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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. NETHERCUTT].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 29, 1997.

I hereby designate the Honorable GEORGE R. NETHERCUTT, Jr. to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

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

S. 462. An act to reform and consolidate the public and assisted housing programs of the United States, and to redirect primary responsibility for these programs from the Federal Government to States and localities, and for other purposes;

S. 1178. An act to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and for other purposes; and

S. 1227. An act to amend title I of the Employee Retirement Income Security Act of 1974 to clarify treatment of investment managers under such title.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Michigan [Mr. KNOLLENBERG] for 5 minutes.

PEOPLE'S BUSINESS DELAYED BY CAMPAIGN FINANCE REFORM

Mr. KNOLLENBERG. Mr. Speaker, last week my colleagues on the other side of the aisle held the House hostage in an attempt to score political points. In apparently a panic mode over the endless scandals from the 1996 Presidential election, they repeatedly forced procedural votes that delayed our work on the appropriation bills. They justify delaying the people's business as an attempt to force consideration of campaign finance reform.

Mr. Speaker, campaign finance reform is an important issue, but it is also a complex issue. Before acting, we should first fully understand all that is involved with the current system.

From the beginning of this year, scandal after scandal involving the Clinton White House, the Democratic National Committee, and their liberal political allies have dominated the headlines.

Given this onslaught of negative press coverage, I understand why my Democratic colleagues would like to change the subject and create the appearance that they are good Government reformers. But I believe it is critically important for Congress to act in a deliberative fashion on this issue. It is not enough to say that the system stinks. We need to identify the people who make the system stink and hold them accountable for skirting the law.

The money laundering schemes involving illegal foreign contributions are serious allegations, and they are allegations that need to be fully investigated before campaign finance legislation is considered.

I am not saying that there is no need for reform. In fact, I have introduced a bill that would make Members of Congress more accountable to their constituents and less beholden to Washington special interests. But I believe the old saying, ''Do not place the cart in front of the horse.'' It applies to this situation.

The American people have elected us to do their business in a deliberative and a thoughtful manner. They understand the way we finance elections is flawed, but they are not looking for knee-jerk solutions or reactions that may have the unintended consequence of making the system worse. At this point, we do not know enough about what went wrong in 1996 to offer a solution.

Just consider, for example, the scandal involving the 1996 Teamsters presidential election. On September 18, three political consultants for Teamsters president Ron Carey pled guilty to criminal conspiracy charges related to a money laundering scheme that may involve the Democratic National Committee, Clinton campaign aides, and senior White House officials.

For background purposes, a 1989 settlement between the Teamsters and the Justice Department over racketeering charges called for the Federal Government to finance and oversee the 1996 Teamsters presidential election. Ron Carey won the election by a narrow margin, but on August 22 a court-appointed Federal overseer threw out the election, the results, and called for a new election because of fundraising abuses.

Mr. Speaker, under current law it is illegal for Teamsters funds to be spent on a candidate in a union election. The money laundering scheme that Carey's political aides pled guilty to involved using Teamsters funds to make political contributions to outside groups which then sent the money back to the Carey campaign, a clear violation of the law.

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A memo has emerged that indicates Teamster money may have been contributed to State and local Democratic parties in exchange for DNC officials funneling money into Carey's campaign. Senior Clinton advisers have been implicated in this scandal, and while we do not know the extent of their involvement at this time, the possibility of the President's men being involved in a conspiracy of this magnitude is certainly troubling. After all, the Clinton Justice Department was supposed to ensure that the Teamsters election was conducted in a fair and honest manner. To carry out this responsibility, Congress provided some $22 million.

As a member of the House Committee on Education and the Workforce, I am pleased that the gentleman from Michigan [Mr. HOEKSTRA] and the gentleman from Illinois [Mr. FAWELL] have scheduled hearings on this troubling matter, and I look forward to working with them to get to the bottom of this scandal.

Mr. Speaker, we must reform our system to make political candidates more accountable to the people they represent and less beholden to the big money and interests that provide it, but we must first examine what is wrong with the system before we can offer a workable solution. After all, a doctor would not prescribe a patient or a treatment for a patient that he has not examined.

By allowing the inquiries by the relevant congressional committees, the Justice Department, and, hopefully, a special counsel to move forward, we will gain a better understanding of what needs to be done to improve this system.

The scandals from the Clinton reelection campaign have tainted the process by which Americans choose their leaders, and no matter how hard the President and his allies try to change the subject, this troubling fact must not be swept under the rug.

As elected officials, we have an obligation to investigate the matter fully and hold those responsible for this sleazy money chase of 1996 accountable. Mr. Speaker, to do anything less would be scandalous in its own right.

MAKING COLLEGE AFFORDABLE FOR ALL

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

Mr. MCGOVERN. Mr. Speaker, last week the College Board came out with its annual report on tuition costs at our Nation's institutions of higher learning. This year's average tuition increase of 5 percent represents a curb over the past decade of double-digit inflation in college costs. Nonetheless, it is still an increase above the national inflation rate.

When we evaluate the information in this report, we do need to recognize that the overwhelming number of colleges, universities, and community colleges across the land are keeping their annual tuition increases within the 2 to 3 national percent average for inflation. Even some of our most elite colleges are attempting to keep increases in tuition within this national boundary.

Last week the president of the Massachusetts Institute of Technology, Dr. Charles Vest, visited my office and related how MIT has managed to keep its costs down to 2 percent of inflation. Dr. Vest said that he had taken a page out of the corporate handbook to contain operating costs. MIT has closed down its in-house office supply system and is now contracting with private supply companies. It has outsourced many of the publications it once handled in house as well.

No one would argue that our colleges and universities could not do more to keep overall costs down so that those increases are not passed along as tuition increases. We should recognize, however, that like all institutions, colleges and universities have been having to adjust their operations to face a new century and a new future.

The top three factors for tuition and fee growth have been: First, the need to make technological improvements on campus such as the purchase and use of computers, information technology, and more sophisticated laboratories and libraries, et cetera; second, the need for the institution to provide a greater share of student financial aid due in large measure to the decreases in Federal and State provided grant aid; and, third, increase in faculty salaries and benefits with health and retirement increases similar to those elsewhere in the Nation which, over the past decade, have also risen at rates greater than the national inflation rate.

When we in Congress review the situation, we do need to demand fiscal restraint and accountability from our colleges and universities, but we must also recognize that we have not always played a helpful role and, indeed, that we might be part of the problem, not the solution.

Federal investment in higher education, especially student financial aid, has shrunk significantly in constant dollars over the past 15 years. In the decade between 1986 and 1996, the amount of Federal dollars invested in Pell grants fell by 16 percent. For work-study programs, Federal aid deceased 32 percent; for Perkins loans, funding decreased by 17 percent; and for the Federal SEOG program, funding fell by 33 percent.

Whenever Federal dollars are taken away from student financial aid, those costs must be picked up by the institutions themselves. Institutional fundraising that would normally have been used to cover the costs of faculty and staff benefits or upgrading technology are less available, so part of those costs are passed along to students and their families through tuition and fee increases.

Once again, to use MIT as an example, in 1980 the Federal Government provided about 40 percent of financial aid grants to students based on economic need, with MIT providing about 50 percent. In 1996, the Federal Government provided 10 percent of need-based grants and MIT raised funds for 80 percent of those grants.

If we are going to make a college education affordable for every student qualified to attend an institution of higher learning, then we must make grant funding a far greater priority for national spending.

This year, the combination of increases in the Pell grant maximum award and education tax credits will provide financial support and relief for many American families. In spite of President Clinton's commitment to increase the Pell grant maximum to $3,000, an amount upheld in the House Labor-HHS-Education appropriations bill, we must still do more. We must do much more.

If the Pell grant were to have the same value and impact this year as it did when it was created, then the Pell grant maximum would have to be increased today by $5,000, a level that would not only increase the average award amount but would also broaden the eligibility pool.

I know many of my colleagues want to support legislation that would pledge a Pell grant award to every eligible child upon graduation. Well, if they want that grant to be worth the paper it is written on, they had better start supporting significantly greater increases in our appropriations for Pell grants each year.

We must all do more to make a college education affordable to all. We must all do more to make every college accessible to those who qualify for admission to an institution of higher learning. Colleges and universities must do their part by controlling overall operating costs, and we here in Congress must do more to support our children's future by ensuring that Federal support for student financial aid increases substantially over the next 5 years.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. UPTON] at 12 noon.

PRAYER

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

We pray this day with the words of Psalm 100:

Make a joyful noise to the Lord, all the lands!
Serve the Lord with gladness!
Come into his presence with singing!
Know that the Lord is God!
It is he that made us, and we are his;
we are his people and the sheep of his pasture.
Enter into his gates with thanksgiving,
and into his courts with praise!
Give thanks to him, and bless his name!
For the Lord is good;
his steadfast love endures forever,
and his faithfulness to all generations.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SMITH of Texas 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.

CONGRESS MUST CHANGE THE BURDEN OF PROOF IN TAX CASES

(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, an IRS agent testified under oath that taxpayers who fight back are told, and I quote, ''Sue us; go right ahead, sue us and prove that we are wrong.''

Think about it. After our taxpayers are hit with unnecessary tax bills, heavy enough to cause a hernia for the Jolly Green Giant, they are told, ''If you don't like it, sue us.''

This is not hearsay, this is not rumor, this is an exact quote of an IRS agent who also said, ''Beware, Congress. The IRS will tell you these are isolated incidents. That's not true. This is, in fact, standard policy.''

Beam me up. I say it is time for Congress to shove these illegal tactics right up the assets of the IRS. The IRS has been created by Congress. Congress caused this problem, Congress must solve this problem, and Congress must change the burden of proof in the tax case, or else the IRS will keep saying, ''Prove it, sucker, prove it. Prove we're wrong.''

I yield back all the balance of these illegal tactics.

PASS THE MARRIAGE TAX ELIMINATION ACT

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

Mr. WELLER. Mr. Speaker, let me ask a very simple and basic question. My colleagues, does the average American feel that it is fair, is it fair, that our Tax Code imposes a higher tax, a tax penalty, on marriage? Do Americans feel it is fair that the average married couple, 21 million average married working couples, pay $1400 more in taxes than a working couple living together outside of marriage? That is wrong, that is immoral, my colleagues. We need to repeal and eliminate the marriage tax penalty on marriage.

Let me quote an editorial in the Kankakee Daily Journal, a daily in my own congressional district:

The marriage tax is an unfair imposition. The Code should be rewritten to eliminate it. Laws should encourage rather than discourage marriage. They should encourage rather than discourage couples from staying together.

It is an issue of fairness, my colleagues. That is why it is so important we pass the Marriage Tax Elimination Act, legislation that is now enjoying the bipartisan support of almost 190 Members of this House.

Next year when we move forward with another balanced budget, in 1998, let us make the centerpiece of next year's budget elimination of the most unfair and immoral portion of our Tax Code, and that is the marriage tax penalty.

SENDING A CLEAR MESSAGE TO OUR CHILDREN

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

Mr. BLUMENAUER. Mr. Speaker, one of the joys of serving in the House is being able to bring young visitors here to the floor, but when I bring children on the House floor, they are often surprised to see Members of Congress smoking here in the Chamber.

My young guests ask if it is against the rules to smoke in the House, and I tell them there are some areas one can and some areas one cannot. I have no good answer as to why the rules are not enforced or why smoking is permitted here at all.

I am concerned about this message we are sending to our children. We tell them not to smoke, and they watch smoking here in the House, the people's Chamber.

A bipartisan group of Members and I have proposed House Resolution 247 which protects our guests from tobacco smoke. This prohibition would include the House floor, passageways and rooms leading to the floor, and the Rayburn Room.

We need to lift the cloud hanging over the House and send a clear message to our children. It is time to have Congress join the rest of America and provide a smoke-free environment, especially for our young visitors.

IN RECOGNITION OF THE NATIONAL LEAGUE CENTRAL DIVISION CHAMPION HOUSTON ASTROS

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

Mr. BENTSEN. Mr. Speaker, I rise today to honor the Houston Astros from my district for winning the National League Central Division. Fittingly, the division winning game came 11 years to the day after the Astros won their last division title when pitcher Mike Scott threw a no-hitter against the San Francisco Giants.

In winning the Central Division title, the Astros have displayed the grit and determination that are the hallmarks of Houston's brand of baseball. With all-stars such as first baseman Jeff Bagwell, second baseman Craig Biggio, pitchers Darryl Kile and Billy Wagner, the Astros have played exciting baseball, displaying their explosive offense and stellar defense throughout the season.

I would also like to praise the rookie manager for the Astros, Larry Dierker. A former Astros pitcher during the 1960's and 1970's, Larry gave up his highly respected job as a color commentator for the Astros radio and television broadcasts to become the new manager of the team last October.

As Houston is known as the city of champions, my bet is with the Astros to bring the World Series title home in October.

APPLAUDING THE ATRA FOR SETTING ASIDE LAST WEEK AS NATIONAL LAWSUIT ABUSE AWARENESS WEEK

(Mrs. NORTHUP asked and was given permission to address the House for 1 minute.)

Mrs. NORTHUP. Mr. Speaker, I rise today to thank the American Tort Reform Association for setting aside last week as the National Lawsuit Abuse Awareness Week to remind the American public of the problems and the promise of our legal system.

Last week served as a reminder that Congress and the President have a real opportunity to do something about those abuses this year by passing and signing the Federal product liability legislation. Reform legislation can go far in curbing abuses, spurring economic development, and helping consumers, particularly women, who have been harmed by the current legal system.

For example, women are adversely affected by the near shutdown of contraceptive research in the United States due to the manufacturers' fears

of lawsuit. Those same fears are actually keeping women out of clinical studies.

Furthermore, women own 30 percent of all small businesses in America. That number is predicted to be at 40 percent by the turn of the century. Federal legislation will help remove unnecessary and unreasonable burdens on these job creators.

I applaud the ATRA for its work and look forward to working with my colleagues to see product liability reform legislation enacted into law this year.

COMMUNICATION FROM MINORITY STAFF DIRECTOR AND CHIEF COUNSEL OF THE COMMITTEE ON COMMERCE

The Speaker pro tempore laid before the House the following communication from Reid P.F. Stuntz, minority staff director and chief counsel of the Committee on Commerce:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, September 25, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have received subpoenas for documents and testimony issued by the U.S. District Courts for the Central District of California and the District of Columbia, respectively, in the matter of *Oxycal Laboratories, Inc., et al.* v. *Patrick, et al., No. SA CV–96–1119 AHS (Eex)* (D.D. Cal.) (a civil dispute between private parties that apparently arises out of an alleged breach of a settlement agreement).

After consultation with the Office of General Counsel, I have determined that the subpoenas appear, at least in part, not to be consistent with the rights and privileges of the House and, to the extent consistent with the rights and privileges of the House, should be resisted.

Sincerely,

REID P.F. STUNTZ,
Minority Staff Director and Chief Counsel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

PERMANENT ENTRY AUTHORITY FOR CERTAIN RELIGIOUS WORKERS

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1198) to amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers, as amended.

The Clerk read as follows:

S. 1198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 3-YEAR EXTENSION OF SPECIAL IMMIGRANT RELIGIOUS WORKER PROGRAM.

(a) IN GENERAL.—Section 101(a)(27)(C)(ii)) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended by striking ''1997,'' each place it appears and inserting ''2000,''.

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

SEC. 2. WAIVER OF NONIMMIGRANT VISA FEES FOR CERTAIN CHARITABLE PURPOSES.

(a) IN GENERAL.—Section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) is amended by adding at the end the following new sentence: ''Subject to such criteria as the Secretary of State may prescribe including the duration of stay of the alien and the financial burden upon the charitable organization, the Secretary of State shall waive or reduce the fee for application and issuance of a nonimmigrant visa for any alien coming to the United States primarily for, or in activities related to, a charitable purpose involving health or nursing care, the provision of food or housing, job training, or any other similar direct service or assistance to poor or otherwise needy individuals in the United States.''.

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

SEC. 3. 6-MONTH EXTENSION OF DEADLINE FOR DESIGNATION OF EFFECTIVE DATE FOR PAPERWORK CHANGES IN EMPLOYER SANCTIONS PROGRAM.

(a) IN GENERAL.—Section 412(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public law 104–208; 110 Stat. 3009–668) is amended by striking ''12'' and inserting ''18''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from California [Mr. CONDIT] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am happy to have played a role in the creation of the Religious Worker Immigrant Visa Program in 1990. I support these visas since they allow American religious denominations, large and small, to benefit by the addition of committed religious workers from overseas.

The visa program expires at the end of the fiscal year, September 30. This substitute amendment to S. 1198 extends the program for 3 additional years, until October 2000.

When the program was created, a sunset date was included because of congressional concerns about potential fraud. Recently, the Immigration and Naturalization Service and the State Department have strongly indicated that these earlier concerns about fraud have, in fact, proved warranted.

The State Department's assistant secretary of state for consular affairs wrote to me the Department has, quote, uncovered a troubling number of scams, both individual and organized, seeking to exploit this category to obtain immigration benefits illegally.

Most problematic are those cases that involved organized fraud rings in which documents or religious institutions in the United States are fabricated or when the applicant colludes with a member of a religious institution in the United States to misrepresent either his or her qualifications with the position to which the applicant is destined.

The American Embassy in Moscow discovered a fraud ring in New York which fabricated documentation of several religious denominations in New York City on behalf of applicants who had no religious training and no intention of taking up religious occupations in the United States. Several consular offices have reported suspicions that some churches in the United States have created fictitious positions solely to help an alien procure an immigration benefit, end quote.

Extending the program for another 3 years will allow for further investigation of the misuse of religious worker visas. We will have time to accomplish what the State Department considers prudent; that is, quote, to follow this program closely to see what new fraud patterns emerge and what new tools the Department may need to deter them, end quote.

It is in everyone's interest to combat fraud for, as the State Department notes, quote, for the first time we will reach the statutory limit of 5,000 religious worker immigrant visas this fiscal year. Any future growth in the use of the program will cause the development of a waiting list. This will mean that each visa fraudulently obtained will delay the issuance of an immigrant visa to legitimate religious workers, end quote.

This substitute amendment to S. 1198 also includes a provision added to the Senate bill by Senator HATCH. The provision would allow the Secretary of State to waive or reduce visa processing fees for aliens coming to the United States for purposes involving health or nursing care, the providing of food or housing, job training, or any other similar direct service or assistance to the poor and needy here in the United States.

Lastly, S. 1198 extends the time period last year's immigration bill gave

the INS to reduce the number of documents acceptable for employment verification purposes. The INS informs us that the agency cannot, within the original deadline of the end of the month, issue appropriate regulations and properly educate employers. The bill, therefore, grants the INS a 6-month extension of that deadline.

Mr. Speaker, I urge my colleagues to vote in support of the substitute amendment to S. 1198.

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

Mr. CONDIT. Mr. Speaker, I rise in support of the bill, as amended.

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

Mr. CONDIT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. WATT] I rise in support.

□ 1215

There are some difficulties with the bill. There are some Members on this side of the aisle who would have preferred for us to have a permanent extension, and the Senate did pass a permanent extension, but we have worked together in a bipartisan way. We understand the White House would prefer it to be permanent, but they are in support of however we can work it out over here. So I rise in behalf of the gentleman from North Carolina [Mr. WATT] in support of the bill today.

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

Mr. SMITH of Texas. Mr. Speaker, I wish to thank the gentleman from California [Mr. CONDIT] for his comments and his support for this bill.

Ms. LOFGREN. Mr. Speaker, I intend to support S. 1198 as substituted by the gentleman from Texas.

The availability of visas for religious workers to come and do good in our country is important. We all agree on that.

I would prefer a permanent extension of these visas, but can vote for Chairman SMITH's 3-year extension before us today.

I recommend that my colleagues join me in supporting this bill.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. CONDIT. Mr. Speaker, I yield back the balance of my time as well.

The SPEAKER pro tempore [Mr. UPTON]. The question on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the Senate bill, S. 1198, as amended.

The question was taken.

Mr. TRAFICANT. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

AUTHORIZING APPROPRIATIONS FOR REFUGEE AND ENTRANT ASSISTANCE, FISCAL YEARS 1998 AND 1999

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1161), to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998 and 1999.

The Clerk read as follows:

S. 1161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS FOR REFUGEE AND ENTRANT ASSISTANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 414(a) of the Immigration and Nationality Act (8 U.S.C. 1524(a)) is amended by striking ''fiscal year 1995, fiscal year 1996, and fiscal year 1997'' and inserting ''each of fiscal years 1998 and 1999''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from California [Mr. CONDIT] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Senate bill, S. 1161, as passed by the Senate, and urge my colleagues to support it.

S. 1161 simply reauthorizes refugee resettlement funds for 2 years. The language ''such sums as are necessary'' allows the Committee on Appropriations to adjust the funds available, based upon the number of refugees resettled in the United States for fiscal years 1998 and 1999.

While I hope that the number of refugees being settled in the United States declines in the upcoming years, I also hope that those refugees who need to be resettled in the United States have programs available to help ease them into the American way of life.

Since the existence of several programs hinge on enactment of reauthorization of the programs, passage of this bill is necessary. I urge the adoption of the bill.

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

[Mr. CONDIT asked and was given permission to revise and extend his remarks.)

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

Mr. Speaker, I rise in support of the bill on behalf of the gentleman from North Carolina [Mr. WATT], and urge its passage. This is another bipartisan piece of legislation that the gentleman from Texas [Mr. SMITH] has managed and we urge its adoption.

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I want to commend and compliment the gentleman from Texas [Mr. SMITH] and I want to compliment the gentleman from California [Mr. CONDIT], who has been an outspoken leader in many areas; responsible for the Blue Dogs in this Congress, has helped to fashion some important policy changes, and I want to personally thank him on behalf of the American people for some of his efforts.

I rise on a different issue, and I do not want to belabor and take a lot of time, Mr. Speaker. What I have to talk about is very important. Albanian Prime Minister Nano is in Washington today. I want to warn my colleagues, I want to warn this committee, I want to warn this Congress and I want to warn this Government about the serious problems in Albania.

There was recently an assassination attempt on one of the prominent members of the democratic party in Albania. Nano's socialist government has denied freedom of speech, freedom of the press, freedom of assembly. In Macedonia the rights of ethnic Albanians are literally being trampled upon. They are being treated like cattle, treated like dogs. Families are in misery. It is unbelievable. And through all of this, our Government has actually remained silent.

I want to let this Congress know that the silence in America is deafening in Albania and deafening to the free people throughout our world. Unbelievable to me. It is time for the United States of America to make it clear to Prime Minister Nano that we will not tolerate or stand by while Albanians are being systematically abused and persecuted. The message must be loud, the message must be consistent, the message must be clear: Let there be no mistake. Nano's socialist party is the old Communist Party, and they have destroyed the rights of Albanian people for years and years. The legacy speaks for itself.

The United States should offer no aid. The United States should offer no solace to this Nano government who has repeatedly demonstrated a lack of respect for rights and a willingness to abuse the Albanian people.

I will today, on the Subcommittee on Commerce, Justice, and State, the Judiciary and Related Agencies appropriation bill, seek a colloquy and look for report language directing policy to this issue. I thank the gentleman for his leadership that has provided freedom for many people throughout the world, and I ask for the gentleman's support in my effort with the gentleman from Kentucky [Mr. ROGERS], chairman of the Subcommittee on

Commerce, Justice, State and Judiciary of the Committee on Appropriations.

With that, I thank the gentleman for allowing me this time. It is unusual for me to speak out, but I have become aware of this through a very good friend and former Member, Joseph DiGarde. This is a tragedy, this is a shame, this is a human rights concern beyond reproach, and Congress must not allow this deafening silence throughout the world.

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

Once again, I urge the House to pass the bill. It is a bipartisan approach. I must say that I appreciate the kind words of the gentleman from Ohio [Mr. TRAFICANT]. He says that rarely does he speak out, but he can always be counted on to speak out and do what is right for this country. I think he is a great American and I appreciate his efforts and all he has done for this House and for this country.

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

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the Senate bill, S. 1161.

The question was taken.

Mr. CONDIT. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PROVIDING PERMANENT AUTHORITY FOR THE ADMINISTRATION OF AU PAIR PROGRAMS

Mr. CAMPBELL. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1211) to provide permanent authority for the administration of au pair programs.

The Clerk read as follows:

S. 1211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT AUTHORITY FOR AU PAIR PROGRAMS.

Section 1(b) of the Act entitled ''An Act to extend au pair programs'', approved December 23, 1995 (Public Law 104–72; 109 Stat. 776) is amended by striking '', through fiscal year 1997''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. CAMPBELL] and the gentleman from Indiana [Mr. HAMILTON] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. CAMPBELL].

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

Today we bring to the floor the Senate bill, S. 1211, a permanent extension of the au pair program. The date of the present program's expiration is approaching, and so it is imperative to continue the program through this legislation.

The au pair program gives young people from many different countries a chance to visit the United States and to live with an American family for up to a year, assisting with child care and other needs around the home. It is a way for providing for round-trip travel, tuition fees, and weekly stipend. It is of assistance both to our country and to the individual visitor who learns more about the United States.

This is a bipartisan, noncontroversial measure. It has already passed the other body, and I hope that my colleagues in the House will support this bill in passage and promptly send it to the President for signature.

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

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

I commend the gentleman from New York [Mr. GILMAN] and my friend and colleague, the gentleman from California [Mr. CAMPBELL], for bringing before the House this bill to permanently extend the authority of USIA to run the au pair program. I have had my doubts about whether the program should be run by USIA. I understand the program brings many positive experiences, both to the au pairs as well as to the host families.

The 1995 lapse in authorization was very disruptive to the program and its participants, and to the U.S. host families. Another such interruption will be avoided by passing this bill before authorization would expire on September 30. Given its long history and the favorable October 1996 report to Congress by USIA, the au pair program should no longer be subject to uncertainty and short-term authorizations.

I urge the adoption of the measure. I commend again the chief sponsors of it, including the gentleman from California [Mr. CAMPBELL].

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

Mr. CAMPBELL. Mr. Speaker, I yield myself such time as I may consume to simply add that it is always a pleasure to be on the floor with my colleague and good friend, the distinguished gentleman from Indiana [Mr. HAMILTON].

GENERAL LEAVE

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1211, the Senate bill now under consideration.

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

There was no objection.

Mr. CAMPBELL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question on the motion offered by the gentleman from California [Mr. CAMPBELL] that the House suspend the rules and pass the Senate bill, S. 1211.

The question was taken.

Mr. CONDIT. 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 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CLINT INDEPENDENT SCHOOL DISTRICT AND FABENS INDEPENDENT SCHOOL DISTRICT LAND CONVEYANCE

Mr. CAMPBELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1116) to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District

The Clerk read as follows:

H.R. 1116

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. CONVEYANCE OF PROPERTY.

Subject to section 2, the Secretary of State shall execute and file in the appropriate office such instrument as may be necessary to release the reversionary interest of the United States in the 40-acre tract of land referred to in Public Law 85–42.

SEC. 2. TERMS AND CONDITIONS.

The release under section 1 shall be made upon condition that the Clint Independent School District and the Fabens Independent School District in the State of Texas use any proceeds received from the disposal of such land for public educational purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. CAMPBELL] and the gentleman from Indiana [Mr. HAMILTON] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, this bill is authored by our colleague and friend, Mr. REYES, from Texas, and I expect that we will hear from him as soon as the opportunity arises on the Democratic side of the aisle, but I wish to begin by giving him credit for authorship of the bill. It is my privilege to bring the bill to the floor. This bill will provide for the reversionary interest to be conveyed from the United States, in which it presently lies, to the Clint Independent School District and the Fabens Independent School District in the State of Texas.

The present reversionary interest is exercised by the United States through the Department of State. The Department of State has informed us that it no longer has any interest in the property. Through this bill, the State Department relinquishes its reversionary interest and gives it back to local school districts in Texas.

It is an utterly noncontroversial, bipartisan measure. The two local school districts will benefit from it. Their educational programs will benefit from

it. The land will be free and clear for whatever further conveyancing or use these school districts have. It is a straightforward bill, and I urge my colleagues to adopt H.R. 1116.

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

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

Let me again express appreciation to the gentleman from New York [Mr. GILMAN] for bringing before the House the bill by the gentleman from Texas [Mr. REYES] to release the Federal Government's reversionary interest in the Clint and Fabens independent school districts.

We on the committee are glad that we have been helpful to our friend from Texas on this matter. As I understand it, the school districts in his district in Texas have had this property since about 1940. The Federal Government originally retained a reversionary interest in the property for good oversight reasons.

□ 1230

According to the Department of State, it no longer has any interest in the property. In order to allow the district's ability to make best use of the property, it is necessary for us to pass H.R. 1116 to release the Secretary of State from the reversionary interest. Under this bill the release of the interest shall be conditional upon the property being used for public educational purposes. I urge the adoption of the measure.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. REYES], the sponsor of the bill.

Mr. REYES. Mr. Speaker, I rise today in support of this bill, which is highly important to two school districts in El Paso, the Sixteenth District of Texas. This legislation would make only a minor change in the law, but would provide much-needed relief to the Clint and Fabens Independent School Districts, and provide them the power to determine how to use one of their assets much more effectively.

Since 1957 the Clint and Fabens Independent School Districts in El Paso have used land conveyed to them by the Federal Government to enhance their agricultural and vocational curriculum. An agricultural farm used mainly by the Clint School District is situated on this land.

Before the farm was built, the Federal Government had let the land lie unused for 23 years. By locating an educational farm on this land, the Clint Independent School District made the land useful and an important dimension to their educational programming. For decades we have greatly appreciated the Federal Government's transferring this property to our school districts.

Over the years, however, transporting students to the educational farm has grown increasingly problematic. The land is located 2 miles beyond the outermost boundary of the Clint Independent School District, and school officials and teachers must confront daily the difficulties of getting the students to the farm and back safely.

Students must travel 2 miles each way on busy streets. This takes time away from learning and places the students in danger during the school day. Also, in a district like Clint, most students do not have vehicles, so teachers and students must work to locate transportation to and from the farm.

Because of the distance to the farm, it would make sense for Clint to sell the land and use the proceeds to purchase land closer to the school. As a matter of fact, the school district has already located land directly adjacent to the school on which they could build an agricultural farm for their students. This would allow students simply to walk next door to the educational farm, avoiding costly transportation needs, danger, and increasing the learning time.

As the law is written, however, the State Department holds a reversionary interest in the land where the farm is currently located. This reversionary interest requires that ownership of the land revert to the Federal Government if any attempt is made to dispose of the lands.

For 40 years Clint and Fabens have been confined by this law, which requires them to either keep the lands, regardless of changes in local circumstances, or surrender it back to the Federal Government and leave their students with even fewer vocational resources and opportunities than are currently available.

Mr. Speaker, in pursuing this legislation, I have worked closely with the Department of State, which currently holds the reversionary interest in the land. I have a letter here from Barbara Larkin, Assistant Secretary of State for Legislative Affairs, which states that the Department no longer has an interest in this land and does not object to the release of the reversionary interest.

I have also worked closely with the Committee on International Relations on this bill, and I want to thank both the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana (Mr. Hamilton) for their cooperation in this matter, and for bringing my bill to the floor today.

Mr. Speaker, I also want to thank their staffs, Ms. Kristen Gilley and Ms. Elana Broitman for their assistance in moving this bill forward. Waiving this reversionary interest is a simple and straightforward way to help the young people in my district in Texas. The language of the legislation is narrowly tailored to ensure that any proceeds from the sale of lands will go toward improving the education of students. The State Department does not want or need the reversionary interest, and it would provide much needed authority to my local school districts. I urge my colleagues to support this legislation.

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

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

Mr. Speaker, it is an honor to be here with my colleague, the gentleman from Texas [Mr. REYES]. I want to give tribute to my chairman, the gentleman from New York [Mr. GILMAN], who allowed me to represent him in bringing this bill to the floor.

The logic that our colleague, the gentleman from Texas [Mr. REYES], brings to us in this context also is present in a bill that my colleague might be not yet aware of, offered by the gentleman from Kansas [Mr. RYUN], regarding reversionary interests in land where there had been an easement for railroad use. Land should go back to its original owners when an easement is no longer needed. I applaud the gentleman from Texas for his thinking in this case. I urge that he might want to look at the other case as an example of a comparable approach.

GENERAL LEAVE

Mr. CAMPBELL. 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. 1116.

The SPEAKER pro tempore [Mr. UPTON]. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CAMPBELL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. CAMPBELL] that the House suspend the rules and pass the bill, H.R. 1116.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE OCEAN

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 131, expressing the sense of Congress regarding the ocean, as amended.

The Clerk read as follows:

H. CON. RES. 131

Whereas the ocean comprises nearly three quarters of the surface of the Earth;

Whereas the ocean contains diverse species of fish and other living organisms which form the largest eco-system on Earth;

Whereas these living marine resources provide important food resources to the United States and the world, and unsustainable use of these resources has unacceptable economic, environmental, and cultural consequences;

Whereas the ocean and sea floor contain vast energy and mineral resources which are critical to the economy of the United States and the world;

Whereas the ocean largely controls global weather and climate, and is the ultimate source of all water resources;

Whereas the vast majority of the deep ocean is unexplored and unknown, and the ocean is truly the last frontier on Earth for science and civilization;

Whereas the ocean is the common means of transportation between coastal nations and carries the majority of the United States foreign trade;

Whereas any nation's use or misuse of ocean resources has effects far beyond that nation's borders;

Whereas it has been 30 years since the Commission on Marine Science, Engineering, and Resources (popularly known as the Stratton Commission) met to examine the state of United States ocean and coastal policy, and issued recommendations which led to the present Federal structure for oceanography and marine resource management; and

Whereas 1998 has been declared the International Year of the Ocean, and in order to observe such celebration, the National Oceanic and Atmospheric Administration and other Federal agencies, in cooperation with organizations concerned with ocean science and marine resources, have resolved to promote exploration, utilization, conservation, and public awareness of the ocean: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the ocean is of paramount importance to the economic future, environmental quality, and national security of the United States;

(2) the United States has a responsibility to exercise and promote comprehensive stewardship of the ocean and the living marine resources it contains; and

(3) Federal agencies are encouraged to take advantage of the United States and international focus on the oceans in 1998, to—

(A) review United States oceanography and marine resources management policies and programs;

(B) identify opportunities to streamline, better direct, and increase interagency cooperation in oceanographic research and marine resource management policies and programs; and

(C) develop scientific, educational, and resource management programs which will advance the exploration of the ocean and the sustainable use of ocean resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR] each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

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

Mr. SAXTON. Today we are considering House Concurrent Resolution 131, Mr. Speaker, expressing the sense of Congress on the importance of the ocean, the gentleman from Hawaii [Mr. ABERCROMBIE] and I, for two purposes. First, it will publicize the importance of the oceans to the economy, environmental quality, and national security of the United States.

The ocean is critical to our Nation. Ninety-eight percent of the U.S. foreign trade travels by ship. Half of Americans live within 50 miles of the coastline. However, many U.S. ocean programs have received flat or decreasing funding over the last decade. We cannot act to address this problem unless the public fully understands that the oceans are important to all Americans, whether or not they make their living directly from the sea.

Mr. Speaker, House Concurrent Resolution 131 helps to build this understanding. Also, it is interesting to point out that 1998 will be the International Year of the Ocean. Scientific and educational events designed to increase understanding of the oceans and ocean resources will be held throughout the year.

The international focus on ocean resources presents a very good opportunity for us to make substantive improvements to the U.S. oceans programs. House Concurrent Resolution 131 encourages the administration to take advantage of the Year of the Ocean to review and streamline ocean programs, and take steps to improve our understanding of the ocean resources.

Mr. Speaker, this resolution, will express congressional recognition of the importance of the ocean and congressional commitment to improving the ocean programs. Obviously, I hope everyone will support this bill.

I would also like to point out the important role that the gentleman from California [Mr. FARR] has played, not only in helping to bring this resolution to the floor, but relative to the subject of ocean environment, generally. His contribution has been very, very meaningful, and it has been a pleasure to work with him.

Mr. Speaker, I urge all Members to support this bill, and I reserve the balance of my time.

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise in support of House Concurrent Resolution 131. Mr. Speaker, the U.N. General Assembly has declared 1998 to be the International Year of the Ocean. That is probably one U.N. action that everyone in this House can support.

It has been nearly 30 years, as the gentleman from New Jersey [Mr. SAXTON] pointed out, since the Commission on Marine Science, Engineering, and Resources, commonly known as the Stratton Commission, took a comprehensive look at the U.S. ocean policy. A large group of Members of Congress have recently urged the President to hold a White House conference on the ocean, and there will be an international exhibit on the oceans in Lisbon, Portugal, beginning next spring.

Without a doubt, the world is becoming focused on the oceans and 1998 is the year. It is time for all the world's seafaring nations to reexamine their ocean policies. The once boundless resources of the oceans have proven to be finite when pitted against our incredible technology. Many of our great fisheries have been decimated. Coastal ecosystems are severely stressed by development and by pollution. Yet, we depend on the oceans more than ever for food, for transportation, and for recreation.

We need to take a long, hard look at how we interact with the oceans, and define a new relationship based on sustainable use, I repeat that, on sustainable use, of our ocean resources.

Mr. Speaker, this resolution is an excellent way for the House to launch that effort. I join my colleague, the gentleman from New Jersey [Mr. SAXTON] in urging bipartisan support. The gentleman from New Jersey is chair of the subcommittee. He has been a remarkable leader on this issue.

It is very interesting that today a Representative from New Jersey and a Representative from California get up to support this, because we are separated by land mass, but our two districts are joined by the oceans, the long way around, I might add. But the fact is that what affects one affects the other, so this resolution will help bring a sense of Congress that this is an important issue, and that we ought to, in this Congress, be spending more attention and more moneys on oceans than we are on outer space, because the oceans are our future, how we are going to survive on this planet.

Mr. Speaker, I thank the chairman of the committee for his leadership, and I urge my colleagues to support this resolution.

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

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

Mr. Speaker, let me just emphasize just how important I think this subject is. Obviously, when we pass a resolution suggesting that Congress pay special note to something, or that the American people pay special note of something, obviously there is a good reason for us to do it.

I think what the gentleman from California [Mr. FARR] and I bring to the House together in terms of this subject is that we have both had experiences over the last decade or so that have shown us that while there are problems related to the oceans, and while we continue to need to make progress along that line, we have also made significant progress in the last 10 years.

One decade ago, in the summer of 1987 on the Atlantic coast, we had a horrific summer. We had dolphins washing up on our shores, we had algae blooms all up and down the East coast, and in my home State of New Jersey and on Long Island there was medical waste that washed up on our beaches. It was enough to lead anyone who would vacation in the Northeast at the shore or to eat products derived from the sea to take their vacations elsewhere, or to buy their food from some other source. It was an easy conclusion for the public to make.

Since 1987 and 1988, we have cooperated with the States, we have put Federal programs in place to help with the ocean environment, we have passed the Medical Waste Tracking Act, for example, we passed the sludge dumping prohibition that passed in 1988 or 1989, and generally speaking, the ecological state of our oceans has improved manyfold since those very difficult times in the Northeast.

Mr. Speaker, as we move forward, we continue to have problems. We continue to have problems with the regulatory process through which we try to regulate fish and mammals that live in the ocean. I spoke of one the other day with the gentleman from California [Mr. FARR]. We have a Federal agency that regulates the fishing industry. It is known as the National Marine Fisheries Service.

Perhaps it has some goals that need to be changed, because really, every time I go home and talk to someone who lives by the sea, I hear another story about how we need to do a better job in making sure that the ocean environment is conducive to making a good home for fish and mammals and other animal life that live there.

□ 1245

This is indeed an important subject. The amount of people who live near the ocean is immense. The amount of the world's surface that is covered by oceans is huge, and it is in all of our best interests to take these subjects extremely seriously. And so I hope that today will not be just a pro forma vote, passing another resolution.

The United Nations has recognized how important this is on a global basis and has designated 1998 as the Year of the Oceans, internationally. It is in all of our best interests to support this bill and to carry this message out across the country and, in fact, around the world as to just how important these matters are.

Mr. FARR of California. Mr. Speaker, will the gentleman yield?

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

Mr. FARR of California. Mr. Speaker, I want to commend the gentleman, because this is just one of many steps that he is going to take in his committee to try to strengthen the awareness and the law as it regards the oceans.

We spend a lot of time on this floor debating how we are going to help disaster stressed communities. We usually look at natural disasters and base closures as sort of the two major reasons that we need economic relief.

I happen to represent the city of Monterrey, CA, which at one time was the largest sardine port in the world, certainly well known by the writings of John Steinbeck in ''Cannery Row.'' Sardines disappeared. They are coming back in small numbers now. But they are mostly a bycatch rather than the main catch. But that was in the late 1940's and early 1950's. Everybody has agreed that the reason they disappeared is that they were just overfished. It shut down an entire industry, entire community. It was before we knew about disaster relief.

I think what we are seeing with the impact of the pfiesteria infection on the Maryland shores is that we have got to have a much better awareness of what is happening to animals, to fish, and to marine life, because we are really dependent on it. We may not be totally dependent on it for food stocks, but we are dependent on it for economic survival in our communities, for recreation, for tourism, for restaurants, and, essentially, if the ocean is not healthy, then our communities cannot be healthy.

So this attention that the gentleman's resolution and other bills that he is working on and I am working with him on, I think, is going to go a long way in bringing America to the forefront of being a pioneer, a new pioneer in the oceans, as we have been in the last decade. I thank the gentleman for his efforts.

I encourage all my colleagues to take this issue seriously, because it is about our future. It is about our weather. It is about our knowledge of weather, our knowledge of oceans, and essentially the quality of life on the planet Earth.

Mr. SAXTON. I thank the gentleman for his comments.

Mr. YOUNG of Alaska. Mr. Speaker, House Concurrent Resolution 131 is a resolution that recognizes the importance of our oceans and the fact that 1998 has been internationally declared the ''Year of the Ocean.''

As the Congressman for all Alaska, I am keenly aware of how vital the oceans are to my constituents. With the largest coastline in the Nation of 6,640 miles, Alaskan waters contain some of the richest and most valuable fishing grounds in the world. Many Alaskan towns are connected to the rest of the State only by watercraft, and many Alaskan Natives depend on fish and marine mammals for their subsistence.

I strongly support efforts to focus attention on these bodies of water, which comprise nearly three-quarters of the Earth's surface. While remarkably we know little about many of the ocean's resources, in the future we are likely to grow increasingly dependent on the energy, food, and mineral resources that exist there.

During the past 3 years, the Subcommittee on Fisheries Conservation, Wildlife and Oceans has conducted valuable hearings on the importance of our fishery resources, the ocean disposal of radioactive materials, the impact of offshore mineral production, and the need to update nautical charts. In fact, we have been successful in convincing the appropriators that accurate charts are essential to the maritime community and that adequate funding is necessary.

The United States has always been a fishing nation, and these resources have provided protein to millions of Americans. It is crucial that our world's fisheries be properly managed and that effective conservation measures be enforced. By focusing attention on this issue, House Concurrent Resolution 131 serves an important purpose. I compliment the authors for highlighting the need to promote sound stewardship of the oceans and their living marine resources.

I urge my colleagues to support House Concurrent Resolution 131.

Mr. BOEHLERT. Mr. Speaker, I rise in support of House Concurrent Resolution 131, expressing the sense of Congress regarding the ocean and recognizing 1998 as the international year of the ocean.

Congress, this Nation, and countries throughout the world need to foster a greater understanding and appreciation of our oceans. This resolution is one small but important step toward that end.

Ocean waters cover nearly 75 percent of the Earth's surface. They comprise such a dominant part of our national, social, and cultural environment that it would be foolish to try to even begin listing all the benefits and functions they provide.

Unfortunately, they are also fragile—at least more fragile in many respects than we would like to admit. Pollution, invasive species, encroaching populations, and other stressors can take their toll.

Concerted efforts are needed. The world's nations, including ours, should work more closely together to respect and conserve our global marine resources.

I commend Representative SAXTON for his efforts and the Resources Committee in general for its role in moving this resolution forward.

I should also add that the Transportation and Infrastructure Committee did not seek a referral of House Concurrent Resolution 131 but has various jurisdictional interests in it and in other efforts relating to oceans. The Coast Guard and Maritime Transportation Subcommittee, chaired by Representative WAYNE GILCHREST, and the Water Resources and Environment Subcommittee, which I chair, are particularly interested in various environmental and transportation-related aspects of the oceans. We look forward to working on additional initiatives and legislative provisions that are consistent with the spirit of this resolution and protect and promote various aspects of the world's oceans.

I urge my colleagues to support House Concurrent Resolution 131.

Mr. PORTER. Mr. Speaker, I rise in strong support of this resolution. Next year is the International Year of the Oceans as designated by the United Nations. This designation hopes to draw attention to the need for conservation of the limited resources that our oceans provide. For years, humans have considered ocean resources as inexhaustible. As evidenced by the depletion and extinction of many fish species, the destruction of coral reefs and the pollution of waters around the globe, these resources are finite. We cannot continue to harvest the ocean without replenishing what we take. I am very pleased that the U.S. House of Representatives is recognizing the importance of the oceans and the need for the world to stop taking what they provide for granted. The oceans are an integral part of our lives whether we rely on them for food, transport or recreation. If we do not properly maintain our oceans, they will not continue to sustain us.

Mr. FARR of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and to include extraneous material on the concurrent resolution under consideration.

The SPEAKER pro tempore (Mr. UPTON). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 131, as amended.

The question was taken.

Mr. CONDIT. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CORAL REEF CONSERVATION ACT OF 1997

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2233) to assist in the conservation of coral reefs, as amended.

The Clerk read as follows:

H.R. 2233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coral Reef Conservation Act of 1997''.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To preserve, sustain, and restore the health of coral reef ecosystems.

(2) To assist in the conservation and protection of coral reefs by supporting conservation programs.

(3) To provide financial resources for those programs.

(4) To establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation projects.

SEC. 3. DEFINITIONS.

In this Act:

(1) CORAL.—The term ''coral'' means species of the phylum Cnidaria, including—

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), and Coenothecalia (blue coral), of the class Anthozoa; and

(B) all species of the order Hydrocorallina (fire corals and hydrocorals), of the class Hydrozoa.

(2) CORAL REEF.—The term ''coral reef'' means any reef or shoal composed primarily of the skeletal material of species of the order Scleractinia (class Anthozoa).

(3) CORAL REEF ECOSYSTEM.—The term ''coral reef ecosystem'' means the complex of species associated with coral reefs and their environment that—

(A) functions as an ecological unit in nature; and

(B) is necessary for that function to continue.

(4) CORALS AND CORAL PRODUCTS.—The term ''corals and coral products'' means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (1).

(5) CONSERVATION.—The term ''conservation'' means the use of methods and procedures necessary to preserve or sustain corals and species associated with coral reefs as diverse, viable, and self-perpetuating coral reef ecosystems, including all activities associated with resource management, such as conservation, protection, restoration, and management of habitat; habitat monitoring; assistance in the development of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); law enforcement through community participation; conflict resolution initiatives; and community outreach and education.

(6) FUND.—The term ''Fund'' means the Coral Reef Conservation Fund established under section 5(a).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 4. CORAL REEF CONSERVATION ASSISTANCE.

(a) IN GENERAL.—The Secretary, subject to the availability of funds, shall use amounts in the Fund to provide grants of financial assistance for projects for the conservation of coral reefs for which final project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSAL.—Any relevant natural resource management authority of a State or territory of the United States or other government jurisdiction with coral reefs whose activities directly or indirectly affect coral reefs, or any nongovernmental organization or individual with demonstrated expertise in the conservation of coral reefs, may submit to the Secretary a project proposal under this section. Each proposal shall include the following:

(1) The name of the individual responsible for conducting the project.

(2) A succinct statement of the purposes of the project.

(3) A description of the qualifications of the individuals who will conduct the project.

(4) An estimate of the funds and time required to complete the project.

(5) Evidence of support of the project by appropriate representatives of States or territories of the United States or other government jurisdictions in which the project will be conducted, if the Secretary determines that the support is required for the success of the project.

(6) Information regarding the source and amount of matching funding available to the applicant.

(7) Any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall review each final project proposal to determine if it meets the criteria set forth in subsection (d).

(2) CONSULTATION: APPROVAL OR DISAPPROVAL.—Not later than 6 months after receiving a final project proposal, and subject to the availability of funds, the Secretary shall—

(A) request written comments on the proposal from each State or territory of the United States or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), within which the project is to be conducted;

(B) provide for the meritbased peer review of the proposal and require standardized documentation of that peer review;

(C) after reviewing any written comments and recommendations based on merit review, approve or disapprove the proposal; and

(D) provide written notification of that approval or disapproval to the person who submitted the proposal, and each of those States, territories, and other government jurisdictions.

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a final project proposal under this section if the project will enhance programs for conservation of coral reefs by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products;

(3) enhance compliance with laws that prohibit or regulate the taking of corals, species associated with coral reefs, and coral products or regulate the use and management of coral reef ecosystems;

(4) develop sound scientific information on the condition of coral reef ecosystems or the threats to such ecosystems; or

(5) promote cooperative projects on coral reef conservation that involve foreign governments, affected local communities, nongovernmental organizations, or others in the private sector.

(e) PROJECT SUSTAINABILITY.—In determining whether to approve project proposals under this section, the Secretary shall give priority to projects which promote sustainable development and ensure effective, long-term conservation of coral reefs.

(f) PROJECT REPORTING.—Each grantee under this section shall provide periodic reports, as the Secretary considers necessary, to the Secretary. Each report shall include all information required by the Secretary for evaluating the progress and success of the project.

(g) MATCHING FUNDS.—The Secretary may not approve a project under this section unless the Secretary determines that there are non-Federal matching funds available to pay at least 50 percent of the total cost of the project.

SEC. 5. CORAL REEF CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account, to be known as the ''Coral Reef Conservation Fund'', which shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE FUND.—The Secretary of the Treasury shall deposit into the Fund—

(1) all amounts received by the Secretary in the form of monetary donations under subsection (d); and

(2) other amounts appropriated to the Fund.

(c) USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use amounts in the Fund without further appropriation to provide assistance under section 4.

(2) ADMINISTRATION.—Of amounts in the Fund available for each fiscal year, the Secretary may use not more than 3 percent to administer the Fund.

(d) ACCEPTANCE AND USE OF MONETARY DONATIONS.—The Secretary may accept and use monetary donations to provide assistance under section 4. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund $1,000,000 for each of fiscal years

1998, 1999, 2000, 2001, and 2002 to carry out this Act, which may remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR], each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

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

Mr. Speaker, we are now considering H.R. 2233, the Coral Reef Conservation Act of 1997.

The gentleman from Hawaii [Mr. ABERCROMBIE] and I and the gentleman from California [Mr. FARR] introduced this bill to promote conservation of coral reef ecosystems.

The Committee on Resources Subcommittee on Fisheries Conservation, Wildlife, and Oceans, which I chair, had two coral-reef-related hearings this year, and it is very clear that coral reefs are an important natural resource for coastal nations worldwide and many U.S. States and territories. Reefs generate significant tourism, provide habitat for many commercial fisheries, and protect coastlines from storm damage.

Unfortunately, coral reefs worldwide are also in great danger from both natural and human-induced causes. In the U.S. waters near Florida, six new coral reef diseases have been identified in the last 5 years, and they are spreading rapidly. In the Philippines, an astounding 70 percent of native reef environments have been obliterated by destructive fishing practices such as, believe it or not, dynamiting and cyanide fishing.

This bill establishes a coral reef conservation fund which is modeled after existing programs such as the very successful African elephant conservation program. This fund will contain both appropriated moneys and donations. Grants from the fund will support conservation projects which benefit coral reefs worldwide.

The bill authorizes $1 million to be appropriated into the fund annually for the next 5 years and requires that all grants be matched by other funds on a one-to-one basis.

Mr. Speaker, this type of conservation approach has been very successful for African elephants and other threatened species. I believe that this bill can make a difference in reducing damage to coral reefs worldwide. I urge my colleagues on both sides of the aisle to support the bill.

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

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2233. This bill will help provide much needed funding for research and conservation projects at coral reef ecosystems. The health of these ecosystems is in decline globally due to a wide range of threats, including nonsource pollution, destructive fishing practices, unwise coastal development, and global climate change. If we do not act decisively and soon, there will be no reefs left to save in just a few years.

Why is it important to save it? The reefs essentially are the rain forests of the ocean. That is where most of the biological life live. If we lose these reefs, we lose much more than just their picturesque beauty, we lose a world class storehouse of marine biodiversity and a renewable economic resource that is vital to coastal and insular nations.

H.R. 2233 is a good first step in addressing these problems. The amendment before the House requires a match for every Federal dollar so that research funds can even go further than originally drafted. I support the amendment. I urge all my colleagues on this side of the aisle to do so as well.

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

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

I would just conclude by saying that the gentleman from California [Mr. FARR] and I made note of some successes that we have had over the last decade in terms of protecting the ocean habitat.

While this is one of the great failures of humankind in the way we have taken the coral reef systems for granted and the practices that we have continued to perpetuate that have caused great damage to the coral reef systems, which, as Mr. FARR eloquently pointed out, are immensely important to the ocean ecosystems and the interdependence of life in the oceans, when we held our hearings and it was brought to light publicly that two of the ways, two of the techniques of fishing are through the use of dynamite and cyanide, I looked at those issues with some disbelief. But we should not look at those issues with disbelief because they are, in fact, practices that are used which do cause great damage not only to the coral reef system but, obviously, to other life in the oceans as well.

While we have had some successes over the last 10 years, it is pretty obvious that our work is not completed. Passage of this bill is perhaps a good first step in addressing the problems that are still to be addressed.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 2233, the Coral Reef Conservation Act, a bill introduced by our colleagues JIM SAXTON and NEIL ABERCROMBIE.

While there may be only a few scattered corals in Alaska, coral reefs represent a new frontier source for medicines and lifesaving products. In addition, they provide natural protection for coastlines from high waves, storm surges, coastal erosion, and accompanying threats to human life and property.

Furthermore, coral reefs are particularly important in generating tourism, and they contain some of the world's most productive marine habitats. These reefs make a real contribution to the economies where they are located.

This bill is a positive effort to protect our Nation's coral reefs, and I am confident that the Department of Commerce will effectively manage the Coral Reef Conservation Fund.

Mr. SAXTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 2233, as amended.

The question was taken.

Mr. CONDIT. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2233, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CANADIAN RIVER RECLAMATION PROJECT

Mr. THORNBERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2007) to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other that the project, as amended.

The Clerk read as follows:

H.R. 2007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. USE OF DISTRIBUTION SYSTEM OF CANADIAN RIVER RECLAMATION PROJECT, TEXAS, TO TRANSPORT NONPROJECT WATER.

The Act of December 29, 1950 (chapter 1183; 43 U.S.C. 600b, 600c), authorizing construction, operation, and maintenance of the Canadian River reclamation project, Texas, is amended by adding at the end the following new section:

''SEC. 4. (a) The Secretary of the Interior shall allow use of the project distribution system (including all pipelines, aqueducts, pumping plants, and related facilities) for transport of water from the Canadian River Conjunctive Use Groundwater Project to municipalities that are receiving water from the project. Such use shall be subject only to such environmental review as is required under the Memorandum of Understanding,

No. 97–AG–60–09340, between the Bureau of Reclamation and the Canadian River Municipal Water Authority, and a review and approval of the engineering design of the interconnection facilities to assure the continued integrity of the project. Such environmental review shall be completed within 90 days after the date of enactment of this section.

''(b) The Canadian River Municipal Water Authority shall bear the responsibility for all costs of construction, operation, and maintenance of the Canadian River Conjunctive Use Groundwater Project, and for costs incurred by the Secretary in conducting the environmental review of the project. The Secretary shall not assess any additional charges in connection with the Canadian River Conjunctive Use Groundwater Project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. THORNBERRY] and the gentleman from California [Mr. FARR], each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. THORNBERRY].

(Mr. THORNBERRY asked and was given permission to revise and extend his remarks and to include extraneous material.)

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

I rise in support of H.R. 2007. This bill directs the Secretary of the Interior to allow the use of the Bureau of Reclamation facilities in Texas for the transport of water from the proposed Canadian River conjunctive use ground-water project to municipalities receiving water from the existing reclamation project.

This additional water is needed because the yield of the Reclamation's Canadian River project is less than originally anticipated and because of ongoing water quality problems associated with the Federal project.

The Canadian River Municipal Water Authority has a proposal to construct this ground-water project in order to supplement project water supplies with better quality ground water. The proposed ground-water project will not require Federal funding. It would be interconnected with the existing Canadian River project facilities in order for the ground water to be mixed with project water and distributed throughout the existing conveyance system.

This legislation is needed because questions have been raised about the authority of the Bureau of Reclamation to allow the interconnection of the non-Federal ground-water project with the Federal Canadian River project facilities. This bill will also ensure that the environmental review of the interconnection facilities is completed in a timely manner.

H.R. 2007 further stipulates that all of the costs for construction, operation, and maintenance of the ground-water project are the responsibility of the Canadian River Municipal Water Authority. This bill goes a long way to resolving at no cost to the Federal Government the water quality and water supply issues facing 11 cities in the High Plains area of Texas, including Lubbock and Amarillo. I urge my colleagues to support this bill.

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

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to H.R. 2007.

Mr. Speaker, this bill amends the authorization for the Canadian River project in Texas. I think while the project underlying this bill represents a worthwhile effort to improve water quality for several communities in the High Plains of Texas, the bill itself is entirely unnecessary.

The bill would grant the local water authority the right to use excess capacity of the Bureau of Reclamation facilities to manage non-Federal ground water through the Canadian River Authority's conjunctive use ground-water project. That project would make necessary improvements to the urban water quality. However, the project is already going forward under existing authorization for the Canadian River project.

The Bureau of Reclamation has entered memorandums of understanding with the Canadian River Authority and has begun environmental review of the project. The Bureau can incorporate the ground-water conjunctive use project within the existing project's authority. There is simply no need for this bill. It is not only unnecessary but the big problem is, it would constrain the Bureau of Reclamation's review of the ground-water project under the National Environmental Policy Act.

The administration has expressed continuing concerns regarding the bill's potential to override NEPA. Yet the bill proponents have been unwilling to remove the NEPA language from the bill.

I want to thank the chairman of the subcommittee, the gentleman from California [Mr. DOOLITTLE], for the work his staff has put into improving the language of this bill. The bill now provides the Bureau of Reclamation to approve the engineering designs in order to avoid potential problems with the system. It also includes language to ensure the local water district that it pay for the expenses associated with the project. However, as long as the override of the NEPA policy act is in the bill, I must oppose the legislation as unnecessary and inappropriate.

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

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

Mr. Speaker, I think it is helpful for someone who has been involved in this project from the beginning to give a brief review of some of the difficulties that has made this legislation necessary.

As a matter of fact, there have been 88 changes to the project over time, none of which have caused any sort of question to arise from the Bureau of Reclamation as for the authority to tie in privately financed changes into the existing project. And this project itself has been on the drawing books for at least 5 years. The Bureau knew about it every step of the way, and yet not until February of this year did they raise any questions about it.

I will make part of the RECORD some of the letters that the Municipal Water Authority has received from the Bureau questioning whether the Bureau has even the authority to allow this project to go forward.

As a matter of fact, I will quote briefly from a February 21, 1997, letter signed by Mrs. Elizabeth Cordova-Harrison, area manager, that says:

The implementation of the current proposal to convey groundwater via the pipeline project would require new or amendatory legislative authority.

Of course, then they study it a little bit more; and on April 1997 they write back, I will put the full letter in the RECORD, but basically they believe, well, maybe we find that we do have the authority after all.

The point of that is that there is at least some question, at least with some people in the Bureau, about whether there is the legislative authority to allow this privately financed, independently-obtained groundwater supply and mix it with the current supplies.

H.R. 2007 has been amended. It requires an environmental review. That environmental review is going to be paid for by the water district itself, not by the Federal Government. We have bent over backward to make sure that all of the provisions of this measure are consistent with the intent of this Congress, but also that there are not unnecessary bureaucratic delays because of some confusion as far as the legislative authority by the Bureau of Reclamation.

That is why this legislation exists. We have worked in a bipartisan way with Members on the other side of the aisle to come up with this language, and I believe it makes a lot of sense.

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

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me point out to my colleagues what the problem is, as expressed in a letter from the Secretary of Interior, the Assistant for Water and Science, Patricia Beneke. In that letter to the chairman of the committee, the gentleman from California [Mr. DOOLITTLE], she points out that

The intent of referencing the MOU seems to be to limit the scope of required environmental review, because the MOU itself is expressly limited to preparation and finalization of an environmental assessment.

And she goes on to say,

While the MOU itself does not preclude a full environmental impact statement, as

well as full compliance with other environmental laws, its reference in the legislation, its incorporation in the legislation, could be construed as a limitation on the scope of the environmental review. This part of the bill thus arguably legislatively prejudges that the project will pose no significant impacts and that an environmental assessment fulfills our NEPA requirement.

Similarly,

in another part of the bill,

the bill would mandate that any environmental review be completed within 90 days after the date of enactment. This too prejudices the project that the project will not require a full environmental impact statement. Moreover, a portion of the work is being conducted by the Authority's contractor, and Reclamation has no control over the quality or timing of the contractor's project.

So there are, essentially, two concerns that the administration is raising about this bill which I bring to the House, which seems to me could be addressed by appropriate amendments. Those amendments have not come forth, and so at this point we object to the legislation.

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

Mr. THORNBERRY. Mr. Speaker, I have no further requests for time at this point, and I continue to reserve the balance of my time until the time on the other side is yielded back.

Mr. FARR of California. Mr. Speaker, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I include the following two letters for the RECORD:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION, GREAT PLAINS REGION, AUSTIN RECLAMATION OFFICE,
Austin, TX, April 10, 1997.

Mr. JOHN WILLIAMS, P.E.
General Manager, Canadian River Municipal Water Authority, Sanford, TX.

Subject: Use of Project Conveyance Facilities—Canadian River Project, Texas.

DEAR MR. WILLIAMS: This is in reference to our letter dated February 21, 1997, concerning the augmentation of existing Canadian River Project (Project) water supplies with groundwater from wells located east of the Project. As explained in the letter, our preliminary evaluation indicated the lack of general authority to allow the use of reclamation project facilities for storing or conveying non-project water, and that such use of project facilities would require new or amendatory legislation.

A more comprehensive review of Reclamation laws has revealed existing statutes which provide sufficient authority to allow the incorporation of the proposed ground water project's facilities and water into the Canadian River Project. This can be accomplished administratively without further legislative action, but would require review, approval and compliance under existing processes and regulatory laws, including the National Environmental Policy Act.

If you would like to pursue the option outlined above, we recommend that a meeting be scheduled to discuss the administrative process required for incorporating the ground water project into existing facilities.

If you have any questions, or need any additional information, please contact me or Mike Martin of this office at telephone No. (512) 916–5641.

Sincerely,
ELIZABETH CORDOVA-HARRISON,
Area Manager.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION, GREAT PLAINS REGION, OKLAHOMA-TEXAS AREA OFFICE,
Oklahoma City, OK, February 21, 1997.

Mr. JOHN WILLIAMS, P.E.,
General Manager, Canadian River Municipal Water Authority, Sanford, TX.

Subject: Use of Project Facilities for Conveyance of Non-Project Water, Canadian River Project, Texas.

DEAR MR. WILLIAMS: This follow up letter is in reference to our meeting at your office on January 22, 1997, during which we discussed various matters concerning the Canadian River Project. Among the issues covered were the transfer of title to project aqueduct facilities, project financial concerns, and the augmentation of existing project water supplies with groundwater from wells located in Hutchinson County, Texas. The need for compliance with provisions of the National Environmental Policy Act (NEPA) and other applicable statutes for title transfer and modification of a Federal project was also addressed.

We have reviewed existing laws relating to the use of Reclamation projects for storing or conveying non-project water (water from outside the originally authorized project). Based on this preliminary evaluation, it appears that the authority for allowing such use of project facilities is limited solely to water for irrigation purposes. Presently, we are without adequate authority to allow the use of Canadian River Project facilities for the storage or conveyance of non-project water for municipal and industrial purposes. Accordingly, the implementation of the current proposal to convey groundwater via the project pipeline would require new or amendatory legislative authority.

If you have any questions, or need any additional information, please contact me or Mike Martin at (512) 916–5641.

Sincerely,
ELIZABETH CORDOVA-HARRISON,
Area Manager.

Mr. Speaker, the final comment I would make is that there has been no suggestion by any party, anyone associated, that there is any environmental problem or potential problem associated here; and that is one of the reasons that I think the negotiations are currently going at a rapid pace.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. THORNBERRY] that the House suspend the rules and pass the bill, H.R. 2007, as amended.

The question was taken.

Mr. CONDIT. 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 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2007, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. THORNBERRY]?

There was no objection.

MICCOSUKEE SETTLEMENT ACT OF 1997

Mr. THORNBERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1476) to settle certain Miccosukee Indian land takings claims within the State of Florida.

The Clerk read as follows:

H.R. 1476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Miccosukee Settlement Act of 1997''.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds and declares that—

(1) there is pending before the United States District Court for the Southern District of Florida a lawsuit by the Miccosukee Tribe which involves the taking of certain tribal lands in connection with the construction of highway interstate 75 by the Florida Department of Transportation;

(2) the pendency of this lawsuit clouds title of certain lands used in the maintenance and operation of the highway and hinders proper planning for future maintenance and operations;

(3) the Florida Department of Transportation, with the concurrence of the board of trustees of the Internal Improvements Trust Fund of the State of Florida, and the Miccosukee Tribe have executed an agreement for the purpose of resolving the dispute and settling the lawsuit, which agreement requires consent of the Congress in connection with contemplated land transfers;

(4) the settlement agreement is in the interests of the Miccosukee Tribe in that the tribe will receive certain monetary payments, new reservation land to be held in trust by the United States, and other benefits;

(5) land received by the United States pursuant to the settlement agreement is in consideration of Miccosukee Indian Reservation land lost by the Miccosukee Tribe by virtue of transfer to the Florida Department of Transportation under the settlement agreement, and such United States land therefore shall be held in trust by the United States for the use and benefit of the Miccosukee Tribe as Miccosukee Indian Reservation land in compensation for the consideration given by the tribe in the settlement agreement; and

(6) Congress shares with the parties to the settlement agreement a desire to resolve the dispute and settle the lawsuit.

SEC. 3. DEFINITIONS.

For the purposes of this Act—

(1) the terms ''Miccosukee Tribe'' and ''tribe'' mean the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476), and recognized by the State of Florida pursuant to chapter 285, Florida Statutes;

(2) the term ''Miccosukee land'' means land held in trust by the United States for the use and benefit of the Miccosukee Tribe as Miccosukee Indian Reservation land which is identified pursuant to the settlement agreement for transfer to the Florida Department of Transportation;

(3) the term ''Florida Department of Transportation'' means the executive branch department and agency of the State of Florida

responsible for, among other matters, the construction and maintenance of surface vehicle roads, existing pursuant to section 20.23, Florida Statutes, with authority to execute the settlement agreement pursuant to section 334.044, Florida Statutes;

(4) the term ''board of trustees of the Internal Improvements Trust Fund'' means the agency of the State of Florida holding legal title to and responsible for trust administration of certain lands of the State of Florida, consisting of the Florida Governor, Attorney General, Commissioner of Agriculture, Commissioner of Education, Controller, Secretary of State, and Treasurer sitting as trustees;

(5) the term ''State of Florida'' means all agencies or departments of the State of Florida, including the Florida Department of Transportation and the board of trustees of the Internal Improvements Trust Fund, as well as the State itself as a governmental entity;

(6) the term ''Secretary'' means the United States Secretary of the Interior;

(7) the term ''land transfers'' means those lands identified in the settlement agreement fro transfer from the United States to the Florida Department of Transportation and those lands identified in the settlement agreement for transfer from the State of Florida to the United States;

(8) the term ''lawsuit'' means the action in the United States District Court for the Southern District of Florida, entitled Miccosukee Tribe of Indians of Florida v. State of Florida and Florida Department of Transportation, et al., docket number 91–6285–Civ–Paine; and

(9) the terms ''settlement agreement'' and ''agreement'' mean those documents entitled ''settlement agreement'' (with incorporated exhibits), which identifies the lawsuit in the first paragraph, which was signed on page 15 therein on August 28, 1996, by Ben G. Watts (Secretary of the Florida Department of Transportation) and Billy Cypress (Chairman of the Miccosukee Tribe), and thereafter concurred in by the board of trustees of the Internal Improvements Trust Fund of the State of Florida.

SEC. 4. AUTHORITY OF SECRETARY.

As trustee for the Miccosukee Tribe, the Secretary shall:

(1) Aid and assist in the fulfillment of the settlement agreement at all times and in all reasonable manner, and cooperate with and assist the Miccosukee Tribe for this purpose.

(2) Upon finding that the settlement agreement is legally sufficient and that the State of Florida and its agencies have the necessary authority to fulfill the agreement, sign the settlement agreement on behalf of the United States, and have a representative of the Bureau of Indian Affairs sign the settlement agreement as well.

(3) Upon finding that all necessary conditions precedent to the transfer of Miccosukee land to the Florida Department of Transportation as provided in the settlement agreement have been or will be met so that the agreement has been or will be fulfilled but for the execution of this land transfer and related land transfers, transfer ownership of the Miccosukee land to the Florida Department of Transportation as provided in the settlement agreement, including in such transfer solely and exclusively that Miccosukee land identified in the settlement agreement for such transfer and no other land.

(4) Upon finding that all necessary conditions precedent to the transfer of Florida land to the United States have been or will be met so that the agreement has been or will be fulfilled but for the execution of this land transfer and related land transfers, receive and accept in trust for the use and benefit of the Miccosukee Tribe ownership of all land identified in the settlement agreement for transfer to the United States, constituting thereby Indian Reservation lands of the Miccosukee Tribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. THORNBERRY] and the gentleman from California [Mr. FARR] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. THORNBERRY].

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

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

Mr. Speaker, I rise in support of H.R. 1476, the proposed Miccosukee Settlement Act of 1977, which provides that Congress consents to a settlement agreement reached between the State of Florida, the Miccosukee Tribe, and the U.S. Department of the Interior involving the transfer of rights-of-way from the tribe to the State.

Included in the settlement agreement are provisions relating to airboat access to certain lands, the relocation of a microwave tower, interchange lighting at the Snake Road interchange, and the conveyance of 22.87 acres of land to the United States by the State of Florida.

Also included in the settlement agreement are provisions whereby the tribe agrees to dismiss certain litigation pending against the State and to release and forever discharge any and all claims the tribe may have against the Florida Department of Transportation and State of Florida in any way related to Interstate Highway 75.

Mr. Speaker, I believe this measure deserves the support of the House.

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

Mr. FARR of California. Mr. Speaker, I yield as much time as he may consume to the gentleman from Michigan [Mr. KILDEE], a long and experienced Member on these issues, distinguished Member of this House.

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding me time.

We also support passage of this act. This bill ratifies a 1996 settlement of a lawsuit between the Miccosukee Tribe in Florida over lands taken by the State for construction of Alligator Alley across the Everglades.

Under the terms of this agreement, the tribe gets $2.1 million, 22 acres of land, and two rights-of-way, while the State gets several rights-of-way from the tribe for highway maintenance and release from the lawsuit. Congress is involved because the agreement calls for the Department of the Interior to approve the rights-of-way given to the State and to place the tribe's newly acquired lands into trust.

I am pleased that the tribe and State have reached this amicable agreement. I also applaud the diligence and hard work of the gentleman from Florida [Mr. DIAZ-BALART]. I also note that the Committee on Resources held a hearing, and just prior to full committee markup the Department sent over several technical changes that have not yet been incorporated into the bill. These are not critical changes, but it is my hope that the Senate will give them fair consideration as it takes up the bill.

Mr. DIAZ–BALART. Mr. Speaker, H.R. 1476, The Miccosukee Settlement Act of 1997, approves and implements a settlement between the State of Florida and the Miccosukee Tribe of Indians of Florida regarding right-of-way usage and dredging during the construction of Interstate Highway I–75—''Alligator Alley''—across tribal lands in the Florida Everglades. This settlement authorizes the Secretary of the Interior to transfer title to certain strips of land used to dredge fill material for the construction of I–75 to the Florida Department of Transportation from its trust status, and in return directs the Secretary to take into trust for the Miccosukee Tribe as Miccosukee Indian Reservation several parcels of land as compensation.

This land transfer is fully endorsed by the Florida Governor and Cabinet, who sit jointly as the trustees for Florida land and who voted unanimously in favor of this settlement. The Tribe also receives approximately $2 million, better access to its existing reservation through new access ramps on I–75, and airboat launch sites.

I am pleased that the State and the tribe have worked out a fair solution and I recommend passage of the bill.

Mr. THORNBERRY. Mr. Speaker, I have no further requests for time.

Mr. KILDEE. Mr. Speaker, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. THORNBERRY] that the House suspend the rules and pass the bill, H.R. 1476.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1476, the bill just debated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SMALL BUSINESS PROGRAMS REAUTHORIZATION AND AMENDMENTS ACT OF 1997

Mr. TALENT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2261) to reauthorize and amend the programs of the Small Business Act and the Small Business Investment Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2261

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Programs Reauthorization and Amendments Acts of 1997''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATIONS

Sec. 101. Authorizations.

TITLE II—FINANCIAL PROGRAMS

Subtitle A—General Business Loans

Sec. 201. Securitization regulations.
Sec. 202. Background check of loan applicants.
Sec. 203. Report on increased lender approval, servicing, foreclosure, liquidation, and litigation of 7(a) loans.
Sec. 204. Completion of planning for loan monitoring system.

Subtitle B—Certified Development Company Program

Sec. 221. Reauthorization of fees.
Sec. 222. PCLP participation
Sec. 223. PCLP eligibility.
Sec. 224. Loss reserves.
Sec. 225. Goals.
Sec. 226. Technical amendments.
Sec. 227. Promulgation of regulations.
Sec. 228. Technical amendment.
Sec. 229. Repeal.
Sec. 230. Loan servicing and liquidation.
Sec. 231. Use of proceeds.
Sec. 232. Lease of property.
Sec. 233. Seller financing.
Sec. 234. Preexisting conditions.

Subtitle C—Small Business Investment Company Program

Sec. 241. 5-year commitments.
Sec. 242. Program reform.
Sec. 243. Fees.
Sec. 244. Examination fees.

Subtitle D—Microloan Program

Sec. 251. Microloan program extension.
Sec. 252. Supplemental microloan grants

TITLE III—WOMEN'S BUSINESS ENTERPRISES

Sec. 301. Reports.
Sec. 302. Council duties.
Sec. 303. Council membership.
Sec. 304. Authorization of appropriations.
Sec. 305. Women's business centers.
Sec. 306. Office of Women's Business Ownership.

TITLE IV—COMPETITIVENESS PROGRAM

Sec. 401. Program term.
Sec. 402. Monitoring agency performance.
Sec. 403. Reports to Congress.
Sec. 404. Small business participation in dredging.
Sec. 405. Technical amendment.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Small business development centers.
Sec. 502. Small business export promotion.
Sec. 503. Pilot preferred surety bond guarantee program extension.
Sec. 504. Very small business concerns.
Sec. 505. Extension of cosponsorship authority.
Sec. 506. Trade assistance program for small business concerns harmed by NAFTA.

TITLE VI—SERVICE DISABLED VETERANS

Sec. 601. Purposes.
Sec. 602. Definitions.
Sec. 603. Report by Small Business Administration.
Sec. 604. Information collection.
Sec. 605. State of small business report.
Sec. 606. Loans to veterans.
Sec. 607. Entrepreneurial training, counseling, and management assistance.
Sec. 608. Grants for eligible veterans outreach programs.
Sec. 609. Outreach for eligible veterans.

TITLE VII—SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM

Sec. 701. Amendments.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by striking subsections (l) through (q) and inserting the following:

''(l) The following program levels are authorized for fiscal year 1998:

''(1) For the programs authorized by this Act, the Administration is authorized to make—

''(A) $40,000,000 in technical assistance grants, as provided in section 7(m); and

''(B) $60,000,000 in loans, as provided in section 7(m).

''(2) For the programs authorized by this Act, the Administration is authorized to make $15,040,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(A) $11,000,000,000 in general business loans as provided in section 7(a);

''(B) $3,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(C) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(D) $40,000,000 in loans as provided in section 7(m).

''(3) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(A) $600,000,000 in purchases of participating securities; and

''(B) $500,000,000 in guarantees of debentures.

''(4) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(5) The Administration is authorized to make grants or enter into cooperative agreements—

''(A) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $4,000,000; and

''(B) for activities of small business development centers pursuant to section 21(c)(3)(G), $15,000,000, to remain available until expended.

''(m)(1) There are authorized to be appropriated to the Administration for fiscal year 1998 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(2) Notwithstanding paragraph (1), for fiscal year 1998—

''(A) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (l)(2)(A) is fully funded; and

''(B) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(n) The following program levels are authorized for fiscal year 1999:

''(1) For the programs authorized by this Act, the Administration is authorized to make—

''(A) $60,000,000 in technical assistance grants as provided in section 7(m); and

''(B) $60,000,000 in loans, as provided in section 7(m).

''(2) For the programs authorized by this Act, the Administration is authorized to make $16,540,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(A) $12,000,000,000 in general business loans as provided in section 7(a);

''(B) $3,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(C) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(D) $40,000,000 in loans as provided in section 7(m).

''(3) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(A) $700,000,000 in purchases of participating securities; and

''(B) $650,000,000 in guarantees of debentures.

''(4) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(5) The Administration is authorized to make grants or enter cooperative agreements—

''(A) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $4,500,000; and

''(B) for activities of small business development centers pursuant to section 21(c)(3)(G), not to exceed $15,000,000, to remain available until expended.

''(o)(1) There are authorized to be appropriated to the Administration for fiscal year 1999 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(2) Notwithstanding paragraph (1), for fiscal year 1999—

''(A) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (n)(2)(A) is fully funded; and

''(B) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by

contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(p) The following program levels are authorized for fiscal year 2000:

''(1) For the programs authorized by this Act, the Administration is authorized to make—

''(A) $75,000,000 in technical assistance grants as provided in section 7(m); and

''(B) $60,000,000 in direct loans, as provided in section 7(m).

''(2) For the programs authorized by this Act, the Administration is authorized to make $19,040,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(A) $13,500,000,000 in general business loans as provided in section 7(a);

''(B) $4,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(C) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(D) $40,000,000 in loans as provided in section 7(m).

''(3) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(A) $850,000,000 in purchases of participating securities; and

''(B) $700,000,000 in guarantees of debentures.

''(4) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to the provisions of section 411(a)(3) of that Act.

''(5) The Administration is authorized to make grants or enter cooperative agreements—

''(A) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $5,000,000; and

''(B) for activities of small business development centers pursuant to section 21(c)(3)(G), not to exceed $15,000,000, to remain available until expended.

''(q)(1) There are authorized to be appropriated to the Administration for fiscal year 2000 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the provisions of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(2) Notwithstanding paragraph (1), for fiscal year 2000—

''(A) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (p)(2)(A) is fully funded; and

''(B) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.''.

TITLE II—FINANCIAL PROGRAMS

Subtitle A—General Business Loans

SEC. 201. SECURITIZATION REGULATIONS.

The Administrator shall promulgate final regulations permitting bank and non-bank lenders to sell or securitize the non-guaranteed portion of loans made under section 7(a) of the Small Business Act (15 U.S.C. 636(a)). Such regulations shall be issued within 90 days of the date of enactment of this Act, and shall allow securitizations to proceed as regularly as is possible within the bounds of prudent and sound financial management practice.

SEC. 202. BACKGROUND CHECK OF LOAN APPLICANTS.

Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended by striking ''(1)'' and inserting the following:

''(1)(A) CREDIT ELSEWHERE.—'', and by adding the following new paragraph at the end:

''(B) BACKGROUND CHECKS.—Prior to the approval of any loan made pursuant to this subsection, or section 503 of the Small Business Investment Act, the Administrator shall verify the applicant's criminal background, or lack thereof, through the best available means, including, if possible, use of the National Crime Information Center computer system at the Federal Bureau of Investigation.''.

SEC. 203. REPORT ON INCREASED LENDER APPROVAL, SERVICING, FORECLOSURE, LIQUIDATION, AND LITIGATION OF 7(a) LOANS.

(a) Within six months of the date of enactment of this act the Administrator shall report on action taken and planned for future reliance on private sector lender resources to originate, approve, close, service, liquidate, foreclose, and litigate loans made under Section 7(a) of the Small Business Act. The report should address administrative and other steps necessary to achieve these results, including—

(1) streamlining the process for approving lenders and standardizing requirements;

(2) establishing uniform reporting requirements using on-line automated capabilities to the maximum extent feasible;

(3) reducing paperwork through automation, simplified forms or incorporation of lender's forms;

(4) providing uniform standards for approval, closing, servicing, foreclosure, and liquidation;

(5) promulgating new regulations or amending existing ones;

(6) establishing a timetable for implementing the plan for reliance on private sector lenders;

(7) implementing organizational changes at SBA; and

(8) estimating the annual savings that would occur as a result of implementation.

(b) In preparing the report the Administrator shall seek the views and consult with, among others, 7(a) borrowers and lenders, small businesses who are potential program participants, financial institutions who are potential program lenders, and representative industry associations, such as the U. S. Chamber of Commerce, the American Bankers Association, the National Association of Government Guaranteed Lenders and the Independent Bankers Association of America.

SEC. 204. COMPLETION OF PLANNING FOR LOAN MONITORING SYSTEM.

(a) The Administrator shall perform and complete the planning needed to serve as the basis for funding the development and implementation of computerized loan monitoring system, including—

(1) fully defining the system requirement using on-line, automated capabilities to the extent feasible;

(2) identifying all data inputs and outputs necessary for timely report generation;

(3) benchmark loan monitoring business processes and systems against comparable industry processes and, if appropriate, simplify or redefine work processes based on these benchmarks;

(4) determine data quality standards and control systems for ensuring information accuracy;

(5) identify an acquisition strategy and work increments to completion;

(6) analyze the benefits and costs of alternatives and use to demonstrate the advantage of the final project;

(7) ensure that the proposed information system is consistent with the agency's information architecture; and

(8) estimate the cost to system completion, identifying the essential cost element.

(b) Six months from the date of enactment of this Act, the Administrator shall report to the House and Senate Committees on Small Business pursuant to the requirements of subsection (a), and shall also submit a copy of the report to the General Accounting Office, which shall evaluate the report for compliance with subsection (a) and shall submit such evaluation to both Committees no later than 28 days after receipt of the report from the Small Business Administration. None of the funds provided for the purchase of the loan monitoring system may be expended until the requirements of this section have been satisfied.

Subtitle B—Certified Development Company Program

SEC. 221. REAUTHORIZATION OF FEES.

Section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697) is amended—

(1) by striking subsection (b)(7)(A) and inserting the following:

''(A) assesses and collects a fee, which shall be payable by the borrower, in an amount equal to 0.9375 percent per year of the outstanding balance of the loan; and'';

(2) by striking from subsection (d)(2) ''equal to 50 basis points'' and inserting ''equal to not more than 50 basis points,'';

(3) by adding the following at the end of subsection (d)(2): ''The amount of the fee authorized herein shall be established annually by the Administration in the minimal amount necessary to reduce the cost (as that term is defined in section 502 of the Federal Credit Reform Act of 1990) to the Administration of purchasing and guaranteeing debentures under this Act to zero.''; and

(4) by striking from subsection (f) ''1997'' and inserting ''2000''.

SEC. 222. PCLP PARTICIPATION.

Section 508(a) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(a)) is amended by striking ''not more than 15''.

SEC. 223. PCLP ELIGIBILITY.

Section 508(b)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(b)(2)) is amended by striking paragraphs (A) and (B) and inserting:

''(A) is an active certified development company in good standing and has been an active participant in the accredited lenders program during the entire 12-month period preceding the date on which the company submits an application under paragraph (1), except that the Administration may waive this requirement if the company is qualified to participate in the accredited lenders program;

''(B) has a history (i) of submitting to the Administration adequately analyzed debenture guarantee application packages and (ii) of properly closing section 504 loans and servicing its loan portfolio; and''.

SEC. 224. LOSS RESERVES.

Section 508(c) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(c)) is amended to read as follows:

''(c) LOSS RESERVE.—

''(1) ESTABLISHMENT.—A company designated as a premier certified lender shall establish a loss reserve for financing approved pursuant to this section.

''(2) AMOUNT.—The amount of the loss reserve shall be equal to 10 percent of the amount of the company's exposure as determined under subsection (b)(2)(C).

''(3) ASSETS.—The loss reserve shall be comprised of any combination of the following types of assets:

''(A) segregated funds on deposit in an account or accounts with a federally insured depository institution or institutions selected by the company, subject to a collateral assignment in favor of, and in a format acceptable to, the Administration; or

''(B) irrevocable letter or letters of credit, with a collateral assignment in favor of, and a commercially reasonable format acceptable to, the Administration.

''(4) CONTRIBUTIONS.—The company shall make contributions to the loss reserve, either cash or letters of credit as provided above, in the following amounts and at the following intervals:

''(A) 50 percent when a debenture is closed;

''(B) 25 percent additional not later than 1 year after a debenture is closed; and

''(C) 25 percent additional not later than 2 years after a debenture is closed.

''(5) REPLENISHMENT.—If a loss has been sustained by the Administration, any portion of the loss reserve, and other funds provided by the premier company as necessary, may be used to reimburse the Administration for the company's 10 percent share of the loss as provided in subsection (b)(2)(C). If the company utilizes the reserve, within 30 days it shall replace an equivalent amount of funds.

''(6) DISBURSEMENTS.—The Administration shall allow the certified development company to withdraw from the loss reserve amounts attributable to any debenture which has been repaid.''.

SEC. 225. GOALS.

Section 508 of the Small Business Investment Act of 1958 (15 U.S.C. 697e) is amended by inserting the following after subsection (d) and by redesignating subsections (e) to (i) as (f) to (j):

''(e) PROGRAM GOALS.—Certified development companies participating in this program shall establish a goal of processing 50 percent of their loan applications for section 504 assistance pursuant to the premier certified lender program authorized in this section.''.

SEC. 226. TECHNICAL AMENDMENTS.

Section 508(g) of the Small Business Investment Act of 1958 (15 U.S.C. 697(g)) is amended—

(1) in subsection (g), as redesignated herein, is amended by striking ''State or local'' and inserting ''certified'';

(2) in subsection (h), as redesignated herein—

(A) by striking ''EFFECT OF SUSPENSION OR DESIGNATION'' and inserting ''EFFECT OF SUSPENSION OR REVOCATION''; and

(B) by striking ''under subsection (f)'' and inserting ''under subsection (g)''.

SEC. 227. PROMULGATION OF REGULATIONS.

Section 508(i) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(i)), as redesignated herein, is amended to read as follows:

''(i) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Administration shall promulgate regulations to carry out this section. Not later than 120 days after the date of enactment, the Administration shall issue program guidelines and implement the changes made herein.''.

SEC. 228. TECHNICAL AMENDMENT.

Section 508(j) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(j)), as redesignated herein, is amended by striking ''other lenders'' and inserting ''other lenders, specifically comparing default rates and recovery rates on liquidations''.

SEC. 229. REPEAL.

Section 217(b) of Public Law 103–403 (108 Stat. 4185) is repealed.

SEC. 230. LOAN SERVICING AND LIQUIDATION.

Section 508(d)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(d)) is amended by striking ''to approve loans'' and inserting ''to approve, authorize, close, service, foreclose, litigate, and liquidate loans''.

SEC. 231. USE OF PROCEEDS.

Section 502(1) of the Small Business Investment Act of 1958 (15 U.S.C. 696(1)) is amended to read as follows:

''(1) The proceeds of any such loan shall be used solely by such borrower or borrowers to assist an identifiable small-business or businesses and for a sound business purpose approved by the Administration.''.

SEC. 232. LEASE OF PROPERTY.

Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended by adding the following new subsection:

''(5) Not to exceed 25 percent of any project may be permanently leased by the assisted small business: *Provided,* That the assisted small business shall be required to occupy and use not less than 55 percent of the space in the project after the execution of any leases authorized in this section.''.

SEC. 233. SELLER FINANCING AND COLLATERALIZATION.

Section 502(3) of the Small Business Investment Act of 1958 (15 U.S.C. 696(3)) is amended by inserting the following new subparagraphs:

''(D) SELLER FINANCING.—Seller provided financing may be used to meet the requirements of—

''(i) paragraph (B), if the seller subordinates his interest in the property to the debenture guaranteed by the Administration; and

''(ii) not to exceed 50 percent of the amounts required by paragraph (C).

''(E) COLLATERALIZATION.—The collateral provided by the small business concern generally shall include a subordinate lien position on the property being financed under this title, and is only one of the factors to be evaluated in the credit determination. Additional collateral shall be required only if the Administration determines, on a case by case basis, that additional security is necessary to protect the interest of the Government.''.

SEC. 234. PREEXISTING CONDITIONS.

Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended by adding the following new paragraph:

''(6) Any loan authorized under this section shall not be denied or delayed for approval by the Administration due to concerns over preexisting environmental conditions: *Provided,* That the development company provides the Administration a letter issued by the appropriate State or Federal environmental protection agency specifically stating that the environmental agency will not institute any legal proceedings against the borrower or, in the event of a default, the development company or the Administration based on the preexisting environmental conditions: *Provided further,* That the borrower shall agree to provide environmental agencies access to the property for any reasonable and necessary remediation efforts or inspections.''.

Subtitle C—Small Business Investment Company Program

SEC. 241. 5-YEAR COMMITMENTS.

Section 20(a)(2) of the Small Business Act (15 U.S.C. 631 note) is amended in the last sentence by striking ''the following fiscal year'' and inserting ''any one or more of the 4 subsequent fiscal years''.

SEC. 242. PROGRAM REFORM.

(a) TAX DISTRIBUTIONS.—Section 303(g)(8) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(8)) is amended in the first sentence—

(1) by inserting '', for each calendar quarter or once annually, as the company may elect,'' after ''the company may''; and

(2) by inserting ''for the preceding quarter or year'' before the period.

(b) LEVERAGE FEE.—Section 303(i) of the Small Business Investment Act of 1958 (15 U.S.C. 683(i)) is amended by striking '', payable upon'' and all that follows before the period and inserting the following: ''in the following manner: 1 percent upon the date on which the Administration enters into any commitment for such leverage with the licensee, and the balance of 2 percent (or 3 percent in which case in which no commitment has been entered into by the Administration) on the date on which the leverage is drawn by the licensee''.

(c) PERIODIC ISSUANCE OF GUARANTEES AND TRUST CERTIFICATES.—Section 320 of the Small Business Investment Act of 1958 (15 U.S.C. 687m) is amended by striking ''three months'' and inserting ''6 months''.

(d) INDEXING FOR LEVERAGE.—Section 303 of the Small Business Investment Act of 1958 (15 U.S.C. 683) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by adding at the end the following:

''(D)(i) The dollar amounts in subparagraphs (A), (B), and (C) shall be adjusted annually to reflect increases in the Consumer Price Index established by the Bureau of Labor Statistics of the Department of Labor.

''(ii) The initial adjustments made under this subparagraph after the date of enactment of the Small Business Reauthorization Act of 1997 shall reflect only increases from March 31, 1993.''; and

(B) by striking paragraph (4) and inserting the following:

''(4) MAXIMUM AGGREGATE AMOUNT OF LEVERAGE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the aggregate amount of outstanding leverage issued to any company or companies that are commonly controlled (as determined by the Administrator) may not exceed $90,000,000, as adjusted annually for increases in the Consumer Price Index.

''(B) EXCEPTIONS.—The Administrator may, on a case-by-case basis—

''(i) approve an amount of leverage that exceeds the amount described in subparagraph (A) for companies under common control; and

''(ii) impose such additional terms and conditions as the Administrator determines to be appropriate to minimize the risk of loss to the Administration in the event of default.

''(C) APPLICABILITY OF OTHER PROVISIONS.—Any leverage that is issued to a company or companies commonly controlled in an amount that exceeds $90,000,000, whether as a result of an increase in the Consumer Price Index or a decision of the Administrator, is subject to subsection (d).''; and

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

''(d) REQUIRED CERTIFICATIONS.—

''(1) IN GENERAL.—The Administrator shall require each licensee, as a condition of approval of an application for leverage, to certify in writing—

''(A) for licensees with leverage less than or equal to $90,000,000, that not less than 20 percent of the licensee's aggregate dollar amount of financings will be provided to smaller enterprises; and

''(B) for licensees with leverage in excess of $90,000,000, that, in addition to satisfying the requirements of subparagraph (A), 100 percent of the licensee's aggregate dollar amount of financings made in whole or in part with leverage in excess of $90,000,000 will be provided to smaller enterprises as defined in section 103(12).

''(2) MULTIPLE LICENSEES.—Multiple licensees under common control (as determined by the Administrator) shall be considered to be a single licensee for purposes of determining both the applicability of and compliance with the investment percentage requirements of this subsection.''.

SEC. 243. FEES.

Section 301 of the Small Business Investment Act of 1958 (15 U.S.C. 681) is amended by adding the following:

''(d) FEES.—

''(1) IN GENERAL.—The Administration may prescribe fees to be paid by each applicant for a license to operate as a small business investment company under this Act.

''(2) USE OF AMOUNTS.—Amounts collected pursuant to this subsection shall be—

''(A) deposited in the account for salaries and expenses of the Administration; and

''(B) available without further appropriation solely to cover contracting and other administrative costs related to licensing.''.

SEC. 244. EXAMINATION FEES.

Section 310(b) of the Small Business Investment Act of 1958 (15 U.S.C. 687b(b)) is amended by inserting after the first sentence the following: ''Fees collected under this subsection shall be deposited in the account for salaries and expenses of the Administration, and are authorized to be appropriated solely to cover the costs of examinations and other program oversight activities.''.

Subtitle D—Microloan Program

SEC. 251. MICROLOAN PROGRAM EXTENSION.

(a) LOAN LIMITS.—Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking ''$2,500,000'' and inserting ''$3,500,000''.

(b) LOAN LOSS RESERVE FUND.—Section 7(m)(3)(D) of the Small Business Act (15 U.S.C. 636(m)(3)(D)) is amended by striking clauses (i) and (ii), and inserting the following:

''(i) during the initial 5 years of the intermediary's participation in the program under this subsection, at a level equal to not more than 15 percent of the outstanding balance of the notes receivable owed to the intermediary; and

''(ii) in each year of participation thereafter, at a level equal to not more than the greater of—

''(I) 2 times an amount reflecting the total losses of the intermediary as a result of participation in the program under this subsection, as determined by the Administrator on a case-by-case basis; or

''(II) 10 percent of the outstanding balance of the notes receivable owed to the intermediary.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—

(1) in the subsection heading, by striking ''DEMONSTRATION'';

(2) by striking ''Demonstration'' each place that term appears;

(3) by striking ''demonstration'' each place that term appears; and

(4) in paragraph (12), by striking ''during fiscal years 1995 through 1997'' and inserting ''during fiscal years 1998 through 2000''.

SEC. 252. SUPPLEMENTAL MICROLOAN GRANTS.

Section 7(m)(4) of the Small Business Act (15 USC 636 (m)(4)) is amended by adding the following:

''(F)(i) The Administration may accept and disburse funds received from another Federal department or agency to provide additional assistance to individuals who are receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 USC 601 et seq.), or under any comparable State-funded means-tested program of assistance for low-income individuals.

''(ii) Grant proceeds are in addition to other grants provided by this subsection and shall not require the contribution of matching amounts to be eligible. The grants may be used to pay or reimburse a portion of child care and transportation costs of individuals described in clause (i) and for marketing, management and technical assistance.

''(iii) Prior to accepting and distributing any such grants, the Administration shall enter a Memorandum of Understanding with the department or agency specifying the terms and conditions of the grants and providing appropriate monitoring of expenditures by the intermediary and ultimate grant recipient to insure compliance with the purpose of the grant.

''(iv) On January 31, 1999, and annually thereafter, the Administration shall submit to the Committees on Small Business of the House of Representatives and the Senate a report on any monies distributed pursuant to the provisions of this paragraph.

''(v) No funds are authorized to be provided to carry out the grant program authorized by this paragraph (F) except by transfer from another Federal department or agency to the Administration.''.

TITLE III—WOMEN'S BUSINESS ENTERPRISES

SEC. 301. REPORTS.

Section 404 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) by inserting '', through the Small Business Administration,'' after ''transmit'';

(2) by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(3) in paragraph (1), as redesignated, by inserting before the semicolon the following: '', including a status report on the progress of the Interagency Committee in meeting its responsibilities and duties under section 402(a)''.

SEC. 302. COUNCIL DUTIES.

Section 406 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) in subsection (c), by inserting after ''Administrator'' the following: ''(through the Assistant Administrator for the Office of Women's Business Ownership)''; and

(2) in subsection (d)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(6) submit to the President and to the Committee on Small Business of the Senate and the Committee on Small Business of the House of Representatives, an annual report containing—

''(A) a detailed description of the activities of the council, including a status report on the Council's progress toward meeting its duties outlined in subsections (a) and (d) of section 406;

''(B) the findings, conclusions, and recommendations of the Council; and

''(C) the Council's recommendations for such legislation and administrative actions as the Council considers appropriate to promote the development of small business concerns owned and controlled by women.

''(e) SUBMISSION OF REPORTS.—The annual report required by subsection (d) shall be submitted not later than 90 days after the end of each fiscal year.''.

SEC. 303. COUNCIL MEMBERSHIP.

Section 407 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) in subsection (a), by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997'';

(2) in subsection (b)—

(A) by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997'';

(B) by inserting after ''the Administrator shall'' the following: '', after receiving the recommendations of the Chair and the Ranking Member of the Minority of the Committees on Small Business of the House of Representatives and the Senate,'';

(C) by striking ''9'' and inserting ''14'';

(D) in paragraph (1), by striking ''2'' and inserting ''4'';

(E) in paragraph (2)—

(i) by striking ''2'' and inserting ''4''; and

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

(F) in paragraph (3)—

(i) by striking ''5'' and inserting ''6''; and

(ii) by striking ''national''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 409 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) by striking ''1995 through 1997'' and inserting ''1998 through 2000''; and

(2) by striking ''$350,000'' and inserting ''$600,000, of which $200,000 shall be for grants for research of women's procurement or finance issues.''.

SEC. 305. WOMEN'S BUSINESS CENTERS.

(a) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''SEC. 29. WOMEN'S BUSINESS CENTERS.

''(a) DEFINITION.—For the purposes of this section the term 'small business concern owned and controlled by women', either startup or existing, includes any small business concern—

''(1) that is not less than 51 percent owned by one or more women; and

''(2) the management and daily business operations of which are controlled by one or more women.

''(b) AUTHORITY.—The Administration may provide financial assistance to private organizations to conduct 5-year projects for the benefit of small business concerns owned and controlled by women. The projects shall provide—

''(1) financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a business concern;

''(2) management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

''(3) marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

''(c) CONDITIONS OF PARTICIPATION.—

''(1) NON-FEDERAL CONTRIBUTIONS.—As a condition of receiving financial assistance

authorized by this section, the recipient organization shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources as follows:

''(A) In the first and second years, 1 non-Federal dollar for each 2 Federal dollars.

''(B) In the third year, 1 non-Federal dollar for each Federal dollar.

''(C) In the fourth and fifth years, 2 non-Federal dollars for each Federal dollar.

''(2) FORM OF NON-FEDERAL CONTRIBUTIONS.—Not more than one-half of the non-Federal sector matching assistance may be in the form of in-kind contributions which are budget line items only, including but not limited to office equipment and office space.

''(3) FORM OF FEDERAL CONTRIBUTIONS.—The financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and may contain such provision, as necessary, to provide for payments in lump sum or installments, and in advance or by way of reimbursement. The Administration may disburse up to 25 percent of each year's Federal share awarded to a recipient organization after notice of the award has been issued and before the non-Federal sector matching funds are obtained.

''(4) FAILURE TO OBTAIN PRIVATE FUNDING.—If any recipient of assistance fails to obtain the required non-Federal contribution during any project, it shall not be eligible thereafter for advance disbursements pursuant to paragraph (3) during the remainder of that project, or for any other project for which it is or may be funded by the Administration, and prior to approving assistance to such organization for any other projects, the Administration shall specifically determine whether the Administration believes that the recipient will be able to obtain the requisite non-Federal funding and enter a written finding setting forth the reasons for making such determination.

''(d) CONTRACT AUTHORITY.—A women's business center may enter into a contract with a Federal department or agency to provide specific assistance to women and other underserved small business concerns. Performance of such contract should not hinder the women's business centers in carrying out the terms of the grant received by the women's business centers from the Administration.

''(e) SUBMISSION OF 5-YEAR PLAN.—Each applicant organization initially shall submit a 5-year plan to the Administration on proposed fundraising and training activities, and a recipient organization may receive financial assistance under this program for a maximum of 5 years per women's business center.

''(f) CRITERIA.—The Administration shall evaluate and rank applicants in accordance with predetermined selection criteria that shall be stated in terms of relative importance. Such criteria and their relative importance shall be made publicly available and stated in each solicitation for applications made by the Administration. The criteria shall include—

''(1) the experience of the applicant in conducting programs or ongoing efforts designed to impart or upgrade the business skills of women business owners or potential owners;

''(2) the present ability of the applicant to commence a project within a minimum amount of time;

''(3) the ability of the applicant to provide training and services to a representative number of women who are both socially and economically disadvantaged; and

''(4) the location for the women's business center site proposed by the applicant.

''(g) OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—There is established within the Administration an Office of Women's Business Ownership, which shall be responsible for the administration of the Administration's programs for the development of women's business enterprises (as that term is defined in section 408 of the Women's Business Ownership Act of 1988). The Office of Women's Business Ownership shall be administered by an Assistant Administrator, who shall be appointed by the Administrator.

''(h) REPORT.—The Administrator shall prepare and submit an annual report to the Committees on Small Business of the House of Representatives and the Senate on the effectiveness of all projects conducted under the authority of this section. Such report shall provide information concerning—

''(1) the number of individuals receiving assistance;

''(2) the number of startup business concerns formed;

''(3) the gross receipts of assisted concerns;

''(4) increases or decreases in profits of assisted concerns; and

''(5) the employment increases or decreases of assisted concerns.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 per year to carry out the projects authorized by this section of which for fiscal year 1998 not more than 10 percent may be used for administrative expenses related to the program. Amounts appropriated pursuant to this subsection for fiscal year 1999 and later are to be used exclusively for grant awards and not for costs incurred by the Administration for the management and administration of the program. Notwithstanding any other provision of law, the Administration may use such expedited acquisition methods as it deems appropriate, through the Assistant Administrator of the Office of Women's Business Ownership, to achieve the purposes of this section, except that the Administration shall ensure that all small business sources are provided a reasonable opportunity to submit proposals.''.

(b) APPLICABILITY.—Any organization conducting a 3-year project under section 29 of the Small Business Act (15 U.S.C. 656) on the day before the date of enactment of this Act, may extend the term of that project to a total term of 5 years and receive financial assistance in accordance with section 29(c) of the Small Business Act (as amended by this title) subject to procedures established by the Administrator in coordination with the Office of Women's Business Ownership established under section 29 of the Small Business Act (15 U.S.C. 656) (as amended by this title).

SEC. 306. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(j) ASSISTANT ADMINISTRATOR FOR THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

''(1) ESTABLISHMENT.—There is established the position of Assistant Administrator for the Office of Women's Business Ownership (hereafter in this section referred to as the 'Assistant Administrator') who shall serve without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

''(2) RESPONSIBILITIES AND DUTIES.—

''(A) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership established to assist women entrepreneurs in the areas of—

''(i) starting and operating a small business;

''(ii) development of management and technical skills;

''(iii) seeking Federal procurement opportunities; and

''(iv) increasing the opportunity for access to capital.

''(B) DUTIES.—Duties of the position of the Assistant Administrator shall include—

''(i) administering and managing the Women's Business Centers program;

''(ii) recommending the annual administrative and program budgets for the Office of Women's Business Ownership (including the budget for the Women's Business Centers);

''(iii) establishing appropriate funding levels therefore;

''(iv) reviewing the annual budgets submitted by each applicant for the Women's Business Center program;

''(v) selecting applicants to participate in this program;

''(vi) implementing this section;

''(vii) maintaining a clearinghouse to provide for the dissemination and exchange of information between Women's Business Centers;

''(viii) serving as the vice chairperson of the Interagency Committee on Women's Business Enterprise;

''(ix) serving as liaison for the National Women's Business Council; and

''(x) advising the Administrator on appointments to the Women's Business Council.

''(3) CONSULTATION REQUIREMENTS.—In carrying out the responsibilities and duties described in this subsection, the Assistant Administrator shall confer with and seek the advice of the Administration officials in areas served by the Women's Business Centers.

''(k) PROGRAM EXAMINATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administration shall develop and implement an annual programmatic and financial examination of each Women's Business Center established pursuant to this section.

''(2) EXTENSION OF CONTRACTS.—In extending or renewing a contract with a Women's Business Center, the Administration shall consider the results of the examination conducted pursuant to paragraph (1).

''(l) CONTRACT AUTHORITY.—The authority of the Administration to enter into contracts shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts. After the Administration has entered a contract, either as a grant or a cooperative agreement, with any applicant under this section, it shall not suspend, terminate, or fail to renew or extend any such contract unless the Administration provides the applicant with written notification setting forth the reasons therefore and affording the applicant an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.''.

TITLE IV—COMPETITIVENESS PROGRAM

SEC. 401. PROGRAM TERM.

Section 711(c) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking '', and terminate on September 30, 1997''.

SEC. 402. MONITORING AGENCY PERFORMANCE.

Section 712(d)(1) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended to read as follows:

''(1) Participating agencies shall monitor the attainment of their small business participation goals on an annual basis. An annual review by each participating agency shall be completed not later than January 31 of each year, based on the data for the preceding fiscal year, from October 1 through September 30.''.

SEC. 403. SMALL BUSINESS PARTICIPATION IN DREDGING.

Section 722(a) of the Small Business Competitiveness Demonstration Program Act of

1988 (15 U.S.C. 644 note) is amended by striking ''and terminating on September 30, 1997''.

SEC. 404. TECHNICAL AMENDMENT.

Section 717 of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by striking ''standard industrial classification code'' each time it appears and inserting in lieu thereof ''North American Industrial Classification Code''; and

(2) by striking ''standard industrial classification codes'' each time it appears and inserting in lieu thereof ''North American Industrial Classification Codes''.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended—

(1) in paragraph (1), by inserting ''any women's business center operating pursuant to section 29,'' after ''credit or finance corporation,'';

(2) in paragraph (3)—

(A) by striking '', but with'' and all that follows through ''parties.'' and inserting the following: ''for the delivery of programs and services to the Small Business community. Such programs and services shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, pursuant to an executed cooperative agreement between the Small Business Development Center applicant and the Administration.''; and

(B) by adding at the end the following:

''(C) On an annual basis, the Small Business Development Center shall review and coordinate public and private partnerships and cosponsorships with the Administration for the purpose of more efficiently leveraging available resources on a National and a State basis.'';

(3) in paragraph (4)(C)—

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

''(i) IN GENERAL.—

''(I) MAXIMUM AMOUNT.—Except as provided in clause (ii), and subject to subclause (II) of this clause, the amount of a grant received by a State under this section shall not exceed greater of—

''(aa) $500,000; and

''(bb) the State's pro rata share of a national program, based upon the population of the State as compared to the total population of the United States.

''(II) EXCEPTION.—Subject to the availability of amounts made available in advance in an appropriations Act to carry out this section for any fiscal year in excess of amounts so provided for fiscal year 1997, the amount of a grant received by a State under this section shall not exceed the greater of $500,000, and the sum of—

''(aa) the State's pro rata share of a national program, based upon the population of the State as compared to the total population of the United States; and

''(bb) and $300,000 in fiscal year 1998, $400,000 in fiscal year 1999, and $500,000 in each fiscal year thereafter.''; and

(B) in clause (iii), by striking ''(iii)'' and all that follows through ''1997.'' and inserting the following:

''(iii) NATIONAL PROGRAM.—The national program under this section shall be—

''(I) $85,000,000 for fiscal year 1998;

''(II) $90,000,000 for fiscal year 1999; and

''(III) $95,000,000 for fiscal year 2000 and each fiscal year thereafter.''; and

(4) in paragraph (6)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the comma at the end and inserting ''; and''; and

(C) inserting after subparagraph (B) the following:

''(C) with outreach, development, and enhancement of minority-owned small business startups or expansions, veteran-owned small business startups or expansions, and women-owned small business startups or expansions, in communities impacted by base closings or military or corporate downsizing, or in rural or underserved communities;''.

(b) SBDC SERVICES.—Section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''businesses;'' and inserting ''businesses, including—

''(i) working with individuals to increase awareness of basic credit practices and credit requirements;

''(ii) working with the Administration to develop and provide informational tools for use in working with individuals on pre-business startup planning, existing business expansion, business plans, financial packages, credit applications, contract proposals, and export planning; and

''(iii) working with individuals referred by the local offices of the Administration and Administration participating lenders;'';

(B) in each of subparagraphs (B), (C), (D), (E), (F), (G), (M), (N), (O), (Q), and (R) by moving each margin two ems to the left;

(C) in subparagraph (C), by inserting ''and the Administration'' after ''Center'';

(D) in subparagraph (Q), by striking ''and'' at the end;

(E) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

(2) in paragraph (5)—

(A) by moving the margin 2 ems to the left;

(B) by striking ''paragraph (a)(1)'' and inserting ''subsection (a)(1)'';

(C) by striking ''which ever'' and inserting ''whichever''; and

(D) by striking ''last,,'' and inserting ''last,'';

(3) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(4) in paragraph (3), in the undesignated material following subparagraph (S) (as added by this subsection), by striking ''A small'' and inserting the following:

''(4) A small''.

(c) COMPETITIVE AWARDS.—Section 21(l) of the Small Business Act (15 U.S.C. 648(l)) is amended by adding at the end the following: ''If any contract under this section is not renewed or extended, award of the succeeding contract shall be made on a competitive basis.''.

(d) PROHIBITION ON CERTAIN FEES.—Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(m) PROHIBITION ON CERTAIN FEES.—A small business development center shall not impose or otherwise collect a fee or other compensation in connection with the provision of counseling services under this section.''.

SEC. 502. SMALL BUSINESS EXPORT PROMOTION.

(a) IN GENERAL.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended by inserting after subparagraph (R) the following:

''(S) providing small business owners with access to a wide variety of export-related information by establishing on-line computer linkages between small business development centers and an international trade data information network with ties to the Export Assistance Center program.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out section 21(c)(3)(S) of the Small Business Act (15 U.S.C. 648(c)(3)(S)), as added by this section, $1,500,000 for each of fiscal years 1998 and 1999.

SEC. 503. PILOT PREFERRED SURETY BOND GUARANTEE PROGRAM EXTENSION.

Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking ''September 30, 1997'' and inserting ''September 30, 2000''.

SEC. 504. VERY SMALL BUSINESS CONCERNS.

Section 304(i) of Public Law 103–403 (15 U.S.C. 644 note) is amended by striking ''1998'' and inserting ''2000''.

SEC. 505. EXTENSION OF COSPONSORSHIP AUTHORITY.

Section 401(a)(2) of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 637 note) is amended by striking ''September 30, 1997'' and inserting ''September 30, 2000''.

SEC. 506. TRADE ASSISTANCE PROGRAM FOR SMALL BUSINESS CONCERNS HARMED BY NAFTA.

The Small Business Administration shall coordinate assistance programs currently administered by the Administration to counsel small business concerns harmed by the North American Free Trade Agreement to aid such concerns in reorienting their business purpose.

TITLE VI—SERVICE DISABLED VETERANS

SEC. 601. PURPOSES.

The purposes of this title are—

(1) to foster enhanced entrepreneurship among eligible veterans by providing increased opportunities;

(2) to vigorously promote the legitimate interests of small business concerns owned and controlled by eligible veterans; and

(3) to ensure that those concerns receive fair consideration in purchases made by the Federal Government.

SEC. 602. DEFINITIONS.

For purposes of this title, the following definitions apply:

(1) ADMINISTRATION.—The term ''Administration'' means the Small Business Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(3) ELIGIBLE VETERAN.—The term ''eligible veteran'' means a disabled veteran, as defined in section 4211(3) of title 38, United States Code.

(4) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY ELIGIBLE VETERANS.—The term ''small business concern owned and controlled by eligible veterans'' means a small business concern (as defined in section 3 of the Small Business Act)—

(A) which is at least 51 percent owned by 1 or more eligible veteran, or in the case of a publicly owned business, at least 51 percent of the stock of which is owned by 1 or more eligible veteran; and

(B) whose management and daily business operations are controlled by eligible veterans.

SEC. 603. REPORT BY SMALL BUSINESS ADMINISTRATION.

(a) STUDY AND REPORT.—Not later than 6 months after the date of the enactment of this Act, the Administrator shall conduct a comprehensive study and issue a final report to the Committees on Small Business of the House of Representatives and the Senate containing findings and recommendations of the Administrator on—

(1) the needs of small business concerns owned and controlled by eligible veterans;

(2) the availability and utilization of Administration programs by small business concerns owned and controlled by eligible veterans;

(3) the percentage, and dollar value, of Federal contracts awarded to small business concerns owned and controlled by eligible veterans in the preceding 5 fiscal years; and

(4) methods to improve Administration and other programs to serve the needs of small business concerns owned and controlled by eligible veterans.

The report also shall include recommendations to Congress concerning the need for legislation and recommendations to the Office of Management and Budget, relevant offices within the Administration, and the Department of Veterans Affairs.

(b) CONDUCT OF STUDY.—In carrying out subsection (a), the Administrator—

(1) may conduct surveys of small business concerns owned and controlled by eligible veterans and service disabled veterans, including those who have sought financial assistance or other services from the Administration;

(2) shall consult with the appropriate committees of Congress, relevant groups and organizations in the non-profit sector, and Federal or State government agencies; and

(3) shall have access to any information within other Federal agencies which pertains to such veterans and their small businesses, unless such access is specifically prohibited by law.

SEC. 604. INFORMATION COLLECTION.

After the date of issuance of the report required by section 603, the Secretary of Veterans Affairs shall, in consultation with the Assistant Secretary for Veterans' Employment and Training and the Administrator, engage in efforts each fiscal year to identify small business concerns owned and controlled by eligible veterans in the United States. The Secretary shall inform each small business concern identified under this section that information on Federal procurement is available from the Administrator.

SEC. 605. STATE OF SMALL BUSINESS REPORT.

Section 303(b) of the Small Business Economic Policy Act of 1980 (15 U.S.C. 631b(b)) is amended by striking ''and female-owned businesses'' and inserting '', female-owned, and veteran-owned businesses''.

SEC. 606. LOANS TO VETERANS.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by inserting after paragraph (7) the following:

''(8) The Administration is empowered to make loans under this subsection to small business concerns owned and controlled by disabled veterans. For purposes of this paragraph, the term 'disabled veteran' shall have the meaning such term has in section 4211(3) of title 38, United States Code.''.

SEC. 607. ENTREPRENEURIAL TRAINING, COUNSELING, AND MANAGEMENT ASSISTANCE.

The Administrator shall take such actions as may be necessary to ensure that small business concerns owned and controlled by eligible veterans have access to programs established under the Small Business Act which provide entrepreneurial training, business development assistance, counseling, and management assistance to small business concerns. Such programs include the Small Business Development Center, Small Business Institute, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE) programs.

SEC. 608. GRANTS FOR ELIGIBLE VETERANS OUTREACH PROGRAMS.

Section 8(b) of the Small Business Act (15 U.S.C. 637(b)) is amended—

(1) by striking ''and'' at the end of paragraph (15);

(2) by striking the period at the end of the first paragraph (16) and inserting ''; and'';

(3) by striking the second paragraph (16); and

(4) by adding at the end the following new paragraph:

''(17) to make grants to, and enter into contracts and cooperative agreements with, educational institutions, private businesses, veterans' nonprofit community-based organizations, and Federal, State, and local departments and agencies for the establishment and implementation of outreach programs for disabled veterans, as defined in section 4211(3) of title 38, United States Code.''.

SEC. 609. OUTREACH FOR ELIGIBLE VETERANS.

The Administrator, the Secretary of Veterans Affairs, and the Assistant Secretary of Labor for Veterans' Employment and Training shall develop and implement a program of comprehensive outreach to assist eligible veterans. Such outreach shall include business training and management assistance, employment and relocation counseling, and dissemination of information on veterans benefits and veterans entitlements.

TITLE VII—SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

SEC. 701. AMENDMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (b)(7), by inserting '', and the Committee on Science'' after ''of the Senate'';

(2) in subsection (e)(4)(A) by striking ''(ii)'';

(3) in subsection (e)(6)(B), by inserting ''agency'' after ''to meet particular'';

(4) in subsection (n)(1)(C), by striking ''and 1997'' and inserting in lieu thereof ''through 2000'';

(5) in subsection (o)—

(A) by redesignating paragraphs (8) through (11) as paragraphs (10) through (13), respectively; and

(B) by inserting after paragraph (7) the following new paragraphs:

''(8) include, as part of its annual performance plan as required by section 1115(a) and (b) of title 31, United States Code, a section on its STTR program, and shall submit such section to the Committee on Small Business of the Senate, and the Committee on Science and the Committee on Small Business of the House of Representatives;

''(9) collect such data from awardees as is necessary to assess STTR program outputs and outcomes;''; and

(6) by adding at the end the following new subsections:

''(s) OUTREACH PROGRAM.—Within 90 days after the date of the enactment of this subsection, the Administrator shall develop and begin implementation of an outreach program to encourage increased participation in the STTR program of small business concerns, universities, and other research institutions located in States in which the total number of STTR awards for the previous 2 fiscal years is less than 20.

''(t) INCLUSION IN STRATEGIC PLANS.—Program information relating to the SBIR and STTR programs shall be included by Federal agencies in any updates and revisions required under section 306(b) of title 5, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. TALENT] and the gentleman from New York [Mr. LAFALCE] each will control 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. TALENT].

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

The primary purpose of H.R. 2261 is to reauthorize the Small Business Administration and the programs which that agency manages by authority granted under the Small Business Act and the Small Business Investment Act through fiscal year 2000.

The committee regularly authorizes these programs for a 3-year period, with the last reauthorization occurring in 1994 during the 103d Congress. Programs include the financial programs of the SBA: the 7(a) general business loan guarantee, Section 504 Certified Development Company program, and other programs.

The programs of the SBA, Mr. Speaker, annually provide assistance to over 100,000 small businesses all across the United States. These financial programs remedy shortfalls in access to credit and capital for small businesses that are in need because of unfortunate imperfections in the national economy.

By assuring financial assistance for amounts as small as $500 to as much as $1,250,000, the SBA and its private sector partners, bank and non-bank lenders, surety bond insurers, et cetera, provide a vital impetus to the small business sector. The SBA also provides hundreds of millions of dollars in vital disaster assistance to small businesses and homeowners every year.

H.R. 2261 reflects the committee's dedication to and support for these programs and the belief that they are not only necessary but also constantly in need of refinement and improvement as the economy shifts and changes. The bill includes not only the basic reauthorization language necessary to continue regular operations but also changes to the underlying program structures.

The bill includes significant improvements in the Preferred Certified Lender Program of the Section 504 Certified Development Company Program. These changes serve to help implement the committee's goals of increased reliance on private sector lending partners. The committee seeks to both enable the CDC's to take additional responsibility for servicing, liquidation and litigation of defaulted loans, and to improve the recoveries for this program.

H.R. 2261 also continues the committee's work on improving the Small Business Investment Company Program. Last year this program underwent significant changes, and this year the committee seeks to build on those improvements by providing SBIC's with increased flexibility and some responsiveness in order to better allow the SBIC's to interact in the marketplace and thereby reduce risks of loss.

The measure before us has two additional components that were added to this legislation since our committee reported it. These additional elements have been added as a result of bipartisan efforts and, in fact, have involved the collective work of multiple committees. Title VI of H.R. 2261, as amended, contains a number of provisions which are designed to assist the Federal Government in better serving service disabled veterans and small businesses owned by service disabled veterans. These measures are the product of bipartisan efforts by myself and

the gentleman from New York [Mr. LAFALCE], the committee's ranking member, working together with the chairman of the Committee on Rules and the chairman of the Committee on Veterans' Affairs.

Title VII of this legislation is also the product of a bipartisan and multicommittee effort between the Committee on Small Business and the Committee on Science. Title VII contains H.R. 2429, as reported by the Committee on Science, which is a 3-year reauthorization of the Pilot Small Business Technology Transfer Program. Building upon the established model of the Small Business Innovation Research Program, the STTR program provides the statutory basis for structured collaborations between small technology entrepreneurs and nonprofit research institutions, such as universities or federally funded Research and Development Centers, to foster commercialization of the results of federally sponsored research.

Mr. Speaker, I urge my colleagues to support small business, the engine of our economy, by voting for this needed legislation.

Mr. Speaker I reserve the balance of my time.

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

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

Mr. LAFALCE. Mr. Speaker, I rise in strong support of H.R. 2261. I concur fully in the remarks of the gentleman from Missouri [Mr. TALENT], the distinguished chairman of the Committee on Small Business.

Mr. Speaker, I do not think it is necessary to reiterate the contents of this bill. Suffice it to say it is an important bill. The bill is a product of tremendous cooperation between the gentleman from Missouri [Mr. TALENT] and myself, between his staff and my staff, and amongst the various committees that were involved, too, the Committee on Rules, the Subcommittee on Technology, et cetera.

The gentleman from Missouri [Mr. TALENT] has shown excellence as chairman of the Committee on Small Business. He will do nothing but grow in that position and become even more excellent, but I hope he will yield that position unwillingly at the end of 1998.

Mr. Speaker, I rise in strong support of H.R. 2261. The bill, which was marked up by the Small Business Committee in late July, received broad bipartisan support and was unanimously adopted by the Small Business Committee. It reauthorizes and makes improvements to a number of excellent SBA programs that have always had, and today do have broad bipartisan support in this House.

The small business community has long been a key source of economic activity and a spur to job creation. But access to capital has been a recurrent problem. The programs of the SBA annually provide over $13 billion of financial assistance to over 100,000 small businesses, remedying shortfalls in access to credit and capital for small business.

By providing financial assistance for amounts as small as $500 to as much as $1,250,000, the SBA and its private sector partners—bank and non-bank lenders, surety bond insurers, certified development companies, microlenders, and small business investment companies—play a vital role for small businesses in this economy. The SBA is particularly successful because it relies mostly on private capital to provide financing to small businesses. In addition, the SBA has become more responsive to the needs of small businesses by creating loan programs geared to their special needs, including the LowDoc Program with reduced paperwork for smaller borrowers, the Export Working Capital Program for small business exporters, and the Microloan Program. Also, the SBA also provides millions of dollars in vital disaster assistance to small businesses and homeowners every year.

In addition, the SBA also provides counseling to small business owners. In fiscal year 1997, the agency has provided counseling and training to over 1 million of its small business clients through resource partners such as the Service Corps of Retired Executives [SCORE] and Small Business Development Centers [SBDC's].

These billions of dollars in assistance are provided at a total cost of $850 million for programs and salaries and expenses.

The bill reauthorizes the Small Business Administration's programs for 3 years, fiscal year 1998 through fiscal year 2000, and also makes significant improvements to them. The programs include the section 7(a) general business loan guarantee, the section 504 Certified Development Company [CDC], the Microloan, the Small Business Investment Company [SBIC], SBDC, and SCORE Programs. I would like to describe some of the bill's more important provisions.

Title I of the bill sets forth the authorization levels for the various SBA programs. For example, in fiscal year 1998, funding is provided to allow for $10 billion in guaranteed loans, with an increase to $11 billion in fiscal year 1999, and $13 billion in fiscal year 2000. Likewise the section 504 [CDC] program is authorized at $3 billion in fiscal year 1998, an increase of 340 million over current year levels, $3.5 billion in fiscal year 1991, and $4.5 billion in the year 2000. The bill authorizes increases in the Micro-loan Program, from increased technical assistance to more funds for guaranteed and direct loans.

Title II improves various financial assistance programs to make them more sound, by increasing funding from the private sector and effectively liquidating those loans which do fail.

In particular, title II makes significant improvements in the section 504 [CDC] program. It expands the program to qualify more Certified Development Companies [CDC's]; establishes loan loss reserves to preferred lender participants; authorizes participating CDC's to foreclose on, liquidate, and litigate on defaulted loans, which should free up SBA resources and substantially improve recovery rates for those loans which do fail; allows sellers of property to provide financing of up to 50 percent, as long as the seller is subordinate to the SBA's interest in the property; and prevents SBA from delaying loan approval due to environmental concerns, if a prospective borrower obtains a letter of nonliability from the EPA or a State environmental agency concerning any hazardous conditions and otherwise cooperates in remediation efforts.

Title II also makes several minor changes and reforms to the SBIC program. The bill would provide SBICs with greater flexibility and better access to financial markets and would improve the operations of SBA's investment division.

Finally, title II permanently authorizes the Microloan Program, changing it from a demonstration program, and extends the guaranteed Microloan Program by 3 years. This program provides loans of amounts below $25,000 and is designed to provide technical assistance, business counseling grants, and financial assistance to very small businesses, in particular startups and home-based businesses. The Microloan Program has made over 5,000 loans totaling over $60 million to small businesses since 1991.

In addition, the bill authorizes the SBA and its microlending partners to provide supplemental technical assistance in the form of transportation and child care assistance, to be paid from funds made available by other agencies. The House report on this bill reflected a concern expressed by two Democratic members, Messrs. BALDACCI and FLAKE, regarding the availability of transportation in economically depressed areas and the obstacles it poses to people looking for work. The committee encourages funding of for-profit and cooperative transportation businesses to provide links between these communities and job opportunities.

Title III of the bill expands on SBA's programs for Women's Business Enterprises, including Women Business Centers, the SBA's Office of Women's Business Ownership, and the Women's Business Council, an effective advocacy organization. I am especially pleased that this bill continues strong support for women's business efforts, including expanding the women's business center program, which provides seed funding for business training centers across the country and is one of the most successful programs which SBA operates. The bill establishes a funding formula for grantees receiving funds under this program, increasing the time to 5 years, but requiring an increasing number of non-Federal dollars for each Federal dollar, 2 non-Federal dollars for each Federal dollar in funding during years four and five, for example.

Title V contains miscellaneous provisions. For example, section 502 encourages SBA to develop and expand an international trade data network. This title also extends the Preferred Surety Bond Program through fiscal year 2000. And, section 506 directs SBA to coordinate its programs and offer specific assistance to small businesses that may have been adversely affected by NAFTA.

Chairman TALENT has included in the bill a manager's amendment, which includes, first, a technical amendment; second, provisions to require SBA to conduct a study on the small business needs of disabled veterans and to expand SBA outreach to such veterans; and third, a reauthorization for the Small Business Technology Transfer [STTR] Program. After negotiations with the Science Committee, Chairman TALENT and I agreed to a simple bill which reauthorizes the STTR program for 3 years. The bill, reported out by the Science Committee, does not in any way change the STTR program.

In summary, the bill will allow continuation of these current SBA programs, some of the

most effective business programs operated by the U.S. Government, and makes changes to improve their effectiveness for small businesses, while protecting the government's interest. I strongly urge an affirmative vote for H.R. 2261 today, so that we could go to conference before the financial assistance and other SBA programs expire on September 30. Finally, I want to thank Chairman TALENT and his staff for their cooperation in the process of coming up with this excellent bill.

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

Mr. TALENT. Mr. Speaker, I thank the gentleman for his kind comments, and I yield 2 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Speaker, as a former small businessman before entering Congress, I certainly recognize the importance of small business. My community in Florida, in Sarasota, is totally dependent on small business. And certainly the Small Business Administration does a lot of very fine things and should continue.

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I have some concerns, this being brought up under suspension, for a rather significant increase in money, and maybe I need to have explained to me a little bit more, because the total amount of money authorized is a significant increase over what is currently being appropriated, and I recognize this still has to go through the appropriation process, and as a member of the Committee on Appropriations, though not the subcommittee for small business, I will be able to follow this.

But under the 1997 bill, appropriation bill, we have an authorization or outlays of $820 million, and it is going to increase next year to $1.3 billion. So it is a rather significant increase that concerns me, that we are doing this under suspension, where we have no opportunity to offer amendments and question it. While there are many good programs, there have been concerns about set-aside issues also under the Small Business Administration.

So, I, or I think the gentleman from California [Mr. CONDIT], may be asking for a recorded vote because of concerns of bringing this under this particular suspension.

Mr. TALENT. Mr. Speaker, I yield myself such time as I may consume, and I appreciate the gentleman's comments.

Let me just say that if we take the reauthorization levels over the next 3 years, the authorization is not going up, it is going down. The bill does not mention or refer to any of the set-aside programs in the Small Business Administration, and that was done deliberately as a result of agreement between the gentleman and myself. In fact, this is one of the few major bills dealing with any of the agencies which does not mention any of the set-aside programs.

For example, we have voted on appropriations bills that have come out of the Committee on Appropriations, in which the gentleman serves, most of which have some kind of set-aside programs. We are debating right now the Commerce, State, and Justice appropriations bill which funds the Small Business Administration, including the 8(a) program which is a set-aside program, and that might be a good opportunity, if the gentleman wants to raise the point, to raise that whole issue. We have not done it here.

This is a bill which reauthorizes a number of important programs, including the disaster relief program. Members need to understand that if we do not pass this bill, that program will run out at the end of the fiscal year unless it is extended by a CR.

We are moving toward privatization of a number of these lending programs and greater efficiency in these programs. The gentleman knows that the appropriations for the SBA is going down, and I would expect that it would continue to go down under this authorization, and that is certainly my intention.

As for bringing up on suspension, we are getting near the end of the year. The bill came out unanimously from committee. It does an awful lot of good things, and up until the last few days nobody had raised any issues. I would maintain that the issue regarding set-asides is extraneous to this bill, although, of course, Members are entitled to conclude what they want.

So I hope the Members will support this, and I understand the issue regarding set-asides is a very important one. I feel strongly about it myself, but it is truly extraneous to this bill, and I would suggest that Members look for other vehicles if they do want to raise the issue.

Mr. LAFALCE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding this time to me, and there is an issue within this bill that I wanted to discuss, if I could, with both the chairman and the ranking member as it relates to the unsecuritized portion of 7(a) loans.

I am a former, I served on this committee in the last Congress, I do not serve on the committee in this Congress, and in the last Congress when we were working on this bill, the issue of certain SBA rules as it related to the unsecuritized portion of 7(a) loans came up.

I have a great deal of concern with the SBA and the direction that they are headed on this. I appreciate the fact that the bill, as I understand it, either asked or requires the SBA to address this issue within 90 days of enactment, and, if I could, during my time I would like to discuss this with both the chairman and the ranking member.

Mr. TALENT. Mr. Speaker, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Missouri.

Mr. TALENT. I would be happy to discuss this with the gentleman. This is the securitization the gentleman has been talking about?

Mr. BENTSEN. The gentleman is correct.

Mr. TALENT. Mr. Speaker, I appreciate the gentleman's good work on this.

The agency has had this issue, as the gentleman knows, since the bill we passed last year. I am hopeful that the agency can come up with a set of regulations that do advance the ability of both bank and nonbank lenders to securitize these on the secondary market as much as is consistent, of course, with sound lending practices, and I recognize the gentleman's background on that, and I am very pleased that he is working to midwife some acceptable compromise in that area.

Mr. BENTSEN. Also, reclaiming my time, I have been in some meetings with the SBA about this. I agree that we need to ensure that there are prudent lending standards that ensure the safety and soundness as it relates to the tax back guarantee of the 7(a) loans and how that relates to the unsecuritized portion.

I do have some concerns with what SBA has been proposing that may, in fact, go overboard and, in fact, may have additional motives beyond safety and soundness, which is what I think primarily the concern of the committee and House ought to be.

Mr. LAFALCE. Mr. Speaker, will the gentleman yield?

Mr. BENTSEN. I yield to my colleague from New York, who is also aware of this.

Mr. LAFALCE. Mr. Speaker, this is an issue that both the chairman and I have discussed at considerable length, we have discussed with representatives from the Small Business Administration, and I am concerned that we do not have some more definitive position coming from the SBA.

We had hoped in the last Congress that they would have promulgated definitive regulations by this time. But in consultation with them, I became concerned that they might be confusing their purposes, that they instead of focusing exclusively on securitization issues, on creditworthy issues and safety and soundness issues, et cetera, they might be focusing additionally on the issue of concentration of lending. And I think it is appropriate for them to focus on concentration of lending and do something about it, if it is necessary, but not within the context of securitization rules. They are totally separate and distinct. They should deal with securitization issues and promulgating securitization rules. They should deal with concentration issues by promulgating concentration rules if need be.

Further, there is clearly a distinction between insured depository institutions and nonbank lenders, and while we want rough parity, that does not mean that we must have identity of

treatment; at least that is my judgment, and of course it is up to the SBA to make their own independent judgment exclusively based upon their perception of the public interest.

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for his comment, and, reclaiming my time, I will just close by saying that we need and the SBA needs to understand that we are dealing with sophisticated markets here which are fairly transparent and that I would hope that we would continue to have as much efficiency as the chairman spoke about while maintaining and preserving safety and soundness.

And I also would like to say for Members of the House that I congratulate the chairman on this bill, I think, being his first major bill, his first time as chairman, and of course the ranking member, and I am in strong support of the legislation, and I appreciate the fact that it does address this issue.

Mr. LAFALCE. Mr. Speaker, I have no further requests for time, and therefore I yield back the balance of my time.

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

Mr. Speaker, I just want to say because I want to make sure I did not misspeak before, when we authorize these lending programs in this committee, the authorization level goes to the total amount of loans that are authorized; in other words, the total loan volume.

We do expect that as a result of the kinds of changes that are being instituted in the last few years and over at the agency the amount of loan volume that we will be able to support with current or less appropriations levels is going to go up. In other words, I anticipate that we will continue to reduce appropriations for the lending programs for this agency.

At the same time, I do expect that the loan volume is going to go up, so I think we are going to see appropriations going down; it is going down this year. This agency is more than going to do its part in terms of meeting a balanced budget, but I would expect the overall loan volumes, I hope that we can support with those appropriations, to go up.

Mr. SENSENBRENNER. Mr. Speaker, last week in a bipartisan effort, the Committee on Science favorably reported H.R. 2429, as amended, a bill to reauthorize the Small Business Technology Transfer Program [STTR] through fiscal year 2000. This week, the Committee on Science and the Committee on Small Business, again working in a bipartisan fashion, have agreed to incorporate H.R. 2429 into H.R. 2261, the Small Business Programs Reauthorization and Amendments Acts of 1997.

I would like to thank the ranking member of the Science committee, Mr. BROWN, the Subcommittee on Technology chairwoman, Mrs. MORELLA, and the ranking member of that subcommittee, Mr. GORDON, for their efforts to reauthorize STTR. I would also like to thank the chairman of the Committee on Small Business, Mr. TALENT, for the great cooperation he and all his staff have shown in working with the Science Committee to reauthorize STTR.

STTR was started as a pilot program in 1994. STTR was enacted to provide high technology, small businesses across the country an opportunity to receive Federal R&D funding for ideas that were originated in, and developed in cooperation with, nonprofit research institutions such as universities. It is financed by a 0.15 percent set-aside from the extramural R&D budgets of five agencies: the Department of Defense, the Department of Energy, the National Institutes of Health, the National Aeronautics and Space Administration, and the National Science Foundation.

These ideas are developed under STTR in three phases. Phase I is a 1-year grant of up to $100,000. It is primarily used to research the viability of a technology. After phase I, a company may apply for phase II funding. Phase II is a 2-year award, of up to $500,000. Phase II award winners will further develop the technology—with the goal of achieving phase III. Phase III is defined as commercialization of the technology, including use of the technology by the Government. STTR funds are not used for phase III.

H.R. 2429 will reauthorize STTR at its current set-aside of 0.15 percent through fiscal year 2000. The measure also makes some significant improvements to the program.

H.R. 2429 requires the STTR participating agencies to include STTR in their annual performance plans, as required by the Results Act. This plan will result in each agency defining program goals and setting out metrics to measure these goals. I believe that the plan will give Congress a clearer picture of the effectiveness of the STTR Program. In addition to the performance plan, H.R. 2429 requires each agency to include programs under 15 U.S.C. 638 in their strategic plan updates, again a requirement under the Results Act.

The STTR program has been criticized in some circles for the disparity of awards among States. To address this concern, H.R. 2429 mandates the Small Business Administration to develop an outreach program for small businesses and universities from States that have not received 20 or more STTR or Small Business Innovation Research [SBIR] awards in the previous 2 fiscal years. I do not favor mandating a set-aside for these States, but I do believe that through this program we will see an increase in the number of award applications, which should serve to strengthen STTR.

Finally, H.R. 2429 assures that the Committee on Science will be added to the list of committee's receiving the Small Business Administration's annual report on the STTR and SBIR Programs.

I am pleased that H.R. 2429 will be incorporated in its totality into H.R. 2261. It is also my understanding that the Committee on Science will have an equal number of conferees as the Small Business Committee on the STTR provision, when and if conference occurs with the Senate. I look forward to working with the Small Business Committee in representing the House position on the STTR Program.

Mr. WEYGAND. Mr. Speaker, I rise in support of H.R. 2261, the Small Business Programs Reauthorization and Amendments Act of 1997. First, I would like to thank Chairman TALENT and Mr. LAFALCE for their leadership and for producing a bill that will undoubtedly benefit all small businesses. This bill reauthorizes the Small Business Administration and its programs which provide access to capital and services that might not otherwise be available to small business owners.

To highlight the SBA's importance, I would like too showcase what the SBA is doing in my district, in Rhode Island. Over the past 4 years there have been significant increases in the number of Small Business Administration loans awarded. In fact the number of loans has more than doubled. In 1993, there were 115 approved loans totaling $32.6 million, in 1996, there were 292 loans totaling $53.3 million.

Importantly, in my district alone there have been dramatic improvements in access to capital for women, minorities, and veterans. In 1993, there were 8 loans to minorities, 17 to women, and 14 to veterans. In 1996, we had 16 loans to minorities, 40 to women, and 46 to veterans. That is, nearly 35 percent of all approved SBA loans are going to these three groups. By reauthorizing these programs we will continue to provide the access to capital that those groups need allowing us to expand opportunities to women, minorities, and veterans.

I cannot overstate the impact of small business on Rhode Island's economy. Approximately 97 percent of all businesses in Rhode Island are classified as small businesses. These companies employ thousands of Rhode Islanders and provide the economic foundation of my State and our country. Small businesses play a vital role in job creation and provide endless opportunities for our citizens.

Along with the financial programs, the SBA provides services to assist business owners in becoming or remaining successful. Once a business has a loan we must make sure that the business stays healthy and profitable enough to repay that loan. Services provided by programs such as Small Business Development Centers, Service Corps of Retired Entrepreneurs, Business Information Centers, Minority Enterprise Development program, and Women's Business Enterprise program supply information and counseling services to business owners. These services are invaluable to the smallest businesses who do not have the budgets to hire high-priced consultants.

Small businesses are the backbone of our economy. They account for 53 percent of the Nation's private workforce. Small businesses generate more than 50 percent of the gross domestic product and are the primary source growth across the country. We, as leaders, must do all we can to foster and encourage the development and growth of small businesses and this bill moves us in that direction. This bill will allow us to continue to support existing small businesses and encourage the development of new ones, both in Rhode Island and across the country. I urge my colleagues to support it.

Mr. TALENT. Mr. Speaker, the primary purpose of H.R. 2261 is to reauthorize the Small Business Administration [SBA] and the programs which that agency manages by authority granted under the Small Business Act and the Small Business Investment Act through fiscal year 2000. The committee regularly authorizes these programs for a 3-year period, with the last reauthorization occurring in 1994 during the 103d Congress. The programs include the financial programs of the SBA: the 7(a) general business loan guarantee program, the Section 504 Certified Development

Company program, the Microloan program and the Small Business Investment Company [SBIC] program.

In addition, the bill will reauthorize the technical assistance and procurement programs of the SBA—the Service Core of Retired Executives [SCORES], the Women's Business Center program, the Small Business Development Center [SBDC] program, the Competitiveness Demonstration program, and other.

This legislation also changes and improves various programs, specifically modifying the Section 504 Preferred Certified Lender Program [PCLP], the SBIC program, the Women's Business Center program, and the SBDC program.

The programs of the Small Business Administration annually provide over $14 billion of financial assistance to over 100,000 small businesses all across the United States. These financial programs remedy shortfalls in access to credit and capital for small businesses that are in need because of unfortunate imperfections in our national economy. By assuring financial assistance for amounts as small as $500 to as much as $1,250,000, the SBA and its private sector partners—bank and nonbank lenders, surety bond insurers, certified development companies, microlenders, and small business investment companies—provide a vital impetus to the small business sector of the economy. The SBA also provides hundreds of millions of dollars in vital disaster assistance to small businesses and homeowners every year.

H.R. 2261 reflects the committee's dedication to and support for these programs and the belief that they are not only necessary but also constantly in need of refinement and improvement as the economy shifts and changes. The bill includes not only the basic reauthorization language necessary to continue regular operations but also changes to the underlying program structures.

The bill includes significant improvements in the Preferred Certified Lender Program of the Section 504 Certified Development Company Program. These changes serve to help implement the committee's goals of increased reliance on private sector lending partners. The committee seeks to both enable the certified development companies to take additional responsibility for servicing, liquidation, and litigation of defaulted loans, and to improve the recoveries for this program.

Committee hearings revealed that recoveries are, in fact, the largest single factor in the increased subsidy cost of the 504 program. The committee continues to be concerned over the subsidy estimates for the 7(a) and 504 programs and makes these changes in the 504 program in order to encourage private sector participation in the liquidation process.

H.R. 2261 also continues the committee's work on improving the Small Business Investment Company program. Last year this program underwent significant changes, and this year the committee seeks to build on those improvements by providing SBIC's with increased flexibility and some responsiveness in order to better allow the SBIC's to interact in the marketplace and thereby reduce risks of loss.

The bill also reauthorizes and improves the Microloan program. Begun in 1991, this program has served the smallest and often least noticed segment of the small business community. The committee has recognized the efficacy of this program and changed it from demonstration to permanent program status.

In addition to financial assistance, the SBA also provides technical and managerial advice and assistance to hundreds of thousands of small businesses every year through the small business development centers, the women's business centers, and the Service Corps of Retired Executives. The committee reauthorizes these programs in H.R. 2261 and makes some valuable improvements to both the Women's Business Center and Small Business Development Center programs.

The measure before us has two additional components that were added to this legislation since our committee reported it. These additional elements have been added as a result of bipartisan efforts; and, in fact, have involved the collective work of multiple committees. Title VI of H.R. 2261, as amended, contains a number of provisions which are designed to assist the Federal Government in better serving service disabled veterans and small businesses owned by service disabled veterans. These measures are the product of bipartisan efforts by myself and our committee's ranking member, working together with the chairman of the Rules Committee and the chairman of the Committee on Veterans' Affairs.

Title VII of this legislation is also the product of a bipartisan and multicommittee effort between the Small Business Committee and the Science Committee. Title VII contains H.R. 2429, as reported by the Committee on Science, which is a 3-year reauthorization of the Pilot Small Business Technology Transfer [STTR] program. Building upon the established model of the Small Business Innovation Research [SBIR] program, the STTR Program provides the statutory basis for structured collaborations between small technology entrepreneurs and nonprofit research institutions, such as universities or Federal-funded research and development centers [FFRDC's], to foster commercialization of the results of federally sponsored research.

Mr. Speaker, H.R. 2261 is the product of bipartisan efforts in our committee to reauthorize the Small Business Administration through fiscal year 2000. It also reflects the efforts of other individuals and committees and their staffs. I would like to thank Mr. SENSENBRENNER, the chairman of the Committee on Science, and Mr. BROWN, his ranking member, for their work on H.R. 2429, which has become title VII of this legislation. I would also like to express my appreciation to their staff who worked on this. I would also like to thank Mr. STUMP, the chairman of the Veterans' Affairs Committee, and Mr. SOLOMON, the chairman of the Rules Committee, along with their staffs, for their help in working on title VI of this legislation. I would also like to thank our committee's ranking member, Mr. LAFALCE, for all of his help in helping to craft this legislation and assisting in bringing it to this floor. Finally, I would like to acknowledge the Small Business Committee staff who worked on this legislation: Emily Murphy, Mary McKenzie, Charles ''Tee'' Rowe, and Harry Katrichis for the majority, and Jeanne Roslanowick, Steve McSpadden, and Tom Powers for the minority.

I urge my colleagues to vote for this important legislation.

Mrs. MORELLA. Mr. Speaker, I am delighted that the bipartisan bill H.R. 2429 will be included as an amendment to the small business reauthorization bill. I would like to thank Chairman SENSENBRENNER; ranking member, Mr. BROWN; the ranking member of the Subcommittee on Technology, Mr. GORDON; Mr. BARTLETT, as well as the other members from the Committee on Small Business who have cosponsored H.R. 2429.

The STTR program expires on September 30th of this year. H.R. 2429 will reauthorize STTR at its current set-aside level through fiscal year 2000. This will put STTR on the same timeline as its parent program, the Small Business Innovation Research Program.

STTR fosters collaboration between small businesses and research institutions to develop high-technology projects that can one day reach the marketplace or be used by the Federal Government. Since its inception, STTR has made nearly 800 awards totaling over $115 million. Of those totals, 42 awards for $4.8 million have gone to Maryland small businesses.

As Chairman SENSENBRENNER has stated, H.R. 2429 addresses some important concerns regarding the STTR Program, including establishing goals for the program, and establishing an outreach program to increase the participation of those states that have been under-represented in the STTR Program.

STTR began in 1994. Very few ideas have even reached the phase II level. Because of its infancy, it was difficult to determine whether STTR was a success or not. I hope that—with the changes made by H.R. 2429—along with 3 more years of data, Congress will have a better idea of the effectiveness and success of the program when its reauthorization expires in the year 2000.

Mr. TALENT. I have no further speakers on this side, Mr. Speaker, and so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. TALENT] that the House suspend the rules and pass the bill, H.R. 2261, as amended.

The question was taken.

Mr. MILLER of Florida. 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, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. TALENT. 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. 2261, the bill just considered

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHILD SUPPORT INCENTIVE ACT OF 1997

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2487) 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, as amended.

The Clerk read as follows:

H.R. 2487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Support Incentive Act of 1997''.

SEC. 2. INCENTIVE PAYMENTS TO STATES.

(a) IN GENERAL.—Part D of title IV of the Social Security Act (42 U.S.C. 651–669) is amended by inserting after section 458 the following:

''SEC. 458A. INCENTIVE PAYMENTS TO STATES.

''(a) IN GENERAL.—In addition to any other payment under this part, the Secretary shall, subject to subsection (f), make an incentive payment to each State for each fiscal year in an amount determined under subsection (b).

''(b) AMOUNT OF INCENTIVE PAYMENT.—

''(1) IN GENERAL.—The incentive payment for a State for a fiscal year is equal to the sum of the applicable percentages (determined in accordance with paragraph (3)) of the maximum incentive amount for the State for the fiscal year, with respect to each of the following measures of State performance for the fiscal year:

''(A) The paternity establishment performance level.

''(B) The support order performance level.

''(C) The current payment performance level.

''(D) The arrearage payment performance level.

''(E) The cost-effectiveness performance level.

''(2) MAXIMUM INCENTIVE AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (1), the maximum incentive amount for a State for a fiscal year is—

''(i) with respect to the performance measures described in subparagraphs (A), (B), and (C) of paragraph (1), 0.49 percent of the State collections base for the fiscal year; and

''(ii) with respect to the performance measures described in subparagraphs (D) and (E) of paragraph (1), 0.37 percent of the State collections base for the fiscal year.

''(B) DATA USED TO CALCULATE RATIOS REQUIRED TO BE COMPLETE AND RELIABLE.—Notwithstanding subparagraph (A), the maximum incentive amount for a State for a fiscal year with respect to a performance measure described in paragraph (1) is zero, unless the Secretary determines, on the basis of an audit performed under section 452(a)(4)(C)(i), that the data which the State submitted pursuant to section 454(15)(B) for the fiscal year and which is used to determine the performance level involved is complete and reliable.

''(C) STATE COLLECTIONS BASE.—For purposes of subparagraph (A), the State collections base for a fiscal year is equal to the sum of—

''(i) 2 times the sum of—

''(I) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved is required to be assigned to the State pursuant to part A or E of this title or title XIX; and

''(II) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved was so assigned but, at the time of collection, is not required to be so assigned; and

''(ii) the total amount of support collected during the fiscal year under the State plan approved under this part in all other cases.

''(3) DETERMINATION OF APPLICABLE PERCENTAGES BASED ON PERFORMANCE LEVELS.—

''(A) PATERNITY ESTABLISHMENT.—

''(i) DETERMINATION OF PATERNITY ESTABLISHMENT PERFORMANCE LEVEL.—The paternity establishment performance level for a State for a fiscal year is, at the option of the State, the IV-D paternity establishment percentage determined under section 452(g)(2)(A) or the statewide paternity establishment percentage determined under section 452(g)(2)(B).

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's paternity establishment performance level is as follows:

''If the paternity establishment performance level is:		***The applicable percentage is:***
At least:	***But less than:***	
80%		*100*
79%	*80%*	*98*
78%	*79%*	*96*
77%	*78%*	*94*
76%	*77%*	*92*
75%	*76%*	*90*
74%	*75%*	*88*
73%	*74%*	*86*
72%	*73%*	*84*
71%	*72%*	*82*
70%	*71%*	*80*
69%	*70%*	*79*
68%	*69%*	*78*
67%	*68%*	*77*
66%	*67%*	*76*
65%	*66%*	*75*
64%	*65%*	*74*
63%	*64%*	*73*
62%	*63%*	*72*
61%	*62%*	*71*
60%	*61%*	*70*
59%	*60%*	*69*
58%	*59%*	*68*
57%	*58%*	*67*
56%	*57%*	*66*
55%	*56%*	*65*
54%	*55%*	*64*
53%	*54%*	*63*
52%	*53%*	*62*
51%	*52%*	*61*
50%	*51%*	*60*
0%	*50%*	*0.*

Notwithstanding the preceding sentence, if the paternity establishment performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 10 percentage points the paternity establishment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's paternity establishment performance level is 50 percent.

''(B) ESTABLISHMENT OF CHILD SUPPORT ORDERS.—

''(i) DETERMINATION OF SUPPORT ORDER PERFORMANCE LEVEL.—The support order performance level for a State for a fiscal year is the percentage of the total number of cases under the State plan approved under this part in which there is a support order during the fiscal year.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's support order performance level is as follows:

''If the support order performance level is:		***The applicable percentage is:***
At least:	***But less than:***	
80%		*100*
79%	*80%*	*98*
78%	*79%*	*96*
77%	*78%*	*94*
76%	*77%*	*92*
75%	*76%*	*90*
74%	*75%*	*88*
73%	*74%*	*86*
72%	*73%*	*84*
71%	*72%*	*82*
70%	*71%*	*80*
69%	*70%*	*79*
68%	*69%*	*78*
67%	*68%*	*77*
66%	*67%*	*76*
65%	*66%*	*75*
64%	*65%*	*74*
63%	*64%*	*73*
62%	*63%*	*72*
61%	*62%*	*71*
60%	*61%*	*70*
59%	*60%*	*69*
58%	*59%*	*68*
57%	*58%*	*67*
56%	*57%*	*66*
55%	*56%*	*65*
54%	*55%*	*64*
53%	*54%*	*63*
52%	*53%*	*62*
51%	*52%*	*61*
50%	*51%*	*60*
0%	*50%*	*0.*

Notwithstanding the preceding sentence, if the support order performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 5 percentage points the support order performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's support order performance level is 50 percent.

''(C) COLLECTIONS ON CURRENT CHILD SUPPORT DUE.—

''(i) DETERMINATION OF CURRENT PAYMENT PERFORMANCE LEVEL.—The current payment performance level for a State for a fiscal year is equal to the total amount of current support collected during the fiscal year under the State plan approved under this part divided by the total amount of current support owed during the fiscal year in all cases under the State plan, expressed as a percentage.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's current payment performance level is as follows:

''If the current payment performance level is:		***The applicable percentage is:***
At least:	***But less than:***	
80%		*100*
79%	*80%*	*98*
78%	*79%*	*96*
77%	*78%*	*94*
76%	*77%*	*92*
75%	*76%*	*90*
74%	*75%*	*88*
73%	*74%*	*86*
72%	*73%*	*84*
71%	*72%*	*82*
70%	*71%*	*80*
69%	*70%*	*79*
68%	*69%*	*78*
67%	*68%*	*77*
66%	*67%*	*76*
65%	*66%*	*75*
64%	*65%*	*74*
63%	*64%*	*73*
62%	*63%*	*72*
61%	*62%*	*71*
60%	*61%*	*70*
59%	*60%*	*69*
58%	*59%*	*68*
57%	*58%*	*67*
56%	*57%*	*66*
55%	*56%*	*65*
54%	*55%*	*64*
53%	*54%*	*63*
52%	*53%*	*62*
51%	*52%*	*61*
50%	*51%*	*60*
49%	*50%*	*59*
48%	*49%*	*58*
47%	*48%*	*57*
46%	*47%*	*56*
45%	*46%*	*55*
44%	*45%*	*54*
43%	*44%*	*53*
42%	*43%*	*52*
41%	*42%*	*51*
40%	*41%*	*50*
0%	*40%*	*0.*

Notwithstanding the preceding sentence, if the current payment performance level of a State for a fiscal year is less than 40 percent but exceeds

by at least 5 percentage points the current payment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's current payment performance level is 50 percent.

''(D) COLLECTIONS ON CHILD SUPPORT ARREARAGES.—

''(i) DETERMINATION OF ARREARAGE PAYMENT PERFORMANCE LEVEL.—The arrearage payment performance level for a State for a fiscal year is equal to the total number of cases under the State plan approved under this part in which payments of past-due child support were received during the fiscal year and part or all of the payments were distributed to the family to whom the past-due child support was owed (or, if all past-due child support owed to the family was, at the time of receipt, subject to an assignment to the State, part or all of the payments were retained by the State) divided by the total number of cases under the State plan in which there is past-due child support, expressed as a percentage.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's arrearage payment performance level is as follows:

''If the arrearage payment performance level is:		The applicable percentage is:
At least:	But less than:	
80%		100
79%	80%	98
78%	79%	96
77%	78%	94
76%	77%	92
75%	76%	90
74%	75%	88
73%	74%	86
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
49%	50%	59
48%	49%	58
47%	48%	57
46%	47%	56
45%	46%	55
44%	45%	54
43%	44%	53
42%	43%	52
41%	42%	51
40%	41%	50
0%	40%	0.

Notwithstanding the preceding sentence, if the arrearage payment performance level of a State for a fiscal year is less than 40 percent but exceeds by at least 5 percentage points the arrearage payment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's arrearage payment performance level is 50 percent.

''(E) COST-EFFECTIVENESS.—

''(i) DETERMINATION OF COST-EFFECTIVENESS PERFORMANCE LEVEL.—The cost-effectiveness performance level for a State for a fiscal year is equal to the total amount collected during the fiscal year under the State plan approved under this part divided by the total amount expended during the fiscal year under the State plan, expressed as a ratio.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's cost-effectiveness performance level is as follows:

''If the cost effectiveness performance level is:		The applicable percentage is:
At least:	But less than:	
5.00		100
4.50	4.99	90
4.00	4.50	80
3.50	4.00	70
3.00	3.50	60
2.50	3.00	50
2.00	2.50	40
0.00	2.00	0.

''(c) TREATMENT OF INTERSTATE COLLECTIONS.—In computing incentive payments under this section, support which is collected by a State at the request of another State shall be treated as having been collected in full by both States, and any amounts expended by a State in carrying out a special project assisted under section 455(e) shall be excluded.

''(d) ADMINISTRATIVE PROVISIONS.—The amounts of the incentive payments to be made to the States under this section for a fiscal year shall be estimated by the Secretary at or before the beginning of the fiscal year on the basis of the best information available. The Secretary shall make the payments for the fiscal year, on a quarterly basis (with each quarterly payment being made no later than the beginning of the quarter involved), in the amounts so estimated, reduced or increased to the extent of any overpayments or underpayments which the Secretary determines were made under this section to the States involved for prior periods and with respect to which adjustment has not already been made under this subsection. Upon the making of any estimate by the Secretary under the preceding sentence, any appropriations available for payments under this section are deemed obligated.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary governing the calculation of incentive payments under this section, including directions for excluding from the calculations certain closed cases and cases over which the States do not have jurisdiction.

''(f) REINVESTMENT.—A State to which a payment is made under this section shall expend the full amount of the payment—

''(1) to carry out the State plan approved under this part; or

''(2) for any activity (including cost-effective contracts with local agencies) approved by the Secretary, whether or not the expenditures for which are eligible for reimbursement under this part, which may contribute to improving the effectiveness or efficiency of the State program operated under this part.''.

(b) TRANSITION RULE.—Notwithstanding any other provision of law—

(1) for fiscal year 2000, the Secretary shall reduce by ⅓ the amount otherwise payable to a State under section 458, and shall reduce by ⅔ the amount otherwise payable to a State under section 458A; and

(2) for fiscal year 2001, the Secretary shall reduce by ⅔ the amount otherwise payable to a State under section 458, and shall reduce by ⅓ the amount otherwise payable to a State under section 458A.

(c) REGULATIONS.—Within 9 months after the date of the enactment of this section, the Secretary of Health and Human Services shall prescribe regulations governing the implementation of section 458A of the Social Security Act when such section takes effect and the implementation of subsection (b) of this section.

(d) STUDIES.—

(1) GENERAL REVIEW OF NEW INCENTIVE PAYMENT SYSTEM.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study of the implementation of the incentive payment system established by section 458A of the Social Security Act, in order to identify the problems and successes of the system.

(B) REPORTS TO THE CONGRESS.—

(i) REPORT ON VARIATIONS IN STATE PERFORMANCE ATTRIBUTABLE TO DEMOGRAPHIC VARIABLES.—Not later than October 1, 2000, the Secretary shall submit to the Congress a report that identifies any demographic or economic variables that account for differences in the performance levels achieved by the States with respect to the performance measures used in the system, and contains the recommendations of the Secretary for such adjustments to the system as may be necessary to ensure that the relative performance of States is measured from a baseline that takes account of any such variables.

(ii) INTERIM REPORT.—Not later than March 1, 2001, the Secretary shall submit to the Congress an interim report that contains the findings of the study required by subparagraph (A).

(iii) FINAL REPORT.—Not later than October 1, 2003, the Secretary shall submit to the Congress a final report that contains the final findings of the study required by subparagraph (A). The report shall include any recommendations for changes in the system that the Secretary determines would improve the operation of the child support enforcement program.

(2) DEVELOPMENT OF MEDICAL SUPPORT INCENTIVE.—

(A) IN GENERAL.—The Secretary of Health and Human Services, in consultation with State directors of programs operated under part D of title IV of the Social Security Act and representatives of children potentially eligible for medical support, shall develop a performance measure based on the effectiveness of States in establishing and enforcing medical support obligations, and shall make recommendations for the incorporation of the measure, in a revenue neutral manner, into the incentive payment system established by section 458A of the Social Security Act.

(B) REPORT.—Not later than October 1, 1999, the Secretary shall submit to the Congress a report that describes the performance measure and contains the recommendations required by subparagraph (A).

(e) TECHNICAL AMENDMENTS.—

(1) IN GENERAL.—Section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 658 note) is amended—

(A) by striking subsection (a) and redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively; and

(B) in subsection (c) (as so redesignated)—

(i) by striking paragraph (1) and inserting the following:

''(1) CONFORMING AMENDMENTS TO PRESENT SYSTEM.—The amendments made by subsection (a) of this section shall become effective with respect to a State as of the date the amendments made by section 103(a) (without regard to section 116(a)(2)) first apply to the State.''; and

(ii) in paragraph (2), by striking ''(c)'' and inserting ''(b)''.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(f) ELIMINATION OF PREDECESSOR INCENTIVE PAYMENT SYSTEM.—

(1) REPEAL.—Section 458 of the Social Security Act (42 U.S.C. 658) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 458A of the Social Security Act (42 U.S.C. 658a) is redesignated as section 458.

(B) Subsection (d)(1) of this section is amended by striking ''458A'' and inserting ''458''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2001.

(g) GENERAL EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments

made by this section shall take effect on October 1, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] each will control 20 minutes.

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

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2487.

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

There was no objection.

Mr. SHAW. Mr. Speaker, the Federal Government now spends nearly half a billion dollars per year providing the States with incentive payments for good performance in collecting child support, but the current system has serious deficiencies.

The Federal Government provides more than half the incentive money virtually without regard to performance. Even worse, although many States have poor child support programs, current laws allow States to use the incentive payment as a kind of kitty for the State treasury. Thus, money that should be used to improve child support programs is used by some States to build roads and bridges.

The new system we are considering today, based on work by the administration, directors of State and child support programs, and a bipartisan coalition headed by the gentleman from Michigan [Mr. LEVIN] and me, solves both of these problems and more. Under this bill, which was approved unanimously by the Committee on Ways and Means, every penny of the incentive money will be based on performance and States can use the money only on child support activities.

The new incentive system created by this legislation is simply one more tool that Congress has enacted to improve the performance of the Federal-State child support program. Many other tools are just now being put in place by State governments as required under last year's welfare reform law.

Once all of last year's reforms are in place and once the new incentive program begins to reward high-performance States, I believe we will see a steady improvement in the child support program as more and more single-parent families and children receive sorely needed cash and medical support. Perhaps of the greatest importance, many hundreds of thousands of those helped will be single parents struggling to leave welfare and to stay off of welfare.

This bill enjoys bipartisan support and was developed in close cooperation with the administration. The reforms made by this bill will greatly improve the child support program. Let us bring this bill out of the House with a resounding voice so that the Nation's children can start getting the financial support they need and deserve.

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

□ 1330

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

I want to thank the gentleman from Florida [Mr. SHAW], and I wish to express my appreciation for the bipartisan spirit with which this important piece of legislation has been developed. I would also like to congratulate the administration, HHS, Secretary Shalala and all of her staff, and I would like to congratulate the staffs of our committee, Dr. Haskins, who is here, Deborah Colton, who is on the floor with us, my own staff, as well as others, because today we are poised to take an important next step in our continuing efforts to assure that every kid in this country is supported by both parents. A job that pays a living wage is one component of self-sufficiency for families, and for single parents, a child support order and a noncustodial parent who supports the family every month can be equally important.

Last year we devoted considerable time and attention to one aspect of assuring the financial security of America's children: making work a central element of our Nation's welfare laws. After all, a job paying a living wage is probably the most important component of self-sufficiency for families on welfare.

Another essential part of welfare reform is child support. It sends a message of responsibility to both parents and it is a vital part of moving families toward work and self-sufficiency.

We have seen some progress since the 1970's when Congress began to insist that States give priority to child support enforcement. Collections have risen from $1 billion a year to more than $11 billion in 1995; and in that same year, more than 5 million parents were located and paternity was established for over 600,000 children.

But that is not good enough. Of the 9.9 million female-headed families in 1991 eligible for child support, only 56 percent had child support orders. That means that 4.5 million families did not even have an order to enforce. Those with child support orders were not always much better off. Only about half of those due money from a noncustodial parent actually received 100 percent of their court-ordered child support payments.

Well, in the mid-1980's when we designed the current incentive system, we did the best we could with limited information available to us. But now, after nearly a decade of experience, we are in a position to create a more sophisticated system that truly rewards performance.

The new system will reward States with incentive funds based on the State's performance in 5 essential areas: establishment of paternity; establishment of child support orders; collection on current child support owed; collection on previously or past due child support owed; and cost-effectiveness. These measures will more accurately reflect the true performance of the States and their success in helping families achieve self-sufficiency.

To be sure, a wholesale change of this magnitude may be a bit daunting to States because of the uncertainty of the size of incentive payments coupled with the dramatic changes our entire welfare system is undergoing. But before we conclude that some States may lose Federal funds under this new system, let us remember that it will be several years before the new incentives are fully implemented, and the goal is for all States to continue working and to qualify for the new incentives.

In the past decade, we have made progress, but as said, much more remains to be done, and as the gentleman from Florida [Mr. SHAW], has said so well throughout these proceedings, this bill can help.

Our legislation redesigns the financing of the child support program to reward those States that perform best. We fine-tune the incentive payments we make to the States so that those States that operate a balanced and efficient program are rewarded, and we phase in the new system, and that should be emphasized, to minimize any disruptions at the State level.

This bill is a bipartisan product. It is truly a consensus proposal, and I am sure that the gentleman from Florida [Mr. SHAW] and all of the Members of our committee, and I think the House today, will join in expressing this hope, that we will not only pass this bill in this House but the Senate will act on it before it adjourns for the year.

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

Mr. SHAW. Mr. Speaker, I do not have any further requests for time, and I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. SHAW] that the House suspend the rules and pass the bill, H.R. 2487, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SECURITIES AND EXCHANGE COMMISSION AUTHORIZATION, FISCAL YEARS 1998 AND 1999

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1262) to authorize appropriations for the Securities and Exchange Commission for fiscal years 1998 and 1999, and for other purposes.

The Clerk read as follows:

H.R. 1262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securities and Exchange Commission Authorization Act of 1997''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 35 of the Securities Exchange Act of 1934 (15 U.S.C. 78kk) is amended to read as follows:

''SEC. 35. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—In addition to any other funds authorized to be appropriated to the Commission, there are authorized to be appropriated to carry out the functions, powers, and duties of the Commission—

''(1) $320,000,000 for fiscal year 1998; and

''(2) $342,700,000 for fiscal year 1999.

''(b) MISCELLANEOUS EXPENSES.—Funds appropriated pursuant to this section are authorized to be expended—

''(1) not to exceed $3,000 per fiscal year, for official reception and representation expenses;

''(2) not to exceed $10,000 per fiscal year, for funding a permanent secretariat for the International Organization of Securities Commissions; and

''(3) not to exceed $100,000 per fiscal year, for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives, and staff to exchange views concerning developments relating to securities matters, for development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings, including—

''(A) such incidental expenses as meals taken in the course of such attendance;

''(B) any travel or transportation to or from such meetings; and

''(C) any other related lodging or subsistence.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. OXLEY] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

(Mr. OXLEY asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. OXLEY. Mr. Speaker I yield myself such time as I may consume.

Mr. Speaker, I am pleased to be a sponsor of the legislation before us today which will authorize the Securities and Exchange Commission for appropriations for fiscal years 1998 and 1999.

The capital markets of this Nation are expanding at an unprecedented rate. The broad spectrum of investors that these markets attract, individual Americans saving through mutual fund investments, institutional investors like pension funds, venture capitalists and more, are fueling the growth of our economy. Last year, $50 billion was raised for new businesses through our capital markets. Today, mutual fund assets, at a record $3.7 trillion, surpass bank deposits by more than $1 trillion.

As our markets are expanding, they are also developing. The astonishing advancements in technology in recent years are creating new mechanisms for investors to access our markets and to obtain better, faster information about market activity.

Against this backdrop, this legislation takes on increased significance. The Securities and Exchange Commission is, indeed, the investor's advocate. The growth and success of our great capital markets is dependent upon their fundamental fairness. The Securities and Exchange Commission has demonstrated its commitment to ensure that the fairness of our markets is not compromised. Investors around the world come to the U.S. markets in no small part because of the confidence they have in that basic fairness.

Our capital markets rely upon not only investor confidence, but also the extraordinary ingenuity that has spurred the markets' development. It is essential that in regulating these markets, we do not stifle them. Chairman Arthur Levitt and the Commission are to be commended for initiating regulatory changes to facilitate the ability of companies to raise capital. They have eliminated unnecessary regulations, liberalized exemptions for all business, streamlined filing requirements, and promoted the use of something we are often in dire need of here on Capitol Hill: good old plain English. Reduction of regulatory burdens has aided the tremendous growth of our markets, and I intend to ensure that regulation continues to become less intrusive, less expensive, more flexible and more sensible.

H.R. 1262, the Securities and Exchange Commission Authorization Act of 1997, authorizes $320 million for fiscal year 1998 and $342 million for fiscal year 1999. The authorization for fiscal year 1998 is essentially flat from the current year. The increase of approximately $22 million for the 1999 appropriation will provide the Commission with necessary resources to manage the growth and development of our capital markets.

Importantly, this legislation is consistent with the provisions of the fee reduction agreement among the gentleman from Virginia [Mr. BLILEY] of the Committee on Commerce, the gentleman from Texas [Mr. ARCHER] of the Committee on Ways and Means, and the gentleman from Kentucky [Mr. ROGERS] of the Committee on Appropriations, as enacted in the National Securities Markets Improvement Act of 1996. Through this agreement, the fees that the Commission receives will gradually be reduced, while the funding for the Commission will be increasingly provided through an appropriation.

I am pleased to have sponsored H.R. 1262 and to be joined by my friends, the gentleman from Virginia [Mr. BLILEY], the gentleman from Michigan [Mr. DINGELL], the gentleman from New York, [Mr. MANTON], and the gentleman from Massachusetts [Mr. MARKEY], as cosponsors. This legislation is as necessary for the economy as it is for investors, and I urge all of my colleagues to join us with their support.

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

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

Mr. Speaker, I am pleased to join my colleague, the gentleman from Ohio [Mr. OXLEY], in support of this legislation. Over the years, the SEC has proven to be an efficient and effective regulator of our securities markets, despite having both limited resources and personnel. The funding authorized by this legislation will enable the SEC to continue to fulfill its dual objectives of both protecting investors and assuring fair and orderly markets.

As a representative from the great State of New York, home to the largest financial markets in the world, I am particularly appreciative of the indispensable role the Commission performs in maintaining the strength and integrity of our markets. The importance of this industry to the city and State cannot be overestimated. The exchanges and financial institutions provide enormous tax revenue and also jobs for thousands of New Yorkers. In fact, last year alone record profits on Wall Street resulted in more than $450 million in unanticipated tax revenue for the city.

Over the last several years, millions of Americans have flooded the securities market, resulting in record-breaking highs on major indices. The SEC serves as police and protector for average investors by guarding against fraud and manipulation. This is especially necessary at present when so many people rely on stability and fairness of our markets.

The SEC also faces new challenges due to technological developments that offer instant and inexpensive communication between markets and participants. While this new technology offers great opportunity for investors, it also potentially exposes them to significant risk.

I commend Chairman Levitt and the Commissioners for doing a wonderful job keeping pace in this rapidly-changing environment and for working to ensure that, above all, individual investors be protected and supplied with clear and trustworthy information.

Mr. Speaker, in keeping with tradition, the Committee on Commerce reported out a clean SEC reauthorization bill. I hope all of my colleagues will support this legislation.

Mr. BLILEY. Mr. Speaker, I am pleased to be a sponsor of the legislation before us today. H.R. 1262, the Securities and Exchange Commission Authorization Act of 1997, authorizes appropriations for the Securities and Exchange Commission for fiscal years 1998 and 1999. These appropriations are necessary to ensure that the Commission is provided with the resources it needs to continue its important work as regulator of our securities markets.

This legislation continues the process we put into place in the 104th Congress with the enactment of the National Securities Markets Improvement Act of 1996. That act established a mechanism to bring greater certainty to the Commission's funding and to reduce the fees that the participants in our capital markets pay the Commission.

That mechanism, reached through an agreement with my friends BILL ARCHER of the Ways and Means Committee and HAROLD ROGERS of the Appropriations Committee, implements a new funding structure that increasingly funds the Commission through an appropriation and reduces SEC fees. Those fees, which in recent years have amounted to more than double the Commission's budget, are a tax on capital. The legislation we enacted last year will eventually bring the fees down to a level that equals what it costs to run the agency.

I am pleased that the funding authorization in H.R. 1262 and the Commission's budget request for fiscal 1998 and 1999 are consistent with the agreement underlying the Commission's new funding structure.

This legislation is especially important in this era of unprecedented growth in our capital markets. Last October 14, the markets were abuzz with the remarkable news that the Dow had finally crossed the 6,000 mark. Incredibly, today, less than a year later, the Dow is hovering around 8,000. The record pace at which investors are pouring their money into our capital markets is a testament to the confidence those markets inspire. The Securities and Exchange Commission serves a vital role in preserving and promoting the fairness that is the backbone of our markets.

Equally important, the Commission is charged with the obligation to tailor its regulation of our markets to promote efficiency, competition, and the continued fostering of capital formation. Our markets may be the most successful in the world today, but that doesn't mean there is no competition out there. In order to remain ahead and provide our country's investors and businesses with the greatest opportunity we must ensure that the regulation of our markets does not trap us in obsolescence. It is essential that the Commission weigh the costs and benefits of regulations before their implementation to ensure that our markets are not weighed down by needless cost, or stifled by obstacles to growth and innovation. The Commission has worked to streamline regulation and reduce the burden on businesses seeking access to our capital markets. I commend the Commission for this work and look forward to continued progress.

The appropriation for fiscal year 1998 in H.R. 1262 is essentially flat from the current year. The increased funding authorization that the legislation would provide the Commission for fiscal year 1999 will permit the Commission to request additional funds from the appropriators to permit the Commission to meet the regulatory demands and obligations accompanying the remarkable growth in our markets.

I commend Subcommittee Chairman OXLEY for introducing this important legislation. I also commend my good friend and ranking member of the committee, JOHN DINGELL, ranking member of the Finance Subcommittee TOM MANTON, and ED MARKEY for their cosponsorship of this legislation. This legislation is important to every American investor, and every participant in the great capital markets of our nation. I urge all my colleagues to join me in supporting H.R. 1262.

Mr. OXLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MANTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill, H.R. 1262.

The question was taken.

Mr. DOGGETT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD on the bill (H.R. 1262).

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

There was no objection.

EXTENDING CERTAIN PROGRAMS UNDER THE ENERGY POLICY AND CONSERVATION ACT

Mr. CRAPO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2472) to extend certain programs under the Energy Policy and Conservation Act.

The Clerk read as follows:

H.R. 2472

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

The Energy Policy and Conservation Act is amended—

(1) in section 166 (42 U.S.C. 6246) by striking ''1997'' and inserting in lieu thereof ''1998'';

(2) in section 181 (42 U.S.C. 6251) by striking ''1997'' both places it appears and inserting in lieu thereof ''1998''; and

(3) in section 281 (42 U.S.C. 6285) by striking ''1997'' both places it appears and inserting in lieu thereof ''1998''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho [Mr. CRAPO] and the gentleman from Texas [Mr. HALL] each will control 20 minutes.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO].

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

Mr. Speaker, I rise in support of this bill which reauthorizes certain provisions contained in the Energy Policy and Conservation Act for 1 fiscal year. This is an important bill because it assures the President's authority to draw dawn the Strategic Petroleum Reserve in an energy emergency and preserves the ability of the U.S. oil companies to participate in the International Energy Agreement without violating antitrust laws.

I believe that a 1-year-only reauthorization of these provisions remains the appropriate course of action as long as the Committee on Appropriations continues to look at these oil reserves as a source of revenue. For the past 3 years, the members of the Committee on Commerce have opposed the sale of oil from the reserves to meet budgetary goals. However, in less than 3 years three sales have been authorized, and the fourth sale is currently being considered.

The Strategic Petroleum Reserve and the International Energy Agreement are critical elements of America's energy security plan. Therefore, it is important that they be reauthorized. However, until we stop using the reserve in a manner for which it is not intended, I believe we should subject these programs to an annual reauthorization.

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Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I of course am pleased to support H.R. 2472, which reauthorizes a key section of the Energy Policy and Conservation Act for 1 year.

This bill has been handled in a bipartisan manner and was reported from the Committee on Commerce on a voice vote. I know of no objection to it from this side of the aisle. I support the reauthorization of EPCA because it will ensure that the United States and industry are able to fulfill their respective duties in any or all oil-related emergencies. We are not unaware of those emergencies. Recent events in the Middle East have underscored once again how quickly circumstances can change, and the need for the United States to be self-sufficient during periods of instability.

I want to thank the gentleman from Virginia, Chairman BLILEY, and the gentleman from Colorado, Mr. DAN SCHAEFER, and the gentleman from Idaho, Mr. CRAPO, for bringing this very important bill to the House floor.

The Democrats on the Committee on Commerce strongly support the efforts to ensure that the Strategic Petroleum Reserve is used for the intended purposes, and not, as some have attempted, sold off for deficit reduction.

EPCA is very important to our country's economic and energy security, and I am pleased to support this legislation.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, the bill reauthorizes provisions of the Energy Policy and Conservation Act relating to the Strategic Petroleum Reserve and U.S. participation in the International Energy Agreement for one fiscal year. These provisions, which will expire September 30 absent this reauthorization, assure that, if there is an energy emergency, the President's authority to

drawdown the Strategic Petroleum Reserve and the ability of U.S. oil companies to participate in the International Energy Agreement without violating antitrust laws is preserved for another year.

As I stated at the markup, because of their importance to U.S. national energy security I believe these programs should not go unauthorized. At the same time, I believe requiring them to be reauthorized annually is appropriate as long as oil from the Reserve continues to be sold for budgetary purposes. It is my hope that when D-O-E completes its review of S-P-R polices we can work with the administration and the appropriators to develop a coherent and consistent policy regarding the future of the Reserve.

Finally, there are several conservation related programs contained in EPCA and which were discussed at the subcommittee hearing that are not included in the bill we are considering today. I intend to work with interested parties to reauthorize these programs in the neat future.

Mr. HALL of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. CRAPO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Idaho [Mr. CRAPO] that the House suspend the rules and pass the bill, H.R. 2472.

The question was taken.

Mr. CRAPO. 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 (Mr. UPTON). Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. CRAPO. 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. 2472, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

EXTENSION OF DEADLINE FOR CONSTRUCTION OF FERC PROJECT IN THE STATE OF IOWA

Mr. CRAPO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2165) to extend the deadline under the Federal Power Act applicable to the construction of FERC Project No. 3862 in the State of Iowa, and for other purposes.

The Clerk read as follows:

H.R. 2165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE.

(a) PROJECT NUMBERED 3862.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 3862, the Commission is authorized, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, to extend the time required for commencement of construction of the project for not more than 3 consecutive 2-year periods.

(b) EFFECTIVE DATE.—This section shall take effect on the date of the expiration of the extension of the period required for commencement of construction that the Commission issued, prior to the date of enactment of this Act, under section 13 of the Federal Power Act (16 U.S.C. 806) for the project described in subsection (a).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the license for the project referred to in subsection (a) has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction of the project as provided in subsection (a) for not more than 3 consecutive 2-year periods, the first of which shall commence on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho [Mr. CRAPO] and the gentleman from Texas [Mr. HALL] each will control 20 minutes.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO].

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

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

Mr. CRAPO. Mr. Speaker, under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of a license. If construction has not begun by that time, the Federal Energy Regulatory Commission cannot extend the deadline and must terminate the license. H.R. 2165 provides for extension of the construction deadline of the LeClaire project, a 27-megawatt hydroelectric project in Iowa, if the sponsor pursues the commencement of construction in good faith and with due diligence.

These types of bills have not been controversial in the past, and this bill does not change the license requirements in any way, and does not change environmental standards. It merely extends the construction deadline. There is a need to act, since the construction deadline for the project expires in February 1998. If Congress does not act, FERC will terminate the license, the project sponsors will lose their investment in the project, and the community will lose the prospect of significant job creation and added revenues.

H.R. 2165 would extend the deadline for up to 6 years and reinstate the license if it expires before the enactment of the bill. Lack of a power purchase agreement is the main reason construction of projects may not commence in a timely manner. It is very difficult for a hydroelectric project sponsor to secure financing until they have a license, and once they have been granted a license the construction deadline begins to run. However, the onset of intense competition in the electric industry is driving utilities to lower their costs and avoid making long-term commitments.

Without a power purchase agreement a project generally cannot be financed. According to sponsors of the LeClaire project, construction has not commenced because of the lack of a power purchase agreement needed to obtain the financing. I should also note that the bill incorporates the views of the Federal Energy Regulatory Commission. The Subcommittee on Energy and Power solicited the views of FERC, and the agency does not oppose H.R. 2165.

I urge my colleagues to support H.R. 2165, and I reserve the balance of my time, Mr. Speaker.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 2165, which extends the license for a very important hydroelectric project. I commend the gentleman from Iowa [Mr. LEACH] for bringing the bill to the committee. This continues a bipartisan tradition of the Committee on Commerce under which noncontroversial pending hydro projects can receive an extension of time to permit their completion.

I think these projects are important to Members on both sides of the aisle, and I commend the gentleman from Virginia, Chairman BLILEY, and the gentleman from Colorado, Mr. DAN SCHAEFER, and the gentleman from Idaho, Mr. CRAPO, for their leadership in moving these bills forward in a prompt and fair manner.

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

Mr. CRAPO. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Speaker, I would like to thank Mr. CRAPO for managing the bill today and Chairman DAN SCHAEFER and Ranking Member RALPH HALL of the Subcommittee on Energy and Power, as well as Chairman TOM BLILEY and Ranking Member JOHN DINGELL of the Committee on Commerce for bringing this legislation to the floor so expeditiously. I would also like to express my appreciation to the staff of the Commerce Committee, and particularly Joe Kelliher, for their work on the bill.

H.R. 2165 authorizes the Federal Energy Regulatory Commission [FERC] to extend the time required for commencement of construction of a hydroelectric project in my district for a maximum of three consecutive 2-year periods.

The project this legislation affects, FERC Project No. 3862, calls for the construction of a 27-megawatt hydropower facility on lock and dam 19 located on the Mississippi River adjacent to LeClaire, IA. Plans for deregulation of the power industry have temporarily halted the willingness of utilities to enter into long-term power purchase agreements. As a result, project coordinators do not anticipate being able to finalize power sales negotiations in time to meet the present February 28, 1998,

deadline for beginning construction on the project.

My understanding is that granting FERC the authority to extend the deadline for such projects has become a routine matter, and that FERC has indicated that it has no objection to the extension called for by H.R. 2165.

Granting the extension authorized by this legislation would help ensure a responsible review of the project's economic viability. It would also enable the environmental impact of the project to remain under review in order to help ensure that the project's impact on the ecology of the Mississippi River is benign.

Again, I would like to thank the members of the Commerce Committee and its staff for their support of H.R. 2165 and urge its support by my colleagues in the House.

Mr. HALL of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CRAPO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho [Mr. CRAPO] that the House suspend the rules and pass the bill, H.R. 2165.

The question was taken.

Mr. CONDIT. 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, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. CRAPO. 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. 2165, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

COASTAL POLLUTION REDUCTION ACT OF 1997

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2207) to amend the Federal Water Pollution Control Act concerning a proposal to construct a deep ocean outfall off the coast of Mayaguez, Puerto Rico, as amended.

The Clerk read as follows:

H.R. 2207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coastal Pollution Reduction Act of 1997''.

SEC. 2. MAYAGUEZ, PUERTO RICO.

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

(1) The existing discharge from the Mayaguez publicly owned treatment works is to the stressed waters of Mayaguez Bay, an area containing severely degraded coral reefs, and relocation of that discharge to unstressed ocean waters could benefit the marine environment.

(2) The Federal Water Pollution Control Act should, consistent with the environmental goals of the Act, be administered with sufficient flexibility to take into consideration the unique characteristics of Mayaguez, Puerto Rico.

(3) Some deep ocean areas off the coastline of Mayaguez, Puerto Rico, might be able to receive a less-than-secondary sewage discharge while still maintaining healthy and diverse marine life.

(4) A properly designed and operated deep ocean outfall off the coast of Mayaguez, Puerto Rico, coupled with other pollution reduction activities in the Mayaguez Watershed could facilitate compliance with the requirements and purposes of the Federal Water Pollution Control Act without the need for more costly treatment.

(5) The owner or operator of the Mayaguez publicly owned treatment works should be afforded an opportunity to make the necessary scientific studies and submit an application proposing use of a deep ocean outfall for review by the Administrator of the Environmental Protection Agency under section 301(h) of the Federal Water Pollution Control Act.

(b) APPLICATION FOR SECONDARY TREATMENT WAIVER FOR MAYAGUEZ, PUERTO RICO, DEEP OCEAN OUTFALL.—Section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311) is amended by adding at the end the following:

''(q) APPLICATION FOR WAIVER.—

''(1) STUDY.—In order to be eligible to apply for a waiver under this section, the owner or operator of the Mayaguez, Puerto Rico, publicly owned treatment works shall transmit to the Administrator a report on the results of a study of the marine environment of coastal areas in the Mayaguez area to determine the feasibility of constructing a deep ocean outfall for the Mayaguez treatment works. In conducting the study, the owner or operator shall consider variations in the currents, tidal movement, and other hydrological and geological characteristics at any proposed outfall location. Such study may recommend one or more technically feasible and environmentally acceptable locations for a deep ocean outfall intended to meet the requirements of subsection (h). Such study may be initiated, expanded, or continued not later than 3 months after the date of the enactment of this subsection.

''(2) SECTION 301(h) APPLICATION FOR MAYAGUEZ, PUERTO RICO.—Notwithstanding subsection (j)(1)(A), not later than 18 months after the date of the enactment of this subsection, an application may be submitted for a modification pursuant to subsection (h) of the requirements of subsection (b)(1)(B) by the owner or operator of the Mayaguez, Puerto Rico, publicly owned treatment works at a location recommended in a study conducted pursuant to paragraph (1). Such application shall not be subject to the application revision procedures of section 125.59(d) of title 40, Code of Federal Regulations. No such application may be filed unless and until the applicant has entered into a binding consent decree with the United States that includes, at a minimum, the following:

''(A) A schedule and milestones to ensure expeditious compliance with the requirements of subsection (b)(1)(B) in the event the requested modification is denied, including interim effluent limits and design activities to be undertaken while the application is pending.

''(B) A schedule and interim milestones to ensure expeditious compliance with the requirements of any modification of subsection (b)(1)(B) in the event the requested modification is approved.

''(C) A commitment by the applicant to contribute not less than $400,000 to the Mayaguez Watershed Initiative in accordance with such schedules as may be specified in the consent decree.

''(3) INITIAL DETERMINATION.—On or before the 270th day after the date of submittal of an application under paragraph (2) that has been deemed complete by the Administrator, the Administrator shall issue to the applicant a tentative determination regarding the requested modification.

''(4) FINAL DETERMINATION.—On or before the 270th day after the date of issuance of the tentative determination under paragraph (3), the Administrator shall issue a final determination regarding the modification.

''(5) ADDITIONAL CONDITION.—The Administrator may not grant a modification pursuant to an application submitted under this subsection unless the Administrator determines that the new deep water ocean outfall will use a well-designed and operated diffuser that discharges into unstressed ocean waters and is situated so as to avoid discharge (or transport of discharged pollutants) to coral reefs, other sensitive marine resources or recreational areas, and shorelines.

''(6) EFFECTIVENESS.—If a modification is granted pursuant to an application submitted under this subsection, such modification shall be effective only if the new deepwater ocean outfall is operational on or before the date that is 4½ years after the date of the Administrator's initial tentative determination on the application.''.

SEC. 3. NATIONAL ESTUARY PROGRAM.

(a) GRANTS FOR COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(g)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)(2)) is amended by inserting ''and implementation'' after ''development''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 320(i) of such Act (33 U.S.C. 1330(i)) is amended by striking ''1987'' and all that follows through ''1991'' and inserting the following: ''1987 through 1991, such sums as may be necessary for fiscal years 1992 through 1997, and $20,000,000 for fiscal year 1998''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. BOEHLERT] and the gentleman from Pennsylvania [Mr. BORSKI] each will control 20 minutes.

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

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

Mr. Speaker, the bill would amend the Clean Water Act to allow a community in Puerto Rico to apply to EPA for an alternative to secondary treatment requirements. Any alternative approved by EPA would be, and this is important, would be subject to requirements and conditions necessary to assure the adequate protection of coastal resources. Mr. Speaker, this bill could help save the community up to $65 million by avoiding the construction of more costly facilities while including appropriate environmental safeguards.

Another provision in the bill, added in committee, modifies the Clean Water Act's national estuary program. The bill allows the use of Federal funds for implementation, as opposed to just development, of comprehensive conservation and management plans. This is a widely supported approach to protecting America's estuaries.

Allowing Federal funds to be used for implementing the national estuary program is an initiative strongly supported by State, local, and regional interests, including the environmental community. Many States have completed their comprehensive conservation and management plans required under the national estuary program, and it is time to help put their plans to work.

Committee on Transportation and Infrastructure members should be congratulated for their efforts in developing the Coastal Pollution Reduction Act. I would particularly like to recognize the efforts of the gentleman from Pennsylvania [Mr. SHUSTER], the chairman, the gentleman from Minnesota [Mr. OBERSTAR], the ranking Democrat of the committee, and my colleague and good friend, the gentleman from Pennsylvania [Mr. BORSKI], the ranking Democrat of the Subcommittee on Water Resources and Environment.

In addition, I would be remiss if I did not thank the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] the primary sponsor of the bill. His efforts to address this matter and promote greater flexibility in the Clean Water Act have been thoughtful and persistent.

I would also like to thank the gentleman from Alaska, Mr. DON YOUNG, our colleague, the chairman of the Committee on Resources, for his role in supporting the bill and helping to clarify that the intent of the national estuaries program amendment is not to provide any new or expanded authority to regulate land use.

Finally, I want to thank representatives of the Environmental Protection Agency and the environmental community, particularly in Puerto Rico, for their input. The final text of the bill and the detailed committee report largely reflect their comments and concerns.

Throughout the development of this bill, our intent has been to fashion a responsible approach to meet a site-specific need for flexibility under the Clean Water Act and to strengthen the national estuaries program. I think we have succeeded.

I urge my colleagues to support H.R. 2207, and I reserve the balance of my time, Mr. Speaker.

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

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

Mr. BORSKI. Mr. Speaker, I rise today in support of H.R. 2207, the Coastal Pollution Reduction Act of 1997. This bill, which would amend the Clean Water Act, provides an opportunity for Mayàguez, Puerto Rico, to apply for a waiver of secondary treatment requirements in an effort to protect its coral reef. While I urge my colleagues to support this bill for the environmental protection it should provide, as the ranking Democrat of the Subcommittee on Water Resources and Environment, I feel compelled to raise some of my concerns about this type of legislation.

The protection of ocean water quality has long been a responsibility and priority of our subcommittee through its jurisdiction over the Clean Water Act, the Ocean Dumping Act, and the Oil Pollution Act. For far too long our oceans were viewed as a convenient dumping ground for the wastes associated with human development.

As we have learned, those earlier practices were a mistake which we find ourselves continuing to correct to this day. With the Ocean Dumping Ban Act, the dumping of sewage sludge came to an end. Yet, our inadequate control of pollution associated with point and nonpoint sources, now largely controlled through the Clean Water Act, left us a legacy of contaminated sediments in our harbors, estuaries, and lakes.

Whether it is nonpoint source pollution, uncollected runoff from urban and rural areas, or collected runoff through storm sewers, we continue to allow sediments to enter our waterways and carry their pollution with them.

Too often when we discuss coastal and ocean issues we talk about treating the symptoms, but not the cause of the problems. Unless and until there are aggressive steps taken to address the pollution sources in our coastal areas, urban runoff, storm sewers, municipal sewage treatment plants, and agriculture, our coastal areas will continue to be under great stress.

Mr. Speaker, I must say, I feel strongly that, despite the necessity of this legislation I rise in support of today, our subcommittee's efforts are better directed toward advancing the cleanup of our Nation's waters. I am confident that the distinguished gentleman from New York [Mr. BOEHLERT], the subcommittee chairman, shares my view, and that we will do so in this Congress by addressing the major sources of pollution in coastal areas.

However, while I sincerely hope the next time we are on the floor discussing the Clean Water Act it is with the intent of strengthening it, rather than to create waiver opportunities, I believe that the unique conditions at Mayàguez make H.R. 2207 an acceptable tradeoff. If the opportunity to apply for a permit under the deep ocean outfalls provision is needed to protect coral reef in Mayàguez, then that competing environmental concern is significant enough to warrant such action today.

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

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

Mr. Speaker, I wish to assure my colleague, the gentleman from Pennsylvania, that I share his enthusiasm for moving with dispatch on reauthorization of the Clean Water Act. It is very important not just to our committee or to this Congress but to the Nation, and that is something that will have my undivided attention at the appropriate time. It looks like the appropriate time will be early in the next session of the House.

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

Mr. Speaker, I want to compliment the hard work and dedication of our colleague, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ]. He is working hard to improve the quality of the coastal environment and precious near shore reefs. This bill is the first step in protecting the coastal environment.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 2207, the Coastal Pollution Reduction Act of 1997.

This bipartisan legislation, introduced by Representative ROMERO-BARCELO, amends the Clean Water Act to allow a community in Puerto Rico to apply to EPA for an alternative to secondary treatment requirements, subject to other requirements and conditions.

This bill could help save Mayaguez, PR up to $65 million by avoiding the construction of more costly facilities while including appropriate environmental safeguards. The flexibility to pursue reasonable alternatives makes economic and environmental sense.

Another provision, added in committee, modifies the Clean Water Act's National Estuary Program. The amendment would allow the use of Federal funds for implementation, as opposed to just development of comprehensive conservation and management plans [CCMP's]. This is a widely supported approach to protecting America's estuaries.

I want to assure my colleagues that nothing in this amendment in any way provides new authority or expands existing authority for land use regulation. The existing NEP has been successful to date, in part, because it avoids a Federal regulatory approach. This amendment simply allows the use of Federal funds and technical assistance under section 320 of the Clean Water Act so that State, local and regional interests can take CCMP's to the next step: implementation. I appreciate the assistance and cooperation of my friend and colleague, Representative DON YOUNG, who is also chairman of the House Resources Committee, for bringing to my attention the need to clarify this point.

I also want to commend the gentleman from Minnesota [Mr. OBERSTAR], the ranking Democrat of the Transportation and Infrastructure Committee; the gentleman from New York [Mr. BOEHLERT], the chairman of the Water Resources and Environment Subcommittee; and the gentleman from Pennsylvania [Mr. BORSKI], the ranking Democrat of the Water Resources and Environment Subcommittee. They have been instrumental in moving this important legislation.

Finally, I would be remiss if I did not thank Representative ROMERO-BARCELO who is responsible for promoting this bill to address the needs of a particular community by increasing the flexibility of the Clean Water Act.

Mr. Speaker, I urge my colleagues to support H.R. 2207.

□ 1400

Mr. BOEHLERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BORSKI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from New York [Mr. BOEHLERT] that the House suspend the rules and pass the bill, H.R. 2207, as amended.

The question was taken.

Mr. CONDIT. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2207, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

MARTIN V. B. BOSTETTER, JR. UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 819) to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the ''Martin V. B. Bostetter, Jr. United States Courthouse.''

The Clerk read as follows:

S. 819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF MARTIN V. B. BOSTETTER, JR. UNITED STATES COURTHOUSE.

The United States courthouse at 200 South Washington Street in Alexandria, Virginia, shall be known and designated as the ''Martin V. B. Bostetter, Jr. United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Martin V. B. Bostetter, Jr. United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Ohio [Mr. TRAFICANT] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

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

Mr. Speaker, S. 819 designates the U.S. courthouse in Alexandria, VA, as the ''Martin V.B. Bostetter, Jr. United States Courthouse.''

Chief Judge Bostetter has served and continues to serve his country in many ways. Since 1952, Judge Bostetter's entire career has taken place within a radius of eight blocks in Old Town, Alexandria, VA. He served as the special assistant to the city attorney and associate judge of the municipal court.

In 1960, Judge Bostetter was appointed to the U.S. Bankruptcy Court and continues to serve as a judge for the U.S. Bankruptcy Court for the Eastern District of Virginia. He was appointed chief judge in February 1, 1985, and ranks among the longest sitting full-time bankruptcy judges in the United States.

This is a fitting tribute to such a distinguished jurist. I support this act and urge my colleagues to join in this support.

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

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

Mr. Speaker, I want to join the gentleman from California [Mr. KIM] in supporting S. 819, a bill to designate the courthouse on South Washington Street in Alexandria, VA, in honor of Judge Martin Bostetter, Jr. He certainly deserves it.

I would also like to state that the gentleman from Virginia [Mr. MORAN], one of my Democratic colleagues, has also introduced companion legislation, H.R. 1851, also a bill naming this courthouse in honor of Judge Martin Bostetter, Jr. I will include his written statement immediately after my remarks.

Judge Bostetter served the people of Virginia for over 40 years. He ranks among the longest sitting full-time bankruptcy judges in these United States. He has long been associated with and active in many civic and community organizations, including the Chamber of Commerce in Alexandria, the Alexandria Hospital, and the Alexandria Boys Club, to show the diversity of his involvement and his caring of the people whom he has served for so many years.

I am proud to join the gentleman from Virginia, [Mr. MORAN], Senator WARNER, and the gentleman from California, [Mr. KIM] in this legislation. I want to commend the gentleman from California [Mr. KIM] for the fine, expeditious job to bring this and other legislation forward.

Mr. MORAN of Virginia. Mr. Speaker, it is with great pleasure that I rise today in support of S. 819. This legislation is identical to the bill I introduced June 10, 1997, naming the United States Court House on South Washington Street in Alexandria, Virginia the Chief Bankruptcy Judge Martin V. B. Bostetter, Jr. Court House. The Bostetter Court House will be a lasting reminder of the distinguished career of Judge Bostetter and commemorates his numerous contributions to bankruptcy law in Northern Virginia.

Judge Bostetter's distinguished legal career began in 1952 and took place entirely within an eight block radius of Old Town, Alexandria. He served as Special Assistant to the City Attorney of Alexandria in 1953 in the capacity of City Prosecutor. In 1957, he became an Associate Judge of Alexandria's Municipal court system. Judge Bostetter was then appointed to the United States Bankruptcy Court in 1959 and presently serves as a United States Bankruptcy Judge for the Eastern District of Virginia. In 1985, he was appointed Chief Judge and now ranks among the longest sitting full-time bankruptcy judges in the United States.

In 1959, Judge Bostetter established the First Bankruptcy Court in Alexandria, in the former Federal District Courthouse—38 years later he resides in the same building as the Chief Judge of the Bankruptcy Court for the Eastern District of Virginia. He has taken a special interest and great pride in the ongoing renovation of this historic building.

During his service on the bench, Chief Judge Bostetter has seen the Bankruptcy Court for the Eastern District of Virginia grow to three divisions with five full-time judges and staff, 90 employees in its Clerk's Office and an average of more than 2,600 bankruptcy filings per month. The Alexandria Division has two full-time judges, 22 employees and averages approximately 790 bankruptcy filings per month.

When Judge Bostetter began his career on the bench with approximately nine bankruptcy filings per month and one employee. He remained the only full time bankruptcy judge in Alexandria from July 1959 until December 1994. During the 1980's and early 1990's his case load swelled to about two times the volume expected for a single judge to preside over.

Chief Judge Bostetter has been a dedicated and loyal public servant, serving the people of Virginia faithfully with honor, integrity and distinction during his tenure as a bankruptcy judge. He has fulfilled his duties with a strong sense of fairness and pragmatism, while adhering to the constraints imposed by the Bankruptcy Code and related case law. Moreover, he has set very high standards for the lawyers who practice before him, thereby making those lawyers better prepared and more effective advocates for their respective client's interest.

Mr. Speaker, I want to take this opportunity to thank Transportation and Infrastructure Committee Chairman SHUSTER, Subcommittee Chairman JAY KIM and ranking members JIM OBERSTAR and JIM TRAFICANT, along with the committee and subcommittee staff for their efforts to bring this legislation to the floor. I truly appreciate their cooperation.

Mr. TRAFICANT. Mr. Speaker, I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the Senate bill, S. 819.

The question was taken.

Mr. KIM. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks on S. 819, the Senate bill just considered.

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

There was no objection.

HOWARD M. METZENBAUM UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 833) to designate the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the ''Howard M. Metzenbaum United States Courthouse.''

The Clerk read as follows:

S. 833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF HOWARD M. METZENBAUM UNITED STATES COURTHOUSE.

The Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, shall be known and designated as the ''Howard M. Metzenbaum United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building courthouse referred to in section 1 shall be deemed to be a reference to the ''Howard M. Metzenbaum United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Ohio [Mr. TRAFICANT], each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

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

S. 833 designates the U.S. courthouse located at Public Square in Cleveland, OH, as the Howard Metzenbaum United States Courthouse.

Senator Metzenbaum was born in Cleveland, OH, in 1917. He began his political career in 1942 by his successful bid to the Ohio House of Representatives, becoming the youngest person elected to the State legislature at that time.

In 1950, Senator Metzenbaum retired from public office to return to his private practice and business interests, most notably his parking lot network. After several years pursuing his business interests, Senator Metzenbaum returned to political office in 1973 by an appointment to the U.S. Senate to fill the unexpired term of William Saxbe, who had been appointed Attorney General. After the general election in 1974, he was elected to a full term in 1976.

Senator Metzenbaum served on the Energy and Natural Resources, the Judiciary Committee, and the Select Committee on Indian Affairs, and later on the Labor and Human Resources Committee and the Committee on the Budget. He was a tireless advocate on causes for the American worker and was active in numerous judicial nominations. He retired at the end of the 103d Congress.

This is a fitting tribute to a dedicated public servant. I urge my colleagues to support this act.

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

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

I, too, want to join the two Senators from Ohio, Senators GLENN and DEWINE, as well as Senator LAUTENBERG, in supporting this bill to name the Federal courthouse in Cleveland in honor of former Senator Howard Metzenbaum.

My involvement is a little different. I worked many times to help elect Howard Metzenbaum to the U.S. Senate, and I am very proud to have announced that here and to have worked with him and to help him carry our State of Ohio.

His service to the U.S. Senate has now spanned 18 years. It was marked by devotion to diligence, dedication, fairness, and equality for all Americans. Senator Metzenbaum was an absolute zealot on behalf of the rights of the American people. Right now he is probably so upset over the revelation of the Internal Revenue Service, I know full well he is urging the Congress to pass my bill, H.R. 367, to change the burden of proof in a civil tax case and to stop these crazy seizures without judicial control. Senator Metzenbaum would be banging away, as I am, on that issue.

As Members know, he was very concerned about the flippant use of guns in our society, and he led the charge in trying to, in fact, place greater penalties on those who violate the law using a handgun. For that, he has brought to the consciousness of the American people that great issue and is largely responsible for a moderating approach to that whole phenomenon. He has championed this Nation's underprivileged, and he has championed the cause of so many poor and defenseless people in our society. It is absolutely fitting that we name this courthouse in his name and honor.

I am proud to join forces with the gentleman from California [Mr. KIM] and thank him once again for his fair effort in bringing forward some of these naming bills that reflect both sides of the aisle. Senator Metzenbaum has earned it. He deserves it. It will be a pleasure to walk into that courthouse bearing the name of Senator Howard Metzenbaum.

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

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the Senate bill, S. 833.

The question was taken.

Mr. CRAPO. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 833, the Senate bill just considered.

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

There was no objection.

TED WEISS UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 548) to designate the United States courthouse located at 500 Pearl Street in New York City, New York, as the ''Ted Weiss United States Courthouse.''

The Clerk read as follows:

H.R. 248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 500 Pearl Street in New York City, New York, shall be known and designated as the ''Ted Weiss United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Ted Weiss United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Ohio [Mr. TRAFICANT], each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

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

Mr. Speaker, H.R. 548 designates the new U.S. courthouse in New York City as the Ted Weiss U.S. Courthouse.

Ted Weiss was born in Gava, Hungary, in September 1927. He and his family fled eastern Europe to escape Nazi persecution on the last passenger ship to leave Hamburg, Germany, arriving in the United States in 1938. In 1961, he was elected to the New York City Council, where he was influential in writing the city's gun control laws and environmental measures. After 15 years of service as a councilman, he was elected to the U.S. House of Representatives in 1976, where he served until his untimely death in September 1992.

Congressman Weiss is remembered as a thoughtful advocate true to his causes. The naming of this courthouse

is a fitting tribute to a respected colleague. I urge my colleagues to support this bill.

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

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

I am honored to join with the gentleman from New York [Mr. NADLER], sponsor of this legislation, in supporting this bill to designate the new courthouse on Pearl Street in lower Manhattan as the Ted Weiss U.S. Courthouse.

Ted was a friend of mine, a colleague. He was fair. He is well known for his work in advocating for the funding of AIDS research, well known for his efforts in promoting the human rights movement, and well known for his efforts in establishing dignity and equality for Vietnam veterans who came back and were scorned after having put their lives on the line. These were just a few of the causes for which our good friend, Ted Weiss, was a tireless advocate and worker.

As a young refugee from the Holocaust, Ted Weiss became a staunch supporter of civil liberties in this country second to none. His legislative record was built around his service on the Government Operations Committee, where he chaired the Subcommittee on Human Resources and Intergovernmental Relations, and everyone knows of his fairness and his willingness to include all thoughts and ideas. It is absolutely fitting and proper that we honor Ted Weiss by this designation.

I want to commend my colleague, the gentleman from New York [Mr. NADLER], for his tireless efforts to ensure that the Congress of the United States will not overlook the great contribution of Ted Weiss.

Mr. NADLER. Mr. Speaker, as the sponsor of this bill, I would like to thank Chairman KIM and Ranking Member TRAFICANT as well as Chairman SHUSTER and Ranking Member OBERSTAR for their support of this legislation.

As one of Ted Weiss's friends, I knew the compassionate, dedicated, hard working and loving man that many people never get to see in their elected officials. The unique personality that made Ted Weiss was crafted by a life that began in eastern Hungary on September 17, 1927. He later would arrive in the United States on March 12, 1938, on the last passenger ship out of Hamburg, Germany, before the end of World War II.

Ted went on to earn his undergraduate and law degree in 4½ years from Syracuse University. He then worked as an assistant district attorney in Manhattan for 4 years. At that time, Ted was elected to the New York City Council and so began a lifetime of public service that was marked by compassion and principle.

As one of Ted Weiss's constituents for the 16 years he served in Congress, I knew first hand how tirelessly he worked to bring issues important to the people whom he served to the forefront. Ted Weiss was one of the first elected officials in the Nation to focus attention on the need to increase funding for AIDS research, before the epidemic dominated discussions worldwide. He was a strong supporter of human rights throughout the world and right here at home. He received the Vietnam Veterans of America's highest award 2 years in a row for his work on behalf of America's veterans. Ted was not afraid to stand up for his convictions and make sure we understood why he held them so dear to his heart.

We will be honoring Ted by naming this court house after him. I believe this suits the man who fought so hard to create a more just world. Being the sponsor of this legislation I hope to, in some small way, say thank you to my friend and colleague for bringing prestige and honor to the congressional seat that was known as the 17th District, now the Eighth District, in New York City.

Mr. TRAFICANT. Mr. Speaker, I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by gentleman from California [Mr. KIM] that the House suspend the rules and pass the bill, H.R. 548.

The question was taken.

Mr. CRAPO. 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 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 548, the bill just considered.

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

There was no objection.

□ 1415

AVIATION INSURANCE REAUTHORIZATION ACT OF 1997

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2036) to amend chapter 443 of title 49, United States Code, to extend the authorization of the aviation insurance program, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Aviation Insurance Reauthorization Act of 1997''.

SEC. 2. VALUATION OF AIRCRAFT.

Sections 44302(a)(2) and 44306(c) of title 49, United States Code, are each amended by striking ''as determined by the Secretary'' and inserting ''as determined by the Secretary in accordance with reasonable business practices in the commercial aviation insurance industry''.

SEC. 3. EFFECT OF INDEMNITY AGREEMENTS.

Section 44305(b) of title 49, United States Code, is amended by adding at the end of the following: ''If such an agreement is countersigned by the President, the agreement shall constitute, for purposes of section 44302(b), a determination that continuation of the aircraft operations to which the agreement applies is necessary to carry out the foreign policy of the United States.''.

SEC. 4. ARBITRATION AUTHORITY.

(a) AUTHORIZATION OF BINDING ARBITRATION.—Section 44308(b)(1) of title 49, United States Code, is amended by inserting after the second sentence the following: ''Any such policy may authorize the binding arbitration of claims made thereunder in such manner as may be agreed to by the Secretary and any commercial insurer that may be responsible for any part of a loss to which such policy relates.''.

(b) AUTHORITY TO PAY ARBITRATION AWARD.—Section 44308(b)(2) of such title is amended—

(1) by striking ''and'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) pay the amount of a binding arbitration award made under paragraph (1); and''.

SEC. 5. EXTENSION OF PROGRAM.

Section 44310 of title 49, United States Code, is amended by striking ''September 30, 1997'' and inserting ''December 31, 1998''.

SEC. 6. PUBLIC AIRCRAFT DEFINED.

Section 40102(a)(37)(A) of title 49, United States Code, is amended—

(1) by striking ''or'' at the end of clause (i);

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following:

''(ii) owned by the Armed Forces of the United States and operated by any person for purposes related to crew training, equipment development, or demonstration; or''.

The SPEAKER pro tempore (Mr. UPTON). Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Minnesota [Mr. OBERSTAR] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

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

Mr. Speaker, this bill reauthorizes the War Risk Insurance Program for another year. The War Risk Insurance Program was first reauthorized in 1951 and has been reauthorized periodically since then. Its current authorization expires tomorrow. This program was used extensively during operations in Desert Shield and Desert Storm to insure aircraft ferrying troops and supplies to the Middle East. Without this program, the military would have had to buy more aircraft for this purpose, which would have cost taxpayers billions of dollars. Instead, commercial aircraft, with the protection of war risk insurance, were willing to take on these dangerous missions.

The bill being considered today reauthorizes this program and makes several relatively minor changes that were suggested by the administration, the GAO, and the airlines, at the Subcommittee on Aviation hearing last May. The bill differs slightly from the bill that was approved by the Committee on Transportation and Infrastructure last July. The main difference is

that the provision on borrowing authority was dropped and the reauthorization period was shortened.

The borrowing authority provision was designed to ensure that insurance claims could be paid in a timely manner without having to wait for an appropriation. Unfortunately, the administration opposed this. They did agree, however, to develop an alternative. This bill gives them 1 year to develop that alternative.

Also, this bill includes a small change to the definition of ''public aircraft.'' That change will allow military aircraft manufacturers to lease back their planes from the military for air shows or other demonstration purposes. This is a good bill, and I urge my colleagues to support this.

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

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

Mr. Speaker, I, of course, support H.R. 2036, the War Risk Insurance Reauthorization Act of 1997. This is one of several times we have come to the floor to reauthorize this legislation, and this particular reauthorization extends the program until December 31, 1998.

This is very important legislation. It may not seem large in the great scheme of things that we do in the House or even on our Committee on Transportation, but this particular legislation is vitally important to our national security effort. This bill includes provisions to ensure that the program will run more smoothly the next time we have to call upon the airlines to engage in national security support initiatives.

The War Risk Insurance Program was most recently put into operation during Desert Shield and Desert Storm. U.S. air carriers flew thousands of U.S. troops and tons of equipment from the United States and from Europe into the Middle East theater of operations. During that period of time, the FAA issued nonpremium war risk insurance for some 5,000 commercial flights that operated air lift services as part of the Civil Reserve Air Fleet.

In fact, in an assessment after Desert Storm, President Bush complimented the Civil Reserve Air Fleet, the domestic airline carriers and both the scheduled carriers and the charter operators and our cargo fleet on the superb job they did, saying that without those 5,000 fleets, we could not have met the challenge with the readiness that the U.S. forces demonstrated at the outset of both Desert Shield and Desert Storm.

Not only is insurance vital to airline operations, it is essential in operations such as this type in high-risk combat zones. The FAA and the DOT requires insurance for airline operations under any circumstance. But in these circumstances, there is a higher risk and a higher need. And that is why this is a matter of national policy to provide war risk insurance.

The very simple fact is that such operations are carrying out foreign policy objectives of the United States in a highly contested arena. The program is divided into two parts, both premium and nonpremium insurance. Under the premium policy, insurance is provided to U.S. or foreign carriers for commercial scheduled and charter service. It can be used only for international flights. It is a very important distinction. Premium insurance was provided during the Vietnam war and on 37 occasions after Iraq invaded Kuwait.

Nonpremium insurance is used to ensure that airlines operating under contract to the U.S. Government, either State or Defense Department, and it can cover domestic or international flights. In the course of the Subcommittee on Aviation hearings conducted by the gentleman from Tennessee [Mr. DUNCAN], our very distinguished chairman, GAO raised two issues that should be addressed legislatively.

First, air carriers that are purchasing premium insurance, in GAO's opinion, needed to have a better guarantee that if they suffered a claim in excess of the amount in the revolving fund, they would be assured of complete and immediate reimbursement.

Second, there was a need to clarify whether flights conducted on behalf of Defense and State covered by nonpremium insurance had to be determined by the President to be in the best foreign policy interests of the United States. Both of those concerns are addressed in this legislation.

Since then, the administration has expressed again its concerns about a provision in the bill that provided borrowing authority to the FAA in the event a claim would be made in excess of the amount in the revolving fund. The administration wanted time to work out an agreement between the FAA and DOT to meet the concerns expressed by GAO. We have agreed to drop that provision but have shortened the length of time for this authorization from 5 years to 15 months.

Normally, we would have a much longer authorization period. I felt that this shorter timeframe needed to be explained, because it is not the committee's intention to proceed without some understanding on this very important matter of extending the borrowing authority for those cases in which claims are made in excess of the revolving fund.

I know that is the concern of the gentleman from Tennessee [Mr. DUNCAN]. I know that is a concern of the gentleman from Illinois [Mr. LIPINSKI], our remarking member on the Subcommittee on Aviation, and I know that the gentleman from Pennsylvania [Mr. SHUSTER] shares that concern.

We do want to ensure that there will be continuity for this program. We want to ensure that it will not be subject to stop and start by fits. We prefer a much longer period of authorization. But until this issue is revolved, I do not think it is responsible for the Congress to proceed until this matter is resolved.

I take this opportunity to urge the DOT, as the lead agency here, and State and Defense and all the other entities in the administration that have a say in this issue, to get together, resolve the issue so that we can provide the longer term authorization that is our customary practice in the war risk insurance issue.

I want to congratulate the gentleman from Tennessee [Mr. DUNCAN], our subcommittee chair, and the gentleman from Illinois [Mr. LIPINSKI], our ranking minority member, for the splendid work they have done, and our staff on both sides of the aisle for paying such careful and detailed attention to this very important issue that might otherwise not be so fully appreciated.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. Brown].

Ms. BROWN of Florida. Mr. Speaker, I rise in support of H.R. 2036, the Aviation Insurance Reauthorization Act of 1997.

First of all, I wish to congratulate the gentleman from Tennessee [Mr. DUNCAN], subcommittee chairperson; and the gentleman from Illinois [Mr. LIPINSKI], the ranking member; as well as the gentleman from Pennsylvania [Mr. SHUSTER], the chairman; and the gentleman from Minnesota [Mr. OBERSTAR], the ranking member, for their work on this legislation. It is a good bill and deserves the support of all.

Mr. Speaker, H.R. 2036 reauthorizes the important War Risk Insurance Program until December 31, 1998. It also contains provisions intended to ensure that the program runs more smoothly the next time it is utilized. It is important that carrier concerns are addressed to the greatest extent possible in order to encourage continued carrier participation in the Civil Reserve Air Fleet. The need for a vibrant CRAF Program was evidenced in 1990, during the Desert Shield and Desert Storm operations.

Since the program was last authorized, the Department of Defense, working with the Federal Aviation Administration and the carriers, entered into an agreement whereby losses incurred by a carrier operating on behalf of the Departments of State or Defense, covered by nonpremium insurance, could be reimbursed in a more timely manner.

When our committee held a hearing on these programs earlier this year, GAO testified that there were only two outstanding issues that should be addressed legislatively.

Mr. Speaker, this is a noncontroversial bill developed on a bipartisan basis, and I urge my colleagues to support its passage.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I thank the ranking member, Mr. OBERSTAR, for yielding me the time, and I support the amendment.

But I took to the floor to note that the gentleman from Minnesota [Mr.

OBERSTAR], our ranking member, had been in Minnesota a couple weeks ago because his 86-year-old mother, Mariette, had a heart attack. I am glad to see that he is back energetically handling our committee's business. He was made to do so.

I am proud to announce that his mom is doing fine. And everybody here would like to just state, for the RECORD, that we support this bill and we are glad to see our ranking member back and his mom doing fine up there in Minnesota.

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Ohio [Mr. TRAFICANT] for his very heartfelt comments, and if my mother were watching, she would be very happy to have heard those kind words, as well. It is very reassuring that she has been able to rebound from a very serious illness and assume her normal course of activities, cooking, baking, the things that she loves best.

The woman, who in her lifetime has cooked probably three tons of bread, is not going to be stopped by a heart attack. I thank the gentleman from Ohio [Mr. TRAFICANT] for his kind words and all those who have been so supportive.

Mr. DUNCAN. Mr. Speaker, Chairman SHUSTER, myself, the ranking member of the full committee, Mr. OBERSTAR, and the ranking member of the Aviation Subcommittee, Mr. LIPINSKI, introduced H.R. 2036, the Aviation Insurance Reauthorization Act of 1997 on June 25th.

This war risk insurance program was first authorized in 1951, and, over the years, has been improved upon during the reauthorization process.

On May 1, 1997, the Aviation Subcommittee held a hearing to review the War Risk Insurance Program, which expires tomorrow.

Of course, we rarely hear about this program until a conflict arises, like Vietnam, the gulf war, or Bosnia. This insurance program was an integral part of our Nation's military response in those cases.

The reauthorization of this program is also very essential for a viable Civil Reserve Air Fleet Program which meets the Nation's security needs.

The Department of Defense depends on the CRAF Program for over 90 percent of its passengers, 40 percent of its cargo, and nearly 100 percent of its air medical evacuation capability in wartime. These flights could not be operated without the insurance provided by this bill.

So it is very important that we reauthorize this program in a timely manner.

This bill was approved unanimously by the Aviation Subcommittee on July 10 and by the full Transportation & Infrastructure Committee on July 23. The bill incorporated many of the suggestions we heard from expert witnesses at our May hearing.

Mr. Speaker, this legislation authorizes the Secretary of Transportation to be guided by reasonable business practices of the commercial aviation insurance industry when determining the amount for which an aircraft should be insured.

This change is intended to recognize that there may be instances in which an aircraft's market value is not the appropriate basis for determining the amount of insurance.

The bill also states that the President's signature of the indemnification agreement between the DOT Secretary and the head of another U.S. Government agency will constitute the required finding under current law that the flight is necessary to carry out the foreign policy of the United States.

Section 4 of the bill permits a war risk insurance policy to provide for binding arbitration of a dispute between the FAA and the commercial insurer over what part of a loss each is responsible.

The provision on borrowing authority that was in the reported bill has been dropped because the administration objected to it.

However, they did agree to develop in the coming months an alternative to the borrowing authority that would ensure that air carrier insurance claims could be paid in a timely manner. We look forward to working with them on that.

And finally, the bill also now includes a very simple provision designed to fix a problem experienced by defense contractors who lease back their planes from the military in order to fly them in air shows or other similar demonstrations.

Although this practice has been going on for many years, some in the FAA have interpreted the law in a way that would prevent this from occurring. This bill would allow these flight demonstrations, which are important to product development and company sales, to take place.

I strongly use the House to support this legislation so that we can reauthorize this very essential program.

Mr. SHUSTER. Mr. Speaker, the war risk insurance program has been a relatively noncontroversial program.

It was first authorized in 1951 and last reauthorized in 1992.

Since 1975, it has been used to insure more than 5000 flights to trouble spots such as the Middle East, Haiti, and Bosnia. It was used to insure airlines ferrying troops and supplies to the Middle East during Operation Desert Storm.

The program is scheduled to expire at the end of this fiscal year.

The reauthorization of this program is relatively straightforward.

Several technical changes suggested by GAO, the administration, or the affected airlines have been included in the bill. These changes would do the following—

Authorize the Secretary to be guided by the reasonable business practices of the commercial aviation insurance industry when determining the amount for which an aircraft should be insured.

This change is intended to recognize that there may be instances in which an aircraft's market value is not the appropriate basis for determining the amount of insurance. For example, this occurs in the case of leased or mortgaged aircraft when the lessor or mortgagor require a specified amount of insurance in the lease or mortgage agreement. As the market values of aircraft fluctuate, the specified amount may sometimes be different than the market value of the aircraft.

States that the President's signature of the indemnification agreement between the DOT Secretary and the head of another U.S. Government agency will constitute the required finding that the flight is necessary to carry out the foreign policy of the United States.

Permits a war risk insurance policy to provide for binding arbitration of a dispute between FAA and the commercial insurer over what part of a loss each is responsible for.

Extends the program for 1 year.

There are 3 changes from the bill that was reported by our Committee (Report 105–244) they are—

Elimination of the provision on borrowing authority;

Shortening of the authorization period; and

A very limited provision on public aircraft.

The elimination of the borrowing authority and the shortening of the reauthorization period are closely related.

We have dropped the borrowing authority at the request of the administration. However, FAA officials have committed to us that in return for eliminating this provision, they would work with us to develop an alternative to ensure that airline insurance claims can be paid in a timely fashion.

The reauthorization period has been shortened to ensure that FAA addresses this matter in the next year. We look forward to working with the FAA, DoD and the airlines on this.

The new provision on public aircraft is a response to a problem recently experienced by Boeing, McDonnell-Douglas and other defense contractors. The problem arises because these companies will sometimes lease back from the military aircraft that they had previously sold them. They do this in order to fly them in air shows, flight demonstrations, research, development, test, evaluation, or aircrew qualification. When they do this, FAA now believes that they lose their status as public aircraft and become subject to FAA regulations. However, as military aircraft, they cannot comply with civil regulations.

In order to allow aircraft manufacturers to once again fly their aircraft in air shows and demonstrate them for customers, this bill will make clear that these aircraft retain their status as public aircraft when leased back to the manufacturer for these limited purposes. This provision will certainly not allow anyone to lease a plane from the military and use it to carry passengers or for similar commercial purposes.

I urge support for this legislation.

MR. OBERSTAR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the bill, H.R. 2036, as amended.

The question was taken.

Mr. CONDIT. 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, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend remarks and include

extraneous material on H.R. 2036, the bill just considered.

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

There was no objection.

WILLIAM AUGUSTUS BOOTLE FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 595) to designate the Federal building and U.S. courthouse located at 475 Mulberry Street in Macon, GA, as the ''William Augustus Bootle Federal Building and United States Courthouse''.

The Clerk read as follows:

H.R. 595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, shall be known and designated as the ''William Augustus Bootle Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any references in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''William Augustus Bootle Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Ohio [Mr. TRAFICANT] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM] .

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

Mr. Speaker, H.R. 595 simply designates the U.S. courthouse in Macon, GA, as the ''William Augustus Bootle Federal Building and United States Courthouse.''

Judge Bootle was appointed to the U.S. District Court by President Dwight D. Eisenhower on May 20, 1954. He presided as district judge and acted as chief judge handling all six divisions of the court in six different courthouses, in 71 counties of Georgia.

Throughout his career, Judge Bootle was highly regarded by lawyers throughout the district for his keen intellect and warm sense of humor. He is, perhaps, most widely recognized for his decision in 1961 ordering the admittance of two African-American students to the University of Georgia. This decision led to the desegregation of Georgia's public school system.

The naming of this courthouse in Judge Bootle's honor is certainly a fitting tribute to a distinguished jurist. I support this bill and urge my colleagues to support the bill.

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

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

Mr. Speaker, I rise in support of H.R. 595, and I want to commend my colleague, the gentleman from Georgia [Mr. CHAMBLISS], for sponsoring this legislation to designate the U.S. courthouse in Macon, GA, as the ''William Augustus Bootle Federal Building and United States Courthouse.''

□ 1430

Judge Bootle began his judicial career in 1925 when he was admitted to the Georgia bar. He has served the people of Georgia since 1928, when he was first appointed assistant U.S. attorney for the Middle District of Georgia. In 1954, he was appointed U.S. district judge and served as the chief judge from 1961 through 1972, where at that time he had taken senior status.

Mr. Speaker, it is absolutely fitting and proper to join forces with the gentleman from Georgia [Mr. CHAMBLISS] in recognizing the outstanding service of Judge Bootle. I am proud to support this bill. I want to thank the gentleman from California [Mr. KIM] again for the effort he has put forward for both sides of the aisle on this legislation here, and I want to thank the staff, Mr. Barnett and Ms. Brita, for their efforts in helping bring it along.

Mr. Speaker, I rise in support of H.R. 595, a bill to designate the U.S. Courthouse in Macon, GA, as the ''William Augustus Bootle Federal Building and United States Courthouse''.

Judge Bootle began his judicial career in 1925 when he was admitted to the Georgia bar. He has served the people of Georgia since 1928 when he was appointed assistant U.S. attorney for the Middle District of Georgia.

In 1954 he was appointed U.S. district judge and served as the chief judge from 1961 through 1972, when he took senior status.

It is fitting and proper to honor his long, productive career by this designation.

Mr. CHAMBLISS. Mr. Speaker, I would like to take this opportunity to express my strong support for H.R. 595, the William Augustus Bootle Federal Building and U.S. Courthouse. This is an issue of great importance to me, as well as the citizens of Macon, GA.

On February 5, 1997, I introduced this legislation in the House of Representatives. H.R. 595 is similar to a bill I introduced in the 104th Congress, H.R. 4119. H.R. 4119 passed in the House by voice vote, but unfortunately was vetoed in the U.S. Senate along with many other naming bills.

H.R. 595 passed in the Senate on June 12, 1997, and I urge my colleagues to pass this legislation in the House and send this bill to the President for his signature.

This courthouse is vital to judicial proceedings in the State of Georgia. It serves as the U.S. District Court for the Middle District of Georgia which covers much of the territory of Georgia's 8th Congressional District which I represent. Mr. Speaker, there is not a more deserving individual to name this building and courthouse for than Judge Bootle and the current judges of the court wholeheartedly agree.

Judge Bootle received his undergraduate and juris doctor from Mercer University located in Macon. He was admitted to the bar of the State of Georgia in 1925. Judge Bootle honorably served the U.S. District Court for the Middle District of Georgia for a number of years. Upon his appointment by President Eisenhower, Judge Bootle served as district judge from 1954 to 1961 before serving as chief judge from 1961 to 1972. Moreover, he served the Middle District as assistant U.S. attorney and as U.S. attorney from 1928 to 1933. Judge Bootle also served the Macon community as dean of Mercer University's School of Law from 1933 to 1937. His distinguished service is admired, appreciated, and recognized throughout the State of Georgia.

Upon Judge Bootle's appointment to the bench as the judge for the Middle District of Georgia in 1954, the chief judge was ill and remained so for an extended period of time, and until 1962 when another judge was appointed, Judge Bootle handled all six divisions of the middle district of Georgia which included the Athens, Macon, Columbus, Americus, Albany, and Valdosta Divisions. Those six courthouses covered 71 counties in Georgia.

Judge Bootle was also responsible for the admittance of the first black students into the University of Georgia. I would like to take this opportunity to quote from a book written by Frederick Allen entitled ''Atlanta Rising.'' This book deals with a lot of history which took place in the Atlanta area during the years of the civil rights era.

The two black applicants who were denied admittance into the University of Georgia were Charlayne Hunter and Hamilton Holmes. They filed suit in the middle district of Georgia, and quoting from this book, I read as follows:

> Two black applicants, Charlayne Hunter and Hamilton Holmes, went to the court attacking the welter of excuses University of Georgia officials had concocted to keep them out. The two made a convincing case that the only reason they had been denied admission was segregation, pure and simple. In a ruling issued late on the afternoon of Friday, January 6, 1961, Judge William A. Bootle ordered Hunter and Holmes admitted to the school, not in 6 months or a year, but bright and early the next Monday morning.

Judge Bootle has dedicated himself to years of service as a humble steward of justice, his community, the State of Georgia, and the United States. Due to this level of commitment, all of these societies are better places. Naming the courthouse the ''William Augustus Bootle Federal Building and United States Courthouse'' is an appropriate way to ensure the judge's efforts will always be remembered.

Again, I would like to urge my colleagues to vote in favor of naming the Federal Building and United States Courthouse in Macon after this honorable, deserving individual.

Mr. TRAFICANT. Mr. Speaker, with that, I reserve the balance of my time.

Mr. KIM. Mr. Speaker, I do not have any other speakers, and I yield back the balance of my time.

Mr. TRAFICANT. I, too, Mr. Speaker, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the bill, H.R. 595.

The question was taken.

Mr. CONDIT. 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, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 595.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 5 p.m.

Accordingly (at 2 o'clock and 32 minutes p.m.), the House stood in recess until 5 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. EWING] at 5 o'clock and 1 minute p.m.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2378, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, September 29, 1997, to file a conference report on 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 1998, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MAKING IN ORDER ON TUESDAY, SEPTEMBER 30, 1997, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON H.R. 2378, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that it be in order on Tuesday, or on any day thereafter, to consider the conference report to accompany 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; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

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.

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 55, nays 339, not voting 39, as follows:

[Roll No. 460]

YEAS—55

Abercrombie
Allen
Andrews
Barrett (WI)
Becerra
Berry
Coburn
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Filner
Ford
Frank (MA)
Gejdenson
Gutierrez
Hastings (FL)
Hilleary
Jackson-Lee (TX)
Jefferson
Kaptur
Kind (WI)
LaFalce
Lewis (GA)
Lowey
Markey
Martinez
McDermott
McNulty
Meehan
Miller (CA)
Mink
Obey
Olver
Pastor
Pelosi
Rodriguez
Sanchez
Shadegg
Slaughter
Stupak
Tauscher
Thurman
Tierney
Torres
Velazquez
Vento
Visclosky
Woolsey

NAYS—339

Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
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
Collins
Combest
Condit
Cook
Costello
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
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)
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
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
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates

NOT VOTING—39

Barcia
Bono
Brown (OH)
Chenoweth
Conyers
Cooksey
Cox
Crane
Ehrlich
Ensign
Fattah
Fazio
Flake
Foglietta
Gekas
Gephardt
Gonzalez
Harman
Hefner
Herger
Hill
Hinchey
Jenkins
McIntosh

Neal	Sanders	Towns
Owens	Schiff	Watkins
Pallone	Souder	Wexler
Quinn	Stenholm	Young (AK)
Rangel	Stokes	Young (FL)

□ 1725

Mr. SHIMKUS, Mr. HOYER, Ms. RIVERS, Mrs. MYRICK, and Mr. CUNNINGHAM changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONTINUING APPROPRIATIONS, FISCAL YEAR 1998

Mr. LIVINGSTON. Mr. Speaker, pursuant to the order of the House of September 26, 1997, I call up the resolution (H.J. Res. 94) making continuing appropriations for the fiscal year 1998, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 94 is as follows:

H.J. RES. 94

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1998, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1997 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998;

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1998, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1998, the House and Senate reported versions of which shall be deemed to have passed the House and the Senate respectively as of October 1, 1997, for the purposes of this joint resolution, unless a reported version is passed as of October 1, 1997, in which case the passed version shall be used in place of the reported version for the purposes of this joint resolution;

The Energy and Water Development Appropriations Act, 1998;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, notwithstanding section 10 of Public Law 91–672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1998;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1998;

The Legislative Branch Appropriations Act, 1998;

The Military Construction Appropriations Act, 1998;

The Department of Transportation Appropriations Act, 1998;

The Treasury, Postal Service, and General Government Appropriations Act, 1998; and

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998:

Provided, That, whenever the amount which would be made available for the authority which would be granted in these Acts as passed by the House and Senate as of October 1, 1997, is different than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate: *Provided further,* That whenever the amount of the budget request is less than the amount for current operations and the amount which would be made available or the authority which would be granted in these appropriations Acts as passed by the House and Senate as of October 1, 1997, is less than the amount for current operations, then the pertinent project or activity shall be continued at a rate for operations not exceeding the greater of the rates that would be provided by the amount of the budget request or the amount which would be made available or the authority which would be granted in these appropriations Acts: *Provided further,* That whenever there is no amount made available under any of these appropriations Acts as passed by the House and Senate as of October 1, 1997, for a continuing project or activity which was conducted in fiscal year 1997 and for which there is fiscal year 1998 funding included in the budget request, the pertinent project or activity shall be continued at a rate for operations not exceeding the lesser of the rates that would be provided by the amount of the budget request or the rate for current operations under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of October 1, 1997, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1997, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1998 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997: *Provided,* That whenever the amount of the budget request is less than the amount for current operations and the amounts which would be made available or the authority which would be granted in these appropriations Acts as passed by the House and the Senate as of October 1, 1997, are both less than the amount for current operations, then the pertinent project or activity shall be continued at a rate for operations not exceeding the greater of the rates that would be provided by the amount of the budget request or the amount which would be made available or the authority which would be granted in the applicable appropriations Act as passed by the House or as passed by the Senate under the appropriation, fund, or authority provided in the applicable appropriations Act for the fiscal year 1998 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of October 1, 1997, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997: *Provided,* That whenever the amount of the budget request is less than the amount for current operations and the amounts which would be made available or the authority which would be granted in the appropriations Act as passed by the one House as of October 1, 1997, is less than the amount for current operations, then the pertinent project or activity shall be continued at a rate for operations not exceeding the greater of the rates that would be provided by the amount of the budget request or the amount which would be made available or the authority which would be granted in the applicable appropriations Act as passed by the one House under the appropriation, fund, or authority provided in the applicable appropriations Act for the fiscal year 1998 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997: *Provided further,* That whenever there is no amount made available under any of these appropriations Acts as passed by the House or the Senate as of October 1, 1997, for a continuing project or activity which was conducted in fiscal year 1997 and for which there is fiscal year 1998 funding included in the budget request, the pertinent project or activity shall be continued at a rate for operations not exceeding the lesser of the rates that would be provided by the amount of the budget request or the rate for current operations under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1997.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1997 or prior years, for the increase in production rates above those sustained with fiscal year 1997 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1997: *Provided,* That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1997.

SEC. 105. No provision which is included in an appropriations Act enumerated in section

101 but which was not included in the applicable appropriations Act for fiscal year 1997 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) October 23, 1997, whichever first occurs.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1998 referred to in section 101 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that had high initial rates of operation or complete distribution of fiscal year 1997 appropriations at the beginning of that fiscal year because of distributions of funding to States, foreign countries, grantees or others, similar distributions of funds for fiscal year 1998 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 113. Notwithstanding any other provision of this joint resolution, except section 106, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 104–208, which fee rate and offsetting collection authority shall reman in effect during the period of this joint resolution.

SEC. 114. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations for projects and activities that would be funded under the heading ''International Organizations and Conferences, Contributions to International Organizations'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998, shall be the amount provided by the provisions of section 101 multiplied by the ratio of the number of days covered by this resolution to 365.

SEC. 115. Notwithstanding any other provision of this joint resolution, except section 106, the amounts made available for the following new programs authorized by the National Capital Revitalization and Self-Government Act of 1997, Public Law 105–33, shall be the higher of the amounts in the budget request or the House or Senate District of Columbia Appropriations Act, 1998, passed as of October 1, 1997, multiplied by the ratio of the number of days covered by this joint resolution to 365: Federal Contribution to the Operations of the Nation's Capital; Federal Payment to the District of Columbia Corrections Trustee Operations; Payment to the District of Columbia Corrections Trustee for Correctional Facilities, Construction and Repair, and Federal Payment to the District of Columbia Criminal Justice System: *Provided*, That the amounts made available for the last item shall be made available to the Joint Committee on Judicial Administration in the District of Columbia; the District of Columbia Truth in Sentencing Commission; the Pretrial Services, Defense Services, Parole, Adult Probation, and Offender Supervision Trustee; and the United States Parole Commission as appropriate.

SEC. 116. Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall remain in effect during the period of this Act, notwithstanding paragraphs (3) and (5) of said subsection.

SEC. 117. Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under 217 of the Immigration and Nationality Act (8 U.S.C. 1187) shall remain in effect during the period of this joint resolution, notwithstanding subsection (f) of said section.

SEC. 118. The National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended in section 1319 by striking ''September 30, 1997'' and inserting ''October 23, 1997'' and in section 1336 by striking ''September 30, 1996'' and inserting ''October 23, 1997''.

SEC. 119. Notwithstanding section 204 of the Financial Responsibility and Management Assistance Act of 1995 related to the latest maturity date for the short-term Treasury advances, the District of Columbia government may delay repayment of the 1997 Treasury advances beyond October 1, 1997 until it receives the full year Federal contribution, as authorized by section 11601 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105–33. Any interest or penalties that would generally apply to such late payments are hereby waived under this provision

SEC. 120. In addition to the amounts made available for the Veterans Health Administration, Medical Care account pursuant to section 101 of this joint resolution, this account is also available for necessary administrative and legal expenses of the Department for collecting and removing amounts owed the Department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq.

SEC. 121. Notwithstanding section 235(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(3)), the authority of section 235(a)(1) and (2), of the same Act, shall remain in effect during the period of this joint resolution.

SEC. 122. Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''1997'' and inserting ''October 23, 1997''.

SEC. 123. Section 506(c) of Public Law 103–317 is amended by striking ''September 30, 1997'' and inserting ''October 23, 1997''.

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, September 26, 1997, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 94 and that I might include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, as a matter of a point of order, I would like to make sure I understood properly.

□ 1730

Mr. Speaker, did the Chair say that each side would be provided with 30 minutes to debate this issue?

The SPEAKER pro tempore (Mr. EWING). The gentleman is correct. The gentleman from Louisiana [Mr. LIVINGSTON] will control 30 minutes and the gentleman from Wisconsin [Mr. OBEY] will control 30 minutes.

Mr. LIVINGSTON. Mr. Speaker, I certainly do not anticipate using that time, but I ask unanimous consent that we each cede 5 minutes to the gentleman from California [Mr. ROHRABACHER], who has a concern about a provision in the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. ROHRABACHER] will control 10 minutes.

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

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

Mr. Speaker, fiscal year 1998 begins tomorrow. The Congress has not presented all 13 regular appropriations bills to the President. Because these bills will not be enacted by tomorrow night, it is necessary now to proceed with a short term continuing resolution, and I emphasize that, short-term continuing resolution so that the Government can continue to operate while we finish our work.

Currently we have concluded a conference on five bills and six more are in conference and we are making good progress, but we need a little bit more time.

While I wish I were here today speaking on the last of the 13 conference reports that we will need to approve, unfortunately, I am not. But I am also not here to despair that the process is broken and that we are facing a stalemate or Government shutdown. Even though we are here with a continuing

resolution, this resolution will be signed and we will get our appropriations work completed in the near future.

Why are we not finished? Well, last year we passed our first bill on May 30, and this year we passed our first bill on July 8. This year, we withheld action on our appropriations bills pending the disposition of the budget agreement. It took awhile, but it finally came. And though we started late, it was worth it because the agreement gave us the confidence to develop bills within an overall funding agreement. This is also the reason that I believe we will be able to get our work completed in the near future.

This continuing resolution is slightly different than those of the past. The basic rate is the current rate of 1997 bills. Previous ones used were slightly more restrictive rates. However, this should not jeopardize final funding rates because the continuing resolution is a short-term one, and we take precautions to lower or restrict those current rates that might be too high or higher than finally agreed to. Also, the traditional restrictions such as no new starts and 1997 terms and conditions are included. The expiration date is October 23, 1997, and that should give us time to complete our work.

Earlier this year there was extensive debate about enacting an automatic continuing resolution so that we would not have to be here now on this bill. The argument went something like: If there is an automatic continuing resolution, then there will never be a controversial rider attached to a short-term continuing resolution that will cause a Government shutdown. My answer to that is if we do not want a Government shutdown, then develop noncontroversial continuing resolutions. Besides, if any of the proposed automatic continuing resolutions, or CR's, had been enacted, we would still be here today because we would have needed some additional provisions because of funding anomalies.

Every CR that has ever been developed has had anomalies; it is just the nature of the beast. Account structures change, new initiatives need to be started, restrictions need to be imposed. Every CR needs to be fine-tuned for each circumstance. Automatic pilots will not work. Good-faith negotiations will work, and Government shutdowns do not need to occur in those situations.

I should point out that there is a provision in this CR that extends section 245(i) of the Immigration and Nationality Act for 23 days. There is some controversy about extending this provision, as will be noted by the gentleman from California [Mr. ROHRABACHER]. This CR would only provide a very limited extension, though, to that provision that would otherwise expire tomorrow night. This should give the Congress time to address this matter in a more direct way, given the fact that we are extending it only for 3 weeks. For this reason, we have included it in this continuing resolution.

Mr. Speaker, while I am disappointed that we have to be here at all with a continuing resolution, this is the right kind of a short-term CR that we should be doing. It will be signed, and we can complete our work, so I urge adoption of the resolution.

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

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank my friend, the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the Committee on Appropriations, and I rise to congratulate the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations, and the ranking member.

Clearly, for those of us who represent large numbers of Federal employees, September 30 is always a traumatic day for them to face. In fact I think both sides of the aisle have agreed that we are not going to put them at risk as we move through the appropriations process trying to get our work done on time, and I just wanted to come to the floor to say that I, for one, and I know all of the other Members on both sides appreciate the fact that we are moving on when nobody intends to shut down the Federal Government, to do our business, to resolve our differences in an orderly and productive fashion. I thank the chairman and I thank the ranking member for this time.

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

Included in this continuing resolution is a 3-week extension of a temporary provision of the Immigration and Nationality Act known as section 245(i). This provision was snuck into the law 3 years ago. If we do not permit it to expire, it will destroy the integrity of the legal immigration process into the United States and nullify the Illegal Immigration Reform Act that we just passed last year.

Three years ago the Democrat leadership engaged in an undemocratic tactic to get this provision into law. At that time I begged the Committee on Rules not to waive points of order against putting into our immigration law section 245(i), or what I called the Kennedy loophole. This provision, establishing a 3-year period in which illegal aliens could become legal while staying in the United States, was not considered separately by either House of the Congress, but instead was inserted during conference negotiations on the Commerce, Justice, and State, the Judiciary, and related agencies appropriations bill.

To date, there has only been one time in which either Chamber has voted on this provision. That was when the House adopted my amendment last year to repeal 245(i) a year before it was scheduled to expire on September 30, 1997. Ultimately, the conferees dropped my amendment, which, of course, was the only one that was ever voted on in this House, arguing that the other provisions of the Illegal Immigration Reform Act were being phased in and that 245(i) would expire anyway. I was stunned to learn that the continuing resolution, this continuing resolution, provides for an extension of 245(i).

Mr. Speaker, there are several reasons why 245(i) are bad for this country, and our Members should know about this. Number one, it contradicts the Illegal Immigration Reform Act passed last year by inviting people who are illegally in this country to participate in a system that will encourage even more people to come illegally into this country.

Mr. Speaker, 245(i) rewards individuals who either snuck across our borders or who overstayed their visas by allowing them to pay $1,000 to the INS and have their status changed from illegal to legal. This is blatantly unfair to the millions of people around the world who abide by our laws, go through the proper screening process, and they are doing this in their own countries, they are waiting in line there, and wait their turn to become American residents.

Mr. Speaker, 245(i) is a slap in the face to these people who are obeying our laws and trying to come here legally. It makes a joke out of our legal immigration system and sends the clear message that if one is abiding by our laws and waiting one's turn in their own country to come here, that person is a fool. Why wait one's turn in one's own country when one can break the laws of the United States, come here and pay $1,000 and basically be moved to the front of the line.

Extending 245(i) also raises serious national security questions. Unlike those who enter the United States legally, 245(i) applicants are not required to go through the same criminal history checks as they do go through in their home countries when they are awaiting their turn to come here legally.

Consular officers located in the applicant's home country, along with foreign national employees working for the State Department, are in the best position to determine if an applicant has a criminal background or is some kind of a national security risk. Consulates abroad are more knowledgeable. They speak the local language; they know the different criminal justice systems in those countries. They are the ones who should be screening people before they come to the United States, so that we do not have criminals and terrorists coming to the United States, not being screened, and end up paying $1,000 to be put in the front of the line.

This is absurd that we are doing this, and again, the only time we voted on this, we voted it down.

Those who support the extension of 245(i) maintain that allowing it to expire will force undue hardship on these illegal aliens by breaking up their families. Well, we are also breaking up the families of the people who are standing in line and have families here in the United States, who are waiting their turn and going through the legal processes. There are just as many families being broken up; we are just saying the people who come here illegally, we are going to care about them, but not the ones standing in line who want to come and join their families in the United States. Some of those people have been waiting years to come here legally.

Proponents of 245(i) also maintain that the provision only applies to those who are already eligible for permanent resident status. The same millions of people around the world, by the way, we are talking about, they are eligible for permanent residency status. These people have been waiting in line and waiting in line. All we are doing, again, is we are picking the people who have broken the law to move to the head of the line and giving them benefits that we are not giving to people who are obeying the law and waiting their turn in line.

It is time to be honest about this provision. The reason 245(i) still exists is because it raises money for the INS. Those are the people who get that $1,000; and it lightens the caseload of our consulates abroad. Funding for the INS, and lightening the State Department's workload, these are separate issues. Sneaking provisions into the law to encourage illegal immigration is not the way that we should raise money for the INS or lighten the workload for the State Department.

Mr. Speaker, we are a nation of immigrants and the citizens of this country are a fair people and we welcome newcomers with open arms. This is not about legal immigration; this is about government-sponsored illegal activity so that the INS can make a buck.

Last year we promised our constituents that we would no longer take their money to pay for an immigration system that is unfair, randomly applied and contradictory. We told our constituents that we would no longer support a system which rewards those who break our law. That was the essence of what we were trying to do. We promised them that this country's immigration system would embody the principles that have drawn would-be Americans to our country for centuries, meaning fairness and equity.

Are we going to extend this provision which makes a mockery of fairness and equity? Are we going to break the promise that we made to the American people and provide this incredible loophole, in which hundreds of thousands if not over 1 million people who are in this country legally will be able to stay in this country at the expense of other people who have been waiting in line, waiting their legal turn?

□ 1745

Mr. Speaker, I ask my colleagues to consider voting ''no'' on the concurrent resolution.

Mr. Speaker, I yield 1 minute to my friend, the gentleman from San Diego, CA [Mr. HORN].

Mr. HORN. Mr. Speaker, I would like to congratulate the gentleman from California [Mr. ROHRABACHER] for the eloquence with which he has approached this subject. He is absolutely correct on every single point. It is shameful to have this provision in, where people illegally here, by paying $1,000 or whatever, can now get into this country.

The gentleman is also correct, when we go around the world and see many of our friends in the Philippines, for example, long, long lines. They have pursued immigration here legally. This undercuts, of course, what we did in Simpson-Mazzoli, long before I got here. As everybody in this Chamber knows, it was a great law, but the implementation was gutted.

The result of that is that people come here illegally, and gain us more congressional districts in California, I will say to my friends east of the Sierras. If they do not want to help us on this, just plan on losing a few more seats out of New York, Pennsylvania, Kentucky. Last time I think we took two from Pennsylvania, one from Kentucky, and so on. So we need the Members' help. It is wrong. Let us straighten it out today.

Mr. ROHRABACHER. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Speaker, this is an issue of fairness and of common sense. I know those words may seem extreme to some people in this House. Fairness is the issue. There are people who are playing by the rules waiting to enter this country legally. They do not get an option to buy their way into a fast track.

Common sense says we do not reward people for breaking the law, and do not give them vehicles for people breaking the law that are not available to those who play by the rules. I want every Member here who voted for the immigration reform bill last year to remember this provision is a veto of the most commonsense part of that bill that says we will stop rewarding people for breaking our laws and coming here illegally.

Mr. ROHRABACHER. Mr. Speaker, I yield 1 minute to the gentleman from San Diego, [Mr. DUKE CUNNINGHAM]. Perhaps if he has some other things to say some other Members might yield him another minute or two.

Mr. CUNNINGHAM. Mr. Speaker, first of all, we need to differentiate between legal and illegal. The United States of America has more legal entrants than all the other countries put together. That is good. However, where we must draw the line is illegal immigration. It is beyond me. The thing that both sides of the aisle fight over all the time is legislation that slips in in the dark of night, when no one is around, by unanimous consent. That is how this was put into this bill.

That is wrong, Mr. Speaker. This provision to allow illegals to remain in this country, the only thing they should have is a ticket out of here, illegals out of the United States of America, period. If we take a look at how over the period of time that immigration has rewarded the United States, that is good.

I just returned from the Philippines. The State Department is overwhelmed by visas from people trying to come into this country legally. We need to support that, Mr. Speaker, and take out this provision. We do not have the votes to beat this, but we should have an up-or-down vote on this provision.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would simply say, this is not a piece of legislation to extend the Immigration Service. This is a piece of legislation to keep the Government open so we do not shut down the Government, either on purpose or by accident.

I would point out that the fiscal year starts in 2 days, and there are only 9 legislative days left between now and the expiration of the concurrent resolution, which we now have before us. So I think we need to find the fastest possible way to resolve differences and finish these bills.

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

Mr. LIVINGSTON. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I simply would add that the gentleman from Wisconsin [Mr. OBEY] is absolutely correct. This is a bill which extends the opportunity for Government to keep from shutting down because those appropriations bills which have not yet been signed into law can and will be within the 3 weeks allotted by this bill.

The fact that the immigration issue is involved only extends what has been lawful for the last several years for 3 specific weeks. In that 3 weeks, I hope that the opponents of these provisions can meet their demands and satisfy their concerns.

In any event, Mr. Speaker, I urge the adoption of this continuing resolution.

Mr. QUINN. Mr. Speaker, I would like to express my support for House Joint Resolution 94, making continuing appropriations for the fiscal year ending September 30, 1997.

This resolution provides temporary funding, beginning October 1, 1997, and lasting until either October 23 or when the relevant bill is singed into law, whichever comes first. The continuing resolution funds ongoing projects at current rates, except for those for which both the President and Congress have proposed reduced funding.

The joint resolution also allows payment for the administrative costs of the user fee program of the Veterans Administrative Medicare Care Program.

This short-term measure would allow the Congress to continue its important work of passing appropriations bills while not dangerously bringing the Government to a halt. I

strongly opposed the Government shutdowns of 1995 and 1996, as it had a direct effect on many of my constituents in western New York.

Last year, many Federal workers in my district were forced to stay home from work and did not receive a paycheck for months. This resolution will see to it that this type of situation is averted. Many of my constituents also were unable to obtain passports, iron out problems with their deserved benefits, or enjoy visiting our national parks while on vacation.

The SPEAKER pro tempore (Mr. EWING). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to the order of the House of Friday, September 26, 1997, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution 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 joint resolution.

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

Mr. ROHRABACHER. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was refused.

Mr. ROHRABACHER. 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 355, nays 57, not voting 21, as follows:

[Roll No. 461]

YEAS—355

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Christensen
Clay
Clayton
Clement
Clyburn
Condit
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gilman
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hill
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NAYS—57

Baker
Barr
Bartlett
Barton
Bilbray
Bono
Campbell
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cubin
Deal
DeLay
Doolittle
Duncan
Everett
Ewing
Gallegly
Gillmor
Goode
Graham
Hall (TX)
Hayworth
Hefley
Herger
Hilleary
Horn
Hunter
Jones
Largent
Manzullo
McInnis
McKeon
Metcalf
Neumann
Norwood
Paul
Pickett
Riley
Rohrabacher
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Shadegg
Stearns
Stump
Taylor (MS)
Traficant
Wamp

NOT VOTING—21

Barcia
Conyers
Cooksey
Ensign
Fattah
Flake
Foglietta
Gephardt
Gonzalez
Harman
Hefner
Hinchey
Jenkins
Neal
Pallone
Quinn
Rangel
Schiff
Stenholm
Watkins
Young (FL)

□ 1809

Mr. MCINNIS, Mr. MANZULLO, Mrs. CHENOWETH, and Mr. CAMPBELL changed their vote from ''yea'' to ''nay.''

Mr. HASTINGS of Florida and Mr. SANDLIN changed their vote from ''nay'' to ''yea.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JENKINS. Mr. Speaker, due to airline cancellations, I was unable to make rollcall vote No. 461. Had I been present I would have voted ''Yea.'' I would have voted ''No'' on vote No. 460.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on the following motions to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

S. 1211, de novo;

H.R. 2261, de novo;

H.R. 2472, de novo.

Further proceedings on the remaining motions to suspend the rules will be postponed until a subsequent legislative day.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PROVIDING PERMANENT AUTHORITY FOR THE ADMINISTRATION OF AU PAIR PROGRAMS

The SPEAKER. The pending business is the question of suspending the rules and passing the Senate bill, S. 1211.

The Clerk read the title of the Senate bill.

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. CAMPBELL] that the House suspend the rules and pass the Senate bill, S. 1211.

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 377, noes 33, not voting 23, as follows:

[Roll No. 462]

AYES—377

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

NOES—33

Barr
Barton
Bereuter
Blunt
Chenoweth
Clyburn
Coble
Duncan
Ganske
Hefley
Herger
Hilleary
Hilliard
Hulshof
Hunter
LaHood
Moran (KS)
Neumann
Paul
Petri
Pombo
Riggs
Royce
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Stearns
Stump
Wamp
Waters

NOT VOTING—23

Bachus
Barcia
Conyers
Cooksey
Fattah
Flake
Foglietta
Foley
Frank (MA)
Gephardt
Gonzalez
Harman
Hefner
Hinchey
Manzullo
Neal
Quinn
Rangel
Schiff
Stenholm
Vento
Watkins
Young (FL)

□ 1828

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SMALL BUSINESS PROGRAMS REAUTHORIZATION AND AMENDMENTS ACT OF 1997

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 2261, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. TALENT] that the House suspend the rules and pass the bill, H.R. 2261, as amended.

The question was taken.

RECORDED VOTE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 397, noes 17, not voting 19, as follows:

[Roll No. 463]

AYES—397

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Fazio
Filner
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts

Pombo	Sensenbrenner	Taylor (MS)
Pomeroy	Serrano	Taylor (NC)
Porter	Sessions	Thomas
Portman	Shadegg	Thompson
Poshard	Shaw	Thornberry
Price (NC)	Shays	Thune
Pryce (OH)	Sherman	Thurman
Radanovich	Shimkus	Tiahrt
Rahall	Shuster	Tierney
Ramstad	Sisisky	Torres
Redmond	Skaggs	Towns
Regula	Skeen	Traficant
Reyes	Skelton	Turner
Riggs	Slaughter	Upton
Riley	Smith (MI)	Velazquez
Rivers	Smith (NJ)	Vento
Rodriguez	Smith (OR)	Visclosky
Roemer	Smith (TX)	Walsh
Rogan	Smith, Adam	Wamp
Rogers	Smith, Linda	Waters
Ros-Lehtinen	Snowbarger	Watt (NC)
Rothman	Snyder	Watts (OK)
Roybal-Allard	Solomon	Waxman
Rush	Souder	Weldon (FL)
Ryun	Spence	Weldon (PA)
Sabo	Spratt	Weller
Salmon	Stabenow	Wexler
Sanchez	Stark	Weygand
Sanders	Stearns	White
Sandlin	Stokes	Whitfield
Sawyer	Strickland	Wicker
Saxton	Stupak	Wise
Scarborough	Sununu	Wolf
Schaefer, Dan	Talent	Woolsey
Schaffer, Bob	Tanner	Wynn
Schumer	Tauscher	Yates
Scott	Tauzin	Young (AK)

NOES—17

Barr	Hostettler	Rohrabacher
Campbell	Jones	Roukema
Canady	McIntosh	Royce
Cox	Miller (FL)	Sanford
Dreier	Neumann	Stump
Hastings (WA)	Paul	

NOT VOTING—19

Conyers	Gephardt	Rangel
Cooksey	Gonzalez	Schiff
Fattah	Harman	Stenholm
Flake	Hefner	Watkins
Foglietta	Hinchey	Young (FL)
Foley	Neal	
Frank (MA)	Quinn	

□ 1840

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

Mr. TALENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1139) to reauthorize the programs of the Small Business Administration, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Reauthorization Act of 1997''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Effective date.

TITLE I—AUTHORIZATIONS

Sec. 101. Authorizations.

TITLE II—FINANCIAL ASSISTANCE

Subtitle A—Microloan Program

Sec. 201. Microloan program.
Sec. 202. Welfare-to-work microloan pilot program.

Subtitle B—Small Business Investment Company Program

Sec. 211. 5-year commitments for SBICs at option of Administrator.
Sec. 212. Fees.
Sec. 213. Small business investment company program reform.
Sec. 214. Examination fees.

Subtitle C—Certified Development Company Program

Sec. 221. Loans for plant acquisition, construction, conversion, and expansion.
Sec. 222. Development company debentures.
Sec. 223. Premier certified lenders program.

TITLE III—WOMEN'S BUSINESS ENTERPRISES

Sec. 301. Interagency committee participation.
Sec. 302. Reports.
Sec. 303. Council duties.
Sec. 304. Council membership.
Sec. 305. Authorization of appropriations.
Sec. 306. Women's business centers.
Sec. 307. Office of women's business ownership.
Sec. 308. National Women's Business Council procurement project.

TITLE IV—COMPETITIVENESS PROGRAM AND PROCUREMENT OPPORTUNITIES

Subtitle A—Small Business Competitiveness Program

Sec. 401. Program term.
Sec. 402. Monitoring agency performance.
Sec. 403. Reports to Congress.
Sec. 404. Small business participation in dredging.

Subtitle B—Small Business Procurement Opportunities Program

Sec. 411. Contract bundling.
Sec. 412. Definition of contract bundling.
Sec. 413. Assessing proposed contract bundling.
Sec. 414. Reporting of bundled contract opportunities.
Sec. 415. Evaluating subcontract participation in awarding contracts.
Sec. 416. Improved notice of subcontracting opportunities.
Sec. 417. Deadlines for issuance of regulations.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Small business technology transfer program.
Sec. 502. Small business development centers.
Sec. 503. Pilot preferred surety bond guarantee program extension.
Sec. 504. Extension of cosponsorship authority.
Sec. 505. Asset sales.
Sec. 506. Small business export promotion.
Sec. 507. Defense Loan and Technical Assistance program.

TITLE VI—HUBZONE PROGRAM

Sec. 601. Short title.
Sec. 602. Historically underutilized business zones.
Sec. 603. Technical and conforming amendments to the Small Business Act.
Sec. 604. Other technical and conforming amendments.
Sec. 605. Regulations.
Sec. 606. Report.
Sec. 607. Authorization of appropriations.

SEC. 2. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1, 1997.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by striking subsections (c) through (q) and inserting the following:

''(c) FISCAL YEAR 1998.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 1998:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $28,000,000 in technical assistance grants, as provided in section 7(m); and

''(ii) $60,000,000 in loans, as provided in section 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $17,040,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $13,000,000,000 in general business loans as provided in section 7(a);

''(ii) $3,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(iv) $40,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $600,000,000 in purchases of participating securities; and

''(ii) $500,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter into cooperative agreements—

''(i) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $4,000,000; and

''(ii) for activities of small business development centers pursuant to section 21(c)(3)(G), $15,000,000, to remain available until expended.

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 1998 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding subparagraph (A), for fiscal year 1998—

''(i) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (l)(2)(A) is fully funded; and

''(ii) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(d) FISCAL YEAR 1999.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 1999:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $28,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $60,000,000 in loans, as provided in section 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $18,540,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $14,000,000,000 in general business loans as provided in section 7(a);

''(ii) $3,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(iv) $40,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $700,000,000 in purchases of participating securities; and

''(ii) $650,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements—

''(i) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $4,500,000; and

''(ii) for activities of small business development centers pursuant to section 21(c)(3)(G), not to exceed $15,000,000, to remain available until expended.

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 1999 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding subparagraph (A), for fiscal year 1999—

''(i) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (n)(2)(A) is fully funded; and

''(ii) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(e) FISCAL YEAR 2000.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2000:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $28,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $60,000,000 in direct loans, as provided in section 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $21,040,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $15,500,000,000 in general business loans as provided in section 7(a);

''(ii) $4,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $1,000,000,000 in loans as provided in section 7(a)(21); and

''(iv) $40,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $850,000,000 in purchases of participating securities; and

''(ii) $700,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $2,000,000,000, of which not more than $650,000,000 may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements—

''(i) for the Service Corps of Retired Executives program authorized by section 8(b)(1), $5,000,000; and

''(ii) for activities of small business development centers pursuant to section 21(c)(3)(G), not to exceed $15,000,000, to remain available until expended.

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2000 such sums as may be necessary to carry out this Act, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding subparagraph (A), for fiscal year 2000—

''(i) no funds are authorized to be provided to carry out the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under subsection (p)(2)(A) is fully funded; and

''(ii) the Administration may not approve loans on behalf of the Administration or on behalf of any other department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.''.

TITLE II—FINANCIAL ASSISTANCE

Subtitle A—Microloan Program

SEC. 201. MICROLOAN PROGRAM.

(a) LOAN LIMITS.—Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking ''$2,500,000'' and inserting ''$3,500,000''.

(b) LOAN LOSS RESERVE FUND.—Section 7(m)(3)(D) of the Small Business Act (15 U.S.C. 636(m)(3)(D)) is amended by striking clauses (i) and (ii), and inserting the following:

''(i) during the initial 5 years of the intermediary's participation in the program under this subsection, at a level equal to not more than 15 percent of the outstanding balance of the notes receivable owed to the intermediary; and

''(ii) in each year of participation thereafter, at a level equal to not more than the greater of—

''(I) 2 times an amount reflecting the total losses of the intermediary as a result of participation in the program under this subsection, as determined by the Administrator on a case-by-case basis; or

''(II) 10 percent of the outstanding balance of the notes receivable owed to the intermediary.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—

(1) in the subsection heading, by striking ''DEMONSTRATION'';

(2) by striking ''Demonstration'' each place that term appears;

(3) by striking ''demonstration'' each place that term appears; and

(4) in paragraph (12), by striking ''during fiscal years 1995 through 1997'' and inserting ''during fiscal years 1998 through 2000''.

(d) TECHNICAL ASSISTANCE GRANTS.—Section 7(m)(4)(E) of the Small Business Act (15 U.S.C. 636(m)(4)(E)) is amended—

(1) by inserting ''(i)'' before ''Each intermediary'';

(2) by striking ''15'' and inserting ''25'';

(3) by adding at the end of the paragraph ''(ii) The intermediary may expend up to 25 percent of the funds received under paragraph (1)(B)(ii) to enter into third party contracts for the provision of technical assistance''.

SEC. 202. WELFARE-TO-WORK MICROLOAN PILOT PROGRAM.

(a) PROGRAM ESTABLISHMENT.—Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—

(1) in paragraph (1)(A)—

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

(B) in clause (iii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iv) to establish a welfare-to-work microloan pilot program, which shall be administered by the Administration, in order to—

''(I) test the feasibility of supplementing the technical assistance grants provided under clauses (ii) and (iii) of subparagraph (B) to individuals who are receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or under any comparable State-funded means-tested program of assistance for low-income individuals, in order to adequately assist those individuals in—

''(aa) establishing small businesses; and

''(bb) eliminating their dependence on that assistance;

''(II) permit the grants described in subclause (I) to be used to provide intensive management, marketing and technical assistance as well as to pay or reimburse a portion of child care and transportation costs of individuals described in subclause (I) who become microborrowers;

''(III) eliminate barriers to microborrowers in establishing child care businesses; and

''(IV) evaluate the effectiveness of assistance provided under this clause in helping individuals described in subclause (I) to eliminate their dependence on assistance described in that subclause and become employed in their own business;'';

(2) in paragraph (4), by adding at the end the following:

''(F) SUPPLEMENTAL GRANTS.—

''(i) IN GENERAL.—In addition to grants under subparagraphs (A) and (C) and paragraph (5), the Administration may select

from participating intermediaries and recipients of grants under paragraph (5), not more than 20 entities in fiscal year 1998, 25 entities in fiscal year 1999, and 30 entities in fiscal year 2000, each of whom may receive annually a supplemental grant in an amount not to exceed $200,000 for the purpose of providing additional technical assistance and related services to borrowers who are receiving assistance described in paragraph (1)(A)(iv)(I) at the time they initially apply for assistance under the program.

''(ii) INAPPLICABILITY OF CONTRIBUTION REQUIREMENTS.—The contribution requirements of subparagraphs (B) and (C)(i)(II) do not apply to any grant made under this subparagraph.

''(iii) CHILD CARE AND TRANSPORTATION COSTS.—Any grant made under this subparagraph may be used to pay or reimburse a portion of the costs of child care and transportation incurred by a borrower under the welfare-to-work microloan pilot program under paragraph (1)(A)(iv).'';

(3) in paragraph (6), by adding at the end the following:

''(E) ESTABLISHMENT OF CHILD CARE ESTABLISHMENTS.—In addition to other eligible small business concerns, borrowers under any program under this subsection may include individuals who will use the loan proceeds to establish for-profit or nonprofit child care establishments.'';

(4) in paragraph (9)—

(A) by striking the paragraph designation and paragraph heading and inserting the following:

''(9) GRANTS FOR MANAGEMENT, MARKETING, TECHNICAL ASSISTANCE, AND RELATED SERVICES.—''; and

(B) by adding at the end the following:

''(C) WELFARE-TO-WORK MICROLOAN PILOT PROGRAM.—Of amounts made available to carry out the welfare-to-work microloan pilot program under paragraph (1)(A)(iv) in any fiscal year, the Administration may use not more than 5 percent to provide technical assistance, either directly or through contractors, to welfare-to-work microloan pilot program grantees, to ensure that, as grantees, they have the knowledge, skills, and understanding of microlending and welfare-to-work transition, and other related issues, to operate a successful welfare-to-work microloan pilot program.''; and

(5) by adding at the end the following:

''(13) EVALUATION OF WELFARE-TO-WORK MICROLOAN PILOT PROGRAM.—On January 31, 1999, and annually thereafter, the Administration shall submit to the Committees on Small Business of the House of Representatives and the Senate a report on the welfare-to-work microloan pilot program authorized under paragraph (1)(A)(iv), which report shall include, with respect to the preceding fiscal year, an analysis of the progress and effectiveness of the program during that fiscal year, and data relating to—

''(A) the number and location of each grantee under the program;

''(B) the amount of each grant;

''(C) the number of individuals who received assistance under each grant, including separate data relating to—

''(i) the number of individuals who received training;

''(ii) the number of individuals who received transportation assistance; and

''(iii) the number of individuals who received child care assistance (including the number of children assisted);

''(D) the type and amount of loan and grant assistance received by borrowers under the program;

''(E) the number of businesses that were started with assistance provided under the program that are operational and the number of jobs created by each business;

''(F) the number of individuals receiving training under the program who, after receiving assistance under the program—

''(i) are employed in their own businesses; and

''(ii) are not receiving public assistance for themselves or their children;

''(G) whether and to what extent each grant was used to defray the transportation and child care costs of borrowers; and

''(H) any recommendations for legislative changes to improve program operations.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the welfare-to-work microloan pilot program under section 7(m)(1)(A)(iv) of the Small Business Act (as added by this section)—

(1) $3,000,000 for fiscal year 1998;

(2) $4,000,000 for fiscal year 1999; and

(3) $5,000,000 for fiscal year 2000.

Subtitle B—Small Business Investment Company Program

SEC. 211. 5-YEAR COMMITMENTS FOR SBICs AT OPTION OF ADMINISTRATOR.

Section 20(a)(2) of the Small Business Act (15 U.S.C. 631 note) is amended in the last sentence by striking ''the following fiscal year'' and inserting ''any 1 or more of the 4 subsequent fiscal years''.

SEC. 212. FEES.

Section 301 of the Small Business Investment Act of 1958 (15 U.S.C. 681) is amended by adding the following:

''(e) FEES.—

''(1) IN GENERAL.—The Administration may prescribe fees to be paid by each applicant for a license to operate as a small business investment company under this Act.

''(2) USE OF AMOUNTS.—Amounts collected pursuant to this subsection shall be—

''(A) deposited in the account for salaries and expenses of the Administration; and

''(B) available without further appropriation solely to cover contracting and other administrative costs related to licensing.''.

SEC. 213. SMALL BUSINESS INVESTMENT COMPANY PROGRAM REFORM.

(a) BANK INVESTMENTS.—Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended by striking ''1956,'' and all that follows before the period and inserting the following: ''1956, any national bank, or any member bank of the Federal Reserve System or nonmember insured bank to the extent permitted under applicable State law, may invest in any 1 or more small business investment companies, or in any entity established to invest solely in small business investment companies, except that in no event shall the total amount of such investments of any such bank exceed 5 percent of the capital and surplus of the bank''.

(b) INDEXING FOR LEVERAGE.—Section 303 of the Small Business Investment Act of 1958 (15 U.S.C. 683) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by adding at the end the following:

''(D)(i) The dollar amounts in subparagraphs (A), (B), and (C) shall be adjusted annually to reflect increases in the Consumer Price Index established by the Bureau of Labor Statistics of the Department of Labor.

''(ii) The initial adjustments made under this subparagraph after the date of enactment of the Small Business Reauthorization Act of 1997 shall reflect only increases from March 31, 1993.''; and

(B) by striking paragraph (4) and inserting the following:

''(4) MAXIMUM AGGREGATE AMOUNT OF LEVERAGE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the aggregate amount of outstanding leverage issued to any company or companies that are commonly controlled (as determined by the Administrator) may not exceed $90,000,000, as adjusted annually for increases in the Consumer Price Index.

''(B) EXCEPTIONS.—The Administrator may, on a case-by-case basis—

''(i) approve an amount of leverage that exceeds the amount described in subparagraph (A) for companies under common control; and

''(ii) impose such additional terms and conditions as the Administrator determines to be appropriate to minimize the risk of loss to the Administration in the event of default.

''(C) APPLICABILITY OF OTHER PROVISIONS.—Any leverage that is issued to a company or companies commonly controlled in an amount that exceeds $90,000,000, whether as a result of an increase in the Consumer Price Index or a decision of the Administrator, is subject to subsection (d).''; and

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

''(d) REQUIRED CERTIFICATIONS.—

''(1) IN GENERAL.—The Administrator shall require each licensee, as a condition of approval of an application for leverage, to certify in writing—

''(A) for licensees with leverage less than or equal to $90,000,000, that not less than 20 percent of the licensee's aggregate dollar amount of financings will be provided to smaller enterprises; and

''(B) for licensees with leverage in excess of $90,000,000, that, in addition to satisfying the requirements of subparagraph (A), 100 percent of the licensee's aggregate dollar amount of financings made in whole or in part with leverage in excess of $90,000,000 will be provided to smaller enterprises as defined in section 103(12).

''(2) MULTIPLE LICENSEES.—Multiple licensees under common control (as determined by the Administrator) shall be considered to be a single licensee for purposes of determining both the applicability of and compliance with the investment percentage requirements of this subsection.''.

(c) TAX DISTRIBUTIONS.—Section 303(g)(8) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(8)) is amended by adding at the end the following: ''A company may also elect to make a distribution under this paragraph at the end of any calendar quarter based on a quarterly estimate of the maximum tax liability. If a company makes 1 or more quarterly distributions for a calendar year, and the aggregate amount of those distributions exceeds the maximum amount that the company could have distributed based on a single annual computation, any subsequent distribution by the company under this paragraph shall be reduced by an amount equal to the excess amount distributed.''.

(d) LEVERAGE FEE.—Section 303(i) of the Small Business Investment Act of 1958 (15 U.S.C. 683(i)) is amended by striking '', payable upon'' and all that follows before the period and inserting the following: ''in the following manner: 1 percent upon the date on which the Administration enters into any commitment for such leverage with the licensee, and the balance of 2 percent (or 3 percent if no commitment has been entered into by the Administration) on the date on which the leverage is drawn by the licensee''.

(e) PERIODIC ISSUANCE OF GUARANTEES AND TRUST CERTIFICATES.—Section 320 of the Small Business Investment Act of 1958 (15 U.S.C. 687m) is amended by striking ''three months'' and inserting ''6 months''.

SEC. 214. EXAMINATION FEES.

Section 310(b) of the Small Business Investment Act of 1958 (15 U.S.C. 687b(b)) is amended by inserting after the first sentence the following: ''Fees collected under this

subsection shall be deposited in the account for salaries and expenses of the Administration, and shall be available without further appropriation solely to cover the costs of examinations and other program oversight activities.''.

Subtitle C—Certified Development Company Program

SEC. 221. LOANS FOR PLANT ACQUISITION, CONSTRUCTION, CONVERSION, AND EXPANSION.

Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) The proceeds of any such loan shall be used solely by the borrower to assist 1 or more identifiable small business concerns and for a sound business purpose approved by the Administration.'';

(2) in paragraph (3), by adding at the end the following:

''(D) SELLER FINANCING.—Seller-provided financing may be used to meet the requirements of subparagraph (B), if the seller subordinates the interest of the seller in the property to the debenture guaranteed by the Administration.

''(E) COLLATERAL REQUIREMENTS.—Adequacy of collateral provided by the small business shall be one factor evaluated in the credit determination. Collateral provided by the small business concern generally will include a subordinate lien position on the property being financed, and additional collateral may be required in a case-by-case basis, as determined by the Administration.''; and

(3) by adding at the end the following:

''(5) Except as provided in paragraph (4), not to exceed 25 percent of the project may be leased by the assisted small business, if—

''(A) the assisted small business is required to occupy permanently and use not less than 75 percent of the space in the project after the execution of any leases authorized in this paragraph; and

''(B) each tenant is engaged a business that enhances the operations of the assisted small business.''.

SEC. 222. DEVELOPMENT COMPANY DEBENTURES.

Section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697) is amended—

(1) in subsection (b)(7), by striking subparagraph (A) and inserting the following:

''(A) assesses and collects a fee, which shall be payable by the borrower, in an amount established annually by the Administration, which amount shall not exceed the lesser of—

''(i) 0.9375 percent per year of the outstanding balance of the loan; and

''(ii) the minimum amount necessary to reduce the cost (as that term is defined in section 502 of the Federal Credit Reform Act of 1990) to the Administration of purchasing and guaranteeing debentures under this Act to zero; and''; and

(2) in subsection (f), by striking ''1997'' and inserting ''2000''.

SEC. 223. PREMIER CERTIFIED LENDERS PROGRAM.

(a) IN GENERAL.—Section 508 of the Small Business Investment Act of 1958 (15 U.S.C. 697e) is amended—

(1) in subsection (a), by striking ''not more than 15'';

(2) in subsection (b)(2), by striking subparagraphs (A) and (B) and inserting the following:

''(A) is an active certified development company in good standing and has been an active participant in the accredited lenders program during the entire 12-month period preceding the date on which the company submits an application under paragraph (1), except that the Administration may waive this requirement if the company is qualified to participate in the accredited lenders program;

''(B) has a history of—

''(i) submitting to the Administration adequately analyzed debenture guarantee application packages; and

''(ii) of properly closing section 504 loans and servicing its loan portfolio; and'';

(3) by striking subsection (c) and inserting the following:

''(c) LOSS RESERVE.—

''(1) ESTABLISHMENT.—A company designated as a premier certified lender shall establish a loss reserve for financing approved pursuant to this section.

''(2) AMOUNT.—The amount of the loss reserve shall be based upon the greater of—

''(A) the historic loss rate on debentures issued by such company; or

''(B) 10 percent of the amount of the company's exposure as determined under subsection (b)(2)(C).

''(3) ASSETS.—The loss reserve shall be comprised of any combination of the following types of assets:

''(A) segregated funds on deposit in an account or accounts with a federally insured depository institution or institutions selected by the company, subject to a collateral assignment in favor of, and in a format acceptable to, the Administration; or

''(B) irrevocable letter or letters of credit, with a collateral assignment in favor of, and a commercially reasonable format acceptable to, the Administration.

''(4) CONTRIBUTIONS.—The company shall make contributions to the loss reserve, either cash or letters of credit as provided above, in the following amounts and at the following intervals:

''(A) 50 percent when a debenture is closed;

''(B) 25 percent additional not later than 1 year after a debenture is closed; and

''(C) 25 percent additional not later than 2 years after a debenture is closed.

''(5) REPLENISHMENT.—If a loss has been sustained by the Administration, any portion of the loss reserve, and other funds provided by the premier company as necessary, may be used to reimburse the Administration for the company's 10 percent share of the loss as provided in subsection (b)(2)(C). If the company utilizes the reserve, within 30 days it shall replace an equivalent amount of funds.

''(6) DISBURSEMENTS.—The Administration shall allow the certified development company to withdraw from the loss reserve amounts attributable to any debenture which has been repaid.'';

(4) in subsection (f), by striking ''State or local'' and inserting ''certified'';

(5) in subsection (g), by striking the subsection heading and inserting the following:

''(g) EFFECT OF SUSPENSION OR REVOCATION.—'';

(6) by striking subsection (h) and inserting the following:

''(h) PROGRAM GOALS.—Each certified development company participating in the program under this section shall establish a goal of processing a minimum of not less than 50 percent of the loan applications for assistance under section 504 pursuant to the program authorized under this section.''; and

(7) in subsection (i), by striking ''other lenders'' and inserting ''other lenders, specifically comparing default rates and recovery rates on liquidations''.

(b) REGULATIONS.—The Administrator of the Small Business Administration shall—

(1) not later than 120 days after the date of enactment of this Act, promulgate regulations to carry out the amendments made by subsection (a); and

(2) not later than 150 days after the date of enactment of this Act, issue program guidelines and fully implement the amendments made by subsection (a).

(c) PROGRAM EXTENSION.—Section 217(b) of the Small Business Reauthorization and Amendments Act of 1994 (15 U.S.C. 697e note) is amended by striking ''October 1, 1997'' and inserting ''October 1, 2000''.

TITLE III—WOMEN'S BUSINESS ENTERPRISES

SEC. 301. INTERAGENCY COMMITTEE PARTICIPATION.

Section 403 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) in subsection (a)(1), by adding at the end the following:

''(K) The Department of Education.

''(L) The Environmental Protection Agency.

''(M) The Department of Energy.

''(N) The Administrator of the Office of Procurement Policy.

''(O) The National Aeronautics and Space Administration.'';

(2) in subsection (a)(2)(A)—

(A) by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997''; and

(B) by inserting before the final period '', and who shall report directly to the head of the agency on the status of the activities of the Interagency Committee'';

(3) in subsection (a)(2)(B), by inserting before the final period the following: ''and shall report directly to the Administrator on the status of the activities on the Interagency Committee and shall serve as the Interagency Committee Liaison to the National Women's Business Council established under section 405''; and

(4) in subsection (b), by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997''.

SEC. 302. REPORTS.

Section 404 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) by inserting '', through the Small Business Administration,'' after ''transmit'';

(2) by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(3) in paragraph (1), as redesignated, by inserting before the semicolon the following: '', including a status report on the progress of the Interagency Committee in meeting its responsibilities and duties under section 402(a)''.

SEC. 303. COUNCIL DUTIES.

Section 406 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) in subsection (c), by inserting after ''Administrator'' the following: ''(through the Assistant Administrator for the Office of Women's Business Ownership)''; and

(2) in subsection (d)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(6) submit to the President and to the Committee on Small Business of the Senate and the Committee on Small Business of the House of Representatives, an annual report containing—

''(A) a detailed description of the activities of the council, including a status report on the Council's progress toward meeting its duties outlined in subsections (a) and (d) of section 406;

''(B) the findings, conclusions, and recommendations of the Council; and

''(C) the Council's recommendations for such legislation and administrative actions

as the Council considers appropriate to promote the development of small business concerns owned and controlled by women.

''(e) SUBMISSION OF REPORTS.—The annual report required by subsection (d) shall be submitted not later than 90 days after the end of each fiscal year.''.

SEC. 304. COUNCIL MEMBERSHIP.

Section 407 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) in subsection (a), by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997'';

(2) in subsection (b)—

(A) by striking ''and Amendments Act of 1994'' and inserting ''Act of 1997'';

(B) by inserting after ''the Administrator shall'' the following: '', after receiving the recommendations of the Chair and the Ranking Member of the Minority of the Committees on Small Business of the House of Representatives and the Senate, '';

(C) by striking ''9'' and inserting ''14'';

(D) in paragraph (1), by striking ''2'' and inserting ''3'';

(E) in paragraph (2)—

(i) by striking ''2'' and inserting ''3''; and

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

(F) in paragraph (3)—

(i) by striking ''5'' and inserting ''6'';

(ii) by striking ''national''; and

(iii) by striking the period at the end and inserting the following: '', including representatives of Women's Business Center sites; and''; and

(G) by adding at the end the following:

''(4) 2 shall be representatives of businesses or educational institutions having an interest in women's entrepreneurship.''; and

(3) in subsection (c), by inserting ''(including both urban and rural areas)'' after ''geographic''.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 409 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended—

(1) by striking ''1995 through 1997'' and inserting ''1998 through 2000''; and

(2) by striking ''$350,000'' and inserting ''$400,000''.

SEC. 306. WOMEN'S BUSINESS CENTERS.

(a) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''SEC. 29. WOMEN'S BUSINESS CENTERS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'small business concern owned and controlled by women', either startup or existing, includes any small business concern—

''(A) that is not less than 51 percent owned by 1 or more women; and

''(B) the management and daily business operations of which are controlled by 1 or more women; and

''(2) the term 'women's business center site' means the location of—

''(A) a women's business center; or

''(B) 1 or more women's business centers, established in conjunction with another women's business center in another location within a State or region—

''(i) that reach a distinct population that would otherwise not be served;

''(ii) whose services are targeted to women; and

''(iii) whose scope, function, and activities are similar to those of the primary women's business center or centers in conjunction with which it was established.

''(b) AUTHORITY.—The Administration may provide financial assistance to private organizations to conduct 5-year projects for the benefit of small business concerns owned and controlled by women. The projects shall provide—

''(1) financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a business concern;

''(2) management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

''(3) marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

''(c) CONDITIONS OF PARTICIPATION.—

''(1) NON-FEDERAL CONTRIBUTIONS.—As a condition of receiving financial assistance authorized by this section, the recipient organization shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources as follows:

''(A) in the first, second, and third years, 1 non-Federal dollar for each 2 Federal dollars;

''(B) in the fourth year, 1 non-Federal dollar for each Federal dollar; and

''(C) in the fifth year, 2 non-Federal dollars for each Federal dollar.

''(2) FORM OF NON-FEDERAL CONTRIBUTIONS.—Not more than one-half of the non-Federal sector matching assistance may be in the form of in-kind contributions which are budget line items only, including but not limited to office equipment and office space.

''(3) FORM OF FEDERAL CONTRIBUTIONS.—The financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and may contain such provision, as necessary, to provide for payments in lump sum or installments, and in advance or by way of reimbursement. The Administration may disburse up to 25 percent of each year's Federal share awarded to a recipient organization after notice of the award has been issued and before the non-Federal sector matching funds are obtained.

''(4) FAILURE TO OBTAIN PRIVATE FUNDING.—If any recipient of assistance fails to obtain the required non-Federal contribution during any project, it shall not be eligible thereafter for advance disbursements pursuant to paragraph (3) during the remainder of that project, or for any other project for which it is or may be funded by the Administration, and prior to approving assistance to such organization for any other projects, the Administration shall specifically determine whether the Administration believes that the recipient will be able to obtain the requisite non-Federal funding and enter a written finding setting forth the reasons for making such determination.

''(d) CONTRACT AUTHORITY.—A women's business center may enter into a contract with a Federal department or agency to provide specific assistance to women and other underserved small business concerns. Performance of such contract should not hinder the women's business centers in carrying out the terms of the grant received by the women's business centers from the Administration.

''(e) SUBMISSION OF 5-YEAR PLAN.—Each applicant organization initially shall submit a 5-year plan to the Administration on proposed fundraising and training activities, and a recipient organization may receive financial assistance under this program for a maximum of 5 years per women's business center site.

''(f) CRITERIA.—The Administration shall evaluate and rank applicants in accordance with predetermined selection criteria that shall be stated in terms of relative importance. Such criteria and their relative importance shall be made publicly available and stated in each solicitation for applications made by the Administration. The criteria shall include—

''(1) the experience of the applicant in conducting programs or ongoing efforts designed to impart or upgrade the business skills of women business owners or potential owners;

''(2) the present ability of the applicant to commence a project within a minimum amount of time;

''(3) the ability of the applicant to provide training and services to a representative number of women who are both socially and economically disadvantaged; and

''(4) the location for the women's business center site proposed by the applicant.

''(g) OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—There is established within the Administration an Office of Women's Business Ownership, which shall be responsible for the administration of the Administration's programs for the development of women's business enterprises (as that term is defined in section 408 of the Women's Business Ownership Act of 1988). The Office of Women's Business Ownership shall be administered by an Assistant Administrator, who shall be appointed by the Administrator.

''(h) REPORT.—The Administrator shall prepare and submit an annual report to the Committees on Small Business of the House of Representatives and the Senate on the effectiveness of all projects conducted under the authority of this section. Such report shall provide information concerning—

''(1) the number of individuals receiving assistance;

''(2) the number of startup business concerns formed;

''(3) the gross receipts of assisted concerns;

''(4) increases or decreases in profits of assisted concerns; and

''(5) the employment increases or decreases of assisted concerns.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 per year to carry out the projects authorized by this section. Amounts appropriated pursuant to this subsection are to be used exclusively for grant awards and not for costs incurred by the Administration for the management and administration of the program. Notwithstanding any other provision of law, the Administration may use such expedited acquisition methods as it deems appropriate, through the Assistant Administrator of the Office of Women's Business Ownership, to achieve the purposes of this section, except that the Administration shall ensure that all eligible sources are provided a reasonable opportunity to submit proposals.''.

(b) APPLICABILITY.—Any organization conducting a 3-year project under section 29 of the Small Business Act (15 U.S.C. 656) on the day before the date of enactment of this Act, may extend the term of that project to a total term of 5 years and receive financial assistance in accordance with section 29(c) of the Small Business Act (as amended by this title) subject to procedures established by the Administrator in coordination with the Office of Women's Business Ownership established under section 29 of the Small Business Act (15 U.S.C. 656) (as amended by this title).

SEC. 307. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(i) ASSISTANT ADMINISTRATOR FOR THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

''(1) QUALIFICATION.—The Assistant Administrator for the Office of Women's Business

Ownership (hereafter in this section referred to as the 'Assistant Administrator') shall serve without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, but at a rate of pay not to exceed the maximum of pay payable for a position at GS–17 of the General Schedule.

''(2) RESPONSIBILITIES AND DUTIES.—

''(A) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership established to assist women entrepreneurs in the areas of—

''(i) starting and operating a small business;

''(ii) development of management and technical skills;

''(iii) seeking Federal procurement opportunities; and

''(iv) increasing the opportunity for access to capital.

''(B) DUTIES.—Duties of the position of the Assistant Administrator shall include—

''(i) administering and managing the Women's Business Centers program;

''(ii) recommending the annual administrative and program budgets for the Office of Women's Business Ownership (including the budget for the Women's Business Centers);

''(iii) establishing appropriate funding levels therefore;

''(iv) reviewing the annual budgets submitted by each applicant for the Women's Business Center program;

''(v) selecting applicants to participate in this program;

''(vi) implementing this section;

''(vii) maintaining a clearinghouse to provide for the dissemination and exchange of information between Women's Business Centers;

''(viii) conducting program examinations of recipients of grants under this section;

''(ix) serving as the vice chairperson of the Interagency Committee on Women's Business Enterprise;

''(x) serving as liaison for the National Women's Business Council; and

''(xi) advising the Administrator on appointments to the Women's Business Council.

''(3) CONSULTATION REQUIREMENTS.—In carrying out the responsibilities and duties described in this subsection, the Assistant Administrator shall confer with and seek the advice of the Administration officials in areas served by the Women's Business Centers.

''(j) PROGRAM EXAMINATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administration shall develop and implement an annual programmatic and financial examination of each Women's Business Center established pursuant to this section.

''(2) EXTENSION OF CONTRACTS.—In extending or renewing a contract with a Women's Business Center, the Administration shall consider the results of the examination conducted pursuant to paragraph (1).

''(k) CONTRACT AUTHORITY.—The authority of the Administration to enter into contracts shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts. After the Administration has entered a contract, either as a grant or a cooperative agreement, with any applicant under this section, it shall not suspend, terminate, or fail to renew or extend any such contract unless the Administration provides the applicant with written notification setting forth the reasons therefore and affording the applicant an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.''.

SEC. 308. NATIONAL WOMEN'S BUSINESS COUNCIL PROCUREMENT PROJECT.

(a) IN GENERAL.—The Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended by adding at the end the following:

''SEC. 410. NATIONAL WOMEN'S BUSINESS COUNCIL PROCUREMENT PROJECT.

''(a) PROCUREMENT PROJECT.—

''(1) FEDERAL PROCUREMENT STUDY.—

''(A) IN GENERAL.—The Council shall conduct a study on the award of Federal prime contracts and subcontracts to women-owned businesses, which study shall include—

''(i) an analysis of data collected by Federal agencies on contract awards to women-owned businesses;

''(ii) a determination of the degree to which individual Federal agencies are in compliance with the 5 percent women-owned business procurement goal established by section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1));

''(iii) a determination of the types and amounts of Federal contracts characteristically awarded to women-owned businesses; and

''(iv) other relevant information relating to participation of women-owned businesses in Federal procurement.

''(B) SUBMISSION OF RESULTS.—Not later than October 1, 1999, the Council shall submit to the Committees on Small Business of the House of Representatives and the Senate, and to the President, the results of the study conducted under subparagraph (A).

''(2) BEST PRACTICES REPORT.—Not later than March 1, 2000, the Council shall submit to the Committees on Small Business of the House of Representatives and the Senate, and to the President, a report, which shall include—

''(A) an analysis of the most successful practices in attracting women-owned businesses as prime contractors and subcontractors by—

''(i) Federal agencies (as supported by findings from the study required under subsection (a)(1)) in Federal procurement awards; and

''(ii) the private sector; and

''(B) recommendations for policy changes in Federal procurement practices, including an increase in the Federal procurement goal for women-owned businesses, in order to maximize the number of women-owned businesses performing Federal contracts.

''(b) CONTRACTING AUTHORITY.—In carrying out this section, the Council may contract with 1 or more public or private entities.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, not to exceed $200,000, to remain available until expended through fiscal year 2000.''.

TITLE IV—COMPETITIVENESS PROGRAM AND PROCUREMENT OPPORTUNITIES

Subtitle A—Small Business Competitiveness Program

SEC. 401. PROGRAM TERM.

Section 711(c) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking ''1997'' and inserting ''2000''.

SEC. 402. MONITORING AGENCY PERFORMANCE.

Section 712(d)(1) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended to read as follows:

''(1) Participating agencies shall monitor the attainment of their small business participation goals on an annual basis. An annual review by each participating agency shall be completed not later than January 31 of each year, based on the data for the preceding fiscal year, from October 1 through September 30.''.

SEC. 403. REPORTS TO CONGRESS.

Section 716(a) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by striking ''1996'' and inserting ''2000'';

(2) by striking ''for Federal Procurement Policy'' and inserting ''of the Small Business Administration''; and

(3) by striking ''Government Operations'' and inserting ''Government Reform and Oversight''.

SEC. 404. SMALL BUSINESS PARTICIPATION IN DREDGING.

Section 722(a) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking ''1996'' and inserting ''2000''.

Subtitle B—Small Business Procurement Opportunities Program

SEC. 411. CONTRACT BUNDLING.

Section 2 of the Small Business Act (15 U.S.C. 631) is amended by adding at the end the following:

''(j) In complying with the statement of congressional policy expressed in subsection (a), relating to fostering the participation of small business concerns in the contracting opportunities of the Government, each Federal agency, to the maximum extent practicable, shall—

''(1) comply with congressional intent to foster the participation of small business concerns as prime contractors, subcontractors, and suppliers;

''(2) structure its contracting requirements to facilitate competition by and among small business concerns, taking all reasonable steps to eliminate obstacles to their participation; and

''(3) avoid unnecessary and unjustified bundling of contract requirements that precludes small business participation in procurements as prime contractors.''.

SEC. 412. DEFINITION OF CONTRACT BUNDLING.

Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

''(o) DEFINITIONS OF BUNDLING OF CONTRACT REQUIREMENTS AND RELATED TERMS.—In this Act—

''(1) The term 'bundling of contract requirements' means consolidating two or more procurement requirements for goods or services previously provided or performed under separate smaller contracts into a solicitation of offers for a single contract that is likely to be unsuitable for award to a small-business concern due to—

''(A) the diversity, size, or specialized nature of the elements of the performance specified;

''(B) the aggregate dollar value of the anticipated award;

''(C) the geographical dispersion of the contract performance sites; or

''(D) any combination of the factors described in subparagraphs (A), (B), and (C).

''(2) The term 'separate smaller contract', with respect to a bundling of contract requirements, means a contract that has been performed by one or more small business concerns or was suitable for award to one or more small business concerns.

''(3) The term 'bundled contract' means a contract that is entered into to meet requirements that are consolidated in a bundling of contract requirements.''.

SEC. 413. ASSESSING PROPOSED CONTRACT BUNDLING.

(a) IN GENERAL.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by inserting after subsection (d) the following new subsection (e):

''(e) PROCUREMENT STRATEGIES; CONTRACT BUNDLING.—

''(1) IN GENERAL.—To the maximum extent practicable, procurement strategies used by the various agencies having contracting authority shall facilitate the maximum participation of small business concerns as prime contractors, subcontractors, and suppliers.

''(2) MARKET RESEARCH.—

''(A) IN GENERAL.—Before proceeding with an acquisition strategy that could lead to a contract containing consolidated procurement requirements, the head of an agency shall conduct market research to determine whether consolidation of the requirements is necessary and justified.

''(B) FACTORS.—For purposes of subparagraph (A), consolidation of the requirements may be determined as being necessary and justified if, as compared to the benefits that would be derived from contracting to meet those requirements if not consolidated, the Federal Government would derive from the consolidation measurably substantial benefits, including any combination of benefits that, in combination, are measurably substantial. Benefits described in the preceding sentence may include the following:

''(i) Cost savings.

''(ii) Quality improvements.

''(iii) Reduction in acquisition cycle times.

''(iv) Better terms and conditions.

''(v) Any other benefits.

''(C) REDUCTION OF COSTS NOT DETERMINATIVE.—The reduction of administrative or personnel costs alone shall not be a justification for bundling of contract requirements unless the cost savings are expected to be substantial in relation to the dollar value of the procurement requirements to be consolidated.

''(3) STRATEGY SPECIFICATIONS.—If the head of a contracting agency determines that a proposed procurement strategy for a procurement involves a substantial bundling of contract requirements, the proposed procurement strategy shall—

''(A) identify specifically the benefits anticipated to be derived from the bundling of contract requirements;

''(B) set forth an assessment of the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements and specify actions designed to maximize small business participation as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements; and

''(C) include a specific determination that the anticipated benefits of the proposed bundled contract justify its use.

''(4) CONTRACT TEAMING.—In the case of a solicitation of offers for a bundled contract that is issued by the head of an agency, a small-business concern may submit an offer that provides for use of a particular team of subcontractors for the performance of the contract. The head of the agency shall evaluate the offer in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors. When a small business concern teams under this paragraph, it shall not affect its status as a small business concern for any other purpose.''.

(b) ADMINISTRATION REVIEW.—The third sentence of subsection (a) of such section is amended—

(1) by inserting after ''discrete construction projects,'' the following: ''or the solicitation involves an unnecessary or unjustified bundling of contract requirements, as determined by the Administration,'';

(2) by striking out ''or (4)'' and inserting in lieu thereof ''(4)''; and

(3) by inserting before the period at the end the following: '', or (5) why the agency has determined that the bundled contract (as defined in section 3(o)) is necessary and justified''.

(c) RESPONSIBILITIES OF AGENCY SMALL BUSINESS ADVOCATES.—Subsection (k) of such section is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively; and

(2) by inserting after paragraph (4) the following:

''(5) identify proposed solicitations that involve significant bundling of contract requirements, and work with the agency acquisition officials and the Administration to revise the procurement strategies for such proposed solicitations where appropriate to increase the probability of participation by small businesses as prime contractors, or to facilitate small business participation as subcontractors and suppliers, if a solicitation for a bundled contract is to be issued;''.

SEC. 414. REPORTING OF BUNDLED CONTRACT OPPORTUNITIES.

(a) DATA COLLECTION REQUIRED.—The Federal Procurement Data System described in section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A)) shall be modified to collect data regarding bundling of contract requirements when the contracting officer anticipates that the resulting contract price, including all options, is expected to exceed $5,000,000. The data shall reflect a determination made by the contracting officer regarding whether a particular solicitation constitutes a contract bundling.

(b) DEFINITIONS.—In this section, the term ''bundling of contract requirements'' has the meaning given that term in section 3(o) of the Small Business Act (15 U.S.C. 632(o)) (as added by section 412 of this title).

SEC. 415. EVALUATING SUBCONTRACT PARTICIPATION IN AWARDING CONTRACTS.

Section 8(d)(4) of the Small Business Act (15 U.S.C. 637(d)(4)) is amended by adding at the end the following:

''(G) The following factors shall be designated by the Federal agency as significant factors for purposes of evaluating offers for a bundled contract where the head of the agency determines that the contract offers a significant opportunity for subcontracting:

''(i) A factor that is based on the rate provided under the subcontracting plan for small business participation in the performance of the contract.

''(ii) For the evaluation of past performance of an offeror, a factor that is based on the extent to which the offeror attained applicable goals for small business participation in the performance of contracts.''.

SEC. 416. IMPROVED NOTICE OF SUBCONTRACTING OPPORTUNITIES.

(a) USE OF THE COMMERCE BUSINESS DAILY AUTHORIZED.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following:

''(k) NOTICES OF SUBCONTRACTING OPPORTUNITIES.—

''(1) IN GENERAL.—Notices of subcontracting opportunities may be submitted for publication in the Commerce Business Daily by—

''(A) a business concern awarded a contract by an executive agency subject to subsection (e)(1)(C); and

''(B) a business concern which is a subcontractor or supplier (at any tier) to such contractor having a subcontracting opportunity in excess of $10,000.

''(2) CONTENT OF NOTICE.—The notice of a subcontracting opportunity shall include—

''(A) a description of the business opportunity that is comparable to the description specified in paragraphs (1), (2), (3), and (4) of subsection (f); and

''(B) the due date for receipt of offers.''.

(b) REGULATIONS REQUIRED.—The Federal Acquisition Regulation shall be amended to provide uniform implementation of the amendments made by this section.

(c) CONFORMING AMENDMENT.—Section 8(e)(1)(C) of the Small Business Act (15 U.S.C. 637(e)(1)(C)) is amended by striking ''$25,000'' each place that term appears and inserting ''$100,000''.

SEC. 417. DEADLINES FOR ISSUANCE OF REGULATIONS.

(a) PROPOSED REGULATIONS.—Proposed amendments to the Federal Acquisition Regulation or proposed Small Business Administration regulations under this subtitle and the amendments made by this subtitle shall be published not later than 120 days after the date of enactment of this Act for the purpose of obtaining public comment pursuant to section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b), or chapter 5 of title 5, United States Code, as appropriate. The public shall be afforded not less than 60 days to submit comments.

(b) FINAL REGULATIONS.—Final regulations shall be published not later than 270 days after the date of enactment of this Act. The effective date for such final regulations shall be not less than 30 days after the date of publication.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

(a) REQUIRED EXPENDITURES.—Section 9(n) of the Small Business Act (15 U.S.C. 638(n)) is amended by striking paragraph (1) and inserting the following:

''(1) REQUIRED EXPENDITURE AMOUNTS.—With respect to fiscal years 1998, 1999, 2000, 2001, 2002, or 2003, each Federal agency that has an extramural budget for research, or research and development, in excess of $1,000,000,000 for that fiscal year, is authorized to expend with small business concerns not less than 0.15 percent of that extramural budget specifically in connection with STTR programs that meet the requirements of this section and any policy directives and regulations issued under this section.''.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(s) PILOT PROGRAM.—

''(1) DEFINITION OF ELIGIBLE STATE.—In this subsection, the term 'eligible State' means a State—

''(A) if the total value of contracts awarded to the State during fiscal year 1995 under this section was less than $5,000,000; and

''(B) that certifies to the Federal agency described in paragraph (2) that the State will, upon receipt of assistance under this subsection, provide matching funds from non-Federal sources in an amount that is not less than 50 percent of the amount provided under this subsection.

''(2) PROGRAM AUTHORITY.—Of amounts made available to carry out this section for fiscal year 1998, 1999, or 2000, the Administrator may expend with eligible States not more than $2,000,000 in each such fiscal year in order to increase the participation of small business concerns located in those States in the programs under this section.

''(3) AMOUNT OF ASSISTANCE.—The amount of assistance provided to an eligible State under this subsection in any fiscal year—

''(A) shall be equal to twice the total amount of matching funds from non-Federal sources provided by the State; and

''(B) shall not exceed $100,000.

''(4) USE OF ASSISTANCE.—Assistance provided to an eligible State under this subsection shall be used by the State, in consultation with State and local departments and agencies, for programs and activities to increase the participation of small business concerns located in the State in the programs under this section, including—

''(A) the establishment of quantifiable performance goals, including goals relating to—

''(i) the number of program awards under this section made to small business concerns in the State; and

''(ii) the total amount of Federal research and development contracts awarded to small business concerns in the State;

''(B) the provision of competition outreach support to small business concerns in the State that are involved in research and development; and

''(C) the development and dissemination of educational and promotional information relating to the programs under this section to small business concerns in the State.''.

(2) REPEAL.—Effective October 1, 2000, section 9(s) of the Small Business Act (as added by paragraph (1) of this subsection) is repealed.

SEC. 502. SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended—

(1) in paragraph (1)—

(A) by inserting ''any women's business center operating pursuant to section 29,'' after ''credit or finance corporation,'';

(B) by inserting ''or a women's business center operating pursuant to section 29'' after ''other than an institution of higher education''; and

(C) by inserting ''and women's business centers operating pursuant to section 29'' after ''utilize institutions of higher education'';

(2) in paragraph (3)—

(A) by striking '', but with'' and all that follows through ''parties.'' and inserting the following: ''for the delivery of programs and services to the Small Business community. Such programs and services shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, pursuant to an executed cooperative agreement between the Small Business Development Center applicant and the Administration.''; and

(B) by adding at the end the following:

''(C) On an annual basis, the Small Business Development Center shall review and coordinate public and private partnerships and cosponsorships with the Administration for the purpose of more efficiently leveraging available resources on a National and a State basis.'';

(3) in paragraph (4)(C)—

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

''(i) IN GENERAL.—

''(I) GRANT AMOUNT.—Subject to subclause (II), the amount of a grant received by a State under this section shall be equal to the greater of $500,000, or the sum of—

''(aa) the State's pro rata share of the national program, based upon the population of the State as compared to the total population of the United States; and

''(bb) $300,000 in fiscal year 1998, $400,000 in fiscal year 1999, and $500,000 in each fiscal year thereafter.

''(II) PRO RATA REDUCTIONS.—If the amount made available to carry out this section for any fiscal year is insufficient to carry out subclause (I), the Administration shall make pro rata reductions in the amounts otherwise payable to States under this clause.''; and

(B) in clause (iii), by striking ''(iii)'' and all that follows through ''1997.'' and inserting the following:

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the national program under this section—

''(I) $85,000,000 for fiscal year 1998;

''(II) $90,000,000 for fiscal year 1999; and

''(III) $95,000,000 for fiscal year 2000 and each fiscal year thereafter.''; and

(4) in paragraph (6)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the comma at the end and inserting ''; and''; and

(C) inserting after subparagraph (B) the following:

''(C) with outreach, development, and enhancement of minority-owned small business startups or expansions, veteran-owned small business startups or expansions, and women-owned small business startups or expansions, in communities impacted by base closings or military or corporate downsizing, or in rural or underserved communities;''.

(b) SBDC SERVICES.—Section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''businesses;'' and inserting ''businesses, including—

''(i) working with individuals to increase awareness of basic credit practices and credit requirements;

''(ii) working with individuals to development business plans, financial packages, credit applications, and contract proposals;

''(iii) working with the Administration to develop and provide informational tools for use in working with individuals on pre-business startup planning, existing business expansion, and export planning; and

''(iv) working with individuals referred by the local offices of the Administration and Administration participating lenders;'';

(B) in each of subparagraphs (B), (C), (D), (E), (F), (G), (M), (N), (O), (Q), and (R) by moving each margin two ems to the right;

(C) in subparagraph (C), by inserting ''and the Administration'' after ''Center'';

(D) by striking subparagraph (H), and inserting the following:

''(H) working with the technical and environmental compliance assistance programs established in each State under section 507 of the Clean Air Act Amendments of 1970, or State pollution prevention programs to notify small businesses through outreach programs of regulations that affect small businesses and making counseling, conferences, and materials available on methods of compliance;'';

(E) in subparagraph (Q), by striking ''and'' at the end;

(F) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

(G) by inserting after subparagraph (R) the following:

''(S) providing counseling and technology development when necessary to help small businesses find solutions for complying with environmental, energy, health, safety, and other Federal, State, and local regulation including cooperating with the technical and environmental compliance assistance programs established in each State under section 507 of the Clean Air Act Amendments of 1970 or State pollution prevention programs in the provision of counseling and technology development to help small businesses find solutions for complying with environmental regulations.'';

(2) in paragraph (5)—

(A) by moving the margin 2 ems to the right;

(B) by striking ''paragraph (a)(1)'' and inserting ''subsection (a)(1)'';

(C) by striking ''which ever'' and inserting ''whichever''; and

(D) by striking ''last,,'' and inserting ''last,'';

(3) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(4) in paragraph (3), in the undesignated material following subparagraph (S) (as added by this subsection), by striking ''A small'' and inserting the following:

''(4) A small''.

(c) COMPETITIVE AWARDS.—Section 21(l) of the Small Business Act (15 U.S.C. 648(l)) is amended by adding at the end the following: ''If any contract under this section with an entity that is in compliance with this section is not renewed or extended, any award of a contract under this section to another entity shall be made on a competitive basis.''.

(d) PROHIBITION ON CERTAIN FEES.—Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(m) PROHIBITION ON CERTAIN FEES.—A small business development center shall not impose or otherwise collect a fee or other compensation in connection with the provision of counseling services under this section.''.

SEC. 503. PILOT PREFERRED SURETY BOND GUARANTEE PROGRAM EXTENSION.

Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking ''September 30, 1997'' and inserting ''September 30, 2000''.

SEC. 504. EXTENSION OF COSPONSORSHIP AUTHORITY.

Section 401(a)(2) of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 637 note) is amended by striking ''September 30, 1997'' and inserting ''September 30, 2000''.

SEC. 505. ASSET SALES.

In connection with the Administration's implementation of a program to sell to the private sector loans and other assets held by the Administration, the Administration shall provide to the Committees on Small Business in the Senate and House of Representatives a copy of the draft and final plans describing the sale and the anticipated benefits resulting from such sale.

SEC. 506. SMALL BUSINESS EXPORT PROMOTION.

(a) IN GENERAL.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(1) in subparagraph (Q), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (R) the following:

''(S) providing small business owners with access to a wide variety of export-related information by establishing on-line computer linkages between small business development centers and an international trade data information network with ties to the Export Assistance Center program.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out section 21(c)(3)(S) of the Small Business Act (15 U.S.C. 648(c)(3)(S)), as added by this section, $1,500,000 for each fiscal years 1998 and 1999.

SEC. 507. DEFENSE LOAN AND TECHNICAL ASSISTANCE PROGRAM.

(a) DELTA PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Administrator of the Small Business Administration may administer the Defense Loan and Technical Assistance program in accordance with the authority and requirements of this section.

(2) EXPIRATION OF AUTHORITY.—The authority of the Administrator to carry out the DELTA program under paragraph (1) shall terminate when the funds referred to in subsection (g)(1) have been expended.

(3) DELTA PROGRAM DEFINED.—In this section, the terms ''Defense Loan and Technical Assistance program'' and ''DELTA program'' mean the Defense Loan and Technical Assistance program that has been established by a memorandum of understanding entered into by the Administrator and the Secretary of Defense on June 26, 1995.

(b) ASSISTANCE.—

(1) AUTHORITY.—Under the DELTA program, the Administrator may assist small business concerns that are economically dependent on defense expenditures to acquire dual-use capabilities.

(2) FORMS OF ASSISTANCE.—Forms of assistance authorized under paragraph (1) are as follows:

(A) LOAN GUARANTEES.—Loan guarantees under the terms and conditions specified under this section and other applicable law.

(B) NONFINANCIAL ASSISTANCE.—Other forms of assistance that are not financial.

(c) ADMINISTRATION OF PROGRAM.—In the administration of the DELTA program under this section, the Administrator shall—

(1) process applications for DELTA program loan guarantees;

(2) guarantee repayment of the resulting loans in accordance with this section; and

(3) take such other actions as are necessary to administer the program.

(d) SELECTION AND ELIGIBILITY REQUIREMENTS FOR DELTA LOAN GUARANTEES.—

(1) IN GENERAL.—The selection criteria and eligibility requirements set forth in this subsection shall be applied in the selection of small business concerns to receive loan guarantees under the DELTA program.

(2) SELECTION CRITERIA.—The criteria used for the selection of a small business concern to receive a loan guarantee under this section are as follows:

(A) The selection criteria established under the memorandum of understanding referred to in subsection (a)(3).

(B) The extent to which the loans to be guaranteed would support the retention of defense workers whose employment would otherwise be permanently or temporarily terminated as a result of reductions in expenditures by the United States for defense, the termination or cancellation of a defense contract, the failure to proceed with an approved major weapon system, the merger or consolidation of the operations of a defense contractor, or the closure or realignment of a military installation.

(C) The extent to which the loans to be guaranteed would stimulate job creation and new economic activities in communities most adversely affected by reductions in expenditures by the United States for defense, the termination or cancellation of a defense contract, the failure to proceed with an approved major weapon system, the merger or consolidation of the operations of a defense contractor, or the closure or realignment of a military installation.

(D) The extent to which the loans to be guaranteed would be used to acquire (or permit the use of other funds to acquire) capital equipment to modernize or expand the facilities of the borrower to enable the borrower to remain in the national technology and industrial base available to the Department of Defense.

(3) ELIGIBILITY REQUIREMENTS.—To be eligible for a loan guarantee under the DELTA program, a borrower must demonstrate to the satisfaction of the Administrator that, during any 1 of the 5 preceding operating years of the borrower, not less than 25 percent of the value of the borrower's sales were derived from—

(A) contracts with the Department of Defense or the defense-related activities of the Department of Energy; or

(B) subcontracts in support of defense-related prime contracts.

(e) MAXIMUM AMOUNT OF LOAN PRINCIPAL.—The maximum amount of loan principal for which the Administrator may provide a guarantee under this section during a fiscal year may not exceed $1,250,000.

(f) LOAN GUARANTY RATE.—The maximum allowable guarantee percentage for loans guaranteed under this section may not exceed 80 percent.

(g) FUNDING.—

(1) IN GENERAL.—The funds that have been made available for loan guarantees under the DELTA program and have been transferred from the Department of Defense to the Small Business Administration before the date of the enactment of this Act shall be used for carrying out the DELTA program under this section.

(2) CONTINUED AVAILABILITY OF EXISTING FUNDS.—The funds made available under the second proviso under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'' in Public Law 103–335 (108 Stat. 2613) shall be available until expended—

(A) to cover the costs (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees issued under this section; and

(B) to cover the reasonable costs of the administration of the loan guarantees.

TITLE VI—HUBZONE PROGRAM

SEC. 601. SHORT TITLE.

This title may be cited as the ''HUBZone Act of 1997''.

SEC. 602. HISTORICALLY UNDERUTILIZED BUSINESS ZONES.

(a) DEFINITIONS.—Section 3 of the Small Business Act (15 U.S.C. 632) (as amended by section 412 of this Act) is amended by adding at the end the following:

''(p) DEFINITIONS RELATING TO HUBZONES.—In this Act:

''(1) HISTORICALLY UNDERUTILIZED BUSINESS ZONE.—The term 'historically underutilized business zone' means any area located within 1 or more—

''(A) qualified census tracts;

''(B) qualified nonmetropolitan counties; or

''(C) lands within the external boundaries of an Indian reservation.

''(2) HUBZONE.—The term 'HUBZone' means a historically underutilized business zone.

''(3) HUBZONE SMALL BUSINESS CONCERN.—The term 'HUBZone small business concern' means a small business concern—

''(A) that is owned and controlled by 1 or more persons, each of whom is a United States citizen; and

''(B) the principal office of which is located in a HUBZone; or

''(4) QUALIFIED AREAS.—

''(A) QUALIFIED CENSUS TRACT.—The term 'qualified census tract' has the meaning given that term in section 42(d)(5)(C)(i)(I) of the Internal Revenue Code of 1986.

''(B) QUALIFIED NONMETROPOLITAN COUNTY.—The term 'qualified nonmetropolitan county' means any county—

''(i) that, based on the most recent data available from the Bureau of the Census of the Department of Commerce—

''(I) is not located in a metropolitan statistical area (as that term is defined in section 143(k)(2)(B) of the Internal Revenue Code of 1986); and

''(II) in which the median household income is less than 80 percent of the nonmetropolitan State median household income; or

''(ii) that, based on the most recent data available from the Secretary of Labor, has an unemployment rate that is not less than 140 percent of the statewide average unemployment rate for the State in which the county is located.

''(5) QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—

''(A) IN GENERAL.—A HUBZone small business concern is 'qualified', if—

''(i) the small business concern has certified in writing to the Administrator (or the Administrator otherwise determines, based on information submitted to the Administrator by the small business concern, or based on certification procedures, which shall be established by the Administration by regulation) that—

''(I) it is a HUBZone small business concern;

''(II) not less than 35 percent of the employees of the small business concern reside in a HUBZone, and the small business concern will attempt to maintain this employment percentage during the performance of any contract awarded to the small business concern on the basis of a preference provided under section 31(b); and

''(III) with respect to any subcontract entered into by the small business concern pursuant to a contract awarded to the small business concern under section 31, the small business concern will ensure that—

''(aa) in the case of a contract for services (except construction), not less than 50 percent of the cost of contract performance incurred for personnel will be expended for its employees or for employees of other HUBZone small business concerns; and

''(bb) in the case of a contract for procurement of supplies (other than procurement from a regular dealer in such supplies), not less than 50 percent of the cost of manufacturing the supplies (not including the cost of materials) will be incurred in connection with the performance of the contract in a HUBZone by 1 or more HUBZone small business concerns; and

''(ii) no certification made or information provided by the small business concern under clause (i) has been, in accordance with the procedures established under section 31(c)(1)—

''(I) successfully challenged by an interested party; or

''(II) otherwise determined by the Administrator to be materially false.

''(B) CHANGE IN PERCENTAGES.—The Administrator may utilize a percentage other than the percentage specified in under subclause (IV) or (V) of subparagraph (A)(i), if the Administrator determines that such action is necessary to reflect conventional industry practices among small business concerns that are below the numerical size standard for businesses in that industry category.

''(C) CONSTRUCTION AND OTHER CONTRACTS.—The Administrator shall promulgate final regulations imposing requirements that are similar to those specified in subclauses (IV) and (V) of subparagraph (A)(i) on contracts for general and specialty construction, and on contracts for any other industry category that would not otherwise be subject to those requirements. The percentage applicable to any such requirement shall be determined in accordance with subparagraph (B).

''(D) LIST OF QUALIFIED SMALL BUSINESS CONCERNS.—The Administrator shall establish and maintain a list of qualified HUBZone small business concerns, which list shall, to the extent practicable—

''(i) include the name, address, and type of business with respect to each such small business concern;

''(ii) be updated by the Administrator not less than annually; and

''(iii) be provided upon request to any Federal agency or other entity.''.

(b) FEDERAL CONTRACTING.—

(1) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) by redesignating section 31 as section 32; and

(B) by inserting after section 30 the following:

"SEC. 31. HUBZONE PROGRAM.

''(a) IN GENERAL.—There is established within the Administration a program to be carried out by the Administrator to provide for Federal contracting assistance to qualified HUBZone small business concerns in accordance with this section.

''(b) ELIGIBLE CONTRACTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'contracting officer' has the meaning given that term in section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5)); and

''(B) the terms 'executive agency' and 'full and open competition' have the meanings given such terms in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

''(2) REQUIREMENTS.—Subject to paragraph (3), a contract opportunity offered for award pursuant to this section shall be awarded on the basis of competition restricted to qualified HUBZone small business concerns, if there is a reasonable expectation that not less than 2 qualified HUBZone small business concerns will submit offers and that award can be made at a fair market price.

''(3) ALTERNATE AUTHORITY.—Notwithstanding any other provision of law, a contracting officer may award sole source contracts under this section to any qualified HUBZone small business concern, if—

''(A) the qualified HUBZone small business concern is determined to be a responsible contractor with respect to performance of such contract opportunity;

''(B) the anticipated award price of the contract (including options) will not exceed—

''(i) $5,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

''(ii) $3,000,000, in the case of all other contract opportunities; and

''(C) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

''(4) PRICE EVALUATION PREFERENCE IN FULL AND OPEN COMPETITIONS.—In any case in which a contract is to be awarded on the basis of full and open competition, the price offered by a small business concern shall be deemed as being lower than the price offered by another offeror (other than another small business concern), if the price offered by the qualified HUBZone small business concern is not more than 10 percent higher than the price offered by the otherwise lowest, responsive, and responsible offeror.

''(5) RELATIONSHIP TO OTHER CONTRACTING PREFERENCES.—

''(A) SUBORDINATE RELATIONSHIP.—A procurement may not be made from a source on the basis of a preference provided in paragraph (2), (3), or (4), if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act.

''(B) PARITY RELATIONSHIP.—The provisions of paragraphs (2), (3), and (4) shall not limit the discretion of a contracting officer to let any procurement contract to the Administration under section 8(a). Notwithstanding section 8(a), the Administration may not appeal an adverse decision of any contracting officer declining to let a procurement contract to the Administration, if the procurement is made to a qualified HUBZone small business concern on the basis of a preference under paragraph (2), (3), or (4).

''(c) ENFORCEMENT; PENALTIES.—

''(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

''(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under section 3(p)(5)); and

''(B) verification by the Administrator of the accuracy of any certification made or information provided to the Administration by a small business concern under section 3(p)(5).

''(2) EXAMINATIONS.—The procedures established under paragraph (1) may provide for program examinations (including random program examinations) by the Administrator of any small business concern making a certification or providing information to the Administrator under section 3(p)(5).

''(3) PROVISION OF DATA.—Upon the request of the Administrator, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Interior (or the Assistant Secretary for Indian Affairs), shall promptly provide to the Administrator such information as the Administrator determines to be necessary to carry out this subsection.

''(4) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a 'HUBZone small business concern' for purposes of this section, shall be subject to—

''(A) section 1001 of title 18, United States Code; and

''(B) sections 3729 through 3733 of title 31, United States Code.''.

(2) INITIAL LIMITED APPLICABILITY.—During the period beginning on the date of enactment of this Act and ending on September 30, 2000, section 31 of the Small Business Act (as added by paragraph (1) of this subsection) shall apply only to procurements by—

(A) the Department of Defense;

(B) the Department of Agriculture;

(C) the Department of Health and Human Services;

(D) the Department of Transportation;

(E) the Department of Energy;

(F) the Department of Housing and Urban Development;

(G) the Environmental Protection Agency;

(H) the National Aeronautics and Space Administration;

(I) the General Services Administration; and

(J) the Department of Veterans Affairs.

SEC. 603. TECHNICAL AND CONFORMING AMENDMENTS TO THE SMALL BUSINESS ACT.

(a) PERFORMANCE OF CONTRACTS.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking '',, small business concerns owned and controlled by socially and economically disadvantaged individuals'' and inserting '', qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals''; and

(B) in the second sentence, by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,'';

(2) in paragraph (3)—

(A) by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,'' each place that term appears; and

(B) by adding at the end the following:

''(F) In this contract, the term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act.'';

(3) in paragraph (4)(E), by striking ''small business concerns and'' and inserting ''small business concerns, qualified HUBZone small business concerns, and'';

(4) in paragraph (6), by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,'' each place that term appears; and

(5) in paragraph (10), by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,''.

(b) AWARDS OF CONTRACTS.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) in subsection (g)(1)—

(A) by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,'' each place that term appears;

(B) in the second sentence, by striking ''20 percent'' and inserting ''23 percent''; and

(C) by inserting after the second sentence the following: ''The Governmentwide goal for participation by qualified HUBZone small business concerns shall be established at not less than 1 percent of the total value of all prime contract awards for fiscal year 1999, not less than 1.5 percent of the total value of all prime contract awards for fiscal year 2000, not less than 2 percent of the total value of all prime contract awards for fiscal year 2001, not less than 2.5 percent of the total value of all prime contract awards for fiscal year 2002, and not less than 3 percent of the total value of all prime contract awards for fiscal year 2003 and each fiscal year thereafter.'';

(2) in subsection (g)(2)—

(A) in the first sentence, by striking '',, by small business concerns owned and controlled by socially and economically disadvantaged individuals'' and inserting '', by qualified HUBZone small business concerns, by small business concerns owned and controlled by socially and economically disadvantaged individuals'';

(B) in the second sentence, by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,''; and

(C) in the fourth sentence, by striking ''by small business concerns owned and controlled by socially and economically disadvantaged individuals and participation by small business concerns owned and controlled by women'' and inserting ''by qualified HUBZone small business concerns, by small business concerns owned and controlled by socially and economically disadvantaged individuals, and by small business concerns owned and controlled by women''; and

(3) in subsection (h), by inserting ''qualified HUBZone small business concerns,'' after ''small business concerns,'' each place that term appears.

(c) OFFENSES AND PENALTIES.—Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(1) in subsection (d)(1)—

(A) by inserting '', a 'qualified HUBZone small business concern','' after ''''small business concern',''; and

(B) in subparagraph (A), by striking ''section 9 or 15'' and inserting ''section 9, 15, or 31''; and

(2) in subsection (e), by inserting '', a 'HUBZone small business concern','' after ''''small business concern',''.

SEC. 604. OTHER TECHNICAL AND CONFORMING AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Section 2323 of title 10, United States Code, is amended—

(1) in subsection (a)(1)(A), by inserting before the semicolon the following: '', and

qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act)''; and

(2) in subsection (f)(1), by inserting ''or as a qualified HUBZone small business concern (as that term is defined in section 3(p) of the Small Business Act)'' after ''(as described in subsection (a))''.

(b) FEDERAL HOME LOAN BANK ACT.—Section 21A(b)(13) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(13)) is amended—

(1) by striking ''concerns and small'' and inserting ''concerns, small''; and

(2) by inserting '', and qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act)'' after ''disadvantaged individuals''.

(c) SMALL BUSINESS ECONOMIC POLICY ACT OF 1980.—Section 303(e) of the Small Business Economic Policy Act of 1980 (15 U.S.C. 631b(e)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) qualified HUBZone small business concern (as that term is defined in section 3(p) of the Small Business Act).''.

(d) SMALL BUSINESS INVESTMENT ACT OF 1958.—Section 411(c)(3)(B) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(3)(B)) is amended by inserting before the semicolon the following: '', or to a qualified HUBZone small business concern, as that term is defined in section 3(p) of the Small Business Act''.

(e) TITLE 31, UNITED STATES CODE.—

(1) CONTRACTS FOR COLLECTION SERVICES.—Section 3718(b) of title 31, United States Code, is amended—

(A) in paragraph (1)(B), by inserting ''and law firms that are qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act)'' after ''disadvantaged individuals''; and

(B) in paragraph (3)—

(i) in the first sentence, by inserting before the period ''and law firms that are qualified HUBZone small business concerns'';

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

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) the term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act.''.

(2) PAYMENTS TO LOCAL GOVERNMENTS.—Section 6701(f) of title 31, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) qualified HUBZone small business concerns.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) the term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act (15 U.S.C. 632(o)).''.

(3) REGULATIONS.—Section 7505(c) of title 31, United States Code, is amended by striking ''small business concerns and'' and inserting ''small business concerns, qualified HUBZone small business concerns, and''.

(f) OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—

(1) ENUMERATION OF INCLUDED FUNCTIONS.—Section 6(d) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)) is amended—

(A) in paragraph (11), by inserting ''qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act),'' after ''small businesses,''; and

(B) in paragraph (12), by inserting ''qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act (15 U.S.C. 632(o)),'' after ''small businesses,''.

(2) PROCUREMENT DATA.—Section 502 of the Women's Business Ownership Act of 1988 (41 U.S.C. 417a) is amended—

(A) in subsection (a)—

(i) in the first sentence, by inserting ''the number of qualified HUBZone small business concerns,'' after ''Procurement Policy''; and

(ii) by inserting a comma after ''women''; and

(B) in subsection (b), by inserting after ''section 204 of this Act'' the following: '', and the term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act (15 U.S.C. 632(o)).''.

(g) ENERGY POLICY ACT OF 1992.—Section 3021 of the Energy Policy Act of 1992 (42 U.S.C. 13556) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''or'';

(B) in paragraph (3), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(4) qualified HUBZone small business concerns.''; and

(2) in subsection (b), by adding at the end the following:

''(3) The term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act (15 U.S.C. 632(o)).''.

(h) TITLE 49, UNITED STATES CODE.—

(1) PROJECT GRANT APPLICATION APPROVAL CONDITIONED ON ASSURANCES ABOUT AIRPORT OPERATION.—Section 47107(e) of title 49, United States Code, is amended—

(A) in paragraph (1), by inserting before the period ''or qualified HUBZone small business concerns (as that term is defined in section 3(p) of the Small Business Act)'';

(B) in paragraph (4)(B), by inserting before the period ''or as a qualified HUBZone small business concern (as that term is defined in section 3(p) of the Small Business Act)''; and

(C) in paragraph (6), by inserting ''or a qualified HUBZone small business concern (as that term is defined in section 3(p) of the Small Business Act)'' after ''disadvantaged individual''.

(2) MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.—Section 47113 of title 49, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking the period at the end and inserting a semicolon;

(ii) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) the term 'qualified HUBZone small business concern' has the meaning given that term in section 3(p) of the Small Business Act (15 U.S.C. 632(o)).''; and

(B) in subsection (b), by inserting before the period ''or qualified HUBZone small business concerns''.

SEC. 605. REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall publish in the Federal Register such final regulations as may be necessary to carry out this title and the amendments made by this title.

(b) FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date on which final regulations are published under subsection (a), the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation in order to ensure consistency between the Federal Acquisition Regulation, this title and the amendments made by this title, and the final regulations published under subsection (a).

SEC. 606. REPORT.

Not later than March 1, 2000, the Administrator of the Small Business Administration shall submit to the Committees on Small Business of the House of Representatives and the Senate a report on the implementation of the HUBZone program established under section 31 of the Small Business Act (as amended by this title) and the degree to which the HUBZone program has resulted in increased employment opportunities and an increased level of investment in HUBZones (as that term is defined in section 3(p) of the Small Business Act, as added by this title).

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) (as amended by section 101 of this Act) is amended—

(1) in subsection (c), by adding at the end the following:

''(3) HUBZONE PROGRAM.—There are authorized to be appropriated to the Administration to carry out the program under section 31, $5,000,000 for fiscal year 1998.'';

(2) in subsection (d), by adding at the end the following:

''(3) HUBZONE PROGRAM.—There are authorized to be appropriated to the Administration to carry out the program under section 31, $5,000,000 for fiscal year 1999.''; and

(3) in subsection (e), by adding at the end the following:

''(3) HUBZONE PROGRAM.—There are authorized to be appropriated to the Administration to carry out the program under section 31, $5,000,000 for fiscal year 2000.''.

MOTION OFFERED BY MR. TALENT

Mr. TALENT. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TALENT moves to strike out all after the enacting clause of Senate 1139 and insert in lieu thereof the provisions of H.R. 2261, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: ''a bill to reauthorize and amend the programs of the Small Business Act and the Small Business Investment Act, and for other purposes''.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 2261) was laid on the table.

EXTENDING CERTAIN PROGRAMS UNDER THE ENERGY POLICY AND CONSERVATION ACT

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 2472.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho [Mr. CRAPO] that the House suspend the rules and pass the bill, H.R. 2472.

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 405, noes 8, not voting 20, as follows:

[Roll No. 464]

AYES—405

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

NOES—8

Doolittle
Hostettler
Neumann
Paul
Rohrabacher
Royce
Sununu
Tiahrt

NOT VOTING—20

Chenoweth
Conyers
Cooksey
Fattah
Flake
Foglietta
Foley
Frank (MA)
Gephardt
Gonzalez
Harman
Hefner
Hinchey
Neal
Quinn
Rangel
Schiff
Stenholm
Watkins
Young (FL)

□ 1850

Mr. RAMSTAD changed his vote from ''no'' to ''aye.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. ARMEY. Mr. Speaker, I offer a resolution (H. Res. 249) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 249

Resolved, That the following named Members be, and are hereby, elected to the Committee on Standards of Official Conduct: Mr. Smith of Texas; Mr. Hefley of Colorado; Mr. Goodlatte of Virginia; and Mr. Knollenberg of Michigan.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. FAZIO of California. Mr. Speaker, I offer a resolution (H. Res. 250), and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 250

Resolved, That the following named Members be, and that they are hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mr. Sabo of Minnesota; Mr. Pastor of New Mexico; Mr. Fattah of Pennsylvania; and Ms. Lofgren of California.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999, AND EUROPEAN SECURITY ACT OF 1997

Mr. DOGGETT. Mr. Speaker, pursuant to clause 1(c) of rule XXVIII, I hereby give notice of my intention to offer a motion to instruct conferees on the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes, and the form of the motion is as follows:

Mr. DOGGETT moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1757, be instructed to reject section 1601 of the Senate amendment which provides for payment of all private claims against the Iraqi Government before those of U.S. veterans and the U.S. Government (i.e., U.S. taxpayers).

PERSONAL EXPLANATION

Mr. PALLONE. Mr. Speaker, on rollcall No. 460, the motion to adjourn, and

rollcall No. 461, the continuing resolution, I was unable to be present because of the birth, and I am very happy, the birth of my daughter, Celeste Teresa. Had I been present, I would have voted ''yes'' on both of these rollcall votes.

The SPEAKER pro tempore. Congratulations to our new father.

COMMUNICATION FROM THE HONORABLE JOHN D. DINGELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN D. DINGELL, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule l (50) of the Rules of the House of Representatives, that the ''Office of Congressman John D. Dingell'' has received a subpoena for documents and testimony issued by the U.S. District Court for the Central District of California and the District of Columbia, respectively, in the matter of *Oxycal Laboratories, Inc., et al.* v. *Patrick, et al., No. SA CV–96–1119 AHS (Eex)* (C.D. Cal.) (a civil dispute between private parties that apparently arises out of an alleged breach of a settlement agreement).

After consultation with the Office of General Counsel, I have determined that the subpoena appears, at least in part, not to be consistent with the rights and privileges of the House and, to the extent not consistent with the rights and privileges of the House, should be resisted.

Sincerely,

JOHN D. DINGELL.

COMMUNICATION FROM THE HONORABLE JOHN D. DINGELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN D. DINGELL, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
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After consultation with the Office of General Counsel, I have determined that the subpoena appears, at least in part, not to be consistent with the rights and privileges of the House and, to the extent not consistent with the rights and privileges of the House, should be resisted.

Sincerely,

JOHN D. DINGELL.

□ 1900

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 (Mr. EWING). 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 Extension of Remarks.]

CONGRATULATIONS TO THE HOUSTON ASTROS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GREEN] is recognized for 5 minutes.

Mr. GREEN. Mr. Speaker, normally we stand up here and talk about a lot of the great issues we debate, and every once in a while we get to talk about something in our hometown. This evening I would like to talk about my own district of Houston, Texas, where we are celebrating tonight and hopefully celebrating the rest of the week. I see my colleague from Georgia over there. I would like to congratulate the Houston Astros on their division title, and more than that, wish them luck in their game tomorrow against the Atlanta Braves.

The Houston Astros captured their first ever National League Central title last Thursday, thanks to a 9-to-1 win over the Chicago Cubs, and it was their first division title since 1986.

Since their All Star break, the Astros were 39–32 and 42–35 over the last 77 games. The Astros have been in first place in their division since July 18 of this year.

Attendance at these games this year topped the 2 million mark for only the fourth time in our club history.

Congratulations to both the owner, Drayton McLane, and our manager, Larry Dierker, Tal Smith, and all of the players and staff of the Houston Astros administration.

Astros manager Larry Dierker joins a short list of rookie skippers this year who have won a division title in their first year. In fact, the last time a first-year manager was to achieve this feat was Hal Lanier, who led the Houston Astros to the 1986 division championship.

No stranger to major league baseball, Larry Dierker's name has been associated with baseball in Houston almost since the inception of the club in the early 1960s. He made his baseball major league debut in Colt Stadium on his 18th birthday and on that day he struck out both Willie Mays and Jim Hart in the first inning.

His 14-year pitching career saw him become become Houston's first 20-game winner in 1969, the same year he pitched a club record of 20 complete games. Larry Dierker was named to the National League All-Star team for the 1969 game that was played here at RFK Stadium in Washington, and also the 1971 contest in Tiger Stadium in Detroit. He still ranks among the club's all-time leaders in virtually every pitching category.

With a manager like Larry Dierker, the Astros truly have a leader who not only knows Houston, but also knows the ins and outs of baseball.

Mr. Speaker, we also have two major stars on our team also affectionately called the Killer Bs. Jeff Bagwell, the home run king for the Astros, hit a total of 43 home runs this season. Not only did he set a new club record, he finished second in homers in the National League. Bagwell also established club records this year with 135 RBIs, 335 total bases, and 84 extra base hits. Setting a new Astros single season club record for homers, Bagwell ranked second in the National League for the number of RBIs.

Then there is the other Killer B, Craig Biggio. He is the first player in the history of major league baseball to play in 162 games without grounding into a double play for the season. Biggio broke a 1935 record held by Augie Galan from the Chicago Cubs who went 154 games without grounding into a double play.

Currently, Biggio crossed the plate 146 times this season, the most runs by a national leaguer since Chuck Klein stored 152 runs in 1932. Not only that, he has been hit by a pitch 34 times this season, establishing a new Astros record, which is not a record, I have to say, we are proud of, to have one of our players hit 34 times. Overall, 100 Astros were hit by pitches this year, the highest total by a team this century. The rest of the team will not back down from any of the pitchers either.

In fact, the great pitching staff we have is congratulations to Darryl Kile and other outstanding pitchers. Kile is currently up for the top pitching award, the Cy Young Award. He has pitched 255–2/3 innings this season with a ranking of second in the National League. In addition, he has thrown 4 shutouts, tying for second in the National League.

These key players, as well as the team, all contributed to their National League Central division title last Thursday, and being a Houston Astros fan, along with thousands and thousands of people in Houston, I want to congratulate the Astros and wish them the best of luck in their playoff game versus the Atlanta Braves tomorrow and also the series over the next few days.

Mr. CHAMBLISS. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield to the gentleman from Georgia, who is also a pretty good basketball player in his own right.

Mr. CHAMBLISS. Mr. Speaker, I thank the gentleman from Texas [Mr.

GREEN], my partner on the basketball court, and I would congratulate your Houston Astros also. They have had a great year this year. We look forward to them coming to Atlanta. I hope they are unhappy when they leave Atlanta, but we sure look forward to a great series. I think five of them have been one-run games, two of them have been extra inning games. It is going to be a great series. We look forward to it.

THE WILLIAM AUGUSTUS BOOTLE FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. CHAMBLISS] is recognized for 5 minutes.

Mr. CHAMBLISS. Mr. Speaker, I would like to take this opportunity to encourage my colleagues to support H.R. 595, the William Augustus Bootle Federal Building and United States Courthouse naming bill. This is an issue of great importance to me as well as all the citizens of Georgia and in particular, Macon, GA.

On February 5, 1997, I introduced this legislation in the House of Representatives. H.R. 595 is similar to a bill introduced in the 104th Congress which was titled H.R. 4119. H.R. 4119 passed in this House by voice vote, but unfortunately was submarined in the U.S. Senate, along with a number of other naming bills.

H.R. 595 passed in the Senate on June 12, 1997, and earlier today, this bill was debated in this body. I look forward to its passage tomorrow so it can be sent to the White House for the President's signature.

The courthouse houses the U.S. District Court for the Middle District of Georgia, which covers much of the territory of Georgia's Eighth Congressional District, which I represent.

Mr. Speaker, there is not a more deserving individual to name this building and courthouse for than Judge Bootle, and the current judges of the court wholeheartedly agree. Judge Bootle received his undergraduate and juris doctorate degree from Mercer University in Macon, GA. He was admitted to the bar of the State of Georgia in 1925.

Judge Bootle honorably served the U.S. District Court for the Middle District of Georgia for almost 25 years. Upon his appointment by President Eisenhower, Judge Bootle served as district judge from 1954 to 1961 began serving as chief judge from 1961 to 1972. Moreover, he served the middle district as assistant U.S. attorney and as U.S. attorney from 1928 to 1933. Judge Bootle also served Georgia's legal community as dean of Mercer University School of Law from 1933 to 1937. His distinguished service is admired, appreciated, and recognized throughout the State of Georgia.

Upon Judge Bootle's appointment to the bench as judge for the Middle District of Georgia in 1954, the chief judge was ill and remained so for an extended period of time, and until 1962 when another judge was appointed, Judge Bootle handled all six divisions of the Middle District of Georgia, which included 71 of Georgia's 159 counties.

Judge Bootle served this country well during the very emotional and precarious time of desegregation in the South. Judge Bootle was responsible for the admittance of the first black students in the University of Georgia.

I would like to take this opportunity to quote from a book written by Frederick Allen, which is entitled, ''Atlanta Rising.'' This book deals with a lot of history which took place in the Atlanta area during the years of the civil rights movement. Two black applicants who were denied admittance to the University of Georgia filed suit in the Middle District of Georgia, and quoting from this book, I read as follows:

> Two black applicants, Charlayne Hunter and Hamilton Holmes, went to the court attacking the welter of excuses University of Georgia officials had concocted to keep them out. The two made a convincing case that the only reason they had been denied admission was segregation, pure and simple. In a ruling issued late on the afternoon of Friday, January 6, 1961, Judge William A. Bootle ordered Hunter and Holmes admitted to the school, not in six months or a year, but bright and early the next Monday morning.

In the 1960's in Georgia, folks, that took great judicial integrity.

Judge Bootle has dedicated himself to years of service as a humble steward of justice, his community, the State of Georgia, and the United States. Due to this level of commitment, all of these societies are better places. Naming the courthouse the William Augustus Bootle Federal Building and United States Courthouse is an appropriate way to ensure the judge's efforts will always be remembered.

TRIBUTE TO QUINN CHAPEL AME CHURCH

The SPEAKER pro tempore (Ms. GRANGER). Under a previous order of the House, the gentleman from Illinois [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS of Illinois. Madam Speaker, I rise today to commend and congratulate the Quinn Chapel African Methodist Episcopal Church on the occasion of their 150th year anniversary. One hundred fifty years ago, in 1847, the community and fellowship known as Quinn Chapel African Methodist Episcopal Church formally took its name under the leadership of Rev. George Johnson, a missionary of the New York conference.

This group of churchgoers decided to name their church in honor of, and after the renowned Bishop William Paul Quinn. Bishop Quinn was one of the most prolific circuit-riding preachers in the 1800's who personally organized 97 AME churches, prayer bands, and temperance societies. It is interesting to note that Quinn Chapel's first community project focused on the abolition of slavery, and ironically, Quinn Chapel became a station on the Underground Railroad. Moreover, for 150 years, during race riots, depressions, the great Chicago Fire of 1871, and a myriad of other natural disasters and human crises, African-Americans came to Quinn Chapel for protection, information, support, and inspiration, in part because African-Americans were denied attention from other private institutions.

Quinn Chapel was the birthplace of Provident Hospital of Chicago, organized by Dr. Daniel Hale Williams in 1891. Dr. Williams was the first surgeon to successfully operate on a human heart, and Provident was the first U.S. hospital where black nurses could be trained and employed. In addition, black physicians could treat patients and black patients could receive quality care, where before black patients' only option for surgery was the doctor's office or their own home. In addition, it was Quinn Chapel who initiated in 1898 the first retirement home for African-Americans.

The sons and daughters of Quinn Chapel have filled important leadership roles in the AME church, including Archibald Carey, Sr., B.A. Taylor, Archibald Carey, Jr., John M. Crawford, Jr., Mrs. Portia Bailey Beal, Rev. Charles Spivey, Jr., and Mrs. Eloise King. Additionally, the sons and daughters of Quinn Chapel have also made historic contributions to public service, including State Senators Adelbert G. Roberts, William A. Roberts, and State Representatives Cornell A. Davis, Shadrach B. Turner, George Kersey, and James Y. Carter, and Aldermen Robert R. Jackson, Rev. A.J. Carey, Jr., and Pastor A. Leon Bailey. Also, the first executive director of the Illinois Commission on Human Relations.

More than 65 sons and daughters of Quinn Chapel have been specifically singled out for their pioneering work in education in Chicago, across the Nation, and around the world. Others have excelled in self-help, and toward that end have founded numerous businesses, including Mr. Kit Baldwin, the founder of Baldwin Ice Cream Com., and a cofounder of the Cosmopolitan Chamber of Commerce. Many outstanding artists have performed at Quinn Chapel or for Quinn Chapel, including Duke Ellington, Patti LaBelle, and Wynton Marsalis.

Quinn Chapel has always demonstrated a high level of involvement with national affairs, from the abolition of slavery to every war, beginning with the Civil War, Spanish-American War, World War I, World War II, the Korean war, Vietnam conflicts, and continuing today.

Quinn Chapel has hosted many historical figures such as Presidents William McKinley and Howard Taft, Dr. Booker T. Washington, Ms. Jane Adams, Paul Lawrence Dunbar, Rev. Dr. Martin Luther King, Jr., Congressman Adam Clayton Powell, Rev. Jesse Jackson, Sr., Prof. Michael E. Dyson, Frederick Douglass, Dr. George Washington Carver, Richard B. Garrison,

Susan B. Anthony, Branch Rickey, Studs Terkel, Irving ''Kup'' Kupcient, Lionel Hampton, Senators Paul Douglas, Charles Perry, and Adalai Stevenson, Oprah Winfrey, Scottie Pippen, Patti LaBelle, Oscar Brown, Jr., Ossie Davis, Ruby Dee, Mayor Willie Brown, Jr., and of course Chicago's magnificent mayor, Harold Washington.

□ 1915

Quinn Chapel has been pastored by a succession of extraordinarily devoted, talented, dedicated, and unique individuals who have left their imprint on the church and the community. Those dynamic pastors have come all the way from Archibald Carey to Thomas M. Higginbotham, who is currently there. These individuals have contributed significantly to the development of African-American life.

I salute and commend them on the occasion of their 150th year celebration, and I urge that we all take note of their mammoth contributions to the development of African-American life.

The SPEAKER pro tempore (Ms. GRANGER). Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

[Mr. KINGSTON. addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TIME FOR MEANINGFUL CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. Madam Speaker, once again, I want to thank the staff for being here this evening to let us talk about the issues of campaign finance reform.

Madam Speaker, we call these special orders. The reason we have to talk about these during this time of special orders is because the Republican leadership will not let the matter of campaign finance reform be brought to the floor of the House for a meaningful discussion. It is something that I do not understand and want to talk about more, but I appreciate the staff being here.

Madam Speaker, on June 11, 1995, this was the famous photo between the President and the Speaker of the House, I believe it was in New Hampshire, in which they shook hands and committed themselves to working on campaign finance reform. This weekend I was shocked to hear the Speaker once again reiterate what he thinks campaign finance reform is, which is unlimited donations, that is right, absolutely no cap whatsoever on the ability of an individual to give money to a campaign.

Would $1,000 be good? Yes. Would $10,000 be good? Yes. Would $20,000 be a legal donation? Yes. Would a Ted Turner $1 billion donation be legal under the Speaker's definition of meaningful campaign finance reform? That is what he said this weekend, and that is the position that he is advocating. That is contrary to the position of the American people.

Madam Speaker, this weekend I was in Arkansas and the President was there. He has had a good week. It has been a great week for Arkansas, talking about the Rock 9. But the President has confirmed his support for campaign finance reform. It was interesting to me that in Arkansas in 1990 when the legislature thwarted the effort to have some meaningful campaign finance reform, President, then Governor Clinton, called a special session. When that was unsuccessful he led the effort to get an initiated act with signatures on the ballot that is now the current law of Arkansas.

The President is committed, the American people are committed. It is the Republican leadership in this House that needs to let this body bring the issue of campaign finance reform, meaningful campaign finance reform, to the American people.

Mr. TIERNEY. Madam Speaker, will the gentleman yield?

Mr. SNYDER. I am glad to yield to the gentleman from Massachusetts.

Mr. TIERNEY. Madam Speaker, just in line with what the gentleman is saying, I note that what the Speaker is talking about in terms of unlimited campaign contributions is, in essence, as one editorial says, trying to paste on the label of reform without the content.

I think that finally the majority party and the Speaker in particular are starting to hear the voices of America coming forward and saying they will not tolerate inaction on campaign finance reform, and clearly, that majority party, led by its Speaker, do not want to have any real meaningful campaign finance reform, so they are doing just that, trying to paste on the label of reform without the content by saying that they want to reform it by lifting all the rules, and have people have unlimited individual contributions, and then in the next step, they go on to ban so-called soft money.

Madam Speaker, soft money was there just to beat the limits. So if we remove the limits on contributions, we do not need the soft money. In effect, we just open it right up and you can buy any vote you want. It is just unlimited money coming in and basically, again, trying to disarm one party, leaving a party that traditionally gets enormous amounts of money from very wealthy interests to have their day. Editorials have already started to see through this ploy. I think the American people have seen through it long before.

Mr. SNYDER. If I might reclaim my time for a moment, what is discouraging about the Speaker's position is that there are Republicans who are advocating for meaningful campaign finance reform, and we are going to hear from at least one this evening on this issue. So I do not understand the motivation, trying to block meaningful campaign finance reform from coming to the floor of the House.

Mr. MILLER of California. Madam Speaker, will the gentleman yield?

Mr. SNYDER. I am glad to yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman for yielding to me.

I think the picture reminds me that most of us in politics are well aware that the basic currency of politics is your word. You give your word to your constituents. You give your word to your colleague. You give your word to the voters.

The Speaker here and the President gave their word that they would pursue campaign finance reform. Yet, the Speaker refuses to test a date for campaign finance reform, to make it part of the agenda for the House of Representatives, and we are getting very close to the end of this session. The word, the promise that he made over 2 years ago, should be kept with the American people. It should be kept with the Members of this House.

That is what our efforts have been trying to do, is to make sure that in fact campaign finance reform, and I appreciate the gentleman's involvement in helping us, becomes a fact; that we get a chance to debate it in a full and open and fair manner, and to live up to the promise that the gentleman reminds us the Speaker made over 2 years ago.

I thank the gentleman for taking the well on behalf of campaign finance reform.

Mr. SNYDER. Madam Speaker, I thank the gentleman very much.

I now yield to the other gentleman from California, who has been a leader on campaign finance reform for several years.

Mr. FARR of California. Madam Speaker, I thank the gentleman very much for yielding.

I would like to point out that that handshake is reflective of something that Congress has been able to do. We have been able to pass campaign reform. In 1976 was the first effort to try to set the limits that are now in law, much of the law in this country.

URGING CONSERVATIVE COLLEAGUES TO SUPPORT MEANINGFUL CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. HUTCHINSON] is recognized for 5 minutes.

Mr. HUTCHINSON. Madam Speaker, I rise to urge support of my colleagues for campaign finance reform. I want to recognize the remarks made by my friend, the gentleman from Arkansas [Mr. SNYDER], who is a cosponsor of the Freshman Bipartisan Campaign Integrity Act, which we are trying to move

forward in this body. I want to particularly make reference to it for a few moments today to urge my colleagues, and particularly my conservative colleagues, to consider campaign finance reform.

I do not believe that campaign finance reform particularly is of any ideological persuasion, but I think the conservatives have been more reluctant, for various reasons, to join the effort to reform our campaign finance system. I think they can join the effort.

First of all, I am a conservative. I am very much in support of, as a former State party chairman, reforming our campaign system. If we look at the campaign finance reform ideas out on the table, we first have to acknowledge that there are some bad ideas out there. There are some ideas that I would not support, but then there are some other ideas for reform that are consistent with conservative principles.

I would not support, for instance, public funding of primaries. I would not support mandatory spending limits. But I do support reforms that stop the abuses of soft money, and I think that is what we need to address.

I have sponsored, along with the gentleman from Maine, Mr. TOM ALLEN, across the aisle, the Bipartisan Campaign Integrity Act of 1997. It is a good bill that bans soft money, that increases disclosure to the American public of what is being spent. In addition, it helps the parties in reference to raising hard money, the honest money. It empowers individuals and slows down the influence of special interest groups. So it is a good bill and it is based upon conservative principles.

In addition to the gentleman from Maine, Mr. TOM ALLEN, and myself sponsoring this, we have numerous other Members. In fact, we have one of the leading bills for cosponsorship from both sides of the aisle. That is why it is of a bipartisan nature. When I look at conservative principles I think of the free market system, I think of individual liberty, I think of smaller government, and I think of a strong defense. This bill really helps us to move in all of those things.

When we look at a free market, we have a free market system because we are able to control monopolies, and say monopolies cannot work because they infringe upon the free market system. Yet, we look at the free market system of ideas and they are being infringed upon by the international corporations that have such an undue influence on our political system.

So this bill levels the playing field, creates really a free market out there, empowers individuals. It encourages individual liberty by empowering individuals. It emphasizes those people who work at the grass roots rather than those people who simply try to generate gross profits. That empowers individuals.

Why does it encourage smaller government? Because if we do not act for reform now, the call for public funding of our campaigns will grow and grow. We do not need the Government involved. We need to stop the abuse with campaign finance reform now.

Finally, a strong defense, if we can stop the foreign influence, and it will be reduced if we can eliminate the loophole of soft money.

For all of these reasons, the bill, the Bipartisan Campaign Integrity Act, is solid. It is based upon conservative principles. It will stop the abuses, and when I talk across this country, people of all ideological persuasions understand the need for honest, legitimate reform.

That is why I urge my colleagues to support this. Whether they call themselves a liberal, whether they call themselves a conservative, or whether they call themselves a moderate, this is reform that the American public demands across the aisle. Our bill is consistent with conservative principles. I urge my colleagues to support it.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DOGGETT] is recognized for 5 minutes.

Mr. DOGGETT. Madam Speaker, let me begin by commending our colleague, the gentleman from Arkansas [Mr. HUTCHINSON], for the remarks that he just made. I think that he made some very good points about the need for us to address this whole issue of soft money, and I fully support the initiative that he and our colleague, the gentleman from Maine, Mr. TOM ALLEN, and other freshmen Members, against considerable resistance, have maintained in offering the Bipartisan Campaign Integrity Act.

Madam Speaker, indeed, I was the Member who stood here on the floor last Friday and asked Speaker GINGRICH personally when he was in the Chair to grant us consent to take up and consider that bill last week. It seemed to me appropriate that we should be considering campaign finance reform on the same day that our colleagues across the hall in the United States Senate were considering that issue last Friday, but instead, we were denied that opportunity.

It seems to me that the kind of bipartisanship that the gentleman from Arkansas has just demonstrated in working, both Democrats and Republicans together, to address this issue is the very kind of bipartisanship that has existed in the Senate, with the leadership of Senator MCCAIN joining with Senator FEINGOLD to propose realistic ways in which we can address this problem of the money chase that affects people of all political philosophies in both parties, devoting in many cases more time to finding the funds to maintain themselves in office or to achieve office than to attend to the public's business.

So I would say, first, I come tonight to agree with my Republican colleague, and I will say secondly that I agree with comments that many of our Republican colleagues have made on this floor recently concerning the need to enforce existing campaign finance laws.

I read with alarm the reports in the New York Times and otherwise about three campaign aides to the Teamster chief making guilty pleas about illegal money and reelection of the Teamsters tied to a scheme including Democrats. There are already three people that have pled guilty. I want to see that fully and thoroughly investigated, fully and thoroughly prosecuted, along with any other violation by anyone on either side of the political aisle, the political philosophy, of our existing laws.

The problem that brings us here tonight, because we are not an enforcement body of existing laws, is not those existing laws and such violations as may or may not have occurred. To me the problem is that what is legal is not right.

What is legal under existing campaign finance laws is the ability of special interests to pour in millions and millions of dollars that influences what happens in this Congress every day and every evening. What is legal is not right, by the view of the American people, who watch their Congress coming increasingly under the control of special interests who can afford to dump more and more money, soft money, to soften up the political process.

What I find indeed amazing were the comments this weekend of colleagues, both Speaker GINGRICH here in the House and various Members of the other body, saying that they had a solution to the problem of campaign finance reform. What is their solution? They do not think we have enough money in the system. They think that all of the existing reforms in terms of campaign finance limitation, they want to have campaign finance reform by repealing the existing laws and by allowing anyone to pay whatever it costs to buy whatever it is they need in the political process.

I do not believe that people who have studied our system, the ordinary person who is out there working, trying to make ends meet, that they begin to believe the nonsense of those who perhaps have spent too much time focused on how to raise the money for the next campaign instead of how to make ends meet out in the real world; that anyone out there with good sense, looking at this system, thinks that we can make it better if we allow the big boys to pour in even more money than they are funneling into the system already; money that distorts the legislative priorities, that results in a tobacco company being able to come in here and give more soft money to the Republican Party than any other special interest in the first 6 months of this year, and then come along in month 7 and they get a $50 billion tax break tucked into page 300-and something of

the balanced budget bill; to have another contributor who was an individual family contributor who contributed about $1 million in the spring of this year, and then come along in month 7, and they got a pretty good tax break buried in that balanced budget bill, also.

□ 1930

That is the way this system has worked, and that is what is wrong with the system. Too much time is focused on fund-raising and not enough time on good public policy. We can change that by bringing campaign finance system reform to this floor for full and open debate.

The SPEAKER pro tempore (Ms. GRANGER). Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

[Mr. NORWOOD 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 New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

CITIZENSHIP REFORM ACT OF 1997

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BILBRAY] is recognized for 5 minutes.

Mr. BILBRAY. Madam Speaker, let me first say, as one of the original cosponsors of the bipartisan campaign finance legislation, I would ask those of us on both sides of the aisle who truly want to see this body finally address that issue to go to our colleagues and ask them to quit the dilatory procedures in asking for adjournment after adjournment so we can get through the budgetary process, not have to have a CR, not have to be threatened with the close-down of the Government. And then we can address the issue that we all want to take a look at, especially those of us who cosponsored the bipartisan campaign finance reform.

That set aside, I am here to specifically address an issue of fairness and an issue of common sense. It is the bill that is called H.R. 7. It is the Citizenship Reform Act of 1997. It amends the Naturalization Act to stop giving automatic citizenship to the children of illegal aliens and tourists. It is basically there because those of us who have worked in local government and had to address this issue in local communities realize that it is a much bigger issue than what most people say.

I served as a county supervisor in a county in California. We came to the conclusion that Washington has to quit giving incentives to people to break our immigration laws. Madam Speaker, in California, in fact in Los Angeles County alone, there are over 250,000 citizen children of illegal aliens who qualify for such benefits as Medicare, AFDC, WIC, SSI. And, de facto, their parents get that money rewarded to them for breaking the law and having a child here. We are talking about two-thirds of the births in the largest populated county in the United States, Los Angeles County, and those public hospitals, are children of illegal aliens. We are talking about a cost in California alone to the State of California of over $500 million annually in providing health care services to the children of illegal aliens.

Now, some people may say that 40 percent of all births paid by Medicare in California going to illegal aliens is not that big a deal because it is California. But, Madam Speaker, all of the United States pays for this and all the people of the United States bear the responsibility of sending the wrong message, and that is, we will reward people for breaking our laws and punish those who wait patiently.

This loophole needs to be closed. It is not the responsibility of an illegal alien to close this loophole. It is not their fault that Washington has invited people in to get paid for breaking the law. The fact is, this loophole falls on our shoulders. It is not the mother of illegal aliens that should be blamed. It is Washington and our lack of commitment to fairness and common sense.

In Texas alone, there were fraudulent birth certificates sold to foreigners just so they can gain access to these public benefits. In fact, in one county in Texas, over 3,800 phony birth certificates were sold to the mothers so their children could get this automatic citizenship. Eighty-nine people today are being indicted, and over $400,000 worth of welfare fraud has been identified.

Now, granting automatic citizenship to the illegal aliens in this country is one of those terrible bait and switches that we say, come on in, break our laws, and we will reward you. We are talking fairness here, because there are thousands of would-be immigrants who are waiting patiently to immigrate into this country who do not get these benefits because their children were born while they were waiting.

The other issue is, what is really the difference between an illegal immigrant who comes in with a child who is 1 year old in their arms? Do they not have as much need for service as somebody who came across and gave birth right after getting on U.S. soil? It is totally absurd, and we have got to talk about the fairness.

Madam Speaker, there are those who will say that it is unconstitutional not to give everyone on U.S. soil automatic U.S. citizenship. I remind you, the children of diplomats do not get automatic citizenship and the children of certain tribes did not get automatic citizenship until 1924. The 14th amendment has never been clarified by the Supreme Court. The Supreme Court has never ruled on the right of illegal alien children to get automatic citizenship.

I think it is the obligation of Congress, under the fifth section of the 14th amendment, to raise this issue, bring it forth, and let the chips fall where they might. Why are people so scared of fairness? Why are they so scared of taking care of this?

Madam Speaker, I close with the fact that we have 51 bipartisan cosponsors. A hearing was held on June 25. We are looking forward to the gentleman from Texas [Mr. SMITH] chairman of the Subcommittee on Immigration and Claims, setting a date in October. I encourage everyone to join with us, call your Congressman, let us address this issue fairly and up front.

DEMOCRAT RECORD ON CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR of California. Madam Speaker, I rise to continue the discussion on campaign finance reform. As you have heard earlier, there is a big effort here in the House to come up with a meaningful package.

I would like to remind everyone that this is not the first time that we have debated this issue. In fact, in the last Congress, in the 104th, which is the Congress that was elected in 1994, a bill came to the floor, a bill that I authored so I am very familiar with it, that was a repetition of the bills that had been here before that had been passed out of this House when Democrats were in control. And I think that the approach that we need to be reminded of, in this era when everybody wants some campaign reform, they will take the cream off the top and try to do something immediately, trying to do an easy fix. We do not even seem to be able to do the easy fix.

We were shown the now historical handshake where the President and the Speaker of this House agreed that it would be campaign finance reform done in the last session. It has not been done. It was supposed to be done in this session. We have not even had a committee hearing or a scheduled vote.

I want to remind people that the bill that has always gotten the most votes in this House, and that in the 103d and the 102d and the 101st sessions of Congress got off of the floor of this House only to be filibustered by Republicans in the Senate or vetoed by President Bush, was a campaign finance reform bill that was comprehensive that did set campaign spending limits.

My colleagues, we are not going to have a meaningful campaign reform bill until we can limit how much candidates can do. We know from case law and the Supreme Court decision that we cannot, as a Congress, limit free speech, but we also know that we can set up a process where one can volunteer to set the limits for themselves in

a campaign, and, with that volunteering, you trigger in such things as spending limits, as new PAC limits, as new individual contribution limits, as public benefits that have never been given before for those who voluntarily limit their campaign spending.

It eliminates things like bundling provisions, it eliminates the soft money provisions, and it requires for independent expenditures for those organizations outside of this system, outside of a candidate's campaign, who are going to come in and comment on the campaign, who are going to run literature that says this candidate is a good or bad candidate, it requires them to disclose who they are and where their sources of funding are coming from. This is comprehensive campaign reform.

What you have heard so far are bits and pieces of that. The bipartisan freshman bill, it is a good bill. It is a step in the right direction that deals with independent expenditure; other bills that deal with elimination of soft money; other bills that deal with public benefits. But none of the bills are comprehensive, that go all the way throughout the spectrum from campaign spending limits to overhaul of the benefits that candidates should get.

Mr. MILLER of California. Madam Speaker, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from California.

Mr. MILLER of California. Madam Speaker, I thank the gentleman for making this point.

Many have tried to say that somehow those of us who are asking that the House debate and pass campaign finance reform are somehow doing it to change the subject because the President and the administration have their own problems with how the money was raised and given to them in the last election.

As the gentleman points out, when the Democrats were in control of this House, in three successive efforts they made to pass and did, in fact, pass campaign finance reform, it was vetoed by the President, it was filibustered in the Senate.

The fact of the matter is, knowing even then that this was a system that was headed into a meltdown, we tried to take some efforts to get comprehensive finance reforms and they were thwarted by the other party. But now it is even worse.

We just heard Members from the other side say that they want to make this effort, and we had a press conference, a bipartisan press conference, supporting bipartisan legislation. We cannot even debate that legislation on the floor of the House, the so-called people's House, because the Republican leadership will not let us. Yet we have numerous Members from the other side of the aisle who have worked many years on this problem. They cannot even be heard.

Mr. FARR of California. Madam Speaker, I think the point is so well taken, the fact that there is no effort in this legislative body, the only body that can change the law. We are having hearings here where people want to hear and smear or just listen and say, we will finish with that and come up with something. This House has been doing campaign finance reform when the Democrats were in control year after year after year. Why can we not do it now?

Mr. MILLER of California. Because the Speaker is determined that it will not be on the schedule, that it will not be on the agenda of this House. That is what we are trying to change with many of these procedural votes, to call the attention to the public that we are being gagged in the House of Representatives from talking about this problem.

Mr. FARR of California. Continue the effort.

THE IRS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, the Nation has been outraged by the disclosures of IRS abuses of power expressed in last week's hearings in the other body. Yet very few people have really been shocked because almost everyone either has been mistreated by the IRS or has a close friend or relative who has been.

Leaders of both parties have promised some type of legislation, possibly even before we break this year. But IRS browbeating of citizens is so bad that we need more than some quick fix, cosmetic type change. We need to change the entire system.

The IRS' ability to mistreat people comes primarily from three sources: First, a Tax Code so complicated and confusing that no one understands it and not even the IRS itself; second, a Civil Service system that protects Federal employees so much that they can get away with almost anything; and, third, the fact that the Congress keeps giving the IRS huge increases in funding.

Let me speak briefly to those points in reverse order. First, it is almost unbelievable, because almost everyone knows how bad the IRS is, how abusive it is, yet we are rewarding them with a $548 million increase in funding. This is in the Treasury-Postal appropriations bill, and the conference report on that bill is scheduled later this week.

I voted against this bill the first time, primarily because of the IRS increase and because it also contained a congressional pay raise. I hope we will vote the bill down this week, if we can get enough Members to request a vote. This IRS increase is almost three times the rate of inflation and is totally unjustified, especially for an agency that just squandered billions, billions on a computer system that it admits will not work in the real world.

Second, the Civil Service System that we have now really does nothing for good, dedicated employees but it serves as a protection for lazy, incompetent, rude, or abusive employees.

There is really very little that can be done to a Federal employee no matter what he or she does or does not do, and, unfortunately, far too many take advantage of this. Federal employees cannot be held accountable for their misdeeds or wrongdoing, and thus nothing is done for huge mistakes that would cause quick termination in the private sector. About the only real violations that are acted on in the Federal bureaucracy today are violations of political correctness.

Thus, the IRS makes a megabillion-dollar foulup on its computer system, but what happens? We give it a $548 million raise and no heads roll, as they should. Also, we sit around and see the IRS used as never before to get back at enemies, so 12 conservative think tanks are being audited while no liberal ones are and Paula Jones gets audited and the IRS goes merrily on its way.

Third, the Tax Code is far too complicated and confusing. Many of the answers the IRS itself gives out are wrong. Honest people make honest mistakes on their returns and then are pursued like criminals by the IRS and zealous prosecutors trying to make names for themselves.

We need to drastically simplify our Tax Code. We need a very simple flat tax or a national sales tax. Much about the flat tax appeals to me, but a national sales tax has one big advantage in that it would enable us to do away with almost all of the IRS. I voted for the most recent tax cut, the first since 1981. Yet one major disappointment for me was that it made our Tax Code even more complicated.

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I hope people all over this Nation will call or write Members of Congress and demand that we drastically simplify our Tax Code. I hope they will also tell their Members of the House and Senate to stop giving the IRS huge increases in funding. I hope they will tell their Representatives that we need to make major reforms of our civil service system so that IRS and other Federal employees cannot get away with rude, arrogant, abusive behavior any longer.

And I hope we will finally start cutting Federal spending. We have had much false publicity about cuts, but Federal spending is still going way up every year. This is why Federal, State, and local taxes combined, plus regulatory costs, now take half of the average person's income.

Big government breeds the types of abuses we are now hearing about by the IRS and many other Federal departments and agencies. The only long-lasting solution is to bring our government back home, closer to the people, and let the private sector and local governments solve most of our problems once again.

In short, Madam Speaker, we need a government of, by and for the people instead of one that is of, by and for the bureaucrats.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the Hon. TOM BLILEY, Chairman of the Committee on Commerce:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, September 26, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that the Committee on Commerce has received subpoenas for documents and testimony issued by the U.S. District Courts for the Central District of California and the District of Columbia, respectively, in the matter of Oxycal Laboratories, Inc., et al. v. Patrick, et al., No SA CV–96–1119 AHS (EEx) (C.D. Cal.) (civil dispute between private parties that apparently arises out of an alleged breach of a settlement agreement).

After consultation with the Office of General Counsel, I have determined that the subpoenas appear, at least in part, not to be consistent with the rights and privileges of the House and, to the extent not consistent with the rights and privileges of the House, should be resisted.

Sincerely,

TOM BLILEY,
Chairman.

ELIMINATE THE IRS AS IT IS NOW KNOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Madam Speaker, I rise tonight to speak on a very important topic, and that is to eliminate the IRS as we know it, and I have to thank my friend, the gentleman from Tennessee [Mr. DUNCAN], who has outlined well the case for why we in Congress, the House and the Senate, working together with the executive branch, must make these fundamental changes.

We have a Tax Code that is over 5 million words, an agency that has 113,000 agents, and there are really two issues here. The two issues are these: First, we need to have IRS change, and then we need to make sure that in fact the code itself changes and we have a new system.

The IRS has to change because we have the abuses caused by the kind of burden of proof that is required. Right now in the United States the Commissioner of the IRS is presumed to be correct and the taxpayers are presumed to be guilty. In no other part of Anglo-American law is anyone presumed guilty before evidence is presented. It seems to me that that is a very fundamental, logical, reasonable change that has to be made, legislatively speaking, right here in the House and as well in the Senate.

Beyond making the burden-of-proof change, we should see a change, I believe, in the culture of how the investigations are conducted. We have heard case upon case last week in the Senate Committee on Finance and I, in my district in Montgomery County, Pennsylvania, have seen where regular business people, individuals and families have been terribly hurt by investigations without probable cause, where we have bank accounts seized, businesses closed, individuals' lives turned upside down because there may have been a belief, without evidence, that something was wrong.

The fact is in many cases the IRS has overstepped its bounds. There have been quotas for having cases brought, for convictions being made, and when in fact this has been turned over. We need to make sure the IRS is changed so that when there is an investigation conducted it is with probable cause, and we will not have bank accounts seized, we will not have businesses closed and we will not have lives turned upside down.

We need to make sure we provide those kinds of safeguards that already exist in the private sector. If someone wants to bring an action in a civil court, they have to have probable cause. And if a person brings injury against someone else, they have to pay just compensation. The United States should have the same burden so that the taxpayers are protected.

That is why I am sponsoring and cosponsoring legislation in this Congress to make the changes on the burden of proof, on changing the IRS, and on having a date certain by which we do that. By the year 2000 we will have a replacement agency which will oversee, hopefully, a new IRS and as well a new code.

The current code, with all the words and all the exclusions and all the exemptions seem to favor only a few while taking money from the many. We want to see the possibility of flat tax, one that would have exemptions, of course, for mortgage deduction, for State and local taxes that are collected, as well for charitable deductions.

Those kinds of reasonable changes will be the kinds of changes that the American people can embrace. And Congress has to lead the way in response to the abuses that have been outlined not only in the Senate Committee on Finance, Madam Speaker, but as well in the Committee on Ways and Means with the oversight hearings that are being conducted.

I am hoping colleagues on both sides of the aisle will join together to make those changes, because I know there are people in every State that have had these abuses. They must end. And while most of the IRS are doing a good job and care about what they have as a career, we have set up the circumstances by creating a system with an unfair burden of proof with a runaway agency because of the culture that was created years ago.

Those fundamental changes must be made. We can downsize and we can make sure that we are delivering to the people the kind of government they want and the kind of protection they want. And so I thank my colleagues for their support in this new legislation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

[Mr. METCALF addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

IRS, MEDICARE, AND SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Madam Speaker, I have been sitting in the Chamber listening to the 5-minute speeches that have been going on, so I want to start tonight by proposing some new legislation as it relates to campaign finance reform.

And here is what our legislation will do. We will make it illegal to make fund-raising phone calls from offices that are paid for by the taxpayers of this great Nation, so in the future it will be illegal to make phone calls from offices that are paid for with tax dollars.

We will make it so that the Lincoln bedroom, a very important part of our heritage in this great Nation, is no longer for sale for purposes of raising money for any political sort, whether it be Republican, Democrat or otherwise.

And the third thing our campaign finance reform bill will do is it will make it illegal for foreigners to contribute to, that is, buy, election influence in the United States of America.

Those are the three points of our campaign finance reform bill that I would hope to introduce.

The gentleman from Pennsylvania is nodding his head, and I would yield to him for a comment.

Mr. FOX of Pennsylvania. Well, Madam Speaker, I thank the gentleman and would just tell him that this is a takeoff of legislation I started about 8 months ago on the Lincoln bedroom. But I think the gentleman's legislation is a little more comprehensive, and I, frankly, would like to cosponsor the gentleman's bill and make sure we carry the message forward.

I think when the public and our colleagues hear about this particular abuse or that abuse, I think a comprehensive bill that would embrace all of the changes would get the attention, I believe, not only of the public but as well the Speaker and the leadership. So

I would like to work with the gentleman on that legislation so we can have both sides of the aisle embrace it and have it pass in this session.

Mr. NEUMANN. I would tell the gentleman from Pennsylvania that two-thirds of this is already illegal in the United States of America. Unfortunately, we have these laws on the books already and they are not being enforced.

So I thought maybe after all we had been hearing about this campaign finance reform here tonight, that we should go back and redo the laws already on books, just write them over again exactly the way they are, and start enforcing some of the laws already on the books to clean up some of the mess out here before we try to add more laws.

Mr. FOX of Pennsylvania. Perhaps we should make sure the Attorney General is aware these are the laws so that she can make that a priority while she moves forward in making sure the Justice Department is effective and efficient.

Mr. NEUMANN. So perhaps we should re-pass them in that case.

I want to move forward now in a much more direct manner here. I would like to dedicate the rest of this hour to a very important person, and I want to pay special tribute to him this evening. My father had his birthday last week and I want to just pause tonight to recognize how important he and other people like him are in the lives of people like myself.

Without dad, and dad's influence in my life and his understanding and leading me through many tough situations in our life, and being an active help in our campaigns, both when we won and when we lost, I for one would not have been elected to this Chamber and we would not have brought about some of the changes that are happening.

I thought I might just dedicate a small portion of this to some of the changes that are being made specifically for senior citizens, and specifically after discussions with my own parents and an understanding of how influential they have been in my life, and, dad, I should pause long enough to say thank you this evening to dads all across America, my colleagues' dads, that have been so influential in changing America.

For senior citizens I do think it is important to know that Medicare, that was on the verge of bankruptcy in 1993, has been restored and Medicare is now solvent, so our senior citizens can rely on Medicare. There are some changes in Medicare, though, that came about after having these discussions with our senior citizens.

First, the attention is being turned to preventive care as well as care only after the disease or problem has developed. Things such as screening for breast cancer, screening for prostate cancer, blood sugar monitoring for diabetics, screening for colorectal cancer, these are things that have been added now as a preventive measure that in the long term will help our seniors live a healthier and better life. And I think it is a big move forward as we look at Medicare.

It is also important to point out that as Medicare was restored, it was done without raising taxes on the American people. It was done by providing our seniors something they never had before. Before the legislation that has just passed, the Federal Government decided what health insurance was necessary for our senior citizens and then they designed one-system-fits-all and said, senior citizens, like it or not, here is your health care.

The outcome of that, the outcome of Washington developing a one-size-fits-all health care policy, was that senior citizens like my parents were paying $43 a month, $43.50 a month to buy part B Medicare insurance. And on top of that they were going out and buying supplemental insurance to go with it to help pay for the things that Washington did not deem it appropriate to pay for.

Under this new plan our senior citizens will have the choice of staying on Medicare as they know it today, or they may take those same dollars and buy a different private sector policy.

I was talking to Mom and Dad about this particular aspect of the Medicare thing recently, just before we passed the bill, and they said to me, ''Well, I think I am staying on Medicare.'' I said, ''Well, Mom and Dad, is there any other program out there that you have seen that you like, that you might even give small consideration to switching to?'' They came up and talked about one they thought might be okay, but it was still in the developmental process.

That is what this legislation is all about. I know and respect my parents and I know that the senior citizens in this Nation are capable of making good decisions for themselves. I know that like my mom and dad, if Medicare is the best thing for them, they will make the decision to stay on Medicare. But there are certainly very talented, capable people that are ready to look at other programs out there and they are certainly capable of making the choice to do something different, and that should be their freedom and their prerogative, and I am happy to say that is a significant change.

Mr. FOX of Pennsylvania. If the gentleman will yield, I wanted to add that I appreciate the gentleman's leadership on these issues, especially dealing with seniors and making sure that Medicare is approved.

One of the other items I want to thank the gentleman for working with me on is making sure we fought back the Senate changes that were proposed to raise the eligibility age for Medicare from 65 to 67. We fought that back and won.

There also was the Senate proposal to have a means test, and we fought that back, for people that had already invested in their work, from the time they were working for Medicare. We won on that.

And there was also to be an increase in the co-pay, the Part B for home health care. We fought that back. So we were able to make sure not only were the prevention programs the gentleman worked on, to make sure they were a part of the Medicare package, but also we were able to maintain the kind of program as it is, without the means test, without the increased co-pay and without raising the age of people who are on Medicare.

Mr. NEUMANN. I sincerely hope that our colleagues and our colleagues' parents all across America will look to our parents and thank them for their contribution as Medicare has been restored.

I thought, continuing this theme of dedicating a portion of this to my father, in honor of his birthday, I thought we would also talk about the Social Security System, because I know how important that is to my parents in their lives and what it means to them to receive a Social Security check, and what that means to other senior citizens all across America.

Today, Washington, the government, is collecting dollars out of the paychecks of people, working families, so that they have money in here in this fund called the Social Security fund so they can give Social Security checks back out to our senior citizens. Today they collect more money than what they pay back out to our senior citizens in benefits.

Now, with that extra money, it is supposed to be set aside in a savings account. And the savings account is supposed to grow and grow and grow, to protect our seniors, to protect the Social Security System as we know it today. Well, it should come as no great surprise to anyone out here that before we got here in 1995, since about 1983 that extra money that has been coming in has been spent on other government programs instead of being set aside to preserve and protect Social Security.

So we have introduced legislation out of our office called the Social Security Preservation Act. The Social Security Preservation Act, it is not like Einstein kind of stuff. It simply says the money coming in for Social Security must be put in the Social Security Trust Fund.

The idea of collecting this extra money out of the paychecks of working families is that when the baby boom generation moves towards retirement, and there is not enough money in the Social Security Trust Fund to make good on the Social Security checks, instead of going to senior citizens like my parents saying, ''We can not give you Social Security any more,'' the idea was that there would be enough money sitting there in the savings account, so when there was a shortfall they could go to the savings account, get the money, and make good on the Social Security promises to the senior citizens.

The legislation that we have introduced, called the Social Security Preservation Act, very simply would require that the money coming in for Social Security would be put in the Social Security Trust Fund and would stay there.

Mr. FOX of Pennsylvania. If the gentleman will yield, I think the gentleman's bill certainly is an idea whose time has arrived. I cosponsored the bill as soon as it was introduced.

I know, having been a senior citizen advocate myself, making sure my parents had the benefits of Medicare and Social Security, I know that in prior Congresses, before we arrived, they had in fact helped to balance the budget on the backs of senior citizens by borrowing money from the trust fund, I think to the tune of about $380 billion.

□ 2000

So, hopefully, with the line-item veto, with the downsizing of certain Government programs, hopefully with legislation that I have to sunset agencies and departments that are duplicating the State government work, that we will be able to make sure over a period of time with my colleague's bill, which we cosponsored, be able to pay back to the trust fund the kinds of moneys that we want to have in there so that when they say now the funds are secured until 2029, but this will take it well beyond 2029, so that future generations of senior citizens will also have the benefit of the Social Security system.

Mr. NEUMANN. Reclaiming my time, that is great and that is where we should be going with the future of this country.

Another thing I know my parents and they have talked to me a lot about and most senior citizens in this country, they want to give a Nation to their children that is better than the Nation they received. They want to fulfill their responsibility to this country, just as generations before them have done.

One of the problems that has developed over the last 15, 20 years is the growing debt facing America. And they are very concerned about this, and they are very concerned that this is the legacy that will be passed on to the next generation. So I thought I would take a few minutes and talk about how we got to where we are, how deeply in debt we as a Nation are and what we need to do to fix the problem and how things have changed in the last few years.

This chart I brought with me shows how the debt was growing starting in 1960 to 1980. You can see how it is a relatively flat line, but from 1980 forward, this thing has gone off the wall. Let me put this in perspective, because there has been a lot of partisan stuff going on here on this floor this evening.

When I look at 1980 and I say, look, that is when this thing started really climbing here, 1978, 1979, a lot of people go, well, that was the year Ronald Reagan was elected to office. That is what all the Democrats say. They say, therefore, it is the Republicans' fault.

And all the Republicans say, well, now wait a second. You ought to really understand what is going on here. All spending originates in the House of Representatives. That is the Constitution. And, therefore, since the House was controlled by Democrats, it is absolutely the Democrats' fault that we are this far in debt.

The reality of this situation is that when we look at this debt chart, we are currently up here. And it is now an American problem; and whether you are Republican or Democrat, it is our responsibility as American citizens to do something about this mess before it brings this Nation to its knees. That, basically, is what has been going on out here since 1995.

I want to put this in perspective because I know this is the part that concerns my parents a lot and I know it concerns a lot of senior citizens. The debt today currently stands at about $5.3 trillion. If you have not seen that number before, it has got about 12 zeroes after it, or 11 zeroes after the 3. It is a huge number. Remember, this is the amount of money that this Government has seen fit to spend over and above what it collects in taxes.

To put it another way, and this is the old math teacher in me, I used to teach math before I was a home builder, if you divide the debt by the people in the United States of America, the Federal Government has borrowed $20,000 on behalf of every man, woman, and child in the United States of America.

I would encourage my colleagues to go to a city in their district on a very busy day and look at the crowds of people and just start looking about what it means for this Government to have spent $20,000 on behalf of every man, woman, and child in the United States of America more than what it collected in taxes. For a family of five, like mine, of course that means they have spent $100,000 more than what they collected in taxes.

Here is the real problem with this growing debt. Today a family of five in America pays an average of $580 a month, every month, to do absolutely nothing but pay the interest on this Federal debt. That money is actually borrowed. It is borrowed by when people buy T bills and people invest in T bills across America. This money is actually borrowed and there is interest being paid on it. The average cost of interest for a family of five is $580 a month.

A lot of people say, ''Well, I do not pay $580 a month in taxes, so I do not have to worry about it.'' But the facts are, if you do something as simple as buy a loaf of bread in the store, the store owner makes a profit on that loaf of bread and part of that profit comes out here to Washington, DC to do nothing but pay interest on the Federal debt.

It is staggering the impact that this has on our economy today. And the nice thought is what would happen if we paid this debt off so that this $580 a month could stay in the homes of those families instead of being sent out here to Washington, DC. What a change to America this would really be.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Tennessee.

Mr. DUNCAN. First of all, I would like to commend the gentleman from Wisconsin [Mr. NEUMANN] for his comments. I did not know he was going to get into the campaign financing. But I think all of the people of this country would prefer to have an administration in power that gives more influence to American citizens than it does to representatives of foreign campaign contributors. And I certainly agree with the comments of the gentleman on that.

But I rise tonight especially to commend him for his concern about this horrendous national debt that we have. I went recently in Knoxville to the Cedar Springs Presbyterian Church. The minister, John Wood, prayed what I thought was a very interesting prayer. He prayed for those who had come there that day hurting in some way due to a family problem or a business problem or a health problem. But he then said he was praying most especially of all for those who had come in a complacent mood and did not think they needed any help and thus needed it perhaps most of all.

I think in some ways that describes a little bit the condition of the country today, because some people think that because the stock market is temporarily high that things are better than they really are. But this $5½ trillion national debt puts us on very thin ice economically, as the gentleman from Wisconsin [Mr. NEUMANN] has pointed out.

Then, on top of that, we have these looming Federal pension obligations, Social Security as my colleague mentioned, the Federal pensions, the military pensions, horrendous obligations that in other countries, the only way that governments have been able to meet those obligations is by either drastically decreasing benefits or drastically inflating the money.

Sometimes when I speak in high schools I tell some of the young people, ''I know when we say we have a $5½ trillion national debt that maybe your eyes glaze over and you think it does not have any effect on you. But it really does.'' Every leading economist says it is like a chain hanging around the neck of our economy, holding us back. Times are good now for some people, but they could and should be good for everybody. People making $5 and $6 an hour can be making $10 or $12 an hour if we did not have this horrible debt.

We are getting ready, shortly after the turn of the century, to face some of the biggest problems that this country has ever faced. And if we do not start doing things like the gentleman from

Wisconsin [Mr. NEUMANN] is talking about, starting to pay this national debt back and getting Federal spending under control, as I pointed out in my 5-minute special order a few minutes ago, Federal spending, in spite of all the publicity about cuts, is still going way up every year.

So I salute my colleague for the work he is doing in this regard. It is very, very important for the country, especially now while we still have a chance to do something about it.

Mr. NEUMANN. Reclaiming my time, the statement of the gentleman from Tennessee [Mr. DUNCAN] about complacency and the pastor's words reminds me of a saying that has been ringing very much in my ears as we contemplate the next election cycle. And that is not about us but rather about the people in America. It goes something like this: ''In order for evil to succeed, good people need only sit idly by.''

That is, effectively, what has happened over the last 15 or 20 years in this Nation. We are going to talk a little bit about how we got here and how different it is in the last 3 or 4 years, because there is some reason for optimism. Some things have changed. We still have got that huge problem that they passed to us. But there are things changing out here, and it is important that people know about that.

Mr. FOX of Pennsylvania. If the gentleman would continue to yield, I have to agree with the gentleman from Tennessee [Mr. DUNCAN] when it comes to saluting the leadership of the gentleman from Wisconsin [Mr. NEUMANN], really being a trailblazer when it comes to the deficit question, and also his work on the budget committee.

Particularly, when we look to the balanced budget, I know from Alan Greenspan and people like the gentleman from Wisconsin [Mr. NEUMANN] and the gentleman from Ohio [Mr. KASICH], chairman of the committee, by having a balanced budget finally by the year 2002, we are in fact going to reduce interest costs for cars, interest costs for college, and interest costs for home mortgage.

But would my colleague explain to me, under his Debt Repayment Act, what is the effect going to be for the homeowner, for the family, and how long will it take us to succeed, over how many years will it take for the Debt Repayment Act to take full effect?

Mr. NEUMANN. Reclaiming my time, I think if I could take just a couple minutes first and show how we got into this mess and how much things have changed, and then let us go forward to the future. I think it is important for any group of people to understand how they got to where they are, if in fact things are changing, and where we might be headed to in the future.

I brought with me a chart today to show how we did get to where we are and what was going on in the past. Before 1994, and this credit should go to the American people, before 1994 what was going on was Washington was promising that they were going to balance the budget. They were recognizing how serious a problem this national debt was.

This blue line shows what they promised to do with the deficit line hitting zero, or a balanced budget, in 1993. The red line shows what they actually did. And I think it is important to understand that in the past they had Gramm-Rudman-Hollings, the first one, and then Gramm-Rudman-Hollings again. And then another promise in 1990, and 1993 came and went and of course there was no balanced budget.

In fact, in 1993 they looked at this and they said, well, we cannot control Washington spending. So there is only one other alternative if we are serious about doing something about this, and they did it. They reached into the pockets of the American people and they collected more taxes out.

I have been starting some of our group meetings to show how different things are today than they were before by announcing a very important piece of legislation. Here is what it does: It raises the top income tax bracket from 31 to 36 percent and tacks on a 10-percent surcharge. It makes the tax increase retroactive to January 1 of this year. It raises Social Security taxes on our senior citizens, and it raises the gasoline tax. Just in case we missed anybody with the first group, it raises the gasoline tax by 4.3 cents a gallon and does not even use the new money that it has taken in for roads; it directs the money to social welfare programs.

I start talking about this legislation because it gradually dawns on people that that was the 1993 tax increase bill. That was what they did out here when they looked at this picture in 1993. In 1994, the American people were fed up with this and they said ''no more.''

I would add that that tax increase, the solution to this problem of taking more money out of the pockets of people, that solution passed by one vote in the House of Representatives and it passed by a single vote in the Senate. I might add, and I do not want to turn this into partisanship but I have tried not to, there was not a single Republican vote for that tax increase back in 1993 because Republicans had a different idea.

We thought that the right way to balance the budget was by controlling the growth of Washington spending, a very different picture. Well, Republicans did take control of the House of Representatives in 1995, for the first time in a long time, and the Senate. And I think what happened in 1995 should be looked at very carefully by the American people, because the American people have had these promises in the past and they have always been broken.

When the change occurred in 1995, we laid a plan into place that was very much like this blue line. We said that by the year 2002 we were going to balance the Federal budget. I have that on the chart here. Here is our promised deficit stream when the Republican plan passed in 1995. But it is very different than the outcome. We are not only on track but ahead of schedule. My colleagues will notice the red line is in the opposite spot from where it was up here. We are not only hitting our targets, but we are far ahead of our targets, and we are going to provide the American people the first balanced budget since 1969 next year, 4 years ahead of schedule, not broken promises, no excuses as to why it cannot be done. It is done, and it is done 3 or 4 years ahead of the original promised schedule.

That is a phenomenal change in what is happening in Washington from this picture and raising taxes, to this picture, balancing the budget, on track, ahead of schedule, and at the same time saying to the American people ''it is time you had a tax cut.''

For the first time in 16 years, a tax cut is going to be delivered in this year. It is actually signed and into law. The ink is dry. The tax cut is there. If we get time later on in this special order, I would like to go through some of the things in the tax cut. But for now I would like to move a little bit farther forward and show how it is possible that we get to a situation where we can both balance the budget 4 years ahead of schedule and at the same time lower taxes for the American people.

What this chart shows, the blue line shows the growth in revenue. And we see that the growth in revenue from 1989 to 1995 was going up at about the same speed that spending was going up. What that meant was that all the new money coming into Washington was immediately being spent on new Washington programs.

But in 1995, the revenue kept going up at a pretty good pace, but the red line started going up at a slower pace. Well, when spending goes up at a rate slower than revenue growth, the lines crossed quickly. So the reason we are in a position today where we can both have a balanced budget 4 years ahead of schedule and provide tax relief to the American people is because the revenues have continued to go up strong, but instead of letting spending go up with them, spending has been curtailed.

I have got another chart here to put this in perspective. Because one thing that I hear when I am out in public at town hall meetings, as a matter of fact I heard it in a meeting this morning before I got on a plane to come out here, the general concept is, ''Well, the economy is doing so well; and because the economy is doing well, you politicians are trying to take credit for how good the economy is.''

Again, the facts are significantly different than that. I would first point out that between 1969, the last time we had a balanced budget, and today, we have had a lot of good economies. But in the past when there was a good economy,

Washington simply expanded the spending to a point where the deficit remained. That is why we have had a deficit every year since 1969.

This Congress is different. The revenues did come in faster than expected, and the revenues are coming in good because the economy is strong. But with the revenues coming in, the growth rate of Washington spending has been slowed by 40 percent in 2 years. This chart is extremely significant in understanding how we can both balance the budget and reduce taxes at the same time.

Before we got here, spending was growing at an annual rate of 5.2 percent. It is now growing at a rate of 3.2 percent. So, in the face of strong economy, extra revenues coming in, instead of doing what past Congresses have done, and that is find new ways of spending it here in Washington, at the same time the economy is very strong, spending growth has been curtailed in this city. And that is what got us to this position where we are going to have our first balanced budget since 1969 and our first tax cut in 16 years.

□ 2015

This whole system works because we have curtailed the growth of Washington spending. And let us go a step further. When we curtail the growth of Washington spending, that means Washington borrows less money out of the private sector. Well, when Washington borrows less money out of the private sector, that means there is more money available in the private sector. More money available, law of supply and demand; again, this is not complicated. The law of supply and demand says: When there is more money available in the private sector, the interest rates will stay down; and, again, this is not unexpected.

We had hoped that the result of those lower interest rates would be a strong economy, where people bought more houses and cars because they could afford them easier with the low interest rates, and in fact that is exactly what is happening, and that is spurring on our economy today better than anything else we could have done.

So when government spends less, they borrow less out of the private sector, it leaves more money available in the private sector. With more money available in the private sector, the interest rates stay down, and when the interest rates are down, people buy more houses and cars, and the logical next step when people buy more houses and cars, somebody has to go to work building those houses and cars, and of course that is what leads us to more job opportunities for our people.

Mr. FOX of Pennsylvania. Mr. Speaker, if the gentleman would yield, I think that is one of the best items you just pointed out.

When you talk about getting the budget in balance, two major facts: First, we have lower interest rates for cars, college, and for the home; and we also increase, because companies are doing better, more job opportunities. So we are lowering the unemployment rate, and by doing that, there are more people employed, and those who are employed have a better chance of rising up within their own business, and we also stabilize the tax base, because you have more people paying into the tax system, and hopefully at lower rates because of our new programs.

Mr. NEUMANN. Exactly.

Would the gentleman, reclaiming my time?

Mr. FOX of Pennsylvania. Certainly.

Mr. NEUMANN. The wonderful thing to think about here is, it is more than about these numbers and charts; it is about my two kids are in college and my other one, who is a freshman in high school, it is about these kids and whether or not there are going to be job opportunities right here in America or whether we are going to find ourselves in a position where, in order for my children to have hopes and dreams and the opportunity to live the American dream that we have had in this great Nation, it is about whether they are going to be able to do that at home in Wisconsin or whether they are going to have to go over to a Pacific rim country, or China, or wherever, in order to have the hopes and dreams and the opportunities that we have had during our generation. That is what this is about. It is about whether or not our kids are going to have an opportunity to live the American dream.

I thought I would show one more chart, because another thing that comes up a lot of times when I am out at public meetings is, they say, well, who is supposed to get all the credit for this thing, and are not you afraid somebody is going to get the credit, and Clinton is going to get credit for what you guys have done, and how are we going to stop that from happening? And this is how the discussion goes. And I brought a chart to kind of show what would have happened had we not been here.

In 1995 when we took office, in 1995 when we took office, if we had played golf and tennis and basketball instead of doing our job, this is where the deficit was going. This is where the deficit was going when we got here and what we inherited when my colleagues and I took office in 1995.

This yellow line shows what happened after 12 months, and some people remember our first 100 days, the battles that went on. If we had quit after the first 12 months, the deficit would have followed this yellow line. The green line shows what we had hoped to do, and the blue line shows what is actually happening. And, again, the emphasis here is how far we have come from 1995 to 1997 and what a phenomenal change there is in this great Nation we live in.

I would be happy to yield.

Mr. FOX of Pennsylvania. I think, you know, you deserve a great deal of credit for being a visionary on this. You know, while some people look at one bill at a time, you are looking at it from a 4- or 5-year projection. As you are looking for your children and eventually your grandchildren, you are giving a real vision to this Congressman.

The question I have, MARK, is, how do we know that we can assure this for the years to come? We know we have done for the 104th Congress and 105th the Congress. What kind of budget discipline and what kind of legislation can be achieved so that the same kind of graph that you have been showing, where there is going to be more opportunity, your children will fulfill their dreams and have a job and give less money to the government and more money back in their pocket for their children to fulfill their dreams, what kind of legislation do we need in order to make sure that the dreams of your children will be fulfilled?

Mr. NEUMANN. Well, I think the logical next step in this whole thing is the answer to that question. That is, after we balance the budget, we still have that $5.3 trillion debt that our generation is going to give to the next as a legacy if we do not do something about it.

So while things have changed a lot since 1993 and the broken promises and tax increases of the past to a point where we are on track balancing the budget and providing tax relief to the people, restored Medicare, good things, but we have to ask, where are we going next?

And the answer to that is, we need to start making payments on the $5.3 trillion debt, and the easiest way to describe what we are suggesting that we do in our legislation, I know we have cosponsored this bill together, and people in Pennsylvania are very fortunate to have a person like yourself here to help with this kind of legislation; what we are doing is proposing, very much like on a home mortgage, just like all the folks out there that have a home, and they borrow money to buy the home, they make payments on their home mortgage, we are effectively suggesting that we do exactly the same thing in that $5.3 trillion debt.

We have introduced a bill called the National Debt Repayment Act, and what the National Debt Repayment Act does is, it caps the growth of Washington spending, it controls the growing Washington spending, at a rate 1 percent lower than the rate of revenue growth, and it has to be at least 1 percent lower. That creates a surplus.

With the surplus created, we take one-third of the surplus and dedicate it to additional tax cuts, and two-thirds of it goes to start making those mortgage payments on the Federal debt, and it is real important, when the mortgage payments are being made on the Federal debt, we are also putting the money back into the Social Security Trust Fund that has been taken out over the last 15 years.

So our National Debt Repayment Act would pay off the entire debt by the

year 2026 so our children could inherit this Nation debt free, but it would also restore the Social Security Trust Fund.

And I said earlier this hour that I am dedicating this special order to my father, who had his birthday last week. Senior citizens should be in droves behind this kind of legislation because by putting the money back into the Social Security Trust Fund, Social Security once again will be safe and secure, and for the people in the work force this will provide additional tax relief each and every year.

I brought a chart with me to kind of show how this would work and show what actually happens in picture kind of form. The red line, again, is the spending growth, and you can see spending still going up. So for those that are concerned that Medicare, Medicaid, or whatever will not be there, spending is still going up. And I might just add a personal note here.

If this was me, spending would not be shown going up this fast, and if I was in control of Congress where the conservatives were actually the majority in this body, this spending line would be much slower, it might even be flatlined, so we would even shrink Washington spending much more. But even with spending going up at a small rate, if you keep it going up at a rate 1 percent lower than the rate of revenue growth, the blue line shows the rate of revenue growth, the red line, the spending growth; if the red line is going up slower than the blue line, that creates the surplus in between here, and one can see how the surplus develops, giving us the revenues necessary to pay back the Social Security trust fund, to pay off our debt so we can give this to our children debt free and we can dedicate some of those surpluses to additional tax cuts for the American people.

I would be happy to yield to the gentleman.

Mr. FOX of Pennsylvania. People will say to us, well, this sounds good, but what happens in times of emergency, and what happens in a time of war?

Mr. NEUMANN. The bill kicks out actually during the time of emergency and during the time of war, and remember, the bill says we have to keep at least a 1 percent difference in this growth rate.

There are going to be other times where it is more than a 1 percent gap; that is, spending is going to be going up much slower than the rate of revenue growth. We happen to be in one of those times right now. As a matter of fact, revenues to the Federal Government today are growing by 7.3 percent, and spending is only going up by 3.2 percent. There is a 4-point spread in there right now. This chart shows how it works with only a 1-point differential.

So during the good times like those that we are in right now, I think we find a wider than 1 percent spread, and during those bad times the bill would kick out, because in all fairness, if we are in a war, I do not think we want this sort of thing restricting us, and if we went into some sort of a major recession, there may be a reason for the Government to actually spend more money.

Today, that is not the case. Today, our economy is booming. There are job opportunities for people. We are seeing the welfare rolls decline with the welfare reform that went through a year ago. We are seeing a lot of good things happening in our country, but we do not want to tie our hands with this sort of legislation that we could not adjust in the event of an emergency.

Mr. FOX of Pennsylvania. Well, if the gentleman will yield, the National Debt Repayment Act is certainly a bill that both sides of the aisle should be supporting, and, frankly, I would like to see the Senate support it once it gets there after we pass it.

But with regard to tax legislation, where we have seen great reform in this session which you and I supported along with our colleagues, we have reduced, we have a $500 per child credit, reduced capital gains tax, increased the inheritance tax exemption, and one of the most important items, tax credits on education.

Do you think we could be going to a time, maybe next year, the second session of the 105th Congress, where we can further reduce capital gains, which will increase savings, new jobs, and growth?

Mr. NEUMANN. Well, that is what this bill is all about really, is it does provide one-third of this surplus for additional tax cuts as we move forward.

The gentleman mentioned that this needs to happen in the Senate as well. I would just point out that in the Senate of the United States there is not a single Member over there as of yet that is interested in introducing the Social Security Preservation Act which we talked about earlier. That is the bill that forces Social Security money to actually stay in the Social Security trust fund. Not a single Senator yet has moved forward. And on this National Debt Repayment Act, what seems to me to be the logical next step, not a single Senator as of yet has sponsored the bill. And I am optimistic that we will see movement in that direction because it does, after all, take passage in both Houses in order to get this job done.

On the tax cuts, maybe we should go into the tax cuts that have already passed, and remember, the bill is currently on the table to sunset the entire IRS Code and replace it with something that is simpler and fairer, easier for our people to understand, by the year 2001.

So I anticipate we are going to begin an immediate debate over an entirely new tax system, something people actually can understand, and they will at that point be able to figure out their own taxes and understand, if there is a tax increase, they are going to know about it.

And there is one thing I know for sure. If they know their taxes are being increased, politicians are going to be much less likely to increase them. In 1993, the way they got away with it is, they demagogued it, saying it was only tax increases on the rich. Well, the reality was, you were rich if you owned an automobile and filled it up with gasoline, because when they were done, taxes went up by 4.3 cents a gallon as well as a 2.5 cent extension in the gasoline tax.

So that is part of it, but maybe we should talk about the Tax Code and how it has changed. And, again, I think we need to look back to 1993 when taxes were going up and see that this is good even though it is a little complicated. Should we start maybe with the one that is going to hit the most families? I do not know how many families it hits in Pennsylvania. I know in Wisconsin, 550,000 families are eligible to keep $400 per child more of their own money in their own house instead of sending it out here to Washington, DC.

Mr. FOX of Pennsylvania. If the gentleman would yield, my own county, Montgomery County in Pennsylvania, in my district, 108,000 families will have the benefit of the $400, eventually $500, per child tax credit. That will go a long way to help pay other bills.

Mr. NEUMANN. You have got 108,000 just in your county in Pennsylvania, and we have only got 550,000 in all of the State of Wisconsin. Our people had better start having more kids in Wisconsin so we catch up.

Seriously, it is important for my colleagues to understand that next year, starting in January, for each one of those children under the age of 17, on January 1 they can go into their place of employment and adjust their withholding taxes so they start keeping $33 per month per child more in their own paycheck instead of sending it out here. The $33 a month is the $400 total divided up over the 12 months.

So if you have got a family of five, three kids under the age of 17, what they should do in January of next year is go in and increase their take-home pay by $100 a month. That is what this tax cuts means to the 550,000 families in Wisconsin and the 108,000 in your county in Pennsylvania.

The other thing is, I think the emphasis on education in this tax bill was real important. I always talk to our groups, and I ask if anybody has got a freshman or a sophomore in college, and inevitably we see a bunch of hands go up. For a freshman and sophomore in college, in the vast majority of the cases, the parents will be able to keep $1,500 more of their own money instead of sending it out here to Washington.

And I want to be as clear as I can be on this. This is not a deduction. This is as in you figure out your taxes, and when you are all done figuring out how much you would have owed, if you are a freshman or sophomore, spent $2,000 on their college tuition, room, board, and tuition, you subtract $1,500 off the

bottom line. You figure your taxes out, and you subtract $1,500 off the bottom line for a freshman or sophomore in college. For a junior or senior in college, it is 20 percent of the first $5,000 of costs, or in many cases $1,000 for a junior or a senior.

And, again, it is important that our constituents understand that this means that in January of next year, if you have got a freshman in college, you simply go in and take 1,500 divided by 12, or $125 a month more in your take-home pay. There is nothing else you have to do; you just take home an extra $125 a month.

For a family of five in Wisconsin, we have got some church friends, one in college, freshman in college, two still at home. This family is eligible for $2,300 next year, and I know in this particular family that they are working several jobs in order to make ends meet.

Just think what this tax cut package means to a family of five, where the mother and father have been working not only their regular jobs but an extra job or two in order to get ready for Christmas. Next year, this family is eligible to keep $2,300 more of their own money instead of sending it to Washington.

Mr. FOX of Pennsylvania. If the gentleman will yield, I think one of the most important parts of the tax package is the education tax credits, because there are so many young people who want to go into higher education, whether it is junior college, community college, regular college, whatever kind of higher education, leading to a satisfying job. They want to know that they have got the chance, that their parents will get the kind of credit off their taxes to encourage them to get that extra education. They can make sure they get a better job, and their families will certainly have full opportunity.

□ 2030

Mr. FOX of Pennsylvania. So I will continue working with the gentleman in Congress to make sure we expand educational opportunity so each person can be all they can be educationally, vocationally, and within the society.

Mr. NEUMANN. Madam Speaker, the other one that relates to education, in the same area, is the $500 per child education savings account. I have a lot of grandparents that say what should we give our grandchildren for this particular birthday or this particular birthday. This account has been set up so that the grandparent could conceivably put $500 per child into a savings account that would then stay in the savings account until the child reaches college age. The child then, the interest accumulates tax-free and the child could then take it out when it is time to pay for their college education.

Of course, it is not only grandparents that could do this, parents could do this if they have the financial wherewithal, but it is an account that allows families to start saving for their children's future education, where the interest accumulates tax-free in the account. It is called the educational savings account and works sort of like an IRA used to work.

Mr. FOX of Pennsylvania. Madam Speaker, if the gentleman would yield, we also have the Coverdell and Gingrich bill, a plus account, which will be an additional $2,000 towards college education.

So I think whatever we can do to give the students the opportunity to attend the college of their choice, the institute of their choice, whatever it may be, then I think the Congress, moving educationally, we are doing the right thing for all of our people.

Mr. NEUMANN. Madam Speaker, reclaiming my time, does the gentleman think these education accounts that we have just talked about point out how different things are in Washington?

Five years ago, if this would have been the discussion, it would have gone like this: Well, we are going to raise taxes on the people, get more money out here in Washington, and then we here in Washington are going to decide which families out there in America have a right to get some of this money back.

That is not what this is about. This says people that have worked hard to earn a living, and whoever they are, if they have children under the age of 17, keep $400 more of their own money. They have to earn it first; it is their money, they have to earn it, but after they have earned it, they keep it in their own home instead of sending it to Washington. It is not Washington deciding which people are going to be eligible and collecting more tax dollars like they did in 1993, but rather, it is a tax cut. It simply says if they earn the money, the kids are under the age of 17, keep it in their own home; we know they know how to spend it better than the people here in Washington. It is really great to look at these kinds of tax cuts as opposed to what might have gone on before.

Why do we not jump out of education. I hear a lot of times when I am out at our town hall meetings, well, MARK, I do not have any kids, and since I do not have any kids, I am not eligible for any of those tax cuts. Well, there is a few other things in here, and I talked to a union worker in particular. He said, ''My kids have gone and I am not really thinking about selling my house and I am not really eligible for anything.'' I said to him, ''Are you thinking of saving to help take care of yourself and retirement?'' He said, ''I know you are going to talk about IRA's, but I already have a 401(k) at work.'' I said, ''Would you consider saving more for your retirement, if you could, tax-free?'' He said, ''Yes, I would be interested in doing that, but I am not going to be eligible because I have a 401(K) already.''

The new tax cut package has changed that. Even if people are eligible for a 401(k) at work, under the new tax plan, it is called the Roth IRA. People can now put $2,000 per person per year into a savings account. Now, they are putting in after-tax dollars as opposed to before-tax dollars. They are putting in after-tax dollars, but the interest accumulates tax-free, so if they put the money in this year, whatever they earn on that money between now and retirement, when they get to retirement and take the money out of this account, the money that they take out is absolutely tax-free. So they put $2,000 per person per year into the account, they pay tax on that money this year, but when they take it out in retirement, it comes out to them absolutely tax-free. There is no tax on the increased value of that $2,000 they put in.

The nice thing, I have a lot of young people that say, ''Well, MARK, I am not sure I am ready to think about retirement yet.'' This account also works for young families who are trying to save up to buy their first home. They can put $2,000 per year per person into this account, and a lot of especially couples without children or single working families, they put this money into this account and then later they can take up to $10,000 out of the account without penalties to buy their first home.

So for the young families it is an opportunity to save to buy their first home. For the folks that are in their 40's and 50's, maybe the kids are gone, it is an opportunity to save more for themselves for retirement and have it be a tax-free retirement.

Mr. FOX of Pennsylvania. Madam Speaker, will the gentleman yield?

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

Mr. FOX of Pennsylvania. Madam Speaker, under the Roth IRA, it is $2,000 per person for how many years hence?

Mr. NEUMANN. As many years as one so desires.

Mr. FOX of Pennsylvania. OK. So there is no sunset on that provision?

Mr. NEUMANN. No. One can keep putting $2,000 per year into this account each year from now through the year they retire, unless, unless we go back to the ways of 1993; and if we go back to the ways of 1993, broken promises and higher taxes, certainly this might be one of the accounts they look at; but it is up to the American people to make sure they keep elected Representatives who are going to be more interested in controlling Washington spending, because when we control Washington spending, that means the people can keep more of their own money instead of sending it to Washington. The folks have to make sure that they understand that is what is necessary in order for this Tax Code to continue with tax cuts as opposed going back to the way of 1993, but that is up to the American people.

Mr. FOX of Pennsylvania. The National Debt Repayment Act, which the gentleman authored and I have cosponsored, has this gone to the Committee

on the Budget for review, or Ways and Means? Where has it gone?

Mr. NEUMANN. It will be reviewed in a series of ways. I am optimistic that we will have an inner-term vote, but at least it says no new Washington spending with the extra revenues coming in. And it will put us on track that the only thing we can do with the surpluses is either reduce taxes or pay down debt, and that will certainly put us in the right direction.

Mr. FOX of Pennsylvania. Madam Speaker, will the gentleman yield?

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

Mr. FOX of Pennsylvania. Madam Speaker, one of the related bills that I have, and I hope that would also see legislative action, and that would be what I call the sunset review of Federal agencies. It is something we did in Pennsylvania where we evaluated all of the State agencies and said, over a 7-year period or 5 years or whatever we want to pick, each agency had to justify its own existence. To the extent it could, it would remain. To the extent it did not, it would be consolidated, privatized, downsized, or eliminated. This is a process that seems so logical it should have been adopted previously, but it is something that I believe is related to the gentleman's legislation when it comes to debt repayment and balanced budgets.

Mr. NEUMANN. I have a sneaking suspicion there is a whole heap of agencies that could not justify their existence today.

We started through this in my first year here, and it was unbelievable the number of agencies that when we went to them, there is just no way that they could justify. But it is too vast a list to go at them each one at a time. We get as many as we can. The way to do this is to look at the overall numbers and keep squeezing them down, but I certainly support that type of legislation, sunseting every agency every 7 years unless it can justify its existence. It sounds like a great idea to me.

A couple of the tax cuts that we have passed, and again, this bill has been signed, this is happening, the ink is dry, this is law: The capital gains tax rate has gone from 28 percent to 20, and then it is going down to 18 after that. I have some people say, ''Well, Mark, you made it more complicated because it is 15 months or 18 months or 12 months, and how long do we have to hold it?''

But when it is over and done, I think people can take the time to find out whether they have held their asset for 12 months or 18 months in order to pay 8 percent less and then 10 percent less.

For the folks on the lower income tax bracket, this is something I learned in Brodhead, WI at a town hall meeting. I had someone come up and say, ''I volunteer my time helping senior citizens fill out their tax forms. And all that capital gains stuff you are talking about, they do not earn enough money to be affected by the 28 down to 20.''

Well, the fact is, if a person is earning less than $41,000 a year, their capital gains tax rate goes down to 10 percent. This person told me about a number of senior citizens who, in addition to Social Security, are drawing small amounts out of whatever they have used to save money in the past, and of course then there is capital gains on whatever it is that they are drawing this money from, and this will reduce their tax rate from the current 15 down to 10 as well for the lower income folks.

Mr. FOX of Pennsylvania. Madam Speaker, if the gentleman will yield, a part of what we have to do is make sure we get the word out about these new tax reductions so that all of our senior citizens and others will continue to take advantage of them.

Mr. NEUMANN. Madam Speaker, reclaiming my time, another one that not many know about, and this really impacts: 74 percent of all senior citizens in Wisconsin still own their own home, and there is a new tax provision that is very directly aimed at senior citizens, but it is going to affect all of society, and that is if they have lived in their home for 2 years and they sell the home, they no longer pay any Federal taxes on it in the vast majority of the cases. Now, what has happened in the past is we had this rule that said if a person was 55, they could have a one-time exclusion when they sell their home.

So what has happened is a lot of our senior citizens have sold their home at age 55, took the one-time exclusion, and then they went out and bought a smaller home, because of course at 55 their kids were gone so they did not need the big house any more. So they bought a new home at age 56, and they are now 67 or 68 and would like to sell their home again.

Under the old Tax Code, since they had taken their one-time exclusion at age 55, they would pay capital gains on the appreciation of that home from the age of 56 to 66. Under the new Tax Code, there is no Federal taxes due on the sale of a personal residence as long as they have lived in the residence for 2 years in the vast majority of the cases.

This is a phenomenally large change. Being a homebuilder, I dealt with this an awful lot where we would have clients come in and the clients would say to me, ''Well, I have moved from wherever to Wisconsin where it was a little more affordable housing,'' and they would come in and say, ''We have huge capital gains, and I took this job transfer, and I was happy to take the job promotion and have the opportunity to live a better life for myself and my family. When I got here the house prices were low and that is good, but now I owe the Government all of this money.''

Well, that is all gone, that is history. The law has changed. If a person lives in a home for 2 years and it is their personal residence and they sell it, there is no Federal taxes due on it. I have said that 3 times because I was on a radio talk show in one of our communities and I had a caller call in and ask me whether or not I was sure that there was no Federal taxes due.

And I said, ''No, there is no Federal taxes due.'' She had bought a home, I think it was for $20,000, and was selling it for about $80,000 and she wanted to make sure of this. And she said, ''I pay income tax on it instead of capital gains.'' And I said, ''No, there is no Federal tax due to the sale of your home,'' and she said, ''Well, then I pay,'' and she gave me some other kind of tax. I said, ''No, it is not that the tax has been shifted to some place else; there is no tax due on the sale of that home'' that had appreciated in value from $20,000 to $80,000 in this particular caller's case. So this is also a phenomenal change.

I know Pennsylvania has some agriculture, as does Wisconsin. I think another point here that we would be failing if we did not bring up is the farm tax change.

Mr. FOX of Pennsylvania. Madam Speaker, if the gentleman would yield, that is certainly going to help us. We have small businesses in Pennsylvania, of course, and in Wisconsin, and we also have a lot of family farms. What we are able to do under this new inheritance tax law is $1.3 million, I think that is the right figure, will be the exemption from the inheritance tax.

So instead of having to sell the family farm to pay the estate taxes of the deceased, we are going to be able to have the family farm or the family-owned small business that had been worked on for years now carried forward to the sons and daughters, so they can carry on the family business without having all of the money that the farm is worth, or the business, going up in taxes.

Mr. NEUMANN. Madam Speaker, they say under this new Tax Code, reclaiming my time, that 90 percent of all farms may now be passed from one generation to the next generation without the tax being due, the death tax being due to the extent where many of those farms are being sold.

The other thing that affects and directly impacts the agriculture industry of course is that many farms are now corporations, which means there is stock in the corporation and as the stock is transferred, the capital gains rate directly impacts what taxes are due, and of course the reduced capital gains tax helps our farmers immensely.

I see the gentleman from Indiana has joined us.

Mr. SOUDER. Madam Speaker, will the gentleman yield?

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

Mr. SOUDER. Madam Speaker, I wanted to briefly join in here, because the gentleman called my attention earlier this evening to an article that ran in the Wall Street Journal today, and Congressman SHADEGG from Arizona cited it in particular, and then I actually read it.

The gentleman has been a leader in our class and in Congress in doing budget numbers, tax numbers, appropriation bill numbers, and has been somebody we all look to, and now I realize that the gentleman is completely politically incorrect. The article in the Wall Street Journal today from Lynn Cheney about the National Commission for Education Testing was talking about math, and the gentleman from Wisconsin [Mr. NEUMANN] asked me earlier this evening, ''Did you see this absurd statement in the Wall Street Journal?'' Steven Leinwand, this is quoting from the Wall Street Journal today, Lynn Cheney's article, who sits on the committee overseeing President Clinton's proposed National Mathematics Exam, has written an essay explaining why it is downright dangerous to teach students things like 6 times 7 is 42, put down 2 and carry the 4. Such instructions sorts people out, Mr. Leinwand writes, anointing the few who master these procedures and casting out the many. That is a quote. As Mr. Leinwand tells it, there might have once been an excuse for such undemocratic goings-on, but we can now, because of technology, throw off the ''discriminatory shackles of computational algorithms.''

Mr. NEUMANN. Reclaiming my time, can we just point out again who this person is that they are quoting? This is the person that sits on the board that is going to design the national tests to test our children. All of those things the gentleman from Pennsylvania said. He is the person that is going to be designing these tests, and this person thinks it is inappropriate to teach kids that 7 times 6 is 42, and when they are doing multiplication of more than one number times another, how to actually go through it. I am an old math teacher and if my colleague sees my face turning red at this point, it is only because I find it so frustrating that we would think in this society that we have moved to this point.

I do not want a national math test. I want the parents and the local community folks and the school board, I want them to develop a test to test their kids and their community for what they think their kids should know.

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Mr. SOUDER. If the gentleman will continue to yield, Madam Speaker, as both a former math teacher, which the gentleman from Wisconsin [Mr. NEUMANN] is, and as a former homebuilder whose whole business depends on being able to, if not directly, at least understand the computation of 6 times 7 equals 42, otherwise you are likely to be having ridiculous prices on the homes that you are trying to build, how do we expect the American people in the future to be able to read charts like the gentleman has in front of him, or be able to understand how to calculate capital gains taxes if this man, and to reiterate one other point that the gentleman said, he is not only on the National Math Board, he serves as a consultant to the Connecticut Department of Education, sits on the board of the $10 million National Science Foundation math program, and advises the standard-setting project funded by the Pew and MacArthur Foundations.

It is not just this kind of one-man kind of weirdo sitting there, he is on a whole bunch of boards, driving this whole dumbing-down sense of America. And then people want to know how, well, we cannot quite understand your chart. This is too complicated. They want to feel things through. If we do not have a basic understanding of math, we are basically going to get ripped off.

Mr. NEUMANN. Madam Speaker, reclaiming my time, this is the problem with the liberal philosophy. The liberal philosophy would tell us that we do not need to understand math because Washington can take care of you, trust us. The Government will take care of you. That is the wrong philosophy. Folks need to understand basic math, reading, and science so they can look at a situation and evaluate the situation, and make a decision for themselves on how to best take care of themselves and their families in this world we live in.

Mr. SOUDER. Madam Speaker, if the gentleman will continue to yield, I will be talking later, and I know the gentleman from Arizona [Mr. SHADEGG] wants to talk about this, too, but the gentleman has been kind of a national math teacher to this country, going through the budgets, going through the appropriations bills, going through the tax bills. I appreciate the gentleman calling my attention to this article and the fallacy of these national tests, because if we do not have a country that can defend themselves, they are going to get run over by the Washington bureaucracy. I thank the gentleman for his leadership.

Mr. NEUMANN. That is the nicest thing I have been called since I came to Washington, so I thank the gentleman.

I yield to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Madam Speaker, I appreciate the gentleman from Indiana sharing with us his comments, because he has also been a leader working with the gentleman and I, when it comes to making sure the taxpayers are getting their money's worth.

That is what this is all about, we want to have a Federal Government that performs the kinds of services that have to be there that are not taken care of by the State government, and that individuals and families cannot take care of by themselves. But there is no reason we should be overcharged for that.

Frankly, I think the National Debt Repayment Act we need to go very strongly on. I am hoping we will not need a sponsor, because it is going to pass the House and it just needs Senate votes. I am sure there are Senators who may hear and read about this and will actually want to be the gentleman's Senate sponsor. I will pursue that with the gentleman further after this special order.

From my point of view, Mr. Speaker, I think my constituents who have heard about the National Debt Repayment Act and the quest to get the balanced budget think that Washington is finally listening to what they have been saying back home. This is not a Washington idea, this is an at-home idea. The people back home want to make sure we spend less, we regulate less, we tax less, and we let them keep more of the money, power, and influence that should be kept in our neighborhoods and our communities.

Mr. NEUMANN. I think that is a good lead-in to wrapping this hour up this evening. We have dedicated the hour to my dad and others, people like him across America that are so responsible for giving us the opportunity to be here and change this great Nation.

When we look back to before 1995 and see the broken promises of moving to a balanced budget, and the promises that they were going to get there, and as the deficit escalated, they raised taxes back in 1993.

If we look at how far we have come in the last 2 or 3 years, we are to a balanced budget, not as promised, but 3 or 4 years ahead of schedule; we are going to balance the budget for the first time in fiscal year 1998 since 1969, when I was a sophomore in high school, the last time the budget was balanced. Taxes are coming down for the first time in 16 years.

What a phenomenal contrast from 1993 to 1997, the tax increases versus the tax cuts of 1997. Medicare has been restored to our senior citizens, to my dad and to my parents, to the senior citizens out there. Medicare has been restored, and we are now moving rapidly forward.

We look at the future. We have our first balanced budget in our hands and our first tax cut. The ink is dry, it is passed. As we look to the future, we realize that even after the budget is balanced, we still have a $5.3 trillion debt.

The next move is to pass the National Debt Repayment Act, which will pay off the Federal debt much like we pay off a home mortgage over the next 30 years. That means that we can give this Nation to our children debt-free. It means that the money that has been confiscated out of the Social Security trust fund will be returned so Social Security is safe and solvent once again for our seniors. In that bill, one-third of the surpluses are dedicated to additional tax cuts as we move forward.

So as we look at the past, the present, and the future and where we are going with this great Nation, things have changed since 1995. It is truly a pleasure to be able to bring to the American people how different this great Nation is today than it was 3 short years ago, and how those changes

can lead to a better future for our children and our grandchildren, because that is what it is all about, giving those kids hope for opportunities to live the American dream in this great Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore [Ms. GRANGER]. The Chair will remind all Members to refrain from urging Senate action or inaction.

REPORT ON RESOLUTION PROVIDING FOR THE CONSIDERATION OF HOUSE RESOLUTION 244, SUBPOENA ENFORCEMENT IN THE CASE OF DORNAN V. SANCHEZ

Mr. MCINNIS (during the special order of Mr. SOUDER), from the Committee on Rules, submitted a privileged report (Rept. No. 105–280) on the resolution (H. Res. 253) providing for consideration of the resolution (H. Res. 244) demanding that the Office of the United States Attorney for the Central District of California file criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena under the Federal Contested Elections Act, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT

Mr. MCINNIS (during the special order of Mr. SOUDER), from the Committee on Rules, submitted a privileged report (Rept. No. 105–283) on the resolution (H. Res. 256) providing for consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1370, REAUTHORIZATION OF THE EXPORT-IMPORT BANK

Mr. MCINNIS (during the special order of Mr. SOUDER), from the Committee on Rules, submitted a privileged report (Rept. No. 105–282) providing for consideration of the bill (H.R. 1370) to reauthorize the Export-Import Bank of the United States, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. MCINNIS (during the special order of Mr. SOUDER), from the Committee on Rules, submitted a privileged report (Rept. No. 105–281) on the resolution (H. Res. 254) waiving points of order against the conference report to accompany the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

A RIDICULOUS THREAT FROM THE PRESIDENT TO CONGRESS REGARDING CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Indiana [Mr. SOUDER] is recognized for 60 minutes.

Mr. SOUDER. Madam Speaker, I have found few things as ridiculous since I have been elected to Congress in 1994 as the headline that I saw last week in the Washington Times, repeated in various publications around the country in different ways. That headline says ''Clinton Threatens to Recall Lawmakers to Hill. Campaign Finance Vote Demanded During Session.''

Madam Speaker, I was trying to sort this through. My basic understanding of this was that the President of the United States, Mr. Campaign Finance himself, is threatening to call us into session for campaign finance reform; this, the President who has made more from Air Force One, the plane, than Harrison Ford made from the movie? He wants us to have a session on campaign finance reform?

Tonight, Madam Speaker, we are going to talk a little bit about this President and some of his friends. Additional Members will be joining me as we go through this. But I have been soliciting some information about different people's opinion on this, and what their reaction was to this headline.

Madam Speaker, I have a couple of comments that I want to share with the Members. We will be going through a number of these tonight.

I think that principle No. 1, and if I can, I am going to move down to the other microphone here so I can use these posters, rule No. 1, before we pass a bunch of new laws, is, how about we start in this campaign finance reform with follow the current law. Because it does not do a lot of good if in this country we pass a bunch of laws but then we ignore those laws.

As I suggested the other day, if the President wants to have a special session, maybe we could have the first day with his friends who are in jail; the second day with his friends who have already been released from jail; maybe the third day would be his friends who have been indicted and are headed to jail. Then we could have a couple of days for his friends who have pleaded immunity, 1 day for those who pleaded partial immunity, 1 day for those who pleaded full immunity. Then we could have a couple days for his friends who pleaded the fifth amendment. There are I think 56 of those right now. Then we could have 3 days for his friends who have fled the country, possibly 1 day for each continent.

Madam Speaker, it is ridiculous. They are not following the current law. Why does he want us to come in and pass a bunch of new laws if we cannot get people to follow the current law?

We have the Vice President of the United States, and we will get into this more later, but who said that he was not following the existing law because he was not clear on the controlling legal authority. Madam Speaker, that is quite the explanation, that he was not sure of the controlling legal authority.

The sale of access by this administration is unprecedented. To be fair, the President does not discriminate where they are going to take the money from. If the money is green, they will take it. They have taken it from drug dealers, international fugitives, from arms dealers. Hey, it is an equal opportunity administration.

There are some things that you can buy, for example, if you tune into the Clinton Shopping Network. For $100,000 you can become a managing trustee of the Democratic Party, which entitles you to two meals with the President, two with the Vice President, issue retreats, private impromptu meetings with administration officials, and your very own DNC staffer to assist with your personal requests.

For $300,000, you can bypass the national security aides and get directly to the President, even if you are an international fugitive like Roger Tamraz. In his case, it was $250,000 or $300,000 to be able to talk to the President about a pipeline, and he did not even get it. I do not know what it would have cost if he was going to get the pipeline.

We cannot even make up a cast of characters like the contributors who wound up at the White House coffees, overnight in the Lincoln bedroom, or posing for photographs with the President. It is something like out of the bar scene from ''Star Wars.'' It is such an odd conglomeration of different types of people.

The key, driving thing was, how can we raise more money so we can put more ads up. Do not worry about the details. Drop the background checks, in spite of the advice they were getting from different people regarding individuals that were coming. The key thing was, can they bring in money, will they give the party money.

One other thing in looking at this cast of characters, it is not clear because we have not at least found a memo regarding this yet, whether or not all these people who have been bringing the funds in, whether we have seen the exhaustive list.

For example, what exactly does it cost if you want to see the President and somebody from the Department of the Interior? Does that cost more money? What if you want to see the President and somebody from the Department of Treasury? What if you want to see two cabinet officials? What if you have a case pending in front? What if you are from a foreign country that maybe has minerals that you want an international exclusive on, and maybe you would like a wilderness area? It is not clear how these things interrelate, and a lot of documents are missing or have yet to come clear.

Hopefully we will have some people with the courage that we had under the Nixon administration, when clearly they were attempting to cover up. Democrats and Republicans joined together to try to find the truth. It was not a partisan event. Sure, the Democrats were very partisan against Nixon. We would expect them to be partisan against Nixon. Members might expect me and other Republicans to be partisan against the President.

But where are the Democrats speaking out against President Clinton, like the Republicans did against Nixon? Where are the staffers whose conscience goes to the country as opposed to their boss? Are they so intimidated? Are they so dulled to the sense of decency that they are not coming forth? Or have people learned so much from Watergate that maybe they did not leave as many messages as they did in the old days? Quite probably they did not tape the conversations at the White House like they did under Nixon.

But we need to have ways to find out, because it certainly is clear that the administration did everything they could to get as much money as they could. They backed off of the clearances of the people that were coming in. They clearly had coffees, for which they had a going price.

They took the Lincoln bedroom from the days of just a few people going there, friends, other dignitaries. I think, if I recall right off the top of my head, President Bush had maybe 8 to 10 major contributors there. And they took it to a system, a production line of people who could give the money to the President of the United States, and get to stay in the Lincoln bedroom. They took all these things to a new high effort.

In the foreign contributors, there is a lot of debate about what the lines are in foreign contributions. Can you do this? Can you do that? But there are some lines that are crystal clear. Foreign governments cannot put money into campaigns. Furthermore, you definitely cannot have somebody who is not wealthy give money on behalf of somebody else. That is law violation No. 1.

Law violation No. 2 is if that person then gets refunded their money from somebody who is not an American citizen, from an overseas thing. And it is clear that that is what happened to this administration, because it had to give the money back.

For example, we have seen the concerted efforts by foreign contributors and governments to generously support Clinton-Gore. We have watched them use executive branch officials and fact-finding to raise money overseas. It is against the law, and it was supported with taxpayer dollars. President Clinton and the Democratic Party received more than $75 million in Federal funds during the 1996 campaign, and the infusion of Federal matching funds provided additional fuel for their fundraising obsession. We have never seen this level of use and abuse of the system.

A friend of mine who is a historian, a former history professor, made a list for me of 10 reasons for a special congressional session on campaign finance reform to determine whether the Clinton administration has set a record for the largest number of officials under investigation in American history.

Runners-up, Grant, Harding, and Nixon. Harding just appeared not to know what was going on. He never claimed to be a detail-type person. General Grant had good days and bad days, depending on other things in his personal lifestyle. So while they were accountable for what went on under them, they did not claim to be micromanaging, like our current President and Vice President, who said they were going to reinvent government and were going to be hands-on President and Vice President. Of course, Nixon we all know about. And maybe Nixon was as bad as Clinton, but he does not have or did not have quite that number of people under investigation.

No. 2, of the 10 reasons for a special congressional session on campaign finance reform, to find out if the American timber industry is large enough to handle the paper needs of the special prosecutors, grand juries, and congressional committees looking into the deeds and misdeeds of the Clinton officials. After all, as an environmentalist, he needs to be concerned about all the paper we are using and all the trees that are being chopped down for all these investigators.

□ 2100

Maybe he could call a special session to enable Paula Jones to address us on sexual harassment at the workplace. That would make about as much sense as the President calling us into session on campaign finance reform.

No. 4, to commission Arthur Schlesinger, Jr. to conduct a government funded survey in which noted historians assess ''distinguishing characteristics'' of the 42 men who have been President.

No. 5, to ascertain why the administration has had such difficulties in persuading witnesses to return from safe havens in Beijing and other places committed to MFN, religious freedom, and human rights.

No. 6, to learn at long last who hired Craig Livingstone and who is paying the fees of his attorneys. I sit on the Government Reform and Oversight Committee. I got to actually ask questions of Craig Livingstone and ask him who hired him. It was quite the experience. He did not come in for a tour at the White House. He did not even come in to work at the receptioninst desk. He came in to be charge of security at the White House. Yet he doesn't know who hired him.

He said under oath that it was the goal of his life to some day work at the White House, that he worked in many low level campaigns, got what a lot of people would consider to be dirty jobs in those campaigns in order to some day have a chance at working his way up and maybe working at the White House. So he finally gets to the White House and he does not know who hired him.

I asked him, because he had been saying all day he did not know what all of us know, who our early supporters were, especially if it was your dream to get to the White House, I said, who did you say thank you to. Are you so ungrateful that you never told thank you to anybody who hired you? And he hung his head down. And I want to say that I believe he felt badly. I do not know what intimidation was on him. I do not know why he would not give up the information. He just said, I do not know who hired me.

My next question was relatively simple as well. The American people are watching and they know, as visitors in the gallery know, that if you go to the White House and want to take a tour, they do checks on you. If we, as Members of Congress, want to go over, they do checks on us, if we take somebody through, they run background checks on us. He was coming in to be head of White House security and he did not know who hired him. I said, who let you in the door. He gave me the name of the receptionist.

I mean this is a joke. This is absolutely ridiculous. We kept the questioning up. And later one of the former counsels at the White House ventured that maybe Vince Foster hired him. Do you know what? Every time we came to a tough point in the travelgate hearing, every time we came to a tough point in whatever investigation we were going through, the FBI files, who hired Craig Livingstone, whenever the pressure got toughest, they blamed it on the dead guy. Either Vince Foster was carrying tremendous baggage or some people are really abusing Vince Foster, who is no longer with us to defend himself. So maybe we could learn in a special session who hired Craig Livingstone.

No. 7, to charge the civil Rights Commission with investigating whether Gennifer Flowers was actually retained

as an Arkansas State employee at the expense of a more qualified minority applicant.

No. 8, to permit Roger Tamraz to fuel all the automobiles retained by Members of Congress and their staffs in return for attending all the receptions held in the Rayburn building for a year with an overnight stay in Statuary Hall.

No. 9, to commission the printing of the motto ''no controlling legal authority'' on all letterhead charged to the House Ethics Committee, the Senate Judiciary Committee, and the Department of Justice.

No. 10, present the Congressional Medal of Honor to Mary Heslin, lately of the National Security Council, for daring to attempt to preserve the honor and integrity of the presidency from the corrosive clutches of its present occupant and to ban all Georgetown bar bouncers from obtaining access to her FBI file.

It is really scary, when we go through. In the Nixon administration, Chuck Colson went to prison because he had one FBI file. When we went through the FBI files in our committee and we started asking, I remember one of the early questioners asking one of the former attorneys at the White House if he knew Craig Livingstone and he looked around and said, I met him once. He reported to me but I did not really know him. Then they asked him if he knew Anthony Marceca. He looked down the thing, no, never met him, never saw him. He later, to another question, said, yes, the FBI files were under my office. The FBI files were never looked at by anybody. Nobody looks at these, these were under Livingstone and Marceca's control. So former Congressman Bill Martini asked the question, Mr. Nussbaum, under oath, you earlier said that you had met Craig Livingstone one time. You never met Anthony Marceca; you did not know him. Yet you also said under oath that all these files were never violated, nobody looked at them and does not that seem to be a contradiction? And Mr. Nussbaum said, the reason I can say that is I know nobody in our administration would stoop so slow as to look at any of those files.

It is like, come on, guys. If you have hundreds and hundreds of files scattered through various staffers, they had interns having these files with background information that they had checked on Republicans, people they had no business even investigating in the first place yet alone looking at their file. They do not know who hired the national security advisor who most of his qualifications were that he had been a dirty tricks person in large part in different campaigns. They have in Travelgate, when we got into that, you look at that and see that what the whole deal there was is first you have a girlfriend of a staffer getting a deal. Then you realize that a friend from Arkansas is trying to get, without White House security clearance, is wondering around trying to get the contract for the travel office. What he really wants is the contract for travel for his agency for all the different branches of the Federal Government which, rather than just the small travel office budget, is now millions and millions of dollars. And we see this unfold first in the Travelgate. Because we are looking at the Travelgate, we find out about the files. And we are looking at the files and we find out about Craig Livingstone.

It is just like what is now starting to happen, when we start to unravel the money, part of the reason this is so confusing to the American people is you start, you go, wow, there is money from China here and some arms dealer and such-and-such, and the next thing you are over in Indonesia and next thing it is happening from Thailand. Oh, Taiwan, too. And pretty soon you have people confused because it is coming from about every major country in the world that has any business. You have all these different people pouring money in left and right. It is no wonder the American people are confused as to the particulars.

I have a couple of other charts here. This is a list of witnesses who have fled the country. Charlie Trie was last seen in Beijing, China. He is a former restaurateur and old friend of President Clinton who tried to give $640,000 in suspicious contributions to the President's legal expense trust. Part of the reason it is hard for our committees to lay this out is it is not like China is cooperating and it is not like the banks in China are cooperating, and it is not like Charlie Trie is cooperating. So it is a little hard to get all this information.

I think you will see, as the House investigations start this fall and go through next year, that we will hopefully get more of this. Pauline Kanchanalak, in Thailand, had $235,000 in DNC contributions returned because she could not verify that she was the source. In other words, we are already seeing this money being sent back. It is not like it is a dispute whether the funds were legal. He is telling us he wants campaign finance reform when rule No. 1 is this, follow the current law.

The current law seems to be, in the eyes of this administration, if the Senate investigators or the House investigators turn up the funds, send it back fast. That seems to be what is happening. We are seeing very little money sent back until we uncover it in one of the committees. Then they send it back. That is not the law. The law says, do not take the illegal money and send the illegal money back, not until Congress discovers it.

Third, Ming Chen, a businessman in Beijing, China, runs Ng Lap Seng's restaurant business in that city and is the husband of Yue Chu.

Agus Setiawan, Indonesian employee of Lippo who signed many of the checks to the DNC drawn on Lippo affiliates.

Subandi Tanuwidjaja, in Indonesia, gave $80,000 to the DNC for a dinner with Clinton, which may have come from wire transfers from his father-in-law, Ted Sioeng, who lives in China. Arief and Soraya Wiriadinata, Indonesian couple who gave the DNC $450,000 after the receipt of a $500,000 wire from Soraya's father, a co-founder of the Lippo Group.

It knows no country. John H. K. Lee, South Korean businessman, president of Cheong Am America, Inc., DNC returned $250,000 to Cheong Am.

Antonio Pan, ex-Lippo executive and friend of Charlie Trie and John Huang who delivered cash to individuals for conduit payments.

And then there is Ted Sieong, father of Jessica Elnitiarta, who donated $100,000 to the DNC. He is reportedly connected to the Chinese intelligence community.

Then there are the witnesses who have pled the fifth amendment to the House or Senate committees. John Huang, former DNC fundraiser, Commerce Department official and Lippo Group employee who solicited more than $1 million in questionable contributions.

Jane Huang, wife of John Huang, her name appears on DNC documents as a solicitor of some DNC donations while Huang was at Commerce.

Mark Middleton, former White House Deputy Chief of Staff, who became an international businessman, worked with the Riadys and Trie. Maria Hsia, Taiwan-born consultant who helped Huang organize the temple fundraiser.

Manlin Foung, sister of Charlie Trie, was given thousands of dollars to donate to the DNC in her name by Trie.

Joseph Landon, Manlin Foung's friend, was given thousands of dollars to donate to the DNC in his name by Trie.

David Wang, made $5,000 contribution to the DNC at Trie's request.

Nora and Gene Lum, fundraising couple who pled guilty to violations of Federal election laws.

These are people to pled the fifth, remembering that rule No. 1, before we do campaign finance reform, is follow the current law. Do you know what? Generally speaking, I am not an attorney. I know some of my friends here tonight are attorneys. It does not mean you are guilty because you plead the fifth. But it means you are not being very cooperative in trying to find out the truth, and it does not look particularly good.

The next name on here, Webster Hubbell, already is coming out of jail, former Associate Attorney General, not the kind of person you want to see go to jail or that kind of ups your confidence in the President that he would put in an Associate Attorney General who goes to jail, received hundreds of thousands of dollars from Lippo after leaving the Justice Department. Hsiu Luan Tseng, a Buddhist nun at a Hawaiian temple who contributed to the DNC at the Hsi Lai temple event.

Judy Hsu, Buddhist nun who contributed at the temple event.

Yumei Yang, Buddhist nun who contributed at the temple event.

Seow Fong Ooi, Buddhist nun who contributed at the temple event.

By the way, either nuns make a lot more money than I thought they did, or we have a serious problem here. Jen Chin Hsueh, gave $2,000 to DNC, listed address as home owned by the temple but does not live there. Jie Su Hsiao, Buddhist nun who contributed at the temple event.

Gin F. J. Chen, DNC donor at a fundraiser at Washington's Hay Adams hotel who may have been reimbursed by Hsi Lai.

Hsin Chen Shih, DNC donor at a fundraiser at Washington's Hay Adams hotel who may have been reimbursed by Hsi Lai.

Bin Yueh Jeng, Taiwanese national who, at John Huang's urging, gave $5,000 to the DNC.

Hsiu Chu Lin, employee of Hsi Lai, who gave the DNC $1,500.

Chi Rung Wang, a California man who gave DNC $5,000 at the temple fundraiser.

Noland Hill, business partner of the late Secretary Ron Brown.

Yogesh Ghandi, while receiving $500,000 in wire transfers from a Japanese bank, contributed $325,000 to the DNC.

These are people who pled the fifth amendment. They do not want to talk to us about it. Jane Dewi Tahir, college student related by marriage to the Riadys who received $200,000 in wires from the Lippo bank and gave $30,000 to the DNC.

Duangnet Kronenberg, sister-in-law of Pauline Kanchanalak, attended a coffee at Vice President GORE's residence.

Maria Mapili, employed by Trie, familiar with wires he received from Ng Lap Seng.

Jou Sheng, gave DNC $8,000 listing a Maywood, CA, Buddhist temple as his address but does not live there.

I want to make it clear that these people at the Buddhist temple, they may or may not have known what the American laws are. That is the responsibility of the people soliciting the money. It is the responsibility of the Democratic National Committee, the Vice President of the United States, the President of the United States to know the law.

And I personally want to make it clear that it would be very easy to make this seem like somebody is anti-Asian or anti these countries. That is not the case here. The question is what were the leaders of this country doing when they know the law, as every one of us know the law, soliciting money and taking advantage of people who think that that is how the U.S. Government works?

It is an insult to our Nation and a shame on our Government that they would use these other countries, use how they may have to deal in other parts of the world to let them think they have to give money to the President's campaign committee and the President's party in order to do business with the United States. They should be up front and say, we do business fairly here. We do not have things for sale in this country. We have a different standard than the rest of the world. And instead, we abuse people who may not have known, who had always looked to America as a country different in the world, a country that was not corruptible. And they went and used these people, even in their own Buddhist temple. They used these people to get their money and to then use it for campaign purposes to stay in power. It is very difficult, I feel bad if I mispronounce these names but there is a whole bunch more from there.

□ 2115

I could go on, but I see I have been joined by a few of my friends here. I will yield to the distinguished gentleman from Arizona [Mr. SHADEGG].

Mr. SHADEGG. I would be happy to join in this discussion if the gentleman would yield.

One of the posters the gentleman put up is one that strikes me a great deal in this debate, and if he will put it back up, it says, first rule, follow the current law.

I notice we are now debating on the set-aside the whole issue of campaign finance reform, and there is this hue and cry that we really ought to be revising our campaign laws because, clearly, this episode demonstrates that we need to rewrite the law. And yet, as the gentleman shows there, rule No. 1, follow the current law, it kind of makes me wonder what is the point of rewriting the law so that we have a new law if they did not follow the old law. Why do we think they will follow the new law? It is kind of amazing.

I know the gentleman talked about legal authorities. I am an attorney, and I was proud to make my living in that field before coming here, but in that regard, and just to touch on follow the law, let us talk about AL GORE's favorite phrase: The controlling legal authority. And guess what? There is some in this area. As a matter of fact, there are a number of statutes that touch on these practices quite directly.

For example, 18 United States Code section 201 outlaws bribery in this country. Now, whether or not we quite have the facts to establish bribery, whether they will come out before the Thompson hearings end, whether they will come out in the course of the Burton hearings may not be clear, but there is a law here that says bribery is wrong.

But let us talk about some others where we do have some pretty clear evidence.

How about 18 United States Code section 600, which prohibits the use of government offices for political purposes. How about that same section of law that says it is a crime to promise access to a government building or to government services in return for campaign contributions.

There were, I think, 103 White House coffees held with the President, telling them they could come to the White House and have coffee with the President for $500,000. It seems to me we turned this place into Starbucks on Pennsylvania Avenue.

Let us talk about another one. 18 United States Code section 607 specifically says it is a Federal crime to solicit campaign contributions in a Federal building. On that one we have AL GORE on at least 86 different solicitation calls from the White House.

We also have a fascinating note, that maybe the gentleman has put it up or maybe he has not put it up, where a White House staffer makes a note that BC made 15 to 20 calls and raised $500,000. Now, BC, I suppose we could be talking about the cartoon character BC who I used to read about. We could be talking about Bill Cosby.

Mr. SOUDER. Or Boston College. We should not be so judgmental.

Mr. SHADEGG. Boston College. There could be that other remote possibility, that when it says on a staff note written in the White House, written by David Strauss, ''BC made 15 to 20 calls and raised $500,000,'' there is at least a slim chance, I would suppose, and maybe I could ask my colleague if he wants to comment on this, that BC did not refer to Bill Cosby or Boston College but Bill Clinton.

Mr. SOUDER. Especially when we look at the—it is hard to read the small print, but it is talking about the $5 million needed by year's end, refers to other specific individuals, and then it said BC made 15 to 20 calls, raised 500 K. Hard to believe that would not be Bill Clinton.

Mr. SHADEGG. We are trying to bring some light to this discussion and maybe some humor here, maybe we should do a national call-in, where we put up a 1–800 number and ask the American people how many people think BC in that note refers to Bill Cosby or Boston College or the cartoon character BC or somebody other than Bill Clinton; and how many think maybe BC in that White House note refers to 15 to 20 calls raising $500,000 by BC, referring to Bill Clinton.

Mr. SOUDER. Kind of a credibility test.

Mr. SHADEGG. We could do that and let the American people call in and tell us what they really think.

To continue the theme of mentioning a few controlling authorities that the Vice President did not happen to notice.

Mr. SOUDER. Did the gentleman mention the HRC?

Mr. SHADEGG. The gentleman can talk about the HRC.

Mr. SOUDER. Well, there is one here that says HRC was making calls, too, which I assume is the human resources counsel. I would not want to jump to the conclusion it was Hillary Rodham Clinton.

Mr. SHADEGG. Hillary Rodham Clinton? Oh, no, I am certain that is a coincidence. I doubt if it would be Hillary Rodham Clinton.

Mr. SOUDER. It is against the law. They would not do that.

Mr. SHADEGG. No, that is right. That is in the same note where it said BC made 15 to 20 calls and HRC is making calls. I doubt if that is Hillary Rodham Clinton. I am certain it is just someone else who happens to have similar initials.

Mr. SOUDER. We will probably discover it after the statute of limitations runs.

Mr. SHADEGG. No doubt shortly after the statute of limitations.

Just, again, reclaiming the time the gentleman has yielded to me graciously, AL GORE, in his perusal of the statutes, could not find a controlling legal authority. My staff found yet another one they thought was interesting.

18 United States Code, section 641, which talks about converting Federal property to a private use. That, of course, brought to my staff's mind the idea that there was a notation, I believe, since we are talking about notations on House documents, that said quote, ready to start overnights right away, and was signed President Clinton.

President Clinton. Now, those initials BC, Bill Clinton? That would be the same one?

Mr. SOUDER. Maybe it was supposed to have a P in front of this one.

Mr. SHADEGG. PBC?

Mr. SOUDER. Well, maybe it was Bill Cosby.

Mr. SHADEGG. There was one last one. The gentleman was just talking about the use of the Buddhist temple and the innocence of the people there. We found one more controlling authority that our friend Mr. GORE might want to take a look at.

It was 18 United States Code, section 371, and 26 United States Code, section 7201, which similarly make it a crime to misuse a tax exempt organization such as, for example, a Buddhist temple which has tax exempt status.

Mr. SOUDER. If the gentleman will yield for a second, I need to make a brief point before yielding to the gentleman from Colorado.

Earlier the gentleman mentioned the White House coffees and the $50,000 for the coffees and mentioned Starbucks. Starbucks is $1.27 for me. I did not want people to think coffee at Starbucks was the same as coffee at the White House.

Mr. SHADEGG. Good point. So coffee at Starbucks is $1.27, coffee at the White House is $50,000.

Mr. SOUDER. Madam Speaker, I yield to the gentleman from Arizona once again.

Mr. SHADEGG. If I could, briefly, while we are on this point, and then I will be happy to yield back. We are trying to bring some light and make this a little humorous, so I hope everyone watching understands this is a little tongue in cheek.

We did discover a rather tongue-in-cheek memo from the White House, actually probably not crafted in the White House because I doubt they would let this memo out, but it says ''Clinton White House Lessons Learned in the Campaign of 1996.''

I thought the gentleman mentioned some humorous things his friend had sent him, and so I thought I would mention a couple of these things that I thought were rather pointed in the vein of Clinton White House lessons learned in the campaign of 1996.

First, lesson No. 1, ''Blame it all on the DNC chairmen.''

Lesson NO. 2, ''Don't give back illegal money until it's discovered in a Senate hearing.''

Lesson No. 3, ''Make sure all donors know their 5th Amendment rights'' against self-incrimination.

Lesson No. 4, ''The press won't cover the truth until after the campaign.''

Lesson No. 5, ''Spin illegal international contributions as 'foreign investment,' helping the trade deficit, pro-labor.''

Mr. SOUDER. That is a good point, I never thought it as helping to balance the trade. Get some of our money back.

Mr. SHADEGG. We are trying to help out the economy. Helps the trade deficit and the labor movement.

Lesson No. 6, ''Sprint has the best rate for international calls.''

Mr. SOUDER. That is good to know, if I ever make one.

Mr. SHADEGG. If we are going to call overseas to get a contribution, use Sprint, it is cheap.

Mr. SOUDER. They have done our field work for us.

Mr. SHADEGG. Lesson No. 7, ''Never put it in writing.''

This one AL GORE should have learned. Obviously, he does not have friends.

Lesson No. 8, ''Friends don't let friends call from work.''

And one that touched on the point the gentleman went into at length about what happened in this Buddhist temple, and the fact that people there were extremely generous, as a matter of fact. This is an important Clinton White House lesson learned in the course of the campaign of 1996: ''Monks may not be as poor as you think.''

Another one, ''Don't settle for less.''

Yet another, ''Never sell the Presidency for less than $50,000,'' unless of course you can get $50.

Another one, ''Felons deserve a second chance: Donor mentoring.''

''The CIA can't keep a secret.''

Mr. SOUDER. That is something we just recently learned in these hearings.

Mr. SHADEGG. The last one, and I will conclude: ''Leak it as soon as you know it, so that before the hearing you can call it old news.''

That one we watched play out last week, where it was very important in the Committee on House Oversight that we make all depositions instantaneously public so that they could be old news by the time the hearings were held, and we brought them out and brought them to light and pointed out, oh, by the way this sentence in the deposition demonstrates a crime.

Mr. SOUDER. Then the President says it is old news. ''They already proved I did this immorally and illegally.'' What is news about this?

Mr. SHADEGG. If it was leaked last week or a month ago, it is old news, even if it is just now revealed to show a crime.

I thank the gentleman and give back my time.

Mr. SOUDER. I yield to the gentleman from Michigan, who has been a leader in a lot of these issues in trying to root out corruption in government.

Mr. HOEKSTRA. I thank the gentleman for yielding, and I appreciate some of this tongue-in-cheek tonight, but I think we also recognize that this is very serious business, and recently we have encountered another whole aspect of what may be corruption in the administration. We know that there is corruption.

What I am talking about is an action that the House took here last week, on Friday, and we also took a similar action the week before, and it deals with the Teamsters Union, where in 1996 the Teamsters had another election for a Teamsters president.

The election cost somewhere in the neighborhood of $20 million. And it is kind of like, well, I really hope that when the Teamsters run an election and they spend $20 million, that the Teamster members are entitled to a fair and honest election, and there are Federal laws in place to make sure that that happens.

But there is one slight difference with the Teamsters election in 1996, in that the Teamsters did not pay for the election in 1996. They did not pay for their own election. They did not pay for the printing of the ballots, they did not pay for the counting of the ballots, they did not pay for the facilities that were rented, they did not pay for the campaigns; none of these things. The sad thing was, in 1996, and over a period of about 2½, 3 years, the American taxpayers spent about $20 million, the American taxpayers spent $20 million to pay for a Teamsters election.

The Teamsters election was completed in December 1996, the ballots were completed, counted early in 1997, and on August 22 the election officer who oversaw the election process overthrew the election. She looked at the election, looked at the charges that were made, and said this was a fraudulent election and we are going to throw it out; meaning we have to do it over again.

Mr. SOUDER. Reclaiming my time, I want to make sure that I and those listening understand this. Was it Congress' intent to pay for that election?

Mr. HOEKSTRA. No, we do not think so. It was a consent decree in 1989, where the Justice Department reached

an agreement on a series of steps and activities to root out corruption out of the Teamsters and required a democratic election for the president of the Teamsters in 1991 and another election in 1996, and it was optional for the Justice Department or the executive branch to decide who was going to pay for the election in 1996.

□ 2130

In 1991, the Teamsters did exactly the right thing, they said this is an internal operation. We would like Government Oversight to make sure that Federal laws are adhered to and those types of things. The Teamsters paid for their own election in 1997. It was a good, fair, clean election. The people that we have interviewed and told us about that said it was a good election, 1996.

Somewhere around 1993, 1994, we do not know exactly who or where, but somebody said do not worry about that $20 million, Teamsters. The Federal Government is going to pick up that tab. We will pay for it, and who knows what you are going to do with that other $20 million, but the Federal Government will pay for the election. We run the election, and 9 months later we throw it out.

Mr. SOUDER. Reclaiming my time, as my colleague has pointed out repeatedly in other issues, there really is not a Federal Government. That is your people in the district of Michigan and mine in Indiana that paid for that election. You are telling us that the Justice Department decided that we were going to pay for the Teamsters election.

Mr. HOEKSTRA. That is correct.

Mr. SOUDER. And then after, in effect, deciding for us that without a vote that we were going to pay for the election, they were overseeing the election that they now say is corrupt?

Mr. HOEKSTRA. That is absolutely correct. What has happened, and I thank the gentleman from Indiana [Mr. SOUDER] for clarifying this. I was right, the Federal Government paid for it. You were more correct because, you know, when we in Washington spend $20 million, it is not our money, it is taxpayer dollars. It was about $50 a vote for every vote cast is what the American taxpayers paid for the Teamsters election.

Now, the interesting thing is how did the election officer determine to make this serious, you know, change in policy that said, I have reviewed the election, and there is such corruption in this election I am going to throw it out. And what she found in this process was that there was money laundering. There was money laundering to vendors who would bill the Teamsters for certain activity, never complete the activities, but get paid for it and funnel money back into the campaign of Mr. Carey.

There were political action committees, organizations, whose primary intent and focus is to drive the agenda here in this House and drive the agenda here in Washington, who all of a sudden started getting extraordinarily large amounts of dollars from the Teamsters.

This is now the union money, funds coming to the union headquarters in Washington and being sent somewhere with the understanding that if we send you some money, oh, look, they gave me some money.

Mr. SOUDER. Reclaiming my time, is that because the union dues could not be used directly for Mr. Carey's election?

Mr. HOEKSTRA. That is because the union dues could not be used directly for the election of Mr. Carey. So they were laundered through campaign organizations with a quid pro quo, you do this for me and I will do this for you.

The end result is what do we have? We have $20 million of taxpayer money that is right down the drain. We know that when the Teamsters ran their own election, they ran a clean election. When the Federal Government and this administration got involved in the process, we spent $20 million of taxpayers' money and all we got was an illegal election.

So we know that the Teamsters election was full of illegalities. That is why it was overthrown. We know that there were lots of dollars that were funneled out into congressional campaigns, meaning that I believe that there were many congressional campaigns that we can accurately describe as being tainted elections because the dollars got into those elections in an illegal way. So we have got tainted Teamsters elections. We have got tainted congressional elections. And we have $20 million of taxpayers' money right down the shooter.

I just want to add one thing, what we did last week, in a very surprising vote, is Congress finally stood up twice in the last 10 days and said, we are not going to pay for the rerunning of the Teamsters election. We are going to follow the current law. We can run a Teamsters election fairly. We know that we did that in 1991. We do not need any change of the law to have Teamsters get a fair election. All we need to do is follow the existing law.

In the last 10 days, this Congress and the other body on one occasion have said, we are not going to pay for any more internal operations of the Teamsters. But increasingly, in both cases, we had almost 190 Members of this House say, oh, yeah, we will let the taxpayers pay for the rerun of this election. We have the Justice Department and Labor Department right now figuring out ways to get some money, the money we did not spend in 1996.

We are collecting some fines and penalties. Why are we collecting fines and penalties? These are not wild allegations. There are three people that have already pled guilty and have been fined and the Justice Department saying, wow, here is some more money coming in, these people who will pay for the rerunning of the election.

This House stood up and said, no more. We will supervise the election. It is our job to make sure that the Federal laws are enforced. That is our responsibility. That is the people's responsibility. But it is not the people's responsibility to pay for the printing and counting of ballots and to run the internal operations of the union.

This is an interesting situation. We are going to be taking, I think both of our committees are going to be taking an additional look at this because of the involvement of taxpayers' dollars, the overthrowing of the election, and how it may have gone into other parties of the campaign process in 1996.

Mr. SOUDER. Reclaiming my time, I want to yield, if the gentleman will, for a couple more questions just to reiterate, because it is confusing to a lot of people how this occurred.

As I understand what the gentleman said, is that somewhere along the line, around 1994 or thereabouts, the Justice Department decided that the taxpayers should pay for the election, which had the Teamsters pay for it out of their own dues, would not have left as many dollars for the then President to go out and cut sweetheart deals with contractors and with the Democratic Party in return for them giving money to his campaign.

In other words, if the dues had been used for a fair election, perhaps A, the president of the union might not have won, unless he wasted all his dollars in the campaign, and B, there are Members of Congress whose elections may have been different.

Is that what you are, in effect, saying?

Mr. HOEKSTRA. We are saying that, as a result of the American taxpayer picking up the tab for the 1996 election, the American taxpayer spent $20 million that the Teamsters organization did not have to spend itself. I do not know what they did with that money, where that money went. But I think it is a question that is worth asking.

Just as a side note to this, not only did the American taxpayer pay for the Teamsters election in the U.S., now think about this, the American taxpayer paid for the printing of ballots, paid for the counting of ballots in Canada. We paid to run the private internal organization of the Teamsters not only in the U.S., but also in Canada. Unbelievable.

Mr. SOUDER. Reclaiming my time, I guess it kind of counters the point that the gentleman from Arizona [Mr. SHADEGG] was making earlier about the balance of trade. We were getting money in illegal contributions, but we were taking taxpayer dollars to pay for elections overseas.

My colleague would know this more than I, but my understanding was that the losing candidate actually carried the Midwestern States, where we are from, and lost the Canadian vote which we funded.

Mr. HOEKSTRA. If the gentleman would continue to yield, I believe that

if the Teamsters election had only been an U.S. election, the result would have been different. But because the American taxpayer picked up the tab for the Canadian election, the result was different, and that is what pushed Mr. Carey over the top.

And just a quick correction, before we get inundated with faxes, a correction, Canada is not overseas.

Mr. SOUDER. It depends on how you define the Great Lakes. As a police Midwesterner, those are big lakes to us.

Mr. SHADEGG. Mr. Speaker, if the gentleman would yield, at the risk of changing topics, and I think that is a vitally important issue about which we are all concerned and it fits with the theme of this hour, I notice we are running out of time, and I wanted to take a moment, both of my colleagues are on the Committee on Education, to raise a separate issue that was raised at the end of the last hour, and ask each of them to comment on it, because I think it is an issue that the American people need to know about.

My questions tonight arise out of a Wall Street Journal column that appeared today that I hope each of my colleagues have seen. It is a column by Lynne Cheney, and it carries the caption ''A Failing Grade for Clinton's National Standards.'' If I could, I just would like to talk about this article for a moment because it is so compelling to me.

I have a 15-year-old and an 11-year-old at home. As a matter of fact, just before coming over here to the floor, I was on the phone with my 15-year-old and asking her some questions, and she was working on her homework and doing a small project for me. Nothing is more important to me than their education. And I am deeply interested that they get a good education and get ahead in this life.

And that takes us to a debate that is at the fore of this Nation right now and on which conferees between the House and Senate will be meeting very soon, and that is the question of national testing. The point I want to make here is that I have reasonable friends at home, very bright people at home, who come to me and say, ''Congressman, I do not understand. Why are you against national testing? Should we not, as a Nation, want to know how our students are doing and want to compare our kids in Arizona,'' my home State, ''with the children in other States across the country,'' such as yours, Indiana. And I walk them through this explanation. But this article really brings the issue home.

I point out to them that the sad reality is that teachers will teach to the test. And maybe that is not so sad. They want their students to do well. So if they know the content of the test, they are going to say, ''I better make sure my students learn the content of the test.''

So people say to me, okay, Congressman, if you are worried that a national test will cause people to teach to the test, does that not simply say that when the President picked objective areas, such as math, and not more subjective areas, such as social studies, that that really should solve the problem about national testing, we will test English and we will test math and there are black and white, right and wrong answers and we will see how kids are performing and we will not get into the subjective areas like history?

And I point out to them that, while that sounds good, reasonable, rationale people ought to be deadly opposed to National testing. And this article makes it clear why: Because there are not black-and-white areas in today's Washington, D.C. Education Department under Bill Clinton.

And here is the point: The article by Lynne Cheney in today's Wall Street Journal, and I hope my colleagues all have read it and I hope America will read it, talks about a gentleman by the name of Steven Leinwand. He sits on the committee overseeing President Clinton's proposed national mathematics exams. He has written an essay, and this gentleman is mainstream, new education, Washington, D.C. expert. In the essay he explains why it is ''downright dangerous'' to teach students things like 6 times 7 equals 42. He says it is downright dangerous to teach students the multiplication facts.

Now why does he say that is dangerous? Because such instruction, teaching kids their multiplication facts, ''sorts people out,'' Mr. Leinwand writes, ''annointing the few who master these procedures and casting out the many.'' His basic principle is, we cannot teach math to kids because some kids will learn the answer, 6 times 7 is 42, and some kids will not learn it; and the kids who do not learn it will feel bad. Now, if that is the kind of mindset that is going to dictate Bill Clinton's national testing and the teachers in America will be compelled to teach to that, I think it is disastrous.

Let me conclude by pointing out, he writes another test for an organization called the National Council of Teachers of Mathematics; and they propose, through this committee, a national math exam that will avoid directly assessing certain knowledge and skills, such as whole-number computation. He does not want kids to be able to do addition, subtraction, multiplication, or division because of this sense that some of them will fail and some of them will feel bad.

And the organization says, in case this exam which they have written might indirectly assess whether 8th graders can add, subtract, multiply and divide, the committee recommends that, even for those basic skills, students should have a calculator throughout the entire time period. This is just amazing to me. But that is why I think national testing, while it sounds good and sounds reasonable, is in fact an attempt to impose a national standard and national agenda that the people in Arizona do not really like.

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Mr. HOEKSTRA. The problem gets to be, and we have had hearings around the country in my subcommittee. I chair an oversight subcommittee, and we have been taking a look at education.

Mr. SHADEGG. Did a hearing in my district in Arizona.

Mr. HOEKSTRA. We have been in Arizona, and we also went to Delaware, and the reason I bring up Delaware is, Delaware is the size of one of our congressional districts, all right? So, you know, Delaware said, we want a State test, and what Delaware did is, they spent 3 years starting at the grassroots level to develop a State test. Remember, one congressional district; Michigan has 16. It took them 3 years to develop a test, because they wanted to get parental by, and they wanted to get teacher by, and they want to get school administrator, business community. They wanted the State to accept the test. Bill Clinton wanted to take 10 months and, top down, drive a test and impose it on all of America, on every school, on every child, and have them test, the exact wrong. It is the ''Washington knows best'' mentality rather than doing a grass, which is going on in the States right now; States are developing tests, and it is a grassroots, bottom-up type of move, not good enough for our President. Bill Clinton wants to be the expert, says, I am going to develop a test, I am going to impose it on everybody.

Mr. SHADEGG. Reclaiming my time, top down is just dead wrong.

I want to rebut one other argument in support of national testing, and that is, the proponents of this idea said, well, States can opt out, and Lynne Cheney, in writing this article which I commend to all of my colleagues here in the Congress and to all of America, points out that even if States choose to opt out, a Federal test will strongly influence the textbooks because they are only a handful of textbook companies, and they are going to write those textbooks to such a national task.

And it seems to me the whole notion of, well, one or two States, Arizona, can opt out; heck, Arizona opted out of daylight savings time, one of, I think, only two States in the Nation which did. But in this field, where Arizona just said, we do not want that national test, the textbooks we would have to go purchase would be driven by that top down Bill Clinton dictated, but I do not care if it was Ronald Reagan dictated top down, one-size-fits-all standard, and I think it is a mistake.

Mr. SOUDER. Reclaiming my time, because I would like to kind of tie a couple things together here, and one of the things we are seeing is that what has gone on in this country, it is hard for us, many of us do not get up here every day and talk, but it does not pass the laugh test. I mean a national test

where the person on the math board does not want to do 7 times 6 equal 42, because it might intimidate some people that they feel left out or behind.

The idea that the taxpayers are going to pay for a Teamsters election so the Teamsters can use their money, the leadership, to try to finance their own race against what appears to have been the majority of the Teamsters members of the United States, and we pay for Canadian ballots, and then that money goes and elects other Members of Congress who claim they want campaign finance reform.

How about those members paying for the Teamsters election who got and benefited from the money of the Teamsters' members and the taxpayers of the United States, and it flowed into their campaign. How about following the current law?

Another debate that we are currently having that I simply cannot fathom is on the Census, because it is fine to use sampling to try to set up and understand where we are headed, but it is not fine to do the actual count mandated by the Constitution by guessing. That would be like going to the Clinton administration political appointees and saying, we are going to throw one out of every five of you in jail because we know at the end of this time, and when we get through, done with everything, one out of five is going to jail. They may have the wrong person, just like in the sampling that they have had around the country, they may have the people in the wrong State. That is real sad, but at least they got the rough number calculated.

It does not pass a laugh test. National tests do not pass the laugh test. The funding of the Teamsters election, which the gentleman from Michigan has twice now had this House go on record where, against the Census sampling, it does not pass the laugh test, and, quite frankly, the President of the United States threatened to recall lawmakers to the Hill so that we would have a special session on campaign finance and the people here in the House who keep saying this, it is a joke, it is an insult to the intelligence of the American people in a book, now discounted because it did not sell that great, called ''Putting People First'' by Governor Bill Clinton and Senator AL GORE.

In campaign finance reform, to show you how humorous this is, it says American politics is being held hostage by big money interests. Members of Congress now collect more than $2.5 million in campaign funds every week, like he did, while political action committees, industry lobbies, and cliques of $100,000 donors buy access to the White House. This is what Bill Clinton ran against, and he turned it into an art form.

This simply does not pass the laugh test, and it is so frustrating to me, and I know that, and I thank the two gentlemen who are here tonight on this special order who have been leaders in investigating this and in campaigning against this, and I enjoy working with both of you on the different committees.

I do not know if any of you have a concluding comment here, too, but I wanted to get that last comment in. No matter what area we look at right now, whether it is Census sampling, national tests, Teamsters election, campaign finance reform, it is hard for me to believe the American people are taking this seriously.

Mr. HOEKSTRA. If the gentleman would yield, I think it is pretty exciting we have made some progress on the education issue again, but it is interesting to watch the debate. In the Senate a couple of weeks ago, they passed a motion that said, they passed an amendment that said we are moving decisionmaking back.

CONFERENCE REPORT ON H.R. 2378

Mr. KOLBE submitted the following conference report and statement on 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:

CONFERENCE REPORT H. REPT. 105–284

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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,'' 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 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; $114,771,000: Provided, That section 113(2) 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 the Office of Foreign Assets Control shall be funded at no less than $4,500,000: Provided further, That chapter 9 of the fiscal year 1997 Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, including those in Bosnia, Public Law 105–18 (111 Stat. 195–96) is amended by inserting after the ''County of Denver'' in each instance ''the County of Arapahoe'': Provided further, That $200,000 are provided to conduct a comprehensive study of gambling's effects on bankruptcies in the United States: Provided further, That for necessary expenses of the Office of Enforcement, including, but not limited to, making transfers of funds to Treasury bureaus and offices for programs, projects or initiatives directed as the investigation or prosecution of violent crime, $1,600,000, to remain available until expended, to be derived from balances available in the Violent Crime Reduction Trust Fund.

OFFICE OF PROFESSIONAL RESPONSIBILITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Professional Responsibility, including purchase and hire of passenger motor vehicles, $1,250,000: 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 potential 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, $25,889,000, of which $11,000,000 shall be available to the United States Customs Service for the Automated Commercial Environment project, of which $6,100,000 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 its system development plan to the Committees on Appropriations: Provided further, That the funds appropriated for the Automated Commercial Environment project may not be obligated until the Commissioner of Customs has submitted a systems architecture plan and a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and the plan and schedule have 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; $29,719,000, of which $26,034 shall be transferred to the ''Departmental Offices'' appropriation for the reimbursement of Secret Service personnel in accordance with section 115 of this Act.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $10,484,000, 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 services 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), $131,000,000; of which $19,421,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including $3,000,000 for administering the Gang Resistance Education and Training program, $3,974,000 for the canine explosives detection program, $5,200,000 for CEASEFIRE/IBIS, $5,639,000 for vehicles and communications systems, 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 for the Secure Outreach/Encrypted Transmission Program; of which $15,731,000 shall be available to the United States Secret Service, including $6,700,000 for vehicle replacement, $1,460,000 to provide technical assistance and to assess the effectiveness of new technology intended to combat identity-based crimes, $5,000,000 for investigations of counterfeiting, and $2,571,000 for forensic and related support of investigations of missing and exploited children, of which $571,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended; of which $60,648,000 shall be available for the United States Customs Service, including $15,000,000 for high energy container x-ray systems and automated targeting systems, $5,735,000 for laboratory modernization, $7,400,000 for vehicle replacement, $8,413,000 for anti-smuggling inspectors, $9,500,000 for the passenger processing initiative, $4,000,000 for redeploying agents and inspectors to high threat drug zones, $4,500,000 for Forward-Looking Infrared capabilities, $1,100,000 for construction of canopies for inspection of outbound vehicles along the Southwest border, and $5,000,000 to acquire vehicle and container inspection systems; of which $20,200,000 shall be available to the Office of National Drug Control Policy, including $13,000,000 to the Counterdrug Technology Assessment Center for a program to transfer technology to State and local law enforcement agencies, $6,000,000 for a Federal Drug Free Prison Zone demonstration project, and $1,200,000 for Model State Drug Law Conferences; and of which $3,000,000 is provided to Federal Drug Control Programs for the Rocky Mountain HIDTA;

(b) As authorized by section 32401, $10,000,000 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, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104–32; 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, $202,490,000, 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 $12,500 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; $478,934,000, of which $1,250,000 may be used for the Youth Crime Gun Interdiction Initiative; 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, $55,022,000 to remain available until expended: Provided, That these funds shall not be available until a prospectus for the Laboratory Facilities is reviewed and resolutions of authorization are 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 of which 985 are for replacement only and of which 1,030 are 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; $1,522,165,000, 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, 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 $1,250,000 shall be available to fund the Global Trade and Research Program at the Montana World Trade Center: 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; $92,758,000, 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 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 not to exceed $2,500 shall be available for official reception and representation expenses, and 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; $2,925,874,000, 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, $3,142,822,000: Provided, That of the funds appropriated under this heading in Public Law 104–208, $26,000,000 is rescinded and in Public Law 104–52, $6,000,000 is rescinded.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33), $138,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

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, $1,272,487,000, 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'': Provided further, That the IRS shall submit a reprogramming request, of which no less than $87,000,000 shall be available for Year 2000 conversion: Provided further, That none of the funds under this heading, or funds made available under this heading in any previous Acts, may be obligated to award or otherwise initiate a Prime contract to implement the Internal Revenue Service's Modernization blueprint submitted to Congress on May 15, 1997, although funds may be used to develop a Request for Proposals for the Prime contract.

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, $325,000,000, which shall remain available until September 30, 2000: Provided, That none of these funds is available for obligation until September 1, 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 and enforce policies and procedures which will safeguard the confidentiality of taxpayer information.

SEC. 106. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line for taxpayers. The Commissioner shall continue to make the improvement of the IRS 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the IRS 1–800 help line service.

SEC. 107. Hereafter, no field support reorganization of the Internal Revenue Service shall be undertaken in Aberdeen, South Dakota until the Internal Revenue Service toll-free help phone line assistance program reaches at least an 80 percent service level. The Commissioner shall submit to Congress a report and the GAO shall certify to Congress that the 80 percent service level has been met.

SEC. 108. Notwithstanding any other provision of law, no reorganization of the field office structure of the Internal Revenue Service Criminal Investigation division will result in a reduction of criminal investigators in Wisconsin and South Dakota from the 1996 level.

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; $564,348,000.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $8,799,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. 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 reprogramming guidelines.

SEC. 111. 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. 112. 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. 113. 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. 114. 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. 115. 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 agents who were the subjects of said investigation.

SEC. 116. (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. 117. (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. 118. (a) NEW RATES OF BASIC PAY.—Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958, (District of Columbia Code, section 4–416), is amended—

(1) in subsection (b)(1), by striking ''Interior'' and all that follows through ''Treasury,'' and inserting ''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) of this section'' and inserting ''this subsection''; and

(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 (District of Columbia Code, section 4–406), 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 United States 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 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, except 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) Basic pay, and any locality pay combined with basic pay may not be paid by reason of any provision of this subsection (disregarding any locality-based 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 (District of Columbia Code, section 4–406) 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).

''(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)(A) 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 in accordance with this paragraph.

(B) Subject to subparagraph (C), 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 under subsection (a)(4).

(C)(i) 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 with section 304 of the District of Columbia Police and Firemen's Salary Act 1958 (District of Columbia Code, section 4–413).

(ii) Each member whose position is to be converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by this section, in accordance with subsection (a) of this section, 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 such member is placed in the corresponding service step in the salary schedule under 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 Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by 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 the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–413).

(3) Each member whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by this section, in accordance with subsection (a) of this section, shall be granted credit for purposes of such member's first service step adjustment under the salary schedule in such section 510(c) for all satisfactory service performed by the member since the member's last increase in basic pay prior to the adjustment under that section.

(c) LIMITATION ON PAY PERIOD EARNINGS.—The Act of August 15, 1950 (64 Stat. 477), (District of Columbia Code, section 4–1104), is amended—

(1) in subsection (h), by striking ''any officer or member'' each place it appears and inserting ''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 adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

(e) CONFORMING AMENDMENT.—The Federal Law Enforcement Pay Reform Act of 1990 (104 Stat. 1466) is amended by striking subsections (b)(1) and (c)(1) of section 405.

(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 of this Act.

SEC. 119. 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. 120. Based on results of industry response to the Request for Proposals, in tax-year 1998, the Internal Revenue Service (IRS) shall initiate a pilot project which would pay qualified returns preparers, electronic return originators, or 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 if such payments are determined by the Commissioner of the IRS to be in the best interest of the government: Provided, That the payment may not be made unless the electronic filing service is provided without charge to the taxpayer whose return is so filed: Provided further, That the IRS shall use standard procurement processes to establish this pilot project and through these processes, IRS shall assure the security of all electronic transmissions and the full protection of the privacy of taxpayer data.

SEC. 121. 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, in his sole discretion 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 pay 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. 122. (a) The Secretary of the Treasury is authorized to receive all unavailable collections transferred from the Special Forfeiture Fund established by section 26073 of the Anti-drug Abuse Act of 1988 (21 U.S.C. Section 1509) by the Director of the Office of Drug Control Policy as a deposit into the Treasury Forfeiture Fund (31 U.S.C. Section 9703(a)), to become available for obligation on October 1, 1998, as revenue available for purposes identified under 31 U.S.C. Section 9703(g)(4)(B).

(b) Paragraph (3)(C) of section 9703(g) of title 31, United States Code, is amended 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 by striking '', subject to subparagraph (C),'' from the first and only sentence of that paragraph.

SEC. 123. Notwithstanding any other provision of law, the Secretary of the Treasury shall establish the port of Kodiak, Alaska as a port of entry and United States Customs Service personnel in Anchorage, Alaska shall serve such port of entry. There are authorized to be appropriated such sums as necessary to cover the costs associated with the performance of customs functions using such United States Customs Service personnel.

SEC. 124. None of the funds made available by this Act may be used by the Inspector General to contract for advisory and assistance services that has the meaning given such term in section 1105(g) of title 31, United States Code.

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 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.

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 $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, 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, 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.

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.

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.

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, $57,440,000, 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; $35,016,000, of which $17,000,000 shall remain available until expended, consisting of $1,000,000 for policy research and evaluation and $16,000,000 for the Counterdrug Technology Assessment Center for counternarcotics research and development projects: Provided, That the $16,000,000 for the Counterdrug 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: Provided further, That not before December 31, 1997, the Director of the Office of National Drug Control Policy shall transfer all balances in the Special Forfeiture Fund established by section 6073 of the Anti-drug Abuse Act of 1988 (21 U.S.C. section 1509) to the Treasury Forfeiture Fund (31 U.S.C. section 9703(a)).

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, $159,007,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which $3,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area in Milwaukee, Wisconsin should the Director of the Office of National Drug Control Policy determine the location meets the designated criteria; of which $7,300,000 shall be used for national efforts related to methamphetamine reduction; of which $1,500,000 shall be used for methamphetamine reduction efforts within the Rocky Mountain High Intensity Drug Trafficking Area; of which $6,000,000 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 $80,000,000 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 $79,007,000 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, authorized by Public Law 100–690, as amended, $211,000,000, 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 funds 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 and the Senate Judiciary Committee that includes: (1) guidelines to ensure and certify that funds will supplement and not supplant current anti-drug community based coalitions; (2) guidelines to ensure and certify that funds will supplement and not supplant current pro-bono public service time donated by national and local broadcasting networks; (3) guidelines to ensure and certify that none of the funds will be used for partisan political purposes; (4) guidelines to ensure and certify that no media campaigns to be funded pursuant to this campaign shall feature any elected officials, persons seeking elected office, cabinet-level officials, or other Federal officials employed pursuant to Schedule C of title 5, Code of Federal Regulations, section 213, absent advance notice to the Committees on Appropriations and the Senate Judiciary Committee; (5) a detailed implementation plan to be submitted to the Committees on Appropriations and the Senate Judiciary Committee for securing private sector contributions including but not limited to in-kind contributions; (6) a detailed implementation plan to be submitted to the Committees on Appropriations and the Senate Judiciary Committee of the qualifications necessary for any organization, entity, or individual to receive funding for or otherwise be provided broadcast media time; and (7) a system to measure outcomes of success of the national media campaign: Provided further, That the Director shall report to Congress quarterly on the obligation of funds as well as the specific parameters of the national media campaign and report to Congress within two years on the effectiveness of the national media campaign based upon the measurable outcomes provided to Congress previously: Provided further, That of the funds provided for the support of a national media campaign, $17,000,000 shall not be obligated prior to September 30, 1998: Provided further, That of the funds provided, $6,000,000 shall be used to continue the drug use reduction program for those involved in the criminal justice system: Provided further, That of the funds 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, $31,650,000, of which no less than $3,800,000 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; $22,039,000: 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

To carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), 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 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 minimum 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 all funds for repairs and alterations prospectus projects shall expire on September 30, 2000 and remain in the Federal Building Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: 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) $2,275,340,000 for rental of space which shall remain available until expended; (4) $1,331,789,000 for building operations which shall remain available until expended; and (5) $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 PROVISIONS—GENERAL SERVICES ADMINISTRATION

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 approved August 25, 1958, as amended (Public Law 85–745; 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.

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)(1) 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 section 9101 of title 31, United States Code), or the District of Columbia, upon its request.

''(2)(A) Upon the request of a qualified nonprofit agency for the blind or other severely handicapped that is to provide a commodity or service to the Federal Government under the Javits-Wagner O'Day Act (41 U.S.C. 46 et seq.), the Administrator may provide any of the services specified in subsection (a) to such agency to the extent practicable.

''(B) A nonprofit agency receiving services under the authority of subparagraph (A) shall use the services directly in making or providing an approved commodity or approved service to the Federal Government.

''(C) In this paragraph—

''(i) The term 'qualified nonprofit agency for the blind or other severely handicapped' means—

''(I) a qualified nonprofit agency for the blind, as defined in section 5(3) of the Javits-Wagner O'Day Act (41 U.S.C. 48b(3)); and

''(II) a qualified nonprofit agency for other severely handicapped, as defined in section 5(4) of such Act (41 U.S.C. 48b(4)).

''(ii) The term 'approved commodity' and 'approved service' means a commodity and a service, respectively, that has been determined by the Committee for Purchase from the Blind and Other Severely Handicapped under section 2 of the Javits-Wagner O'Day Act (41 U.S.C. 47) to be suitable for procurement by the Federal Government.''.

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, $1,750,000, 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, $205,166,500: 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.

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, and to provide adequate storage for holdings, $14,650,000, to remain available until expended.

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; $8,265,000.

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; $8,450,000.

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

SEC. 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, 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. 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. 506. 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. 507. 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. 508. (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. 509. 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. 510. 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: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 511. 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. 512. (a) PROHIBITING REAPPOINTMENT OF MEMBERS OF FEDERAL ELECTION COMMISSION.—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''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to individuals nominated by the President to be members of the Federal Election Commission after December 31, 1997.

SEC. 513. 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.

SEC. 514. The provision of section 513 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.

SEC. 515. Section 1 under the subheading ''General Provision'' under the heading ''Office of Personnel Management'' under title IV of the Treasury, Postal Service and General Government Appropriations Act, 1992 (Public Law 102–141; 105 Stat. 861; 5 U.S.C. 5941 note), as amended by section 532 of the Treasury, Postal Service and General Government Appropriations Act, 1995 (Public Law 103–329; 108 Stat. 2413), and by section 5 under the heading ''General Provisions—Office of Personnel Management'' under title IV of the Treasury, Postal Service, and General Government Appropriations Act, 1996 (Public Law 104–52; 109 Stat. 490), is further amended by striking ''1998'' both places it appears and inserting ''2000''.

SEC. 516. (a) Title 5, United States Code, is amended—

(1) in section 8334 by adding at the end the following new subsection:

''(m) A Member who has served in a position in the executive branch for which the rate of basic pay was reduced for the duration of the service of the Member to remove the impediment to the appointment of the Member imposed by article I, section 6, clause 2 of the Constitution, or the survivor of such a Member, may deposit to the credit of the Fund an amount equal to the difference between the amount deducted from the basic pay of the Member during that period of service and the amount that would have been deducted if the rate of basic pay which would otherwise have been in effect during that period had been in effect, plus interest computed under subsection (e).'';

(2) in section 8337(a) by striking ''or (q)'' and inserting ''(q), or (r)'';

(3) in section 8339—

(A) in subsections (f) and (i)–(m) by striking ''and (q) of this section'' and ''and (q)'' each time either appears and inserting ''(q), and (r)'';

(B) in subsection (g) by striking ''or (q) of this section'' each time it appears and inserting ''(q), or (r)''; and

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

''(r) The annuity of a Member who has served in a position in the executive branch for which the rate of basic pay was reduced for the duration of the service of the Member in that position to remove the impediment to the appointment of the Member imposed by article I, section 6, clause 2 of the Constitution, shall, subject to a deposit in the Fund as provided under section 8334(m), be computed as though the rate of basic pay which would otherwise have been in effect during that period of service had been in effect.'';

(4) in section 8341(b)(1) and (d) by striking ''and (q) of this title'' each place it appears and inserting ''(q), and (r)'';

(5) in section 8334a(c) by striking ''and (q) of section 8339 of this title'' and inserting ''(q), and (r) of section 8339'';

(6) in section 8344(a)(A) by striking ''and (q) of this title'' and inserting ''(q), and (r)'';

(7) in section 8415 by adding at the end the following new subsection:

''(h) The annuity of a Member who has served in a position in the executive branch for which the rate of basic pay was reduced for the duration of the service of the Member in that position to remove the impediment to the appointment of the Member imposed by article I, section 6, clause 2 of the Constitution, shall, subject to a deposit in the Fund as provided under section 8422(g), be computed as though the rate of basic pay which would otherwise have been in effect during that period of service had been in effect.''

(8) in section 8422 by adding at the end the following new subsection:

''(g) A Member who has served in a position in the executive branch for which the rate of basic pay was reduced for the duration of the service of the Member to remove the impediment to the appointment of the Member imposed by article I, section 6, clause 2 of the Constitution, or the survivor of such a Member, may deposit to the credit of the Fund an amount equal to the difference between the amount deducted from the basic pay of the member during that period of service and the amount that would have been deducted if the rate of basic pay

which would otherwise have been in effect during that period had been in effect, plus interest computed under section 8334(e).''; and

(9) in section 8468 by striking ''through (f)'' and inserting ''through (g)''.

(b) The amendments made by subsection (a) shall be applicable to any annuity commencing before, on, or after the date of enactment of this Act, and shall be effective with regard to any payment made after the first month following the date of enactment.

SEC. 517. (a) Section 5948 of title 5, United States Code, is amended—

(1) in subsection (d) by striking the second sentence and inserting the following: ''No agreement shall be entered into under this section later than September 30, 2000, nor shall any agreement cover a period of service extending beyond September 30, 2002.''; and

(2) in subsection (j)(2)(A) by striking ''September 30, 1997'' and inserting ''September 30, 2000''.

(b) Section 3 of the Federal Physicians Comparability Allowance Act of 1978 (5 U.S.C. 5948 note) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2002''.

(c) The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 518. (a)(1) Section 8341 of title 5, United States Code, is amended by adding at the end the following:

''(k)(1) Subsections (b)(3)(B), (d)(ii), and (h)(3)(B)(i) (to the extent that they provide for termination of a survivor annuity because of a remarriage before age 55) shall not apply if the widow, widower, or former spouse was married for at least 30 years to the individual on whose service the survivor annuity is based.

''(2) A remarriage described in paragraph (1) shall not be taken into account for purposes of section 8339(j)(5)(B) or (C) or any other provision of this chapter which the Office may by regulation identify in order to carry out the purposes of this subsection.''.

(2) Such section 8341 is further amended—

(A) in subsections (b)(3)(B) and (d)(ii) by striking ''remarries'' and inserting ''except as provided in subsection (k), remarries''; and

(B) in subsection (h)(3)(B)(i) by striking ''in'' and inserting ''except as provided in subsection (k), in''.

(b)(1)(A) Section 8442(d) of title 5, United States Code, is amended by adding at the end the following:

''(3) Paragraph (1)(B) (relating to termination of a survivor annuity because of a remarriage before age 55) shall not apply if the widow or widower was married for at least 30 years to the individual on whose service the survivor annuity is based.''.

(B) Subsection (d)(1)(B) of such section 8442 is amended by striking ''remarries'' and inserting ''except as provided in paragraph (3), remarries''.

(2)(A) Section 8445 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) Subsection (c)(2) (to the extent that it provides for termination of a survivor annuity because of a remarriage before age 55) shall not apply if the former spouse was married for at least 30 years to the individual on whose service the survivor annuity is based.

''(2) A remarriage described in paragraph (1) shall not be taken into account for purposes of section 8419(b)(1)(B) or any other provision of this chapter which the Office may by regulation identify in order to carry out the purposes of this subsection.''.

(B) CONFORMING AMENDMENT.—Subsection (c)(2) of such section 8445 is amended by striking ''shall'' and inserting ''except as provided in subsection (h), shall''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remarriages occurring on or after January 1, 1995.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 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 a 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.

SEC. 632. For fiscal year 1998, the Secretary of the Treasury is authorized to use funds made available to the FSLIC Resolution Fund under Public Law 103–327, not to exceed $33,700,000, to reimburse the Department of Justice for the reasonable expenses of litigation that are incurred in the defense of claims against the U.S. arising from FIRREA and its implementation.

SEC. 633. PERSONAL ALLOWANCE PARITY AMONG NAFTA PARTIES. (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 after the date 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 and action.

SEC. 634. 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).

SEC. 635. No later than 30 days after the enactment of this Act, the Director of the Office of Management and Budget shall require all Federal departments and agencies to report total obligations for the expenses of employee relocation. All obligations incident to employee relocation authorized under either chapter 57 of title 5, United States Code, or section 901 of the Foreign Service Act of 1980 (22 U.S.C. 4081; Public Law 96–465), shall be included. Such information for the past, current, and budget years shall be included in the agency budget submission to the President. The Director of the Office of Management and Budget shall prepare a table presenting obligations for the expenses of employee relocation for all departments and agencies, and such table shall be transmitted to Congress each year as part of the President's annual budget.

SEC. 636. Notwithstanding any other provision of law, no part of any appropriation contained in this Act or any other Act for any fiscal year shall be available for paying Sunday premium pay to any employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 637. Section 302(g)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(1)) is amended—

(1) by striking ''and'' after ''Senator,''; and

(2) by inserting after ''candidate,'' the following: ''and by the Republican and Democratic Senatorial Campaign Committees''.

SEC. 638. (a) Chapter 31 of title 5, United States Code, is amended by inserting after section 3112 the following:

''§ 3113. Restriction on reemployment after conviction of certain crimes

''An employee shall be separated from service and barred from reemployment in the Federal service, if—

''(1) the employee is convicted of a violation of section 201(b) of title 18; and

''(2) such violation related to conduct prohibited under section 1010(a) of the Controlled Substances Import and Export Act (21 U.S.C. 960(a)).''.

(b) The table of sections for chapter 31 of title 5, United States Code, is amended by inserting after the item relating to section 3112 the following:

''3113. Restriction on reemployment after conviction of certain crimes.''.

(c) This section shall apply during fiscal year 1998 and each fiscal year thereafter.

SEC. 639. (a) COORDINATION OF COUNTERDRUG INTELLIGENCE CENTERS AND ACTIVITIES.—(1) Not later than 120 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the appropriate congressional committees, including the Committees on Appropriations, a plan to improve coordination, and eliminate unnecessary duplication, among the counterdrug intelligence centers and counterdrug activities of the Federal Government, including the centers and activities of the following departments and agencies:

(A) The Department of Defense, including the Defense Intelligence Agency.

(B) The Department of the Treasury, including the United States Customs Service and the Financial Crimes Enforcement Network (FinCEN).

(C) The Central Intelligence Agency.

(D) The Coast Guard.

(E) The Department of Justice, including the National Drug Intelligence Center (NDIC); the Drug Enforcement Administration, including the El Paso Intelligence Center (EPIC); and the Federal Bureau of Investigation.

(2) The purpose of the plan under paragraph (1) is to maximize the effectiveness of the centers and activities referred to in that paragraph in achieving the objectives of the national drug control strategy. In order to maximize such effectiveness, the plan shall—

(A) articulate clear and specific mission statements for each counterdrug intelligence center and activity, including the manner in which responsibility for counterdrug intelligence activities will be allocated among the counterdrug intelligence centers;

(B) specify the relationship between such centers;

(C) specify the means by which proper oversight of such centers will be assured;

(D) specify the means by which counterdrug intelligence will be forwarded effectively to all levels of officials responsible for United States counterdrug policy; and

(E) specify mechanisms to ensure that State and local law enforcement agencies are apprised of counterdrug intelligence acquired by Federal law enforcement agencies in a manner which—

(i) facilitates effective counterdrug activities by State and local law enforcement agencies; and

(ii) provides such State and local law enforcement agencies with the information relating to the safety of officials involved in their counterdrug activities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

(2) The Committee on International Relations, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 640. No part of any appropriation contained in this or any other 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. 641. Section 5118(d)(2) of title 31, United States Code, is amended by striking ''This paragraph shall'' and all that follows through the end of the paragraph.

SEC. 642. (a) This section may be cited as the ''Federal Employees' Retirement System Open Enrollment Act of 1997''.

(b) Any individual who, as of January 1, 1998, is employed by the Federal Government, and on such date is subject to subchapter III of chapter 83 of title 5, United States Code, may elect to become subject to chapter 84 of such title in accordance with regulations promulgated under subsection (c).

(c) The Office of Personnel Management shall promulgate regulations to carry out the provisions of this section. Such regulations shall—

(1)(A) subject to subparagraph (B), provide for an election under subsection (b) to be made not before July 1, 1998, or after December 31, 1998; and

(B) with respect to a Member of Congress, provide for—

(i) an election under subsection (b) to be made not before July 1, 1998, or after October 31, 1998; and

(ii) such an election to take effect not before January 4, 1999;

(2) provide notice and information to individuals who may make such an election, including information on a comparison of benefits an individual would receive from coverage under chapter 83 or 84 of title 5, United States Code; and

(3) provide for treatment of such an election similar to the applicable provisions of title III of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 599 et seq.).

(d)(1) Section 210(a)(5)(H)(i) of the Social Security Act (42 U.S.C. 410(a)(5)(H)(i)) is amended—

(A) by striking ''or'' after ''1986'' and inserting a comma; and

(B) by inserting ''or the Federal Employees' Retirement System Open Enrollment Act of 1997'' after ''(50 U.S.C. 2157),''.

(2) Section 3121(b)(5)(H)(i) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or'' after ''1986'' and inserting a comma; and

(B) by inserting ''or the Federal Employees' Retirement System Open Enrollment Act of 1997'' after ''(50 U.S.C. 2157),''.

This Act may be cited as the ''Treasury and General Government Appropriations Act, 1998''.

And the Senate agree to the same.

For consideration of the House bill, and the Senate amendment, and modifications committed to conference:

JIM KOLBE,
FRANK R. WOLF,
BOB LIVINGSTON,
STENY H. HOYER,
DAVID OBEY,
Managers on the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
TED STEVENS,
HERB KOHL,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

As additional conferees solely for consideration of Titles I through IV of the House bill, and Titles I through IV of the Senate amendment, and modifications committed to conference:

ERNEST ISTOOK,
ANNE M. NORTHUP,
CARRIE P. MEEK,
Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Treasury, Postal Service, and General Government Appropriations Act, 1998, incorporates some of the language and allocations set forth in House Report 105–240 and Senate Report 105–49. The language in these reports should be complied with unless specifically addressed in the accompanying statement of managers.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriation. Unless otherwise noted, in both instances the managers are referring to the House Subcommittee on Treasury, Postal Service, and General Government and the Senate Subcommittee on Treasury and General Government.

REPROGRAMMING AND TRANSFER OF FUNDS GUIDELINES

Due to continuing issues associated with agency requests for reprogramming and transfer of funds and use of unobligated balances, the conferees have agreed to revise reprogramming guidelines of the Committees on Appropriations. These guidelines shall be complied with by all agencies funded by the Treasury, Postal Service and General Government Appropriations Act, 1998:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or a transfer of funds, or use of unobligated balances, which are submitted after the close of the third quarter of the fiscal year, June 30;

2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. For agencies, departments, or offices receiving appropriations in excess of $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $500,000 or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

4. For agencies, departments, or offices receiving appropriations less than $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $50,000, or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

5. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

6. For any action which would result in a major change to the program or item which is different than that presented to and approved by either of the Committees, or the Congress, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted; and,

8. For any action where funds earmarked by either of the Committees for a specific activity are in excess to meet the project or activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted.

Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees agree to provide $114,771,000, instead of $113,410,000 as proposed by the House and $114,794,000 as proposed by the Senate. Within this amount, $477,000 is for Domestic Finance, $750,000 is for International Affairs, and $500,000 is for contract awards to the National Law Center for Inter-American Free Trade for the explicit purpose of supporting Federal government efforts to conduct legal research specific to relevant trade issues. The conferees specifically deny the $1,000,000 request for the Commodity Market Fees Study, including the study of alternative funding sources and structures for the Commodity Futures Trading Commission.

The conferees agree to include language which sets aside $200,000 for a comprehensive study of the effect of gambling on bankruptcies as proposed by the House.

The conferees agree to include language which sets a funding ''floor'' for the Office of Foreign Assets Control as proposed by the Senate, modified to set the floor at $4,500,000.

The conferees agree to include language making technical corrections to language which appeared under this heading in the fiscal year 1997 Emergency Supplemental Appropriations Act as proposed by the Senate.

The conferees agree to include language allowing the Under Secretary for Enforcement to transfer up to $1,600,000 of available prior year balances of the Violent Crime Reduction Trust Fund.

UNDER SECRETARY FOR ENFORCEMENT

The conferees direct the Department of the Treasury to submit, with its fiscal year 1999 budget request, detailed budget justification materials for the Office of the Under Secretary for Enforcement.

OFFICE OF PROFESSIONAL RESPONSIBILITY

SALARIES AND EXPENSES

The conferees agree to provide $1,250,000 as proposed by the Senate instead of $1,500,000 as proposed by the House. The conferees expect that the Department will use approximately $350,000 in reprogramming authority, the anticipated share of the unobligated balance of funds at the end of fiscal year 1997, to augment this appropriation. The conferees include House language requiring the Under Secretary for Enforcement to undertake a comprehensive review of integrity issues and other matters related to the potential vulnerability of the U.S. Customs Service.

AUTOMATION ENHANCEMENT

The conferees agree to provide $25,889,000, instead of $25,989,000 as proposed by the House and $29,389,000 as proposed by the Senate. This includes: $8,789,000 for the Departmental Office's modernization plan; $6,100,000 for the International Trade Data System; and $11,000,000 for Customs' Automated Commercial Environment (ACE).

AUTOMATED COMMERCIAL ENVIRONMENT (ACE)

The conferees have followed closely Customs' efforts to meet the conditions for release of the $3,475,000 that was fenced in fiscal year 1997 pending completion of a systems architecture plan. While the conferees agree that Customs has markedly improved its processes for making systems investments, including the definition of requirements, the plan is still under review at this time.

In addition, the conferees were dismayed with the recent decision made by Customs to continue to fund ACE projects out of the Salaries and Expenses appropriation when it became clear that the fenced funding would not become available by mid-year. Although the funding level itself was below the dollar threshold for a formal reprogramming request, the conferees believe that the reallocation was not in accordance with Congressional intent. In the future, the conferees direct that funding for ACE be provided exclusively from resources appropriated in this account, absent prior consultation with the Committees on Appropriations.

The conferees strongly support modernization and automation of Customs business functions, and encourage the bureau to continue apace in its planning efforts; however, they remain equally convinced that automation and information technology investments must follow the prudent investment planning processes just now being implemented. The conferees agree to provide $11,000,000 in fiscal year 1998, but only after the Commissioner submits, and the Committees on Appropriations approve, a systems architecture plan and a milestone schedule for the development and implementation of all projects included in that plan.

INTERNATIONAL TRADE DATA SYSTEM

The conferees agree to provide $6,100,000 instead of $5,700,000 as proposed by the House and $5,600,000 as proposed by the Senate. The conferees direct that $500,000 of this amount be provided to support the Global TransPark Network Customs Information Project (GTPN/CIP).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees agree to provide $29,719,000 as proposed by the Senate instead of $29,927,000 as proposed by the House.

The conferees agree to include language which transfers $26,034 to the Departmental Offices appropriation for the reimbursement of Secret Service agents who were the apparent targets of an investigation. The reimbursements are subject to Section 115 of this Act.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conferees agree to provide $10,484,000 as proposed by the Senate instead of $6,484,000 as proposed by the House.

TREASURY FORFEITURE FUND

The conferees are aware that the ''super surplus'' for the Treasury Forfeiture Fund in fiscal year 1997 will be significantly larger than in recent years and direct that the Department provide the Committees the plan for its intended use of these resources in a timely fashion. In support of using these resources to strengthen critical law enforcement capabilities, the conferees direct the Department to use $26,179,000 as follows: $11,100,000 to the Secret Service for its financial fraud operation ($3,000,000), activities related to the Federal Law Enforcement Wireless Users Group (FLEWUG) ($6,100,000), and maintenance requirements of the Rowley Training Center ($2,000,000); $4,000,000 to Customs to fund inspector rotation, if necessary and subject to the findings of the review to be undertaken by the Office of Professional Responsibility; $8,979,000 to the Bureau of Alcohol, Tobacco and Firearms for its firearms trafficking initiative ($6,000,000), increased arson inspectors ($2,729,000), and a guide for firearms and ammunition identification ($250,000); and $2,100,000 for the Financial Crimes Enforcement Network for international money laundering programs ($2,000,000), and to assist with travel and per diem costs of the National Conference of Commissioners of Uniform State Laws in connection with the drafting of a model law envisioned by section 407 of the Money Laundering Suppression Act of 1994 ($100,000).

EXPLOSIVES INSPECTORS

The conferees are strongly supportive of ATF efforts to fully inspect explosives facilities but find the justification for enhanced annual inspections of all facilities nationwide inadequate. The conferees provide $2,729,000 for this effort in fiscal year 1998, half of the funding requested.

VIOLENT CRIME REDUCTION PROGRAMS

The conferees agree to provide $131,000,000, instead of $97,000,000 proposed by the House and $130,955,000 proposed by the Senate. This amount is to be used as follows:

Bureau of Alcohol, Tobacco and Firearms:	
GREAT administration/training	$ 3,000,000
CEASEFIRE/IBIS Program	5,200,000
Vehicle replacement	4,500,000
Arson/Explosives Information Collection	1,608,000
Landmobile Radio Systems	1,139,000
Canine Explosives Detection Program	3,974,000
Subtotal, ATF	19,421,000
GREAT Program Grants:	10,000,000
Secret Service:	
Vehicle replacement	6,700,000
Identity-based fraud	1,460,000
Counterfeit investigations	5,000,000
Forensic technologies	2,000,000
Support for the NCMEC	571,000
Subtotal, Secret Service	15,731,000
Customs:	
High Energy X-Ray Inspection Systems	15,000,000
Redeployment of agents and inspectors	4,000,000
Canopy construction (Southwest border)	1,100,000
Land Border Automation Initiative	9,500,000
Operation Hard-Line III	8,413,000
Vehicle replacement	7,400,000
Laboratory modernization	5,735,000
Vehicle and container inspection system	5,000,000
Forward-Looking Infrared	4,500,000
Subtotal, Customs	60,648,000
Financial Crimes Enforcement Network	1,000,000
Federal Law Enforcement Training Center	1,000,000
Office of National Drug Control Policy:	
Counterdrug Technology Assessment Center	13,000,000
Model State Drug Law Conferences	1,200,000
Drug-Free Prison Pilot Project	6,000,000
Subtotal, ONDCP	20,200,000
High Intensity Drug Trafficking Areas:	3,000,000

SECRET SERVICE

For the Secret Service, the conferees provide $15,731,000 instead of $16,837,000 as proposed by the House and $21,178,000 as proposed by the Senate. The conferees provide $15,664,000 for White House Security through the Secret Service's Salaries and Expenses appropriation and $3,000,000 for Financial Institution Fraud Investigations through the Treasury Forfeiture Fund.

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

CHILD EXPLOITATION UNIT

In fiscal year 1997, the Committees provided start up costs for the operation of the Exploited Child Unit at the National Center for Missing and Exploited Children as well as sufficient funds for the operation of this unit through fiscal year 1999. The Committees have had the opportunity to review the work of this Unit and are pleased with the progress being made in the integration of investigations of exploited children with investigations being conducted through the National Center for Missing and Exploited Children in recovering missing children. The conferees wish to express continued support for the work of this Center as well as the cooperation being provided by the Secret Service through the use of forensic technologies. The conferees provided an additional $571,000 for the operation of the Exploited Child Unit of the National Center for Missing and Exploited Children and encourages the Center to provide the Committees with periodic status reports of its investigative efforts.

COUNTERDRUG TECHNOLOGY TRANSFER PILOT PROGRAM

The conferees provide $13,000,000 to the Counterdrug Technology Assessment Center (CTAC) of the Office of National Drug Control Policy (ONDCP) to establish a program for transferring technology directly to State and local law enforcement agencies. Since its inception, CTAC has worked with many law enforcement agencies and prosecutors to find technological solutions to critical law enforcement problems, and many valuable applications have been developed. The conferees direct that this new funding be used to initiate a pilot program to transfer these technologies directly to State and local law enforcement agencies who may otherwise be unable to profit from the developments due to limited budgets or a lack of technological expertise. The conferees direct CTAC to initiate this program under the direction of the Chief Scientist, ONDCP, with the advice of experts from State and local law enforcement, and in cooperation with High Intensity Drug Trafficking Area (HIDTA) programs to identify the technologies to be transferred and locations to be served. The conferees expect that priority will be given to identifying candidates for transfer in the currently designated HIDTAs, and expect that CTAC and HIDTA will also weigh the ability and willingness of potential recipients to share in the costs of new technology, either through in-kind or direct contributions. The conferees also direct the Chief Scientist to submit a report to the Committees on Appropriations evaluating the performance of the program not later than 18 months from the date of the first transfer, as well as a strategic plan for countrywide deployment of technology. Additionally, the Chief Scientist is directed to consult with the Committees on Appropriations prior to the obligation of these funds to ensure that the money appropriated is going toward providing State and local law enforcement agencies access to counterdrug technology and not unreasonable administrative or otherwise unintended purposes.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

FOREIGN LAW ENFORCEMENT TRAINING

The conferees have modified the Federal Law Enforcement Training Center (FLETC) language to allow the Secretary of the Treasury to waive the reimbursement requirement for training of foreign law enforcement officials for those training activities which take place in foreign countries under the provisions of section 801 of the Antiterrorism and Effective Death Penalty Act of 1996. However, the conferees expect the Secretary to ensure that utilization of such authority will not result in a diminution of the funds and personnel available for training of domestic law enforcement personnel.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide $32,548,000 as proposed by the House instead of $13,930,000 as proposed by the Senate.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $202,490,000 as proposed by the Senate instead of $199,675,000 as proposed by the House.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

The conferees agree to provide $478,934,000, instead of $478,649,000 proposed by the House and $473,490,000 proposed by the Senate. This amount includes $4,961,000 for technology and telecommunications; $754,000 for laboratory and investigative supplies; $3,615,000 for computer modernization; $1,250,000 for the Youth Crime Gun Interdiction Initiative; and $6,333,000 for Permanent Change of Station moves and Within-Grade-Increases.

The conference agreement does not include a provision to require the ATF to seek prior approval from the House Committee on Government Reform and Oversight and the Senate Committee on Governmental Affairs for separation incentive plans authorized by Public Law 104–208. However, the conferees would like to remind all agencies that they are required to submit to the House and Senate, prior to implementation, their strategic plans outlining the intended use of such incentive payments and a proposed organization chart for the agency once the incentive payments have been completed.

The conferees recommend that the Bureau of Alcohol, Tobacco and Firearms work with the federally licensed firearms dealers to make recommendations for the improvement of the dealers' existing security measures.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $1,522,165,000, instead of $1,526,078,000 proposed by the House and $1,551,028,000 as proposed by the Senate. This includes funding of $5,000,000 for Customshouse renovation; $1,250,000 for one-time funding of the Global Trade and Research Program at the Montana World Trade Center; and $300,000 to staff a dedicated commuter lane in El Paso, Texas. The conference agreement provides language permitting up to $5,000,000 to be used for special operations. The conference agreement also provides that the overtime pay cap for Customs inspectors will be raised to $30,000.

LEASE AND PURCHASE OF CUSTOMS SERVICE VEHICLES

The conference agreement provides authority to the U.S. Customs Service to purchase and lease vehicles for police-type use. The conferees would like to remind Customs to conduct a cost-benefit analysis of the available acquisition methods, as required by OMB Circular A–109, when they are acquiring vehicles. Based on the results of this analysis, Customs should proceed with leasing vehicles, for police-type modification, only when it is determined that this acquisition method provides the Federal government long term savings.

CUSTOMS CLEARANCE

The conferees are concerned about possible disparities in customs clearance, time in transit, duties, and processing paperwork burdens attributable to shipment of goods. In its role of facilitating the movement of merchandise, cargo, and mail, the Customs Service is directed by the conferees to examine whether disparities exist in services used by small and large businesses and individuals with regard to customs clearance, time in transit, duties, and processing paperwork burdens. The Customs Service is directed to report back to the Committees on Appropriations by February 2, 1998. Further, the conferees are aware of the examination of the General Accounting Office on this issue, and request that the Customs Service cooperate fully with this investigation.

OPA-LOCKA AIRPORT

The conferees are aware that Opa-locka Airport in Dade County, Florida now has customs service from 9 a.m. to 5 p.m. These limited hours require general aviation aircraft arriving from Latin America and the Caribbean after 5 p.m. to land at Miami International Airport (MIA). This diversion further congests MIA, which is already the nation's busiest cargo airport. Accordingly, the conferees encourage the Customs Service to provide customs service at Opa-locka airport from 9 a.m. to 10 p.m. daily.

TEXTILES

The Customs Service shall report to the Appropriations Committee no later than March 1, 1998 on what actions it is taking to enforce prohibitions of illegal transshipments of fraudulently labeled textiles and apparels within the U.S. textile quota system. The Service will also provide the Committee with an assessment of the severity of the transshipment problem and its impact on U.S. textile and apparel manufacturers.

SOFTWOOD LUMBER AGREEMENT

One of the U.S. Customs Service's most important tasks is fully and effectively enforcing U.S. trade agreements. With this in mind, the conferees have provided an additional $2,000,000 to the U.S. Customs Service to supply additional resources for monitoring and enforcing the United States/Canada Softwood Lumber Agreement—our largest bilateral sectoral agreement. The Lumber Agreement, established in April 1996, addresses the problem of subsidized Canadian lumber imports which have caused enormous injury to U.S. lumber producers. This additional funding will provide Customs adequate resources to reconcile U.S. import data with Canadian export data on shipments under the Agreement. The resources should ensure that Customs conducts the Northern border inspections and analyzes the trade statistics necessary to ensure full and effective enforcement of the Lumber Agreement.

In that regard, the conferees expect that the U.S. Customs Service will cease enforcement of any interpretative ruling that would have the effect of undermining enforcement of the Lumber Agreement, including any ruling that would have the effect of classifying lumber that would otherwise be classified under the heading of 4407 of the Harmonized Tariff Schedule in a different classification because it has been drilled or otherwise subject to minor processing, until Congress can address this issue.

OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

The conferees agree to provide $92,758,000 as proposed by the Senate, instead of $97,258,000 as proposed by the House. The conferees agree to fund Forward-Looking Infrared systems through the Violent Crime Reduction Trust Fund.

CUSTOMS SERVICES AT SMALL AIRPORTS

The conferees agree to make permanent the provision that Customs services at small airports may be derived from fees collected.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conferees agree to provide $169,426,000, the amount proposed by both the House and the Senate. The conferees agree to include language providing $2,500 for official reception and representation expenses as proposed by the Senate.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

The conferees agree to provide $2,925,874,000, instead of $2,915,100,000 as proposed by the House and $2,943,174,000 as proposed by the Senate.

The $17,300,000 reduction from the amount proposed by the Senate is from the amount requested for Earned Income Tax Credit (EITC) enforcement. The conferees have agreed to provide a total of $138,000,000 for EITC enforcement in a separate appropriation account and therefore the $17,300,000 is no longer required under this appropriation.

BROOKHAVEN SERVICE CENTER

The conferees are concerned that the IRS appears to be unwilling to come to a resolution on its proposed renovation plans for the IRS Center in Brookhaven, New York. Due to this recalcitrant attitude on the part of IRS, the renovation project is at least three years behind schedule.

Despite past assurances from both the IRS and the General Services Administration (GSA) that this renovation project would move forward expeditiously, this has not happened. The conferees direct the IRS to submit a report by January 15, 1998, to the Appropriations Committees that details its planned construction schedule to renovate the IRS Center in Brookhaven.

FIELD OFFICE REORGANIZATION

The Treasury, Postal Service and General Government Appropriations Act, 1997, (P.L. 104–208) included a provision (Section 105) which required the IRS to provide a report to the Committees on Appropriations on the impact of the planned field reorganization before it could implement the reorganization. The Committees found the report lacking, particularly with regard to the cost/benefit analysis of how adequate taxpayer service will be provided in the future. The conferees, therefore, direct the IRS to continue to delay its planned field reduction-in-force until it submits another report to the Committees on Appropriations, no earlier than January 30, 1998, with a detailed plan on how the IRS will ensure adequate taxpayer service in the future. In addition, based on concerns expressed by Members of Congress, the conferees direct the IRS to include in the report a detailed analysis of the impact of the field reorganization on the adequacy of taxpayer services in rural areas of the country.

PRIVACY ISSUES

The conferees have not included a provision as proposed by the House which would have prohibited the IRS from including Social Security numbers on mailing labels or other visible mailings because of the concern over the cost which the IRS would incur to implement this provision. However, the conferees remain concerned that including Social Security numbers on mailing labels or other visible mailings violates certain taxpayer privacy protections. The IRS should report to the Committees on Appropriations on how it plans to protect taxpayer privacy in its mailings.

ELECTRONIC FILING INITIATIVE

The conferees have included a provision as recommended by the House, with modifications, which establishes an Electronic Filing Initiative.

The provision directs that this initiative be established as a pilot project in fiscal year 1998. The initiative directs the IRS to pay up to $3.00 for each return filed electronically when the Commissioner of the IRS has determined that it is in the best interest of the government to make such a payment. The conferees stress the ''up to'' $3.00 sets the cap on the payment, but does not set a floor on the payment. The amount of the payment would be at the discretion of the Commissioner.

Additionally, it is not the intent of the conferees that the IRS should pay for electronically-filed tax returns which it would otherwise have received without making any payment. Therefore, the IRS shall only pay for the volume of electronically-filed tax returns that are in excess of the number which were received in 1996.

The conferees agree that only if the Commissioner determines that it is in the best interest of the government, shall any payment be made for the increased volume of electronically-filed tax returns. The conferees recognize that the IRS is in the process of developing a contract with private sector companies which provide electronic filing services which may offer non-payment incentives to increase electronic filing. The inclusion of this provision should not be construed as an effort to hinder or alter the IRS effort. The conferees simply want to ensure that the IRS will carry through on its long-delayed plan to increase electronically-filed returns. The plan should include the most appropriate mix of incentives, which may or may not include monetary offers, as determined by the Commissioner.

TAX LAW ENFORCEMENT

The conferees agree to provide $3,142,822,000, instead of $3,108,300,000 as proposed by the House and $3,153,722,000 as proposed by the Senate.

The $10,900,000 reduction from the amount proposed by the Senate is from the amount requested for Earned Income Tax Credit (EITC) enforcement. The conferees have agreed to provide a total of $138,000,000 for EITC enforcement in a separate appropriation account and therefore the $10,900,000 is no longer required under this appropriation.

RESCISSION OF FUNDS

The conferees agree to rescind $32,000,000 in previously appropriated funds as proposed by the Senate instead of a rescission of $14,500,000 in previously appropriated funds as proposed by the House.

INTERNAL AUDIT REPORTS

The conferees request that the Internal Revenue Service forward to the Committees on Appropriations copies of internal audit reports.

TIP REPORTING ALTERNATIVE COMMITMENT PROGRAM

The conferees agree with the House position that the IRS should work with taxpayers to ensure compliance with the Tip Reporting Alternative Commitment Agreement (TRAC). In too many instances, restaurant owners perceive that the IRS may be overzealous in their pursuit of voluntary agreement with TRAC by intimating that the business will be audited if there is no agreement. The conferees agree that IRS should ensure compliance with tip reporting by stressing its customer service role while working with restaurant owners.

REGULATIONS REGARDING CONDUCT OF NON-PROFIT VENTURES

The report which accompanied the Treasury, Postal Service and General Government Appropriations, 1997 (P.L. 104–208), incorporated by reference language contained in the Senate's report 104–330 concerning tax-exempt organizations and the tour industry. This is a continuing issue in fiscal year 1998 because of increased growth in the number of tax exempt organizations that choose to engage in commercial activities. The ambiguities in the definition of what is and is not taxable, contribute to the ongoing controversy.

The 1997 report directed the Internal Revenue Service to review this situation and take steps, if necessary, to develop regulations clarifying the ''substantially related'' test as it applies to tax exempt travel and tour activities. The IRS has not yet developed regulations to clarify this issue. The conferees believe that this issue must be resolved soon and directs the IRS to work with the appropriate Congressional committees to develop the necessary regulations before April 15, 1998.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

The conferees agree to provide $138,000,000 in a new appropriation account for the Earned Income Tax Credit (EITC) compliance initiative which was established by section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33). This is $30,895,000 more than the $107,105,000 requested by the President in a September 17, 1997 budget amendment.

The conferees direct that IRS use these funds only for the EITC compliance initiative. Furthermore, the IRS should establish a method to track the expenditure of funds and measure the impact on compliance. The IRS shall submit quarterly reports to the Committees on Appropriations which identify the expenditures and the change in the rates of compliance.

INFORMATION SYSTEMS

The conferees agree to provide $1,272,487,000, as proposed by the Senate, instead of $1,292,500,000 as proposed by the House.

Within this amount, the conferees agree to provide funds as follows:

Operational Systems	$936,614,000
Century Date Change	289,700,000
Quality Assurance	7,112,000
Modernization Management	8,227,000
Modernization Support	23,834,000
Retraining/Relocation of employees	7,000,000
Total	1,272,487,000

Through the re-application of 1997 and 1996 funds, an additional $87,000,000 is made available for Century Date Change requirements as discussed below.

The conferees note that the amount provided for Operational Systems is the amount requested in the fiscal year 1998 budget request. Should the IRS require the expenditure of funds in a manner different from that listed above, a reprogramming action is required.

CENTURY DATE CHANGE REQUIREMENTS

The conferees agree to provide a total of $376,700,000 for Century Date Change requirements. The conferees understand that, as of September 12, 1997, this is the amount requested for this program. Of this amount, $289,700,000 is provided as an appropriation in the Information Systems account. The conferees also direct that $77,000,000 be reprogrammed from fiscal year 1997 funds available from the Tax Systems Modernization (TSM) development and deployment program and $10,000,000 shall be reprogrammed from the 1996 TSM program. The conferees direct the IRS to expeditiously submit the necessary reprogramming actions to the Committees on Appropriations.

To the extent that the Century Date Change requirements exceed the amount provided, the Committees on Appropriations would be willing to consider a reprogramming request which would increase the amount available for the Century Date Change program.

The Committees on Appropriations were provided with an abundance of conflicting data from the IRS concerning what constitutes projects and activities required for addressing the Year 2000 systems changes. The conferees are concerned that the Century Date Change requirements are not yet finalized and projects and activities considered as part of the program may frequently change. Additionally, the conferees are concerned that the IRS has no overall integrated plan for the assessment of the problem, applying solutions to the problem, and then adequately testing the solutions before deployment of the applications to field operations.

Therefore, the conferees direct the IRS to develop a Century Date Change strategy which adequately addresses infrastructure,

assessment (inventory/analysis), application renovation (upgrade deployment), and validation requirements. The conferees direct the IRS to provide quarterly reports tracking its progress in meeting this strategy. The report should include expenditure of funds, application of FTEs, and an estimate in percentage terms, stating how much has been accomplished and how much remains to be completed in accordance with the strategy.

Of the $376,700,000 provided for Century Date Change, $170,000,000 is available as follows:

Conversion & Testing	$79,000,000
Telecommunications	23,000,000
ADP Equipment	13,000,000
Operating systems software	17,000,000
Project Office/Program Management	9,000,000
Certification	7,000,000
Contingency	42,000,000
Offset within IRS budget	−20,000,000
Total	170,000,000

The conferees direct that the IRS provide the Committees on Appropriations notification prior to the expenditure of any funds identified above as a ''Contingency.'' The notification shall include a justification of the expenditure and a certification that the expenditure is in compliance with the IRS strategy for Century Date Change.

DATA CENTER CONSOLIDATION

The conferees agree to provide a total of $164,700,000 for the consolidation of IRS' data centers. Of this amount, $157,700,000 is for costs associated with the acquisition and installation of equipment and software and $7,000,000 is for costs associated with any possible retraining or relocation of employees affected by the consolidation. To the extent that IRS does not require all of the $7,000,000 designated for retraining and relocation of employees, it may submit a reprogramming request to add these funds to the $157,000,000 provided for acquisition and installation of equipment and software necessary for Data Center Consolidation.

GOVERNMENT PROGRAM MANAGEMENT OFFICE (GPMO)

The conferees agree to provide $8,227,000 for Modernization Management. The conferees direct that, within these funds, the GPMO be staffed at no more than 75 full-time equivalents. The GPMO's responsibilities are to administer and manage the modernization program. The conferees expect that, in fiscal year 1998, the modernization program will focus on completing necessary details of the modernization blueprint, not the acquisition of new systems. The GPMO should monitor this process to ensure that the development of these details reflect the requirements of the IRS.

REPORTING REQUIREMENTS

The conferees agree with the quarterly reporting requirements contained in the House report (Report 105-240). However, the conferees agree that the quarterly reports should be submitted no later than 30 days after the close of each quarter, rather than 15 days, as recommended by the House.

INFORMATION TECHNOLOGY INVESTMENTS

The conferees agree to provide $325,000,000 as proposed by the Senate instead of $326,000,000 as proposed by the House. The conferees further agree that the funds are provided for modernization as described in the Modernization Blueprint which was submitted to Congress on May 15, 1997.

The conferees have agreed to prohibit the obligation of funds from the Information Systems (IS) appropriation, as well as previous IS appropriations, for awarding or otherwise initiating the Prime contract through which systems related to modernization would be acquired. The conferees have also agreed to prohibit the obligation of funds from the Technology Investments account until September 1, 1998, and until certain conditions are met. The conferees remind the IRS that the obligation of these funds is prohibited until the IRS is in compliance with all the requirements of the legislation.

The General Accounting Office (GAO) has reviewed the Modernization Blueprint and has informed the Committees on Appropriations that IRS has made a good start in developing its Modernization Blueprint, but must complete and implement this Blueprint before building or acquiring new systems. The conferees agree with the GAO in this regard. The Committees on Appropriations are very pleased that IRS has made significant progress in putting together a workable modernization program. However, many details of the Blueprint need to be completed before the IRS commits to acquire new systems. Funds provided for Modernization Support should be used to continue efforts to complete the necessary details.

The conferees direct the IRS to submit a status report, no later than April 30, 1998, which addresses ongoing efforts to implement the May 15, 1997 Modernization Blueprint. The report should, at a minimum, provide (1) detailed descriptions of how the IRS has implemented the processes and procedures for investment review and systems life cycle and (2) the status of efforts on the development of business cases and requirements.

ADMINISTRATIVE PROVISIONS

INTERNAL REVENUE SERVICE

Section 101–105. The conferees agree to include these provisions which were proposed by both the House and the Senate.

Section 106. The conferees agree to include a provision as proposed by the Senate which directs that funds shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 telephone assistance.

Section 107. The conferees agree to include a provision as proposed by the Senate which directs that no field reorganization shall be undertaken at Aberdeen, South Dakota, until certain conditions are met.

Section 108. The conferees agree to include a modified provision proposed by the Senate, which directs that no field reorganization of the Criminal Investigation Division will result in a reduction, as compared to the 1996 levels, of criminal investigators in Wisconsin. The provision has been modified to include the South Dakota Criminal Investigation Division.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $564,348,000 instead of $555,736,000 as proposed by the House and $570,809,000 as proposed by the Senate. The conferees provide $20,936,000 for additional White House Security requirements, instead of $4,000,000 as proposed by the House and $6,568,000 as proposed by the Senate; this includes $15,664,000 for White House Security previously funded through the Violent Crime Reduction Trust Fund. The conferees include $6,100,000 for the Federal Law Enforcement Wireless Users Group in the Treasury Forfeiture Fund.

WHITE HOUSE SECURITY REQUIREMENTS

The conferees have provided a total of $20,936,000 for various White House Security requirements in fiscal year 1998. This is $7,864,000 below the amount requested by the Administration and reflects a reduction of $4,001,000 associated with 277 positions that remain unfilled and $3,863,000 for additional technical and clerical positions within the White House. The conferees fully support all ongoing and planned White House Security enhancements and note that, since the completion of the ''White House Security Review'', a total of $51,406,000 of the total anticipated requirement of approximately $62,000,000 has been funded. The conferees are committed to fully funding the recommendations of the ''White House Security Review'' and anticipate that full funding will be provided in fiscal year 1999.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

The conferees agree to provide $8,799,000 instead of $5,775,000 as proposed by the House and $9,176,000 as proposed by the Senate. This includes $7,176,000 for activities related to the new Headquarters as well as $1,623,000 for fixed site security requirements previously funded through Salaries and Expenses. The conferees provide $2,000,000 for maintenance related activities of the Rowley Training Center through the Treasury Forfeiture Fund.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 110–114. The conferees agree to include these provisions which were proposed by both the House and Senate with minor technical corrections.

The conferees have not included a provision related to the currency paper contract, as proposed by the House.

Section 115. The conferees agree to include a provision as proposed by both the House and Senate which authorizes the reimbursement of Secret Service personnel under certain conditions. However, the conferees agree to the total amount of $26,034, as proposed by the House.

Section 116. The conferees agree to include a provision as proposed by both the House and Senate which prospectively adjusts the compensation of the Secretary of the Treasury, beginning with the subsequent Secretary.

Section 117. The conferees agree to include a provision as proposed by the House which limits the amount of time the Department may have to respond to requests for information. The conferees stress that the problems alleviated by this provision are problems which were experienced by the House Appropriations Committee, not the Senate Appropriations Committee.

Section 118–119. The conferees agree to include these provisions which were proposed by both the House and Senate with minor technical corrections.

Section 120. The conferees agree to include a provision, with modifications, as proposed by the House which directs the IRS to initiate an electronic filing pilot project. The provision has been modified to expand the group of participants and provide more discretion to the IRS Commissioner. This provision is addressed more fully in the IRS section of this Statement.

Section 121. The conferees agree to include a provision, with modifications, as proposed by the House which addresses compensation rates of police officers at the BEP and U.S. Mint. The modifications agreed to by the conferees clarify that setting the rates of pay shall be at the sole discretion of the Secretary of the Treasury or his designee.

Section 122. The conferees agree to include a provision, with modifications, as proposed by the House which adjusts the transfer of funds from the Treasury Forfeiture Fund to the Special Forfeiture Fund, and provides that unobligated balances of the Super Surplus may be carried forward into the next fiscal year. The modifications agreed to by the conferees provide that $38,500,000 of the

Super Surplus would not be available for obligation until fiscal year 1999.

Section 123. The conferees agree to include a provision as proposed by the Senate which waives certain requirements of the U.S. Customs Service.

Section 124. The conferees agree to include a provision as proposed by the Senate which prohibits funds for the Inspector General of the Treasury Department to contract for advisory and assistance services.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

The conferees provide no appropriation for Nonfunded Liabilities instead of $34,850,000 as proposed by both the House and Senate. The Balanced Budget Act of 1997, P.L. 105–33, contains a provision repealing the authorization for payments to the Postal Service as reimbursement for costs associated with former Post Office Department employees under the Employees' Compensation Fund. As a result, no funding has been provided for Payment to the Postal Service Fund for Nonfunded Liabilities.

NON-POSTAL COMMERCIAL ACTIVITIES

The conferees have recently been made aware of concerns within the small business community relating to certain ''non-postal'' commercial activities. The non-postal commercial activities recently initiated by the Postal Service include the sale of T-shirts, neckties, greeting cards, stationary, and other gift items.

The conferees continue to have an interest in non-postal commercial activities and therefore direct the Postal Service to report, as part of its fiscal year 1999 budget submission, on the non-postal activities offered by the Postal Service including a description of each service, the potential benefits to postal customers, an assessment of how these non-postal services contribute to providing uniform postal services at uniform rates, an estimate of net revenue generated, and, if applicable, an assessment of the potential impact of non-postal operations on the small business community.

The conferees also note that the House Government Reform and Oversight Committee is considering postal reform legislation and among the issues which it may consider is the issue of competition by the Postal Service in these areas. The requested report should be made available to that Committee for consideration during action in this area as part of its postal reform legislation or as separate legislation.

GLOBAL PACKAGE LINK

The conferees include no provisions related to Global Package Link as proposed by the House in House Report 105–240.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

WHITE HOUSE OFFICE

WHITE HOUSE COMMUNICATIONS AGENCY

The conferees direct the White House Office to establish a system for tracking and verifying all reimbursements made to the White House Communications Agency (WHCA) and to report to the Committees on Appropriations on this system no later than November 1, 1997. In addition, the conferees direct the White House Office, as part of its annual budget submission, to provide a detailed accounting of reimbursements made to WHCA in the current fiscal year and an estimate of reimbursements for the upcoming year. This submission should include a description of the types of services reimbursed.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

REIMBURSABLE EXPENSES

The conferees establish a separate account for the Reimbursable Expenses of the Executive Residence, as proposed by the House.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

The conferees eliminate all restrictions on the use of funds for computer modernization within the Office of Policy Development as proposed by the Senate.

OFFICE OF ADMINISTRATION

CAPITAL INVESTMENT PLAN

The conferees have recently received information from the Office of Administration (OA) regarding the Executive Office of the President's (EOP) five-year automation plan. Based on this information, and as requested by the Administration, the conferees have agreed to eliminate all restrictions on the use of funds for information technology within the Executive Office of the President. The conferees understand that the OA has established a formal Information Technology Management Team (ITMT) as of September 25, 1997. The conferees further understand that the ITMT will be responsible for assessing, approving, modifying and implementing a systems architecture plan for EOP information technology modernization. The conferees direct the OA to submit the architectural plan, as approved by the ITMT, to the Committees on Appropriations as expeditiously as possible. As part of the fiscal year 1999 budget submission, the OA should include a milestone schedule for the development and implementation of all projects included in the systems architecture plan and an estimate of the funds and projects required to support the fiscal year 1999 capital investments associated with that plan.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The conferees agree to provide $57,440,000 for the Office of Management and Budget (OMB) instead of $57,240,000 as proposed by the House and the Senate.

CONGRESSIONAL REVIEW ACT

The conferees are aware of concerns that the Office of Information and Regulatory Affairs (OIRA) may not be implementing and coordinating certain provisions of the Congressional Review Act (CRA) as efficiently and effectively as possible. The conferees urge the Director of OMB to ensure the maximum coordination and implementation of the CRA through the OIRA.

AGRICULTURAL MARKETING ORDERS

As proposed by the House, the conferees have included a provision prohibiting the use of funds for reviewing agricultural marketing orders. The conferees agree that this provision shall not negate the study of the Northeast Interstate Dairy Compact as required by Section 732 of the conference report accompanying H.R. 2160. The conferees also agree that OMB shall not conduct any study or review that hinders the Department of Agriculture from implementing the consolidations and reforms of federal milk marketing orders as requited by the provisions of Section 143 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C., et seq).

DEBT COLLECTION ACTIVITIES

The Debt Collection Improvement Act (DCIA) of 1996 (31 U.S.C. 3716, 31 U.S.C. 3720A, 26 U.S.C. 602, and 5 U.S.C. 5514) requires agencies to refer delinquent debt to the Department of the Treasury so that Treasury can offset delinquent debt owed the respective agency against payments made by Treasury disbursement officials. Pursuant to the DCIA, agencies are required to transfer to Treasury for collection, debts that are insufficiently serviced and 180 days delinquent, unless prescribed actions by a particular agency have commenced.

Enactment of this legislation is intended to streamline and enhance the capabilities of the Federal government in collection of outstanding debts. The conferees are concerned that agencies have not taken the appropriate steps required by law and are failing to provide Treasury with the information within the time frame outlined in the statute.

The conferees, therefore, direct the Director of OMB to ensure that agencies are complying with the law and providing information to Treasury as required.

UNIQUE IDENTIFICATION NUMBER

The Director of the Office of Management and Budget shall prepare and submit to the Committees on Appropriations and to the Government Reform and Oversight Committee of the House and the Committee on Governmental Affairs of the Senate, by not later than March 15, 1998, a report on the costs, benefits and logistics of implementing a proposal to require that each organization that receives a grant from the Federal government should be issued a unique identification number.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The conferees agree to provide $35,016,000 instead of $43,516,000 as proposed by the House and $36,016,000 as proposed by the Senate. Of this amount, the conferees have included $16,000,000 for the basic program of the Counterdrug Technology Assessment Center, and $1,000,000 for policy research and evaluation.

The conference agreement separately funds $13,000,000 for a new technology transfer program by the Counterdrug Technology Assessment Center, as well as $1,200,000 for model state drug law conferences, through the Violent Crime Reduction Trust Fund.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

The conferees agree to provide $159,007,000 instead of $146,207,000 as proposed by the House and $140,207,000 as proposed by the Senate. This amount would fully fund the Administration's request. The conferees provide $10,000,000 for the creation of three new HIDTAs: $6,000,000 for Kentucky, West Virginia, and Tennessee; $1,000,000 for central Florida; and $3,000,000 for Milwaukee, Wisconsin, should the Director of the ONDCP determine the location meets the designated criteria. In addition, funding is included for methamphetamine programs, including $1,500,000 to the Rocky Mountain HIDTA and $7,300,000 to build upon national methamphetamine reduction programs funded in fiscal year 1997 through the Special Forfeiture Fund. Finally, the conferees agree to provide an additional $3,000,000 for the Rocky Mountain HIDTA through the Violent Crime Reduction Trust Fund. The conferees encourage the Director of the ONDCP to consider providing assistance under this program to the Suffolk County, New York, Police Department's Computer Crime Analysis Unit.

SPECIAL FORFEITURE FUND

The conferees agree to provide $211,000,000 instead of $205,000,000 as proposed by the House and $145,300,000 as proposed by the Senate. This includes $195,000,000 to support a national media campaign, $10,000,000 to support matching grants to drug-free communities as authorized in the Drug-Free

Communities Act of 1997, and $6,000,000 to continue the program funded in fiscal year 1997 to reduce drug use in the criminal justice system.

YOUTH MEDIA CAMPAIGN

The conference agreement includes $195,000,000 to support a national media campaign for the first year of a possible five-year media campaign proposed by the Director of the ONDCP to target young people. No funds would be available for obligation until the ONDCP Director submits a strategy for approval that contains:

(1) guidelines to ensure and certify that funds will neither supplement nor supplant current anti-drug community based coalitions or pro bono public service time donated by national and local broadcasting networks;

(2) guidelines to ensure and certify that no funds will be used for partisan political purposes, or to fund media campaigns that feature elected officials, persons seeking elected office, cabinet-level officials, or certain other Federal officials;

(3) a detailed implementation plan for securing private sector contributions including but not limited to in-kind contributions;

(4) a detailed implementation plan of the qualifications necessary for any organization, entity, or individual to receive funding for or otherwise be provided broadcast media time; and

(5) a system to measure outcomes of success of the national media campaign.

The conference agreement requires the ONDCP Director to report to Congress quarterly on obligation of funds and on the parameters of the campaign, as well as to report to Congress within two years on the effectiveness of the campaign based upon the measurable outcomes previously provided to Congress.

The conferees direct ONDCP to assess all media vehicles available for this campaign including, but not limited to, broadcast and print media, and the Internet. Further, the conferees direct ONDCP to consult with media and drug experts, such as the Ad Council and the Partnership for a Drug-Free America, in an effort to draw from the experience and expertise of individuals and organizations that have experience in this field, including health and education professionals. The conferees are convinced that close consultation with the private sector on the development and implementation of this campaign is critical to its success.

The conferees believe this media campaign, if properly executed, has the potential to produce concrete results by the year 2001. The conferees will closely track this campaign and its contribution to achieving a drug-free America. The conferees anticipate that future funding will be based on results.

TITLE IV—INDEPENDENT AGENCIES

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conferees provide $31,650,000 instead of $34,550,000 as proposed by the House and $29,000,000 as proposed by the Senate. Of this amount $3,800,000 is fenced for internal automated data processing; this includes $2,500,000 for ongoing computer modernization initiatives and $1,300,000, as requested by the FEC, for computerized imaging and indexing of documents related to the 1996 election cycle. The conferees also provide $750,000 for an independent audit of the FEC and $300,000 for a system to disclose and maintain all FEC filings on the Internet. The conferees agree that the FEC should maintain an FTE level of no greater than 313.5 during fiscal year 1998.

PERFORMANCE AND TECHNOLOGICAL AUDIT

The conferees agree that $750,000 of FEC's funds will be made available, by transfer, to the General Accounting Office (GAO). GAO is directed to use these funds to enter into a contract with an independent entity for the purpose of conducting a technological and performance audit and management review of FEC operations. GAO shall develop a scope of work that addresses the management and technology concerns raised by the conferees and identified in House Report 105–240, shall perform the administrative duties necessary to award and monitor the contract, shall ensure that the selected contractor has the necessary background and technical skills to successfully conduct the study, and shall ensure that the contractor deliverables are responsive to the scope of the contract. The conferees direct GAO to consult with the Committees on Appropriations and the House Oversight Committee on the parameters of this audit and wish to make it clear that the audit outline, scope, content and resultant reports are the purview of these Committees, not of the GAO.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conferees provide $22,039,000 as proposed by the Senate instead of $21,803,000 as proposed by the House.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The conferees agree to provide $4,835,934,000 in new obligational authority for the General Services Administration's (GSA), Federal Buildings Fund (FBF) as proposed by the House, instead of $4,885,934,000 as proposed by the Senate.

The conferees agree with the House position on providing no additional obligational authority for chloroflurocarbons program in 1998. This reduction is taken without prejudice. The conferees agree that this will place an additional burden on GSA's attempts to meet its requirements under the Clean Air Act. However, limited funding options did not provide sufficient latitude for the conferees to meet this requirement.

The conferees agree with the Senate position on providing separate limitations on the Rental of Space and the Building Operations programs, instead of the House position which combined these two programs into one limitation amount.

The conferees agree with the House position which set a $680,543,000 limitation on expenditures ''previously requested and approved under this heading in prior fiscal years.'' By accepting the House language, the conferees wish to stress that the General Services Administration, not just Congress, contributed to the creation of a shortfall in the Federal Buildings Fund by requesting the authority to use the Fund for the construction, acquisition, and repair of Federal buildings when the balances in the Fund were not sufficient to support the request.

POLICY AND OPERATIONS

The conferees agree to provide $107,487,000 as proposed by the House instead of $104,487,000 as proposed by the Senate.

The conferees direct that $2,000,000 be provided in accordance with the direction included in the House report and that $1,000,000 be used to initiate a digital medical education project.

GOVERNOR'S ISLAND

The conferees direct that, in fiscal year 1999, GSA appropriately budget for the protection and maintenance of Governor's Island, New York. This U.S. Coast Guard property is designated for disposal by GSA in the future and such funds as may be necessary should be requested so that there is no undue deterioration of the property prior to its sale.

FEDERAL OFFICE BUILDING IN COLORADO SPRINGS

The Federal building located at 1520 Willamette Avenue in Colorado Springs, Colorado, is owned by GSA and is currently leased to the U.S. Air Force Space Command. In the event that the Space Command does not renew or extend its lease, and the facility becomes vacant and is deemed surplus, the conferees urge GSA to strongly consider the United States Olympic Committee's need for additional space and to give priority to the USOC's request to gain title or otherwise acquire this property.

SURPLUS EQUIPMENT TO SCHOOLS AND EDUCATIONAL INSTITUTIONS

The conferees urge the GSA, in line with its responsibilities for the disposal of excess and surplus Federal personal property, to promote and foster the transfer of excess and surplus computer equipment directly to schools and appropriate nonprofit, community-based educational organizations. The GSA should communicate with other Federal agencies to heighten their ongoing awareness of the existing opportunities at both the national and local levels to meet the needs of the schools for such equipment and work with agencies to ensure that the equipment is conveyed to the school or organization quickly and at the least cost to the institution. The conferees further direct GSA to work with the regional Federal executive boards providing guidance and assistance to help establish regional clearinghouses of information on the availability of excess computer surplus equipment in each region. This information should be made readily available to schools.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

Sections 401–409. The conferees agree to include provisions as proposed by both the House and Senate.

Section 410. The conferees agree to include a provision as proposed by the House which authorizes GSA to repay debts incurred by the Pennsylvania Avenue Development Corporation.

Section 411. The conferees agree to include a provision as proposed by the House which authorizes GSA to pay claims up to $250,000 from construction projects and acquisition of buildings.

Section 412. The conferees agree to include a provision as proposed by the House which directs GSA to sell certain property in Bakersfield, California.

Section 413. The conferees agree to include a provision as proposed by the Senate, with modifications, which amends Section 201(b) of the Federal Property and Administrative Services Act (Section 1555 of the Federal Acquisition Streamlining Act). H.R. 2378, as reported to the House of Representatives, included a provision identical to that included as Section 410 in the Senate version of the bill. The provision was eliminated from the House bill due to technical issues associated with the Rules of the House. The modifications agreed to by the conferees reinstate the authority of qualified nonprofit agencies for the blind and severely handicapped that are providing a commodity or service to the Federal government under a contract awarded under the Javits-Wagner O'Day Act. This authority was inadvertently deleted in the language which was adopted by the Senate. The provision included by the conferees only deletes that part of Section 201(b) known as the Cooperative Purchasing Act.

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

The conferees agree to provide $1,750,000, instead of $2,000,000 as proposed by the House

and no appropriation as proposed by the Senate.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

The conferees agree to provide $25,290,000 as proposed by the House instead of $24,810,000 as proposed by the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

The conferees agree to provide $205,166,500 instead of $202,354,000 as proposed by the House and $206,479,000 as proposed by the Senate.

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES

REPAIRS AND RESTORATION

The conferees agree to provide $14,650,000, instead of $10,650,000 as proposed by the House and $13,650,000 as proposed by the Senate. Within this amount, the National Archives shall spend $4,000,000 to complete its plan for the repair and restoration of the Truman Library and $4,000,000 to complete its plan for the repair and restoration of the Roosevelt Library.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

The conferees agree to provide $5,500,000 as proposed by the House instead of $5,000,000 as proposed by the Senate.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The conferees agree to provide $8,265,000 as proposed by the Senate instead of $8,078,000 as proposed by the House.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The conferees agree to provide $8,450,000 as proposed by the Senate instead of $8,116,000 as proposed by the House.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The conferees agree to provide $33,921,000 as proposed by the House instead of $34,293,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501-503. The conferees agree to include these provisions proposed by both the House and the Senate.

SEC. 504. The conferees agree to include a provision as proposed by the Senate which prohibits transferring control over FLETC. The conferees do not agree to make this provision permanent as proposed by the House.

SEC. 505. The conferees agree to make permanent a provision as proposed by both the House and Senate which authorizes the Federal Executive Institute and Management Development Centers to accept donations of supplies, services, land and equipment.

SEC. 506. The conferees agree to include a provision as proposed by both the House and Senate which provides employment rights to federal employees who return to their civilian jobs after assignment with the Armed Forces.

SEC. 507. The conferees agree to include a provision as proposed by the House and Senate regarding compliance with the Buy American Act.

SEC. 508. The conferees agree to include a provision as proposed by the House and Senate which prohibits contracts which use goods not made in America.

SEC. 509. The conferees agree to include a provision as proposed by both the House and Senate which prohibits the intentional use of a ''Made in America'' inscription on goods not made in the United States.

SEC. 510. The conferees agree to include a provision as proposed by the House and Senate authorizing the use of unobligated balances for certain purposes. The conferees agree to the Senate proposal that such requests be made in compliance with reprogramming guidelines.

SEC. 511. The conferees agree to include a provision as proposed by both the House and Senate which prohibits the use of funds for the White House to request official background reports without the written consent of the individual who is the subject of the report.

The conferees have not included a provision as proposed by the House that would have limited the expenditure of funds for Sunday premium pay or night differential pay, and would allow differential pay to an employee in a paid leave status under certain conditions. This provision is addressed in Title VI.

The conferees do not include a provision as proposed by the House which provided an additional $4,200,000 for the FEC's automated data processing systems.

SEC. 512. The conferees agree to include a provision as proposed by the House, with modifications, limiting term limits for FEC Commissioners. The modification limits the term for FEC Commissioners nominated by the President to be members after December 31, 1997.

SEC. 513. The conferees agree to include a provision as proposed by the House which would prohibit the expenditure of funds for abortions under the FEHBP. The same language was included by the Senate as Section 644.

SEC. 514. The conferees agree to include a provision as proposed by the House which would authorize the expenditure of funds for abortions under the FEHB if the life of the mother is in danger or the pregnancy is the result of an act of rape or incest. The same language was included by the Senate as Section 645.

SEC. 515. The conferees agree to include a provision as proposed by the Senate which provides the Office of Personnel Management more time to study and report to Congress on the methodology for determining cost-of-living allowance (COLA) rates.

SEC. 516. The conferees agree to include a provision authorizing the adjustment of retirement pay for certain individuals under certain conditions.

SEC. 517. The conferees agree to include a provision to extend the Physicians Comparability Allowance.

SEC. 518. The conferees agree to include a provision on survivor annuities.

TITLE VI—GOVERNMENT WIDE GENERAL PROVISIONS

SECTION 601-626. The conferees agree to include provisions as proposed by both the House and Senate with minor technical corrections.

SECTION 627. The conferees agree to include a provision as proposed by the House which authorizes the Secretary of the Treasury to establish standards for explosives detection canines.

SECTION 628. The conferees agree to include a provision as proposed by both the House and Senate which prohibits the use of funds to provide non-public information such as mailing or telephone lists to any person or organization outside of the Federal government.

SECTION 629. The conferees agree to include a provision as proposed by the House which authorizes interagency financing for the National Bioethics Advisory Commission.

SECTION 630–631. The conferees agree to include provisions proposed by both the House and the Senate.

SECTION 632. The conferees agree to include a provision concerning FSLIC, authorizing reimbursement to the Department of Justice for litigation expenses in claims against the United States. The conferees expect that OMB will submit, with the fiscal year 1999 budget request, language which would make this provision permanent law.

The conferees do not agree to include a provision as proposed by the House which prohibits IRS from including Social Security numbers on mailing labels or other visible IRS mailings. This issue is addressed in the IRS section

SECTION 633. The conferees agree to include a provision relating to NAFTA as proposed by both the House and Senate with minor technical corrections.

SECTION 634. The conferees agree to include a provision as proposed by the House which prohibits the U.S. Customs Service from allowing the importation of products produced by forced or indentured child labor.

SECTION 635. The conferees agree to include a provision, with modifications, as proposed by the Senate requiring OMB to establish an object class to track employee relocation costs. The revised provision would require Federal departments and agencies to report their total obligations for the expenses of employee relocation to OMB with their annual budget submissions. The information would then be compiled by OMB into a table which will be transmitted to Congress with the President's annual budget submission.

SECTION 636. The conferees agree to include a provision, with a modification, as proposed by the Senate which limits the expenditure of funds for Sunday premium pay. The modification makes this provision government-wide. The House included a similar provision as Section 513.

The conferees do not agree to include a provision as proposed by the Senate which directed the USPS to issue a special rate breast cancer stamp.

The conferees do not agree to include a provision as proposed by the Senate which prohibited Federal agencies from furnishing commercially available services or property to other agencies unless certain requirements were met.

SECTION 637. The conferees agree to include a provision as proposed by the Senate which amends the Federal Election Campaign Act to extend coverage to the Republican and Democratic Senatorial Campaign Committees.

The conferees do not agree to include a provision as proposed by the Senate which included a sense of the Senate regarding the importation of fish.

The conferees do not agree to include a provision as proposed by the Senate which prohibited computer game programs on Federal government computers.

The conferees do not agree to include a provision as proposed by the Senate which authorized Congressional committees to provide certain reporting.

SECTION 638. The conferees agree to include a provision as proposed by the Senate which requires the separation from service and bars reemployment of Federal employees convicted of bribery related to violations of the Controlled Substances Import and Export Act.

SECTION 639. The conferees agree to include a provision as proposed by the Senate which requires ONDCP to submit a plan for counterdrug intelligence coordination.

SECTION 640. The conferees agree to include a provision as proposed by the House and Senate, with modifications, which prohibits the use of funds to prevent Federal employees from communicating with Congress or take disciplinary or personnel actions against employees for such communication.

The modification makes the provision effective government wide.

SECTION 641. The conferees agree to include a provision as proposed by the Senate which amends Title 31 relating to gold clauses.

The conferees do not agree to a Senate provision relating to Judicial Salaries.

The conferees do not agree to a Senate provision relating to cost-of-living adjustments for Members of Congress.

SECTION 642. The conferees agree to include a provision on the Federal Employees' Retirement System.

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 follows:

New budget (obligational) authority, fiscal year 1997	$24,101,623,000
Budget estimates of new (obligational) authority, fiscal year 1998	25,774,854,000
House bill, fiscal year 1998	25,155,789,000
Senate bill, fiscal year 1998	25,206,539,000
Conference agreement, fiscal year 1998	25,325,767,500
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1997	+1,224,144,500
Budget estimates of new (obligational) authority, fiscal year 1998	−449,086,500
House bill, fiscal year 1998	+169,978,500
Senate bill, fiscal year 1998	+119,228,500

For consideration of the House bill, and the Senate amendment, and modifications committed to conference:

JIM KOLBE,
FRANK R. WOLF,
BOB LIVINGSTON,
STENY H. HOYER,
DAVID OBEY,
Managers of the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
TED STEVENS,
HERB KOHL,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

As additional conferees solely for consideration of Titles I through IV of the House bill, and Titles I through IV of the Senate amendment, and modifications committed to conference:

ERNEST ISTOOK,
ANNE M. NORTHUP,
CARRIE P. MEEK,
Managers of the Part of the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HEFNER (at the request of Mr. GEPHARDT) for today, on account of illness in the family.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today through Wednesday, October 1, on account of official business.

Mr. RANGEL (at the request of Mr. GEPHARDT) for today, on account of official business.

Ms. HARMAN (at the request of Mr. GEPHARDT) for today, on account of traveling en route to Washington from official business in the district.

Mr. FATTAH (at the request of Mr. GEPHARDT) for today, on account of personal business.

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. GREEN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. CHAMBLISS, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, today.

Mr. HULSHOF, for 5 minutes, on October 1.

Mr. NORWOOD, for 5 minutes each day, on today, September 30, and October 1.

Mr. BILBRAY, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FOX of Pennsylvania, 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. NADLER.

Mr. POSHARD.

Mr. KANJORSKI.

Mr. FROST.

Mrs. MEEK of Florida.

Mr. LAFALCE.

Mr. STARK.

Mr. LANTOS.

Mr. KIND.

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. SAXTON.

Mr. FORBES.

(The following Members (at the request of Mr. SHADEGG) and to include extraneous matter:)

Ms. PELOSI.

Mrs. TAUSCHER.

Mr. KLINK.

Mr. ABERCROMBIE.

Mr. BARR of Georgia.

Mr. KUCINICH.

Mr. PACKARD.

Mr. WEYGAND.

Mr. PAYNE.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1420. An act to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 871. An act to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.

ADJOURNMENT

Mr. SHADEGG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 30, 1997, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5215. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV96–916–3 FIR] received September 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5216. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Milk in the New Mexico-West Texas Marketing Area; Suspension of Certain Provisions of the Order [DA–97–07] received September 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5217. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Irish Potatoes Grown in Colorado; Change in Handling Regulation for Area No. 2 [Docket No. FV97–948–1 IFR] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5218. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Raisins Produced From Grapes Grown in California; Suspension of Provisions Concerning Certain Offers of Reserve Raisins to Handlers for Free Use [Docket No. FV–97–989–2 FR] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5219. A letter from the Administrator, Agricultural Marketing Service, transmitting

the Service's final rule—Specialty Crops; Import Regulations; Extension of Reporting Period for Peanuts Imported Under 1997 Import Quotas [Docket No. FV97–999–1 IFR] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5220. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Almonds Grown in California; Revision to Requirments Regarding Inedible Almonds [Docket No. FV97–981–3 FIR] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5221. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Tree Assistance Program [Workplan No. 97–011] (RIN: 0560–AF17) received September 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5222. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting notification that the Commander of Lackland Air Force Base, Texas, has conducted a cost comparison to reduce the cost of Kennel Management, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

5223. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting notification that the Commander in Chief of United States Strategic Command is initiating a cost comparison of non-military essential computer systems support functions impacting a total of 352 employees, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

5224. A letter from the Acting Under Secretary (Acquisition and Technology), Department of Defense, transmitting the report to Congress for Department of Defense purchases from foreign entities in fiscal year 1996, pursuant to Public Law 104–201, section 827 (110 Stat. 2611); to the Committee on National Security.

5225. A letter from the Acting Assistant Secretary (Command, Control, Communications, and Intelligence), Department of Defense, transmitting a report on support services other than telecommunications support services provided to the White House by the Department of Defense through the White House Communications Agency for the 3rd quarter of FY 1997, pursuant to Public Law 104–201, section 912; to the Committee on National Security.

5226. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting a letter advising that the report on reserve retirement initiatives will be submitted on or about November 28, 1997, pursuant to Public Law 104–201, section 531; to the Committee on National Security.

5227. A letter from the Secretary of Defense, transmitting a report on Modification of Requirement for Conversion of Military Positions to Civilian Positions; to the Committee on National Security.

5228. A letter from the Secretary of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 1996, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Banking and Financial Services.

5229. A letter from the Attorney-Advisor, Federal Register Certifying Officer, Financial Management Service, transmitting the Service's final rule—Depositories and Financial Agents of the Federal Government (RIN: 1510–AA42) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5230. A letter from the Administrator, Health Care Financing Administration, transmitting the Administration's ''Major'' final rule— Medicaid Program; Coverage of Personal Care Services [MB–071–F] (RIN: 0938–AH00) received September 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5231. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Enforcement Guidance Memorandum [EGM 97–015] received September 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5232. A letter from the Secretary of Energy, transmitting the Department's Combined Thirty-sixth and Thirty-seventh Quarterly Report to Congress on the status of Exxon and Stripper Well Oil Overcharge Funds as of December 31, 1996; to the Committee on Commerce.

5233. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Registration under the Securities Act of 1933 of Certain Investment Company Securities [Release Nos. 33–7448, IC–22815; File No. S7–19–97] (RIN: 3235–AG73) received September 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5234. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Rule Amendments Relating to Multiple Class and Series Investment Companies [Release No. IC–22835; File No. S7–24–96] (RIN: 3235–AG72) received September 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5235. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the progress made toward opening the United States Embassy in Jerusalem, pursuant to Public Law 104–45, section 6 (109 Stat. 400); to the Committee on International Relations.

5236. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels: Additional Designations and Removal of Two Individuals [31 CFR Chapter V] received September 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5237. A letter from the Deputy Director, Russia-NIS Program Office, International Trade Administration, transmitting the Administration's final rule—Cooperative Agreement Program for American Business Centers in Russia and the New Independent States [Docket No. 970910230–7230–01] received September 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5238. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–106, ''Arts and Humanities Enterprise Fund Establishment Amendment Act of 1997'' received September 26, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

5239. A letter from the Mayor, The District of Columbia, transmitting a copy of D.C. Act 12–147, ''Amended Fiscal Year 1998 Concensus Budget Request Act of 1997'' received September 11, 1997, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

5240. A letter from the Executive Director, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List [97–017] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5241. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Government Contractors, Affirmative Action Requirements, Executive Order 11246 (RIN: 1215–AA01) received August 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5242. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Part 15 Rewrite; Contracting by Negotiation and Competitive Range Determination (National Aeronautics and Space Administration) [FAC 97–02; FAR Case 95–029] (RIN: 9000–AH21) received September 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5243. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled ''Achieving a Representative Federal Workforce: Addressing the Barriers to Hispanic Participation,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform and Oversight.

5244. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's strategic plan, including mission and vision statement, goals, and an annual performance plan, pursuant to Public Law 103–62; to the Committee on Government Reform and Oversight.

5245. A letter from the Deputy Director, Office of Government Ethics, transmitting the Office's final rule—Removal of Superseded References to the Former Honorarium Ban, Revisions to Conform with Procurement Integrity Changes and Conflict-of-Interest Exemptions, and Other Updates (RINs: 3209–AA00 and 3209–AA04) received September 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5246. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Retirement, Health, and Life Insurance Coverage for Certain Employees of the District of Columbia Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (RIN: 3206–AI02) received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5247. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the annual report on royalty management and collection activities for Federal and Indian mineral leases in FY 1996, pursuant to 30 U.S.C. 237; to the Committee on Resources.

5248. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the Act which established the Frederick Law Olmstead National Historic Site, in the Commonwealth of Massachusetts, by modifying the boundary; to the Committee on Resources.

5249. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the Act which established the Richmond National Battlefield Park, in the Commonwealth of Virginia, by modifying the boundary; to the Committee on Resources.

5250. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds (RIN: 1018–AE14) received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5251. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker/Rougheye Rockfish in the Eastern Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7052–02; I.D. 092297D] received September 26, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5252. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to establish a uniform, workable administrative process by which those States and local governments that claim R.S. 2477 rights-of-way across Federal land can have the appropriate Federal land manager make binding determinations of their existence and validity; to the Committee on Resources.

5253. A letter from the Secretary of Housing and Urban Development, transmitting the report on Loan Portfolio Valuation, pursuant to Public Law 104–134, section 31001; to the Committee on the Judiciary.

5254. A letter from the Executive Secretary, Inland Waterways Users Board, transmitting the Board's eleventh annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99–662, section 302(b) (100 Stat. 4111); to the Committee on Transportation and Infrastructure.

5255. A letter from the Acting Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting a report entitled ''Columbia River Treaty Fishing Access Sites,'' pursuant to Public Law 104–303, section 512; to the Committee on Transportation and Infrastructure.

5256. A letter from the Commissioner, Social Security Administration, transmitting the report on continuing disability reviews for the fiscal year 1996, pursuant to Public Law 104–121, section 103(d)(2) (110 Stat. 850); to the Committee on Ways and Means.

5257. A letter from the Commissioner, Social Security Administration, transmitting the report on options for enhancing the Social Security card, pursuant to Public Law 104–208, section 657; Public Law 104–93, section 111; jointly to the Committees on Ways and Means and the Judiciary.

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. BLILEY: Committee on Commerce. H.R. 695. A bill to amend title 18, United States Code, to affirm the rights of U.S. persons to use and sell encryption and to relax export controls on encryton; with an amendment (Rept. 105–108, Pt. 5). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 512. A bill to prohibit the expenditure of funds from the land and water conservation fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the U.S. Fish and Wildlife Service to create the refuge (Rept. 105–276). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2223. A bill to assist in the conservation of coral reefs; with an amendment (Rept. 105–277). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1476. A bill to settle certain Miccosukee Indian land takings claims within the State of Florida (Rept. 105–278). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2007. A bill to amend the act that authorized the Canadian River reclamation project, TX, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project; with an amendment (Rept. 105–279). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 253. Resolution providing for consideration of the resolution (H. Res. 244) demanding that the Office of the U.S. attorney for the Central District of California file criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena under the Federal Contested Elections Act (Rept. 105–280). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 254. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–281). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 255. Resolution providing for consideration of the bill (H.R. 1370) to reauthorize the Export-Import Bank of the United States (Rept. 105–282). Referred to the House Calendar.

Mr. MCINNIS: Committee on Rules. House Resolution 256. Resolution providing for consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres (Rept. 105–283). Referred to the House Calendar.

Mr. KOLBE: Committee of Conference. Conference report on H.R. 2378. A bill 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 (Rept. 105–284). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. FOWLER (for herself, Mr. COX of California, Mr. GIBBONS, Mr. GILMAN, Mr. HUNTER, Mr. SAM JOHNSON, Mr. MCINTOSH, Mr. ROHRABACHER, Mr. ROYCE, Mr. SHADEGG, Mr. SMITH of New Jersey, Mr. SOLOMON, and Mr. SPENCE):

H.R. 2570. A bill to condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States; to the Committee on the Judiciary.

By Mr. STUMP (for himself, Mr. EVANS, Mr. STEARNS, and Mr. GUTIERREZ):

H.R. 2571. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1998, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself, Mr. KENNEDY of Massachusetts, Mr. MASCARA, Mr. RODRIGUEZ, and Mr. FILNER):

H.R. 2572. A bill to amend title 38, United States Code, to require that in the case of past-due benefits awarded an individual pursuant to a proceeding before the Secretary of Veterans Affairs, the payment of attorneys fees with respect to such award may not exceed 20 percent of the award; to the Committee on Veterans' Affairs.

By Mr. HAYWORTH:

H.R. 2573. A bill to amend the Federal Election Campaign Act of 1971 to require that a majority of the funds raised by a candidate for election to the Senate or the House of Representatives come from individuals residing in the State the candidate seeks to represent, to require labor organizations to provide their members with information on the use of member dues for political purposes, and for other purposes; to the Committee on House Oversight.

By Mr. POMEROY:

H.R. 2574. A bill to consolidate certain mineral interests in the National Grasslands in Billings County, ND, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes; to the Committee on Resources.

By Mr. PORTER:

H.R. 2575. A bill to suspend the duty on the 2,6-Dimethyl-m-Dioxan-4-ol Acetate until January 1, 2001; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 2576. A bill to suspend the duty on B-Bromo-B-nitrostyrene until January 1, 2001; to the Committee on Ways and Means.

By Mrs. THURMAN:

H.R. 2577. A bill to exempt certain individuals who were 65 years of age or older as of the date of the enactment of the Omnibus Budget Reconciliation Act of 1993 from changes made by the act in the Medicare secondary payer rules for individuals with end stage renal disease; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY:

H. Res. 249. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FAZIO of California:

H. Res. 250. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. FARR of California (for himself, Mr. PORTER, Mr. GEJDENSON, and Mr. GILCHREST):

H. Res. 251. Resolution expressing support for the goals of America Recycles Day; to the Committee on Commerce.

By Mr. ROHRABACHER (for himself, Mr. SOLOMON, Mr. COX of California, Mr. SMITH of New Jersey, and Mr. ROYCE):

H. Res. 252. Resolution urging the President to make clear to the People's Republic of China the commitment of the American people to security and democracy on the Republic of China on Taiwan; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

209. The SPEAKER presented a memorial of the House of Representatives of the State of Missouri, relative to House Concurrent Resolution No. 23 advising and strongly urging the EPA to retain the existing NAAQS for ozone; to the Committee on Commerce.

210. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 120 urging and requesting the Congress of the United States to propose an amendment to the Constitution of the United States for ratification, for submission to the states, to provide for election of members of the federal judiciary; to the Committee on the Judiciary.

211. Also, a memorial of the Legislature of the State of Oregon, relative to House Bill 3640 requesting that the Federal Government honor the Federal Government's original mandate to implement and complete the cleanup and restoration of the Hanford Nuclear Reservation; jointly to the Committees on National Security and Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mr. GIBBONS.
H.R. 135: Mr. PRICE of North Carolina.
H.R. 250: Mr. FOLEY.
H.R. 345: Mr. SALMON.
H.R. 367: Mrs. MYRICK.
H.R. 610: Mr. SAWYER.
H.R. 754: Mrs. LOWEY.
H.R. 778: Mr. FATTAH.
H.R. 779: Mr. FATTAH.
H.R. 780: Mr. FATTAH.
H.R. 991: Mr. ABERCROMBIE and Mr. DINGELL.
H.R. 992: Mr. HOLDEN.
H.R. 1114: Mr. PAXON, Mr. REDMON, Mr. WATTS of Oklahoma, Mr. SHAYS, and Mr. WELDON of Pennsylvania.
H.R. 1371: Mr. WELDON of Florida.
H.R. 1507: Mr. STARK, Mr. PALLONE, and Mr. ROEMER.
H.R. 1531: Ms. ROS-LEHTINEN.
H.R. 1631: Mr. FRANK of Massachusetts.
H.R. 1704: Mr. GOODE.
H.R. 1710: Mr. FAWELL, Mr. ADERHOLT, Mr. CANNON, Mr. WAMP, and Mr. MATSUI.
H.R. 1711: Mr. COOKSEY, Ms. DANNER, Mr. GOODLATTE, Mr. HEFLEY, Mr. MCCRERY, Mr. MORAN of Kansas, and Mr. SANDLIN.
H.R. 1842: Mr. YOUNG of Alaska, Mr. CUNNINGHAM, and Mr. SESSIONS.
H.R. 2009: Mr. HOLDEN, Mr. COYNE, Mr. SAXTON, and Mr. GREENWOOD.
H.R. 2090: Mrs. KENNELLY of Connecticut, Mr. FRANK of Massachusetts, Mr. TORRES, Mr. WEYGAND, Mr. BERMAN, Mr. ROTHMAN, Mr. MATSUI Mr. LAFALCE Mr. KUCINICH Mr. WATTS of Oklahoma, and Ms. CHRISTIAN-GREEN.
H.R. 2110: Mr. RUSH.
H.R. 2183: Mr. HORN.
H.R. 2200: Mr. LEWIS of Georgia
H.R. 2221: Mr. BOEHNER.
H.R. 2250: Mr. CLYBURN, Mr. SCARBOROUGH, and Mr. MANZULLO.
H.R. 2273: Mr. BLUMENAUER and Mr. PICKETT.
H.R. 2382: Mr. FROST and Ms. FURSE.
H.R. 2383: Mr. HOEKSTRA.
H.R. 2409: Mr. ACKERMAN, Ms. LOFGREN, and Mr. SKEEN.
H.R. 2424: Mr. HERGER, Mrs. MYRICK, and Mr. FARR of California.
H.R. 2434: Mr. FILNER, Mr. STRICKLAND, and Mr. THOMPSON.
H.R. 2454: Mr. MCNULTY, Mr. FILNER, Ms. STABENOW, and Mr. COSTELLO.
H.R. 2456: Mr. LOBIONDO, Mr. MINGE, and Mr. TAYLOR of North Carolina.
H.R. 2457: Mr. MCNULTY, Mr. GUTIERREZ, Ms. KAPTUR, and Mr. FILNER.
H.R. 2460: Mr. WYNN.
H.R. 2476: Mr. THOMPSON, Mr. MCNULTY, and Mr. KENNEDY of Massachusetts.
H.R. 2488: Ms. STABENOW and Mr. GRAHAM.
H.R. 2497: Mr. CAMPBELL, Mr. CANADY of Florida, Mr. TAYLOR of North Carolina, Mr. WATTS of Oklahoma, Mr. SMITH of New Jersey, Mr. GOSS, Mr. WATKINS, Mr. DUNCAN, Mrs. EMERSON, Mrs. FOWLER, Mr. LATOURETTE, Mr. MORAN of Kansas, Mr. TRAFICANT, Mr. PAXON, Mr. BUNNING of Kentucky, Mr. PORTER, Mr. CALLAHAN, Mrs. NORTHUP, Mr. COX of California, Mr. HASTERT, Mr. HULSHOF, Ms. DUNN of Washington, Mr. SOLOMON, Ms. PRYCE of Ohio, Mr. FRELINGHUYSEN, Mr. FOX of Pennsylvania, Mr. SNOWBARGER, Mr. BASS, Mr. GRAHAM, Mr. SHAYS, Mr. MCCOLLUM, Mr. PETERSON of Pennsylvania, Mr. DAVIS of Virginia, Mr. EHLERS, and Mr. GOODE.
H.R. 2503: Mr. POSHARD, Mr. ACKERMAN, Mr. MARTINEZ, and Mr. DAVIS of Virginia.
H.R. 2526: Mr. FROST, Mr. TALENT, Mr. GOSS, Mr. UNDERWOOD, Mr. MCDERMOTT, and Mr. SKEEN.
H.R. 2535: Mr. BALLENGER, Mr. CASTLE, and Mr. WATTS of Oklahoma.
H.R. 2554: Mr. KENNEDY of Massachusetts.
H.R. 2568: Mr. OXLEY, Mr. PETERSON of Minnesota, and Mr. TALENT.
H.J. Res. 84: Mr. SHADEGG.
H. Con. Res. 38: Mr. SHAYS.
H. Con. Res. 68: Ms. KAPTUR.
H. Con. Res. 80: Mr. WALSH.
H. Con. Res. 114: Ms. STABENOW.
H. Con. Res. 158: Mr. BARCIA of Michigan.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

22. The SPEAKER presented a petition of the Louisiana Municipal Association, relative to a resolution memorializing the Congress of the United States to act to grant to the states the authority needed to enforce the collection of sales taxes on interstate catalog sales; to the Committee on the Judiciary.

23. Also, a petition of Gregory D. Watson of Austin, Texas, relative to bringing to the attention of Congress a significant correction as to the sequence of events leading to the 1992 ratification of the 27th article of amendment to the United States Constitution, and referencing action taken by the General Assembly of the Commonwealth of Kentucky two centuries earlier in the year 1792; to the Committee on the Judiciary.

24. Also, a petition of the County of Los Angeles, Board of Supervisors, relative to requesting that Federal and State legislation be enacted to allow men and women from the military to obtain credit for their training so that their skills are transferable to the private sector and to other government agencies; to the Committee on Veterans' Affairs.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

[Omitted from the Record of September 26, 1997]

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. YATES on House Resolution 141: Peter A. Fazio, Sam Gejdenson, Anna G. Eshoo, Walter H. Capps, Charles B. Rangle.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 51: Page 10, line 15, Following the word ''special'' insert the following: '', including commercial,''