan biotechnology consortium	675
Midwest advanced food manufacturing alliance	423
Midwest agricultural products (IA)	592
Milk safety (PA)	268
Minor use animal drugs (IR–4)	550
Molluscan shellfish (OR)	400
Multi-commodity research (OR)	364
Multi-cropping strategies for aquaculture (HI)	127
National biological impact assessment	254

	Conference agreement
Nematode resistance genetic engineering (NM)	127
Non-food uses of agricultural products (NE)	64
Oil resources from desert plants (NM)	175
Organic waste utilization (NM)	100
Pasture and forage research (UT)	225
Peach tree short life (SC)	162
Pest control alternatives (SC)	106
Phytophthora root rot (NM)	127
Plant, drought, and disease resistance gene cataloging (NM)	150
Plant genome research (OH)	50
Postharvest rice straws (CA)	300
Potato research	1,214
Poultry carcass removal (AL)	300
Precision agriculture (MS)	600
Preharvest food safety (KS)	212
Preservation and processing research (OK)	226
Rangeland ecosystems (NM)	185
Regional barley gene mapping project	348
Regionalized implications of farm programs (MO, TX)	294
Rice Modeling (AR)	296
Rural development centers (PA, IA, (ND), MS, OR)	423
Rural policies institute (NE, MO)	644
Russian wheat aphid (CO)	200
Seafood and aquaculture harvesting, processing, and marketing (MS)	305
Small fruit research (OR, WA, ID)	212
Southwest consortium for plant genetics and water resources	338
Soybean cyst nematode (MO)	450
STEEP III—water quality in Northwest	500
Sustainable agriculture (MI)	445
Sustainable agriculture and natural resources (PA)	94
Sustainable agriculture systems (NE)	59
Sustainable pest management for dryland wheat (MT)	400
Swine waste management (NC)	300
Tillage, silviculture, waste management (LA)	212
Tropical and subtropical	2,724
Urban pests (GA)	64
Vidalia onions (GA)	84
Viticulture consortium (NY, CA)	800
Water conservation (KS)	79
Water quality	2,461
Weed control (ND)	423
Wheat genetic research (KS)	261
Wood utilization research (OR, MS, NC, MN, ME, MI)	3,536
Wool research (TX, MT, WY)	300
Total, Special Research Grants	51,495
Improved pest control:	
Critical issues	200
Emerging pest and disease issues	1,623
Expert IPM decision support issues	177
Integrated pest management	2,731
Pesticide clearance (IR–4)	8,990
Pesticide impact assessment	1,327
Total, Improved pest control	15,048
Competitive research grants:	
Plant systems	37,000
Animal systems	24,000
Nutrition, food quality, and health	8,000
Natural resources and the environment	17,500
Processes and new products	6,800
Markets, trade, and policy	3,900
Total, Competitive research grants	97,200
Animal Health and Disease (Sec. 1433)	4,775
Critical Agricultural Materials Act	550
Aquaculture Centers (Sec. 1475)	4,000
Alternative Crops	650
Sustainable agriculture	8,000
Capacity building grants	9,200
Payments to the 1994 Institutions	1,450
Graduate fellowship grants	3,000
Institution challenge grants	4,350
Multicultural scholars program	1,000
Hispanic-serving institutions	2,500
Native American Institutions Endowment Fund	(4,600)
Federal Administration:	
Agriculture development in American Pacific	564
Agriculture waste utilization (WV)	360
Alternative fuels characterization laboratory (ND)	218
Animal waste management (OK)	250
Center for Agricultural and Rural Development (IA)	355
Center for Human Nutrition (MD)	150
Center for North American Studies (TX)	87
Data information system	800
Geographic information system	844
Mariculture (NC)	150
Mississippi Valley State University	583
National Education Center for Agricultural	
National Center for Peanut Competitiveness	150
Office of grants and program systems	310
Pay costs and FERS (prior)	900
Peer panels	350
PM–10 study (CA, WA)	873
Shrimp aquaculture (AZ, HI, MS, MA, SC)	3,354
Water quality (IL)	492
Water quality (ND)	436
Total, Federal Administration	11,226
Total, Research and Education Activities	431,410

For the geographic information system project, the agreement provides $844,000 which includes funding for past participating entities in Georgia, the Chesapeake Bay, Arkansas, North Dakota, Washington, Wisconsin, and new entities in New Mexico and Colorado.

The conferees have provided the $2,000,000 requested for a new competitive food safety initiative. The conferees urge that a research proposal from Pennsylvania State University's E. Coli Reference Center be considered for funding if judged to be meritorious when subjected to the established review process.

Included in the funding for alternative crops is $500,000 for canola research and $150,000 for hesperaloe research.

EXTENSION ACTIVITIES

The conference agreement provides $423,376,000 for extension activities instead of $415,110,000 as proposed by the House and $423,322,000 as proposed by the Senate. The following table reflects the conference agreement:

[In thousands of dollars]

	FY 1997 enacted	Conference agreement
Smith Lever 3(b) & 3(c)	268,493	268,493
Smith Lever 3(d):		
Pest management	10,783	10,783
Water quality	10,733	9,061
Farm safety	2,855	2,855
Food and nutrition education (EFNEP)	58,695	58,695
Pesticide impact assessment	3,214	3,214
Rural development centers	908	908
Sustainable agriculture	3,309	3,309
Food safety	2,365	2,365
Youth at risk	9,554	9,554
Indian reservation agents	1,672	1,672
1890's Colleges and Tuskegee	25,090	25,090
1890's facilities grants	7,549	7,549
Renewable Resources Extension Act	3,192	3,192
Agricultural telecommunications	1,167	900
Rural health and safety education	2,628	2,628
Extension services at the 1994 institutions	2,000	2,000
Subtotal	414,207	412,268
Federal Administration and special grants:		
Beef producers' improvement (AR)	197	197
Delta teachers academy	3,850	3,500
Extension specialist (AR)	99	99
Extension specialist (MS)	50	50
General administration	4,995	4,995
Income enhancement demonstration (OH)	246	246
Integrated cow/calf resources management (IA)	345	300
National Center for Agriculture Safety (IA)		195
Pilot tech. transfer (OK, MS)	326	326

[In thousands of dollars]

	FY 1997 enacted	Conference agreement
Pilot tech. transfer (WI)	163	163
Range improvement (NM)	197	197
Rural center for the study and promotion of HIV/STD prevention (IN)	246	
Rural development (NE)	386	
Rural development (OK)	227	247
Rural development (OK)	296	150
Rural rehabilitation (GA)	246	246
Wood biomass as an alternative farm product (NY)	197	197
Total, Federal Administration	12,066	11,108
Total, Extension Activities	426,273	423,376

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $426,282,000 for the Animal and Plant Health Inspection Service instead of $424,244,000 as proposed by the House and $437,183,000 as proposed by the Senate. Included in this amount is $1,255,000 for rabies control activities in Ohio, Texas, New York, and other states.

The conferees are aware of the cooperative efforts of APHIS in controlling boll weevils in New Mexico and that cotton farmers in New Mexico are continuing a voluntary assessment for eradication. The conferees urge APHIS to continue its cooperative effort for boll weevil eradication in New Mexico.

Included in the total amount provided for the boll weevil eradication plan, the conferees provide not less than $400,000 to continue the geographic information system project to prepare for future expansion of the program into remaining cotton production regions that have not eradicated the boll weevil. The technology developed through this system will be transferred to these regions as the program expands, reducing overall program costs.

The conferees direct that APHIS continue its efforts to maximize cost sharing of control activities in all states to the extent possible. However, the conferees recognize that circumstances vary among states and do not support implementation of the rigid cost sharing requirement proposed in the budget.

The following table reflects the conference agreement:

[In thousands of dollars]

	FY 1997 enacted	Conference agreement
PEST AND DISEASE EXCLUSION		
Agricultural guarantee inspection	26,547	26,747
User fees	98,000	88,000
Subtotal, Agricultural quarantine inspection	124,547	114,747
Cattle ticks	4,537	4,627
Foot-and-mouth disease	3,991	3,803
Import-export inspection	6,847	6,815
International programs	6,643	6,630
Fruit fly exclusion and detection	21,161	20,970
Screwworm	31,713	31,713
Tropical bont tick	452	444
Total, Pest and disease exclusion	199,891	189,749
PLANT AND ANIMAL HEALTH MONITORING		
Animal health monitoring and surveillance	60,831	61,464
Animal and plant health regulatory enforcement	5,855	5,855
Pest detection	4,202	6,302
Total, Plant and animal health monitoring	70,888	73,621
PEST AND DISEASE MANAGEMENT PROGRAMS		
Animal damage control—operations	26,967	28,487
Aquaculture	571	567
Biocontrol	6,290	6,275
Boll weevil	16,209	16,209
Brucellosis eradication	21,661	19,818
Golden nematode	444	435
Gypsy moth	4,367	4,366
Imported fire ant	1,000	1,000
Miscellaneous plant diseases	1,516	1,516
Noxious weeds	404	454
Pink bollworm	1,069	1,048
Pseudorabies	4,518	4,481
Scrapie	2,967	2,931
Sweet potato whitefly	1,888	1,877
Tuberclosis	4,948	4,920
Witchweed	1,662	1,638
Total, Pest and disease management programs	96,481	96,022
ANIMAL CARE		
Animal werlfare	9,185	9,175
Horse protection	360	353
Total, Animal care	9,545	9,528
SCIENTIFIC AND TECHNICAL SERVICES		
ADC methods development	10,591	10,215
Biotechnical/environmental protection	8,132	8,132
Intregrated systems acquisition project	4,000	3,500
Plant methods development laboratories	5,048	5,048
Veterinary biologics	10,360	10,345
Veterinary disgnostics	15,473	15,622
Total, Scientific and technical services	53,604	52,862
Contingency fund	4,500	4,500
Total, Salaries and expenses	434,909	426,282

BUILDINGS AND FACILITIES

The conference agreement provides $4,200,000 for Animal and Plant Health Inspection Service, Buildings and Facilities as proposed by the Senate instead of $3,200,000 as proposed by the House.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $46,592,000 for the Agricultural Marketing Service instead of $45,592,000 as proposed by the House and $49,627,000 as proposed by the Senate. Included in this amount is $1,000,000 for marketing assistance to Alaska.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

The conference agreement provides $23,928,000 for the Grain Inspection, Packers and Stockyards Administration as proposed by the House instead of $23,583,000 as proposed by the Senate. Included in this amount is $800,000 for packer concentration as proposed by the House.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $589,263,000 for the Food Safety and Inspection Service as proposed by the House instead of $590,614,000 as proposed by the Senate.

The conference agreement amends House bill language requiring that $5,000,000 shall be available for obligation only after a final rule is implemented regarding subsection (c) of Section 5 of the Egg Products Inspection Act (21 U.S.C. 1034 (c)). The conference agreement states that the $5,000,000 shall be available for obligation only after promulgation of a final rule to implement that provision. The conferees direct that if a final rule is not promulgated, the Department is not to take the reduction from any funds appropriated for the Food Safety Initiative or any inspection services. The conference agreement does not restrict the Department from promulgating rules beyond the scope of subsection (c) of Section 5 of the Egg Products Inspection Act (21 U.S.C. 1034 (c)).

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $700,659,000 for the Farm Service Agency as proposed by the Senate instead of $702,203,000 as proposed by the House. The agreement also provides transfers to the Farm Service Agency of $589,000 from the export loan program, $815,000 from the P.L–480 program, and $209,861,000 from the Agricultural Credit Insurance Fund for a total available of $911,924,000.

The conferees expect USDA to execute its current office streamlining in a manner that reflects differences among the States and that uses criteria including workload, complexity, and accessibility rather than an arbitrary process based solely on distances between county offices.

DAIRY INDEMNITY PROGRAM

The conference agreement provides $550,000 for the Dairy Indemnity program as proposed by the Senate instead of $350,000 as proposed by the House.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy level of $102,419,000 providing for an estimated loan level of $2,940,653,000 for the activities under the Agricultural Credit Insurance Fund.

The following table reflects the conference agreement:

	Fiscal year 1997 enacted	Conference
Agricultural Credit Insurance Fund Program Account:		
Loan authorization:		
Farm ownership loans:		
Direct	(50,000,000)	(60,000,000)
Guaranteed	(550,000,000)	(400,000,000)
Subtotal	(600,000,000)	(460,000,000)
Farm operating loans:		
Direct	(495,071,000)	(495,000,000)
Guaranteed unsubsidized	(1,700,000,000)	(1,700,000,000)
Guaranteed subsidized	(200,000,000)	(200,000,000)
Subtotal	(2,395,071,000)	(2,395,000,000)
Indian tribe land acquisition loans	(1,000,000)	(1,000,000)
Emergency disaster loans	(25,000,000)	(25,000,000)
Boll weevil eradication loans	(34,653,000)	(34,653,000)
Credit sales of acquired property	(25,000,000)	(25,000,000)
Total, Loan authorization	(3,080,724,000)	(2,940,653,000)
Loan subsidies:		
Direct	5,920,000	5,940,000
Guaranteed	22,055,000	15,440,000
Subtotal	27,975,000	21,380,000
Farm operating loans:		
Direct	65,450,000	32,224,000
Guaranteed unsubsidized	19,210,000	19,890,000
Guaranteed subsidized	18,480,000	19,280,000
Subtotal	103,140,000	71,394,000
Indian tribe land acquisition	54,000	132,000
Emergency disaster loans	6,365,000	6,008,000
Boll weevil loans subsidy	499,000	250,000
Credit sales of acquired property	2,530,000	3,255,000
Total, Loan subsidies	140,563,000	102,419,000
ACIF expenses:		
Salaries and expense (transfer to FSA)	208,446,000	209,861,000
Administrative expenses	12,600,000	10,000,000
Total, ACIF expenses	221,046,000	219,861,000
Total, Agricultural Credit Insurance Fund	361,609,000	322.280,000
(Loan authorization)	(3,080,724,000)	(2,940,653,000)

RISK MANAGEMENT AGENCY

The conference agreement provides $252,571,000 for the Risk Management Agency instead of $253,571,000 as proposed by the House and $266,571,000 as proposed by the Senate. The agreement includes $64,000,000 for administrative and operating expenses of the agency and $188,571,000 for the payment of administrative and operating expenses of approved insurance providers.

The conferees note the difficulty in providing funds for the sales commissions for crop insurance agents. This problem will continue without a change in permanent law. The conferees expect the Department to submit legislation to effect a change to permanent funding for this activity.

TITLE II—CONSERVATION PROGRAMS

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement continues funding conservation operations, watershed surveys and planning, and watershed and flood prevention operations as three separate accounts as proposed by the House. The Senate proposed to fund watershed surveys and planning and technical assistance of watershed and flood prevention operations under the conservation operations account and had a separate account for watershed and flood prevention operations financial assistance.

The conference agreement provides $633,231,000 for conservation operations. Included in this amount are the following: $350,000 for the Great Lakes Basin Program for Soil and Erosion Sediment Control; a total of $3,000,000 for technical assistance in Franklin County, Mississippi; $15,000,000 for the grazing lands initiative; $100,000 for the Trees Forever program in Iowa; and $750,000 for the Deer Creek watershed in Oklahoma. The conferees also provide $300,000, through the Environmental Quality Incentives Program, for the project to assist farmers surrounding Lake Otisco in central New York. The conferees do not provide funding under this account for poultry waste energy recovery.

The conference agreement includes language proposed by the House to transfer ownership of the plant materials center located at Bow, Washington to the Skagit Conservation District. The Senate bill had no similar provision.

The conferees encourage the Department to continue the cooperative agreements it has established with private conservation organizations to support the implementation of the Wetlands Reserve Program.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $11,190,000 for watershed surveys and planning instead of $10,000,000 as proposed by the House. The Senate proposed funding for this account under Conservation Operations.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $101,036,000 for watershed and flood prevention operations as proposed by the House. The Senate proposed funding for this account under Conservation Operations. The conference agreement includes language as proposed by the Senate to provide that up to $15,000,000 of the total may be available for P.L. 534 projects. The conference agreement

also includes language as proposed by the House limiting the amount available for technical assistance to not more than $50,000,000.

While conferees do not earmark $1,800,000 for the Potomac Headwaters project as proposed by the Senate, they support continuation of the project. The conferees note the importance of reducing poultry and other waste load-related problems in the South Branch of the Potomac River and encourage the Department to work with the West Virginia Department of Agriculture for further development of the poultry waste energy recovery (POWER) project at Moorefield and project implementation at Franklin.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $34,377,000 for the Resource Conservation and Development program instead of $29,377,000 as proposed by the House and $44,700,000 as proposed by the Senate. The conferees do not specifically earmark this increase for any initiative, instead the conferees expect that this increase will be used for approved RC&D councils waiting for funding.

The conferees expect the NRCS to submit a detailed operating plan for the Resource Conservation and Development program for fiscal year 1998 to the House and Senate Committees on Appropriations no later than 30 days after enactment of this Appropriations Act. This operating plan should include a proposal for expenditure of available funds for each RC&D area. The operating plan should compare proposed funding levels to the initial fiscal year 1998 budget request and fiscal year 1997 current operating levels, and should include narrative explanations as appropriate. The conferees expect the NRCS to consult with the House and Senate Appropriations Committees to develop this operating plan, which will serve as the basis for reprogramming notifications throughout the remainder of the fiscal year.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS

The conference agreement provides $3,000,000 for the Outreach for Socially Disadvantaged Farmers and Ranchers Program instead of $2,000,000 as proposed by the House and $4,000,000 as proposed by the Senate. The conferees note that, in addition to the funding received through appropriations bills, the program has also received $4,500,000 from the Fund for Rural America.

TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $652,197,000 for the Rural Community Advancement Program (RCAP) instead of $644,259,000 as proposed by the Senate. The House bill did not provide funds for the Rural Community Advancement Program, but provided funding for its activities under three separate accounts: the Rural Housing Assistance Program, the Rural Business-Cooperative Assistance Program and the Rural Utilities Assistance Program.

The following table reflects the conference agreement:

RCAP ACCOUNTS

	Request	House	Senate	Proposed
Water/Sewer	$608,080,000	$577,242,000	$568,304,000	$577,242,000
Community/Housing	30,037,000	86,488,000	27,562,000	27,062,000
Bus-Co-op	50,453,000	51,400,000	48,393,000	47,893,000
Total	688,570,000	715,130,000	644,259,000	652,197,000
Earmarks:				
Colonias	25,000,000	18,700,000	24,500,000	20,000,000
Tech. Asst. (water&sewer)	15,000,000	15,000,000	15,000,000	15,000,000
Alaska		8,750,000	15,000,000	15,000,000
Circuit Rider	5,150,000	5,200,000	5,650,000	5,200,000
EZ/EC	32,163,000	20,048,000	32,163,000	20,048,000
Tech. Asst. (transportation)		500,000		500,000
Total	77,313,000	67,698,000	92,313,000	75,748,000

The conferees recognize the continuing problem of out migration in rural counties across the country and the efforts being made through the Rural Economic Area Partnership (REAP) pilot program. The conferees recommend that Rural Development, as the lead agency for this pilot program, give priority assistance to the REAP zones.

The conferees urge the Department to consider the following projects which were not mentioned in the House and Senate reports. The conferees expect the Department to apply the same criteria of review to these projects as are used for other applications.

Under Rural Business Enterprise Grants:

Rural Development and Finance Corporation, Raymondville, Texas

Renewable Resources Research Institute, Midwestern states

University of Colorado Health Science Center

Under Rural Utilities Programs:

City of Fort Morgan, Colorado

City of Taos, New Mexico

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy level of $226,142,000 (providing for an estimated loan program level of $4,219,527,000) for the activities under the Rural Housing Insurance Fund Program Account instead of $219,642,000 (providing for an estimated program level of $4,169,527,000) as proposed by the House and $224,544,000 (providing for an estimated program level of $3,519,532,000) as proposed by the Senate.

The following table reflects the conference agreement:

	Fiscal year 1997 enacted	Conference
Rural Housing Insurance Fund Program Account:		
Loan authorizations:		
Single family (sec. 502)	(1,000,000,000)	(1,000,000,000)
Unsubsidized guaranteed	(2,300,000,000)	(3,000,000,000)
Housing repair (sec. 504)	(35,000,000)	(30,000,000)
Farm labor (sec. 514)	(15,000,000)	(15,000,000)
Rental housing (sec. 515)	(58,654,000)	(128,640,000)
Multi-family housing guarantees (sec. 538)		(19,700,000)
Site loans (sec. 524)	(600,000)	(600,000)
Self-help housing land development fund	(600,000)	(587,000)
Credit sales of acquired property	(50,000,000)	(25,000,000)
Total, Loan authorizations	(3,459,854,000)	(4,219,527,000)
Loan subsidies:		
Single family (sec. 502)	83,000,000	128,100,000
Unsubsidized guaranteed	6,210,000	6,900,000
Housing repair (sec. 504)	11,081,000	10,300,000
Farm labor (sec. 514)	6,885,000	7,388,000
Rental housing (sec. 515)	28,987,000	68,745,000
Multi-family housing guarantees (sec. 538)		1,200,000
Self-help housing land development fund	17,000	17,000
Credit sales of acquired property	4,050,000	3,492,000
Total, Loan subsidies	140,230,000	226,142,000
RHIF administrative expenses (transfer to RHS)	366,205,000	354,785,000
Total, Rural Housing Insurance Fund	506,435,000	580,927,000
(Loan authorization)	(3,459,854,000)	(4,219,527,000)

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $541,397,000 for rental assistance as proposed by the Senate instead of $493,870,000 as proposed by the House.

RURAL COMMUNITY FIRE PROTECTION GRANTS

The conference agreement provides $2,000,000 for rural community fire protection

grants as proposed by the House instead of $1,285,000 as proposed by the Senate.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $45,720,000 for rural housing assistance grants as proposed by the Senate. The House bill funded these activities under the Rural Housing Assistance Program.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement appropriates a subsidy level of $16,888,000 (providing an estimated loan program level of $35,000,000) for the Rural Development Loan Fund Program Account as proposed by the House instead of $19,200,000 (providing an estimated loan program level of $40,000,000) as proposed by the Senate.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

The conference agreement rescinds $5,978,000 of funds derived from interest on cushion of credit payments established in the Rural Electrification Act (7 U.S.C. 901), and further provides $5,978,000 for the cost of loans for the Rural Economic Development Loans Program Account. This subsidy level provides for an estimated program level of $25,000,000.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND

The conference agreement appropriates $7,000,000 for the Alternative Agricultural Research and Commercialization Corporation Revolving Fund instead of $10,000,000 as proposed by the Senate. The House bill provided no funds for this account. The House report proposed that the program operate with repayments to its revolving fund.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement appropriates $3,000,000 for rural cooperative development grants as proposed by both House and Senate and provides for an earmark of up to $1,300,000 for cooperative agreements for the Appropriate Technology Transfer for Rural Areas Program as proposed by the House instead of up to $1,500,000 as proposed by the Senate.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $36,185,000 (providing for an estimated loan program level of $1,420,000,000) instead of $32,161,000 (providing for an estimated loan program level of $1,320,000,000) as proposed by the House and $35,313,000 (providing for an estimated loan program level of $1,397,756,000) as proposed by the Senate.

The following reflects the conference agreement:

	Fiscal year 1997 enacted	Conference
Rural Electrification and Telecommunications Loans Program Account:		
Loan authorizations:		
Direct loans:		
Electric 5%	(125,000,000)	(125,000,000)
Telecommunications 5%	(75,000,000)	(75,000,000)
Subtotal	(200,000,000)	(200,000,000)
Treasury rates: Telecommunications	(300,000,000)	(300,000,000)
Muni-rate: Electric	(525,000,000)	(500,000,000)
FFB loans:		
Electric, regular	(300,000,000)	(300,000,000)
Telecommunications	(120,000,000)	(120,000,000)
Subtotal	(420,000,000)	(420,000,000)
Total, Loan authorizations	(1,445,000,000)	(1,420,000,000)
Loan subsidies:		
Direct loans:		
Electric 5%	3,625,000	9,325,000
Telecommunications 5%	1,193,000	2,940,000
Subtotal	4,818,000	12,265,000
Treasury rates: Telecommunications	60,000	60,000
Muni-rate: Electric	28,245,000	21,100,000
FFB loans: Electric, regular	2,790,000	2,760,000
Total, Loan subsidies	35,913,000	36,185,000
RETLP administrative expenses (transfer to RUS)	29,982,000	29,982,000
Total, Rural Electrification and Telecommunications Loans Program Account	65,895,000	66,167,000
(Loan authorization)	(1,445,000,000)	(1,420,000,000)

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides that administrative expenses of the Rural Telephone Program Bank Account shall be transferred to and merged with ''Rural Utilities Salaries and Expenses'' as proposed by the House. The Senate bill had no similar provision.

DISTANCE LEARNING AND MEDICAL LINK GRANTS AND LOANS PROGRAM

The conference agreement appropriates $12,530,000 for the distance learning medical link grants and loans program instead of $15,030,000 as proposed by the House and $12,030,000 as proposed by the Senate.

The conference agreement provides $30,000 from the total amount appropriated for the subsidy cost of distance learning and medical link loan guarantees (providing an estimated program level of $150,000,000) as proposed by both the House and Senate.

The conferees urge the Department to consider the State University of New York Telecommunications Center for Education project which was not mentioned in the House and Senate reports. The conferees expect the Department to apply the same criteria of review to this project as are used for other applications.

TITLE IV—DOMESTIC FOOD PROGRAMS

CHILD NUTRITION PROGRAMS

The conference agreement provides a total of $7,767,816,000 for Child Nutrition Programs instead of $7,766,966,000 as proposed by the House and $7,769,066,000 as proposed by the Senate. Included in this amount is an appropriated amount of $2,616,425,000 and an amount transferred from section 32 of $5,151,391,000. The conference agreement provides for the Child Nutrition Programs at the following annual rates:

TOTAL OBLIGATIONAL AUTHORITY

[In thousands of dollars]

	House	Senate	Conference agreement
Child Nutrition Programs:			
School Lunch Program	$4,327,804	$4,327,804	$4,327,804
School Breakfast Program	1,265,507	1,265,507	1,265,507
Child and adult care food program	1,411,590	1,411,590	1,411,590
Commodity procurement/computer support	337,194	337,194	337,194
Summer food service program	277,292	277,292	277,292
State administrative expenses	112,808	112,808	112,808
Special milk program	19,747	19,747	19,747
School meals initiative	5,900	10,000	8,000
Coordinated review system	4,124	4,124	4,124
Nutrition studies and surveys		3,000	
Nutrition education and training	5,000		3,750
Total	7,766,966	7,769,066	7,767,816

The conference agreement provides $8,000,000 for the school meals initiative. Included in this amount is $4,000,000 for food service training grants to states, $1,000,000 for technical assistance materials, $500,000 for the National Food Service Management Institute cooperative agreement for food service, $400,000 for print and electronic resource systems, and not more than $2,100,000 for other activities.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $3,924,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as proposed by the House instead of $3,927,600,000 as proposed by the Senate. The conference agreement includes language as proposed by the Senate to prohibit funds to be used for administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program.

The Secretary of Agriculture has proclaimed a WIC National Breastfeeding Week in an effort to promote breastfeeding among both WIC and non-WIC mothers. The breastfeeding promotion project will be implemented initially in 10 pilot WIC state agencies to encourage breastfeeding using a variety of advertising methods such as radio, television, and billboards. The conferees support this initiative and urge all states to participate in this promotional effort.

FOOD STAMP PROGRAM

The conference agreement provides $25,140,479,000 for the Food Stamp Program as proposed by the House instead of $26,051,479,000 as proposed by the Senate. Included in this amount is a contingency reserve of $100,000,000 as proposed by the House instead of $1,000,000,000 as proposed by the Senate. Also included in this amount is $1,204,000,000 for nutrition assistance for Puerto Rico and $100,000,000 for TEFAP commodity purchases.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $141,000,000 for the Commodity Assistance Program as proposed by the House instead of $148,600,000 as proposed by the Senate. The conference agreement includes language as proposed by the House to provide funds from this account for administrative expenses only to the Emergency Food Assistance Program.

FOOD DONATIONS PROGAMS FOR SELECTED GROUPS

The conference agreement provides $141,165,000 for the Food Donations Programs for Selected Groups as proposed by the Senate instead of $146,165,000 as proposed by the House. Included in this amount is $140,000,000 for the Elderly Feeding Program as proposed by the Senate instead of $145,000,000 as proposed by the House.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides $107,619,000 for Food Program Administration instead of $104,128,000 as proposed by the House and $107,719,000 as proposed by the Senate. The conference agreement also provides $554,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

The conference agreement provides $135,561,000 for the Foreign Agricultural Service and General Sales Manager as proposed by the House instead of $136,664,000 as proposed by the Senate.

In the total amount provided, the conference agreement includes a direct appropriation of $131,295,000 as proposed by the House instead of $132,367,000 as proposed by the Senate, a transfer from Public Law 480 of $1,035,000 as proposed by the House instead of $1,066,000 as proposed by the Senate and a transfer of $3,231,000 from the Export Loan Program as proposed by both House and Senate.

The conference agreement deletes Senate bill language providing that up to $3,000,000 shall be available in fiscal year 1999 for overseas inflation. The conferees direct the Department to develop a plan for establishing an account to manage currency fluctuation.

The conference agreement provides $3,000,000 of the total amount appropriated for the Cochran Fellowship Program as provided by the Senate.

The conference agreement deletes Senate report language providing $500,000 for market barrier access identification and adopts House report language recommending that the Foreign Agricultural Service not spend appropriated funds for market barrier access identification.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The following table reflects the conference agreement for Public Law 480 Program Accounts:

	FY 1997 enacted	Conference agreement
Public Law 480 Program Account:		
Title I—Credit sales:		
Program level	(240,805,000)	(244,508,000)
Direct loans	(226,900,000)	(226,900,000)
Ocean freight differential	13,905,000	17,608,000
Title II—Commodities for disposition abroad:		
Program level	(837,000,000)	(837,000,000)
Appropriation	837,000,000	837,000,000
Title III—Commodity grants:		
Program level	(29,500,000)	(30,000,000)
Appropriation	29,500,000	30,000,000
Loan subsidies	185,589,000	176,596,000
Salaries and expenses:		
General Sales Manager (transfer to FAS)	1,035,000	1,035,000
Farm Service Agency (transfer to FSA)	745,000	815,000
Subtotal	1,780,000	1,850,000
Total, Public Law 480:		
Program level	(1,107,305,000)	(1,111,508,000)
Appropriation	1,067,774,000	1,063,054,000

The conferees support the use of Title II funds in fiscal year 1998 to continue the fiscal year 1997 level for the orphan feeding program in Haiti.

The conferees direct that none of the funds appropriated in this Act be made available to provide assistance to the Democratic People's Republic of Korea except for assistance that is provided directly to needy people by the United Nations World Food Programme or private voluntary organizations registered with the United States Agency for International Development and not by the Government of the Democratic People's Republic of Korea.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes a direct appropriation of $857,501,000 for salaries and expenses, instead of $852,501,000 as proposed by the House and $873,057,000 as proposed by the Senate. Also included is $91,204,000 in prescription drug user fees as proposed by the Senate.

Included within the amount available is $34,000,000 for the children's tobacco prevention initiative and $24,000,000 for the food safety initiative. The FDA should consider the use of the National Sea Grant College Program to assist in conjunction with its seafood safety activities.

The conferees have not included a detailed table in this statement of managers. Instead, the conferees expect the FDA to submit a detailed operating plan for fiscal year 1998 to the House and Senate Committees on Appropriations no later than 30 days after enactment of this Appropriations Act. This operating plan should include a proposal for expenditure of available funds by Center, related field activities, and other activities at a level of detail at least as great as that included in the Senate report. The operating plan should compare proposed funding levels to the initial fiscal year 1998 budget request and fiscal year 1997 current operating levels, and should include narrative explanations as appropriate. The conferees expect the FDA to consult with the House and Senate Appropriations Committees to develop this operating plan, which will serve as the basis for reprogramming notifications throughout the remainder of the fiscal year.

The agreement includes $200,000 for a cooperative agreement with the Interstate Shellfish Sanitation Commission to continue research, safety rules, regulations, and education activities.

The conference agreement includes an increase for the Office of Generic Drugs.

BUILDINGS AND FACILITIES

The conference agreement provides $21,350,000 for Food and Drug Administration, Buildings and Facilities as proposed by the House instead of $22,900,000 as proposed by the Senate. The agreement provides the budget request for the National Center for Toxicological Research.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $58,101,000 for the Commodity Futures Trading Commission instead of $57,101,000 as proposed by the House and $60,101,000 as proposed by the Senate.

TITLE VII—GENERAL PROVISIONS

House and Senate Section 705.—The conference agreement includes language proposed by the House to allow the Food Safety and Inspection Service, field automation and information management project funds to remain available until expended. The Senate proposed to prohibit these funds from remaining available until expended.

House Section 716.—The conference agreement includes and amends language proposed by the House to make permanent compliance with the Buy American Act. The Senate bill had no similar provision.

Senate Section 720.—The conference agreement includes language (Section 722) proposed by the Senate to prohibit the use of funds from this Act to carry out the provisions of section 918 of Public Law 104-127, the establishment of a permanent advisory panel known as the Safe Meat and Poultry Inspection Panel. The House bill had no similar provision.

House Section 721 and Senate Section 722.—The conference agreement includes language (Section 721) to limit funding for the Export Enhancement Program to $150,000,000 as proposed by the Senate instead of $205,000,000 as proposed by the House.

House Section 723.—The conference agreement includes language (Section 724) proposed by the House to prohibit USDA from transmitting or otherwise making available to any non-Department employee questions or responses to questions that are the result of information requested for the appropriations hearing process. The Senate bill had no similar provision.

House Section 724.—The conference agreement includes language (Section 725) proposed by the House to prohibit the use of funds in this Act for the Western Director and Special Assistant to the Secretary within the Office of the Secretary. The Senate bill had no similar provision.

House Section 726.—The conference agreement does not include language proposed by the House to reduce the National Agricultural Statistics Service budget by $1,500,000 and add it to Departmental Administration for civil rights enforcement. The Senate bill had no similar provision.

House Section 727.—The conference agreement does not include language proposed by the House to prohibit funds from being used to provide assistance to North Korea except for assistance provided directly to needy people by the United Nations Food Programme or private voluntary organizations registered with the United States Agency for International Development. The Senate bill had no similar provision.

House Section 728.—The conference agreement does not include language proposed by the House relating to the City of Galt, California. The Senate bill had no similar provision.

Senate Section 724.—The conference agreement includes language (Section 728) proposed by the Senate to amend section 3(c) of the Federal Noxious Weed Act of 1974 to include kudzu. The House bill had no similar provision.

Senate Section 725.—The conference agreement includes language (Section 729) proposed by the Senate to make the Martin Luther King area of Pawley's Island, South Carolina eligible for loans and grants under section 504 of the Housing Act of 1949. The House bill had no similar provision.

Senate Section 726.—The conference agreement includes language (Section 730) proposed by the Senate to prohibit the Food and Drug Administration from closing or relocating the FDA Division of Drug Analysis in St. Louis, Missouri. The conference agreement does not include language proposed by the Senate to prohibit the Food and Drug Administration from proceeding with a plan to close or consolidate the laboratory in Baltimore, Maryland. The House bill had no similar provision.

Senate Section 727.—The conference agreement does not include language proposed by the Senate to require the Secretary of Agriculture to submit a plan for reducing the employee level in the Rural Development mission area below the level described in the budget to the House and Senate Committees on Appropriations. The House bill had no similar provision.

Senate Section 728.—The conference agreement includes language (Section 731) proposed by the Senate to modify the conditions for issuance of cotton user marketing certificates. The House bill had no similar provision.

Senate Section 729.—The conference agreement includes language (Section 732) proposed by the Senate that requires the Office of Management and Budget to conduct a comprehensive economic evaluation of the direct and indirect effects of the Northeast Dairy Compact. The House bill had no similar provision.

Senate Section 730.—The conference agreement includes and amends language (Section 733) proposed by the Senate to allow the Secretary of Agriculture to use up to $2,000,000 from proceeds earned from the sale of grain in the disaster reserve to implement a livestock indemnity program. The House bill had no similar provision.

Senate Section 731.—The conference agreement includes language (Section 734) proposed by the Senate to prohibit contract payments to a producer who plants wild rice on contract acreage unless the contract payment is reduced by an acre for each contract acre planted to wild rice. The House bill had no similar provision.

Senate Section 732.—The conference agreement does not include language proposed by the Senate to prohibit the inspection or certification of agricultural products unless the Secretary of Agriculture inspects and certifies the processing equipment and imposes a fee for the inspection and certification. The House bill had no similar provision.

Senate Section 733.—The conference agreement includes language (Section 735) proposed by the Senate to change the term for Section 515 multi-family rural housing loans from 50 years to 30 years and allow the Secretary of Agriculture to structure loan repayments based on a 50-year amortization schedule. The conference agreement also extends the authorizations for the Section 515 Rural Rental Housing Program and the Section 538 Multi-Family Guarantee Program for one year. The House bill contained no similar provision.

New Section 727.—The conferees have included language that provides for reprogramming procedures for agencies funded by this bill. The conferees are concerned about the lack of formal reprogramming procedures for agencies funded by this bill. Recent testimony before the Committees on Appropriations has indicated many instances of funds being used for purposes other than intended by Congress. Accordingly, the conferees have instituted a formal process and expect all agencies to implement the procedures immediately.

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	$53,889,489,000
Budget estimates of new (obligational) authority, fiscal year 1998	52,302,190,000
House bill, fiscal year 1998	49,603,627,000
Senate bill, fiscal year 1998	50,713,787,000
Conference agreement, fiscal year 1998	49,749,679,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1997	−4,139,810,000
Budget estimates of new (obligational) authority, fiscal year 1998	−2,552,511,000
House bill, fiscal year 1998	+146,052,000
Senate bill, fiscal year 1998	−964,108,000

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR,
VIC FAZIO,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
DAVID R. OBEY,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER BOND,
SLADE GORTON,
MITCH M. MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS,
TOM HARKIN,
HERB KOHL,
ROBERT C. BYRD,
PATRICK J. LEAHY,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. FARR of California, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. TIERNEY, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

Mr. MEEHAN, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. SLAUGHTER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

(The following Member (at the request of Mr. PAUL) to revise and extend his remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. CLAYTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCNULTY) and to include extraneous matter:)

Mr. NEAL of Massachusetts.
Mr. HAMILTON.
Mr. SCHUMER.
Mr. TOWNS.
Mr. LEVIN.
Mr. ABERCROMBIE.
Ms. SLAUGHTER.
Ms. HARMAN.
Mr. KENNEDY of Rhode Island.

(The following Members (at the request of Mr. PAUL) and to include extraneous matter:)

Mr. SMITH of New Jersey.
Mr. BARRETT of Nebraska.
Mr. BACHUS.
Mr. PORTER.
Mr. CAMP.
Mr. HASTERT.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. LANTOS.
Mr. ORTIZ.
Mr. BOB SCHAFFER of Colorado.
Mr. EHLERS.
Mr. PARKER.
Mr. KIND.
Mr. RIGGS.
Mr. BENTSEN.
Mr. SKELTON.
Ms. SANCHEZ.
Mr. ADERHOLT.
Mr. CLYBURN.
Ms. CARSON.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 965. An act to amend title II of the Hydrogen Future Act of 1996 to extend an authorization contained therein, and for other purposes; to the Committee on Science.

S. Con. Res. 45. Concurrent resolution commending Dr. Hans Blix for his distinguished service as Director General of the International Atomic Energy Agency on the occasion of his retirement; to the Committee on International Relations.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On September 11, 1997:

H.R. 1866. An act to continue favorable treatment for need-based educational aid under the antitrust laws.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 28 minutes p.m.), the House adjourned until tomorrow, Thursday, September 18, 1997, at 10 a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. Supplemental report on H.R. 10. A bill to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes (Rept. 105–164, Pt. 2).

Mr. LEACH: Committee on Banking and Financial Services. H.R. 2343. A bill to abolish the Thrift Depositor Protection Oversight Board, and for other purposes; with an amendment (Rept. 105–249). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 230. Resolution providing for consideration of the resolution (H. Res. 168) to implement the recommendations of the bipartisan House Ethics Reform Task Force (Rept. 105–250). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2247. A bill to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes; with an amendment (Rept. 105–251). Referred to the Committee of the Whole House on the State of the Union.

Mr. SKEEN: Committee of Conference. Conference report on H.R. 2160. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–252). Ordered to be printed.

BILLS PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bills be placed upon the Corrections Calendar:

H.R. 2343. A bill to abolish the Thrift Depositor Protection Oversight Board, and for other purposes.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SHAW (for himself and Mr. LEVIN):

H.R. 2487. A bill to improve the effectiveness and efficiency of the child support enforcement program and thereby increase the financial stability of single parent families including those attempting to leave welfare; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. LAMPSON, Mr. CRAMER, Mr. CASTLE, Mrs. THURMAN, Mr. FRANKS of New Jersey, Mrs. FOWLER, Mr. BENTSEN, Mr. LUTHER, Mr. BRADY, Ms. DUNN of Washington, Mr. REYES, Mr. WEXLER, Mrs. MORELLA, and Mr. BARCIA of Michigan):

H.R. 2488. A bill to amend the National Child Protection Act of 1993 to facilitate the fingerprint checks authorized by that act, and for other purposes; to the Committee on the Judiciary.

By Mr. LAHOOD (for himself, Mr. EWING, Mr. BARRETT of Nebraska, Mr. NUSSLE, Mr. EVANS, Mr. MINGE, Mr. SHIMKUS, Mr. WELLER, Mr. HASTERT, Mr. GUTKNECHT, Mr. MANZULLO, Mr. DAVIS of Illinois, Mr. POSHARD, Mr. LEACH, Mr. BOSWELL, Mr. GANSKE, Mr. LATHAM, Mr. MARTINEZ, Mr. COSTELLO, Mr. THUNE, Mr. CHRISTENSEN, Mrs. EMERSON, Mr. SKELTON, Mr. HULSHOF, Ms. DANNER, Ms. STABENOW, Mr. TRAFICANT, Mr. LIPINSKI, Mr. HILL, Mr. POMEROY, Mr. GUTIERREZ, Mr. YATES, Mr. PETERSON of Minnesota, and Mr. BONIOR):

H.R. 2489. A bill to amend the Internal Revenue Code of 1986 to provide that the incentives for alcohol used as a fuel shall be extended as part of any extension of fuel tax rates; to the Committee on Ways and Means.

By Mr. LARGENT:

H.R. 2490. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Ms. LOFGREN:

H.R. 2491. A bill to amend the Immigration and Nationality Act to make permanent the religious worker visa program; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 2492. A bill to amend the Internal Revenue Code of 1986 to exclude certain severance payments from gross income and to allow a refundable credit for job training expenses of older long-time employees who are laid off; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. KING of New York, Mr. MANTON, Mr. WALSH, Mr. KENNEDY of Massachusetts, Mr. MCHUGH, Mr. PAYNE, Mr. SHAYS, Mr. HINCHEY, Mr. ANDREWS, and Mrs. KENNELLY of Connecticut):

H. Con. Res. 152. Concurrent resolution expressing the sense of the Congress that all parties to the multiparty peace talks regarding Northern Ireland should condemn violence and fully integrate internationally recognized human rights standards and adequately address outstanding human rights violations as part of the peace process; to the Committee on International Relations.

By Mr. ROHRABACHER (for himself, Mr. SMITH of New Jersey, Mr. ROYCE, Mr. HUNTER, and Mr. BURTON of Indiana):

H. Res. 231. A resolution urging the President to make clear to the Government of the Socialist Republic of Vietnam the commitment of the American people in support of democracy and religious and economic freedom for the people of the Socialist Republic of Vietnam; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. BLUMENAUER, Mr. DIXON, and Mr. ROTHMAN.

H.R. 23: Mr. GUTIERREZ and Mr. BISHOP.

H.R. 84: Mr. GUTIERREZ.

H.R. 96: Mr. MCINTOSH.

H.R. 336: Mr. PARKER.

H.R. 492: Mr. BLUMENAUER.

H.R. 598: Mr. COLLINS.

H.R. 631: Mr. BOYD.

H.R. 634: Mr. SPENCE.

H.R. 725: Mr. STUMP and Mr. BAESLER.

H.R. 754: Mr. DEUTSCH.

H.R. 859: Mr. SOUDER.

H.R. 875: Mr. LAHOOD and Ms. DELAURO.

H.R. 934: Mr. INGLIS of South Carolina.

H.R. 979: Mr. CONYERS, Ms. STABENOW, and Mr. TIERNEY.

H.R. 1022: Mr. BLUNT.

H.R. 1047: Mr. KENNEDY of Massachusetts.

H.R. 1059: Mr. FAWELL, Mr. LEWIS of Kentucky, Mr. SOUDER, and Mr. DUNCAN.

H.R. 1061: Mr. SOUDER.

H.R. 1114: Mr. FLAKE.

H.R. 1126: Mrs. TAUSCHER.

H.R. 1232: Mr. STUPAK, Mr. COSTELLO, Mr. SENSENBRENNER, and Mr. PASCRELL.

H.R. 1264: Mr. KENNEDY of Massachusetts.

H.R. 1335: Mr. WATT of North Carolina.

H.R. 1378: Mr. HULSHOF, Mr. HOBSON, Ms. PRYCE of Ohio, and Mr. BACHUS.

H.R. 1531: Mr. DEUTSCH and Mr. GUTIERREZ.

H.R. 1595: Ms. PRYCE of Ohio and Mr. MCCOLLUM.

H.R. 1609: Mr. JACKSON, Mr. KENNEDY of Massachusetts, and Mr. WEYGAND.

H.R. 1625: Mr. LINDER and Mr. COLLINS.

H.R. 1689: Mr. DREIER, Mr. DOYLE, and Mr. BARCIA of Michigan.

H.R. 1754: Mr. SESSIONS, Mr. BAKER, Mrs. CHENOWETH, and Mr. SPENCE.

H.R. 1777: Mr. LUTHER.

H.R. 1839: Mr. CLEMENT, Mr. JEFFERSON, Mr. WICKER, Mr. SCHIFF, Mr. HILLEARY, Mr. STEARNS, Mr. STUMP, Mr. DOYLE, Mr. DAVIS of Virginia, Mr. CANADY of Florida, Mr. CHRISTENSEN, Mr. HALL of Ohio, Mr. GIBBONS, Mr. BEREUTER, Mrs. MALONEY of New York, Mr. GUTKNECHT, Mrs. FOWLER, Mr. BLUNT, Mr. RAMSTAD, Mr. NEUMANN, Mr. TALENT, and Mr. BARRETT of Nebraska.

H.R. 1842: Mr. BONO.

H.R. 1849: Mr. GOODLATTE.

H.R. 1970: Ms. MCKINNEY.

H.R. 1984: Ms. CARSON, Mr. GIBBONS, Mr. MCCOLLUM, Mr. CANNON, and Mr. THUNE.

H.R. 1995: Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. TORRES, Mr. CUMMINGS, Mr. FALEOMAVAEGA, Ms. ROYBAL-ALLARD, Mr. BASS, and Mr. LANTOS.

H.R. 2113: Mr. ROGERS.

H.R. 2140: Mr. GREEN.

H.R. 2212: Mr. FARR of California.

H.R. 2248: Mr. CAMPBELL, Mr. GORDON, Mr. FAWELL, Mr. HILLEARY, Mr. SISISKY, Ms. WATERS, Mr. JONES, Mr. GEPHARDT, Ms. BROWN of Florida, Mr. CLYBURN, Mr. MCINNIS, Mr. OBEY, and Mr. BOEHNER.

H.R. 2293: Mr. HERGER.

H.R. 2321: Mr. CHRISTENSEN and Mr. YATES.

H.R. 2345: Mr. MARKEY, Mr. FARR of California, and Ms. ROYBAL-ALLARD.

H.R. 2385: Mr. HAYWORTH.

H.R. 2387: Mr. VISCLOSKY, Mrs. MCCARTHY of New York, Mr. BROWN of California, Mr. MARKEY, Mr. MALONEY of Connecticut, Mr. STRICKLAND, Mr. SANDERS, Mr. SNYDER, Mr. BACHUS, Ms. SLAUGHTER, Mr. COOK, Ms. JACKSON-LEE, Mr. BENTSEN, Mr. LEVIN, Mr. VENTO, Mrs. TAUSCHER, and Mr. MCNULTY.

H.R. 2409: Mrs. MCCARTHY of New York, Mr. STARK, and Mr. MCNULTY.

H.R. 2428: Mr. STARK, Mrs. KENNELLY of Connecticut, Mr. LEVIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. JEFFERSON, Mr. OLVER, Mr. YATES, and Mr. FROST.

H.R. 2449: Mr. BARRETT of Nebraska, Mr. MCKEON, Mr. MCINTOSH, Mr. UPTON, Mr. DAVIS of Virginia, Mrs. NORTHUP, Mr. ISTOOK, and Mr. WICKER.

H.R. 2465: Mr. MICA, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CANNON, Mr. COOKSEY, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DUNCAN, Mr. ENSIGN, Mr. FOLEY, Mr. GIBBONS, Mr. GOSS, Mr. GRAHAM, Mr. HASTERT, Mr. HAYWORTH, Mr. HILL, Mr. HILLEARY, Mr. HOEKSTRA, Mrs. KELLY, Mr. KNOLLENBERG, Mr. KOLBE, Mr. MCCRERY, Mr. METCALF, Mr. NETHERCUTT, Mr. NORWOOD, Mr. PACKARD, Mr. PAUL, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SKEEN, Mr. SNOWBARGER, Mr. SOUDER, Mr. STUMP, Mr. WALSH, and Mr. WHITE.

H.J. Res. 89: Mr. CUMMINGS, Mr. BROWN of California, Mr. BLUMENAUER, Mr. ROHRABACHER, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. BORSKI, Mr. MCGOVERN, and Mr. DELLUMS.

H. Con. Res. 19: Mrs. MCCARTHY of New York.

H. Con. Res. 132: Mr. HASTINGS of Washington, Mr. ANDREWS, and Mrs. TAUSCHER.

H. Res. 37: Mr. SANDLIN and Ms. ESHOO.

H. Res. 83: Mr. MCGOVERN and Mr. BALDACCI.

H. Res. 139: Mr. GIBBONS.

H. Res. 224: Mr. HOUGHTON, Mr. SOLOMON, Mr. QUINN, Mr. MINGE, Mr. BALDACCI, Mr. LEWIS of Kentucky, and Mr. EVANS.

H. Res. 229: Mr. CAPPS, Ms. DELAURO, and Mr. FROST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2029: Mr. HASTINGS of Florida.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2267

OFFERED BY: MR. COBURN

AMENDMENT NO. 35: Page 34, line 13, after the dollar amount, insert the following: ''(increased by $74,100,000)''.

Page 49, line 9, after the dollar amount, insert the following: ''(reduced by $74,100,000)''.

H.R. 2267

OFFERED BY: MR. HOEKSTRA

AMENDMENT NO. 36: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 617. None of the funds made available in this Act may be used to pay the expenses of an election officer appointed by a court to oversee an election of any officer or trustee for the International Brotherhood of Teamsters.

H.R. 2267

OFFERED BY: MR. HOEKSTRA

AMENDMENT NO. 37: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 617. (a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available under this Act, or any other Act making appropriations for fiscal year 1998, may be used by the Department of Labor or the Department of Justice to conduct a rerun of a 1996 election for the office of President, General Secretary, Vice-President, or Trustee of the International Brotherhood of Teamsters.

(b) EXCEPTION.—

(1) IN GENERAL.—Upon the submission to Congress of a certification by the President of the United States that the International Brotherhood of Teamsters does not have funds sufficient to conduct a rerun of a 1996 election for the office of President, General Secretary, Vice-President, or Trustee of the International Brotherhood of Teamsters, the President of the United States may transfer funds from the Department of Justice and the Department of Labor for the conduct and oversight of such a rerun election.

(2) REQUIREMENT.—Prior to the transfer of funds under paragraph (1), the International Brotherhood of Teamsters shall agree to repay the Secretary of the Treasury for the costs incurred by the Department of Labor and the Department of Justice in connection with the conduct of an election described in paragraph (1). Such agreement shall provide that any such repayment plan be reasonable and practicable, as determined by the Attorney General and the Secretary of Treasury, and be structured in a manner that permits the International Brotherhood of Teamsters to continue to operate.

(3) REPAYMENT PLAN.—The International Brotherhood of Teamsters shall submit to the President of the United States, the Majority and Minority Leaders of the Senate, the Majority and Minority Leaders of the House of Representatives, and the Speaker of the House of Representatives, a plan for the repayment of amounts described in paragraph (2), at an interest rate equal to the Federal underpayment rate established under section 6621(a)(2) of the Internal Revenue Code of 1986 as in effect for the calender quarter in which the plan is submitted, prior to the expenditure of any funds under this section.

H.R. 2267

OFFERED BY: MRS. LOWEY

AMENDMENT NO. 38: Page 50, line 13, after the dollar amount insert ''(increased by $2,500,000)''.

Page 50, line 23, after the dollar amount insert ''(increased by $2,500,000)''.

Page 51, line 11, after the dollar amount insert ''(increased by $2,500,000)''.

Page 51, line 13, after the dollar amount insert ''(increased by $2,500,000)''.

Page 51, line 16, after the dollar amount insert ''(increased by $2,500,000)''.

H.R. 2267

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 39: Page 5, line 9, insert ''(reduced by $100,000)'' after the dollar amount.

Page 7, line 6, insert ''(increased by $100,000)'' after the dollar amount.

H.R. 2267

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 40: Page 7, line 6, insert ''(increased by $100,000)'' after ''$973,000,000''.

H.R. 2267

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 41: Page 67, line 19, after the dollar amount, insert the following: ''(reduced by $7,270,260)'' .

H.R. 2267

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 42: Page 67, after line 19, insert the following:

DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the designation of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104–132 (110 Stat. 1214, 1248), to be derived by transfer from the amount provided in this title for ''DEPARTMENT OF STATE—Administration of Foreign Affairs—Salaries and Expenses''. $7,270,260.

H.R. 2267

OFFERED BY: MR. WEYGAND

AMENDMENT NO. 43: Page 20, line 19, strike ''Service'' and insert ''Service,'',

Page 20, line 20, strike ''or State'' and insert ''a State''.

Page 20, beginning on line 20, strike ''agency and'' and all that follows through ''interview:'' on line 25 and insert ''agency, or a designated fingerprinting service certified to take fingerprints under 8 C.F.R. §103.2(e):''.

H.R. 2378

OFFERED BY: MR. BLAGOJEVICH

AMENDMENT NO. 8: Page 5, line 6, after the first dollar amount, insert the following: ''(reduced by $1,000,000)''.

Page 12, line 2, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

H.R. 2378

OFFERED BY: MRS. ROUKEMA

AMENDMENT NO. 9: Page 101, after line 18, insert the following:

MINIMUM SAFETY AND SECURITY STANDARDS FOR GUN SHOPS

SEC. 633. (a) IN GENERAL.—Section 923 of title 18, United States Code, is amended hereafter by adding at the end the following:

''(m) SAFETY AND SECURITY STANDARDS FOR GUN SHOPS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary of the Treasury, acting through the Director of the Bureau of Alcohol, Tobacco and Firearms, shall issue final regulations that establish minimum firearm safety and security standards that shall apply to dealers who are issued a license under this section.

''(2) MINIMUM STANDARDS.—The regulations issued under this subsection shall include minimum safety and security standards for—

''(A) a place of business in which a dealer covered by the regulations conducts business or stores firearms;

''(B) windows, the front door, storage rooms, containers, alarms, and other items of a place of business referred to in subparagraph (A) that the Secretary of the Treasury, acting through the Director of the Bureau of Alcohol, Tobacco and Firearms, determines to be appropriate; and

''(C) the storage and handling of the firearms contained in a place of business referred to in subparagraph (A).''.

(b) INSPECTIONS.—Section 923(g)(1) of title 18, United States Code, is amended hereafter—

(1) in subparagraph (A)—

(A) in clause (i), by striking '', and'' and inserting a semicolon;

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

(C) by adding at the end the following:

''(iii) with respect the place of business of a licensed dealer, the safety and security measures taken by the dealer to ensure compliance with the regulations issued under subsection (m).''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''and the place of business of a licensed dealer'' after ''licensed dealer'';

(B) in clause (ii), by striking ''or'' at the end;

(C) in clause (iii), by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(iv) not more than once during any 12-month period, for ensuring compliance by a licensed dealer with the regulations issued under subsection (m).''.

(c) PENALTIES.—Section 924(a)(1) of title 18, United States Code, is amended hereafter—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) being a licensed dealer, knowingly fails to comply with any applicable regulation issued under section 923(m); and''.