# HOUSE OF REPRESENTATIVES—*Tuesday, June 11, 1991*

The House met at 12 noon.

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

Our hearts go out in prayer to those who are separated from those they love by the circumstances of hostility and enmity between people. We remember the hostages who do not know the freedoms that we enjoy nor the opportunities of a free land, and we recall the refugees of other lands who seek their own home. We pray also for their families and all those they love that they will experience the joy of reunion and the satisfaction that comes when lives are lived in peace and without the fear and pain of hostility. This is our earnest prayer. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana [Mr. ROEMER] please come forward and lead the House in the Pledge of Allegiance?

Mr. ROEMER 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.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1992

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

Mr. ROGERS reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

## REPUBLICANS SAY: CUT TAXES ON THE RICH; DEMOCRATS SAY: CUT TAXES FOR THE MIDDLE CLASS

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

Mr. GEPHARDT. Mr. Speaker, for those of my colleagues who thought trickle-down economics had gone the way of the hula-hoop, the hustle, and the toga party: Think again.

The Republicans believe they can end the recession by repealing the luxury tax. It's their worst idea in 100 days.

Repeal the luxury tax, so Walter Annenberg can buy a yacht. Repeal the luxury tax, so Robin Leach can buy a second Porsche. Repeal the luxury tax, so Elizabeth Taylor can buy a diamond necklace, and Zsa Zsa can buy another fur.

Don't the Republicans get it? Trickle-down doesn't work. It's voo-doo economics.

Herb Stein, the former economic adviser to President Nixon, calculates that a 1-percent increase in the incomes of the rich will trickle down to the rest of us in 58 years.

Democrats say: We don't have 58 years to end the recession. Let's get the economy moving by cutting taxes on the middle class.

So, I say to my Republican colleagues, if you must repeal the luxury tax, let's replace it with a millionaire's surtax. Trickle down shouldn't leave the middle class holding the bag.

## CRIME AND TRANSPORTATION

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

Mr. DREIER of California. Mr. Speaker, 97 days ago on March 6, President Bush stood right here in this Chamber celebrating the victory of Operation Desert Storm. Many of his critics have said over the past several years that George Bush loves foreign policy, but he cannot deal with domestic issues and has no agenda.

The fact of the matter is, on March 6 when we were marking the victory in Desert Storm, he laid forth a very bold and dynamic domestic policy agenda. In it he talked about the fact that we in 100 hours were able to proceed and successfully bring about a resolution to the ground conflict. We should within 100 days be able to do with two very simple items, crime and transportation.

Well, Mr. Speaker, we have seen both of those items move ahead. They have come to this House and we have done next to nothing on them.

So for those who want to criticize President Bush for not offering a domestic policy agenda, they should look at the proposal that he laid before us 97 days ago on March 6.

## APPOINTMENT OF CONFEREES ON S. 64, NATIONAL COUNCIL ON EDUCATION STANDARDS AND TESTING ACT

The SPEAKER. The Chair appoints the following conferees on the Senate bill (S. 64) to establish a National Council on Education Standards and Testing, and without objection, reserves the right to appoint additional conferees: Messrs. FORD of Michigan, KILDEE, MILLER of California, GOODLING, and GUNDERSON.

There was no objection.

## WHERE IS PRESIDENT'S PLAN FOR UNEMPLOYMENT AND HEALTH CARE?

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

Mr. BONIOR. Mr. Speaker, the President has a calendar. What that calendar lacks is an agenda for working families and American families and people in this country without health care and without proper unemployment compensation insurance.

The President has been in office for nearly 900 days. Where is his plan for the 37 million Americans who have no health care in this country?

The President has been in office for 900 days since this Congress began. Where is his plan to deal with the literally 8.6 million people who are unemployed in this country?

Since this Congress began, the President has not addressed the fundamental questions of unemployment that our people are suffering greatly in all parts of our country.

I ask, Mr. Speaker, we need to get the President to address these fundamental issues of unemployment, of health care, of education, the things that the American people are longing for.



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## MINIMUM WAGE OVERSIGHT COSTS SMALL-BUSINESS JOBS

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

Mr. IRELAND. Mr. Speaker, we in Congress should be actively encouraging the growth of the small-business sector of the American economy. Yet, we appear to be dragging our feet on correcting a serious problem with the Fair Labor Standards Act that is costing small-business jobs.

I am speaking of the small business exemption to the minimum wage provisions of that act that was dropped from the bill during last year's rewrite of the act.

We were told that this was simply a drafting error. And yet, 6 months into the next session of Congress, absolutely nothing has been done to fix it.

In the meantime, owners of smaller firms, faced with mandated higher wages and a finite amount of money available for payroll, have only one way to meet the terms of the law: pay fewer employees higher wages.

My distinguished colleague from Mississippi, MIKE ESPY, has introduced a bill to fix his problem. It has more than 130 cosponsors.

Mr. Speaker, I urge my colleagues to cosponsor this bill, and to push for its speedy passage. It is easy to say you're for small business. But it is how you vote that really counts.

## PRESIDENT'S VERSION OF TALE OF TWO AMERICAS

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

Mr. VISCLOSKY. Mr. Speaker, President Bush is writing the next chapter of his version of the "Tale of Two Americas."

This one is titled "Education."

You know the story.

If you are rich and want to read to your children you simply go to a private bookstore and buy a book.

But if you are not rich you must find a public library that is still open and hope they have the funds to buy the book you need. That is because the education President requested a cut of 75 percent in Federal library funds for next year.

You know the story.

The education President asks for changes in the Pell Grant Program that squeezes 400,000 students out of the program—primarily the daughters and sons of the middle class.

Let the privileged go to private ivy covered universities while foreclosing the same opportunity for the middle class.

Maybe that is why there is an education problem in this country.

□ 1210

## AGAINST A GAS TAX INCREASE

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

Mr. BARRETT. Mr. Speaker, as if last year's budget agreement which raised the Federal excise tax on motor fuels by 5 cents was not enough, many want to increase the Federal gas tax even further to reduce the Federal budget deficit.

Do they not know that for every penny increase in the motor fuel tax, our GNP is reduced by more than $1 billion?

Don't they know that the Congressional Budget Office estimates that families earning less than $20,000 a year, spend at least eight times as high a percentage of their income for gasoline as do families that earn $50,000 or more?

And don't they know that rural families have to pay almost twice as much in motor fuel taxes as families in urban areas?

No doubt about it, Mr. Speaker, raising the gasoline tax could bring our economy to a screeching halt.

That's why my colleague BILL PAXON and I are introducing a resolution opposing further increases in the Federal excise tax on motor fuels.

I urge my colleagues to join us, and cosponsor this resolution and send a strong message, that Federal excise taxes on motor fuels shouldn't be increased.

## A WEEKEND OF HEARTWARMING EXPERIENCES

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

Mr. SPEAKER. This past weekend I had two inspiring, edifying, and heartwarming experiences. One was on Saturday, witnessing the national victory celebration, seeing all the returning men and women of Operation Desert Shield and Desert Storm and certainly being very proud to be an American.

The other experience was on Friday night when I had the great privilege of addressing the graduation/departure ceremony of the 1990-91 page group. As I looked into the eyes of those young people, those vibrant, enthusiastic and really very talented young people, I saw two things: I saw the future of America, and I saw the promise of America.

We are in good shape on both counts.

So, Mr. Speaker, I send the very best wishes to the young people, wish them much success, much health, and happiness in the years ahead.

## SALUTE TO HARVEY COUNTY ASCS

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

Mr. NICHOLS. Mr. Speaker, agriculture is the lifeblood of my district in Kansas. As agriculture goes, so goes the rest of the Fifth District.

That is why I am honored today to recognize 12 individuals who are giving their all to assist the Agribusinessmen of Harvey County. Harvey County ASCS employees Jack Kelly, Annetta Gehring, Gloria Girrens, Linda Olsen, Lynette Guhr, Lisa Niblett, Kathleen Meacham, Otto Quiring, Wilbert Schmidt, Larry Buller, Jerry Sommerfeld, and Albert Nattier were recognized by the U.S. Department of Agriculture for their exceptional knowledge, productivity, and ability in administering ASCS operations in an effective manner.

The hard work of these individuals is yet another display of the strong work ethic so prevalent in the Fifth District of Kansas.

Congratulations to these constituents for receiving the Administrator's Awards for Service to Agriculture.

## EFFECTS FROM THE LACK OF ACCESS TO HEALTH CARE

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

Mr. WISE. Mr. Speaker, in my weekly program of introducing West Virginians to the House, West Virginians who suffer from lack of access to health care, this week I want to introduce to you the McQuillens.

The McQuillens are from Raleigh, WV. Eric is 19 years old and has hemophilia. His father Michael works for a machinery service company. His mother works for a grocery store. It is not enough. Eric's medicine costs $50,000 to $75,000 per year. His father has insurance through his employer, but the company kept raising rates so high for the 15 employees that they had to switch the carrier. Mike McQuillen's premium now has increased from $327 a month with a $100 deductible in 1987 to $900 today with a $500 deductible.

Eric's medicine is needed to stop bleeding in his joints. To save money, his mother dropped off of the family policy and, happily, was able to pick up insurance through her own place of employment. Today the McQuillens live in fear, knowing the medical costs and their insurance premiums are still going up.

Mr. Speaker, both parents work, both parents pay taxes, both have insurance, and they still may lose their health care. How long, they ask, will the administration and the Congress let this continue? How long until the Congress

and the administration pass legislation providing adequate access to health care? The McQuillens ask us here, "Do it now."

## WELCOME TO MY GRANDDAUGHTER AMY CHRISTINE HANCOCK

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

Mr. HANCOCK. Mr. Speaker, last Saturday morning, June 9, I was privileged to welcome into the world a beautiful, new, baby granddaughter, Amy Christine Hancock, certainly one of the greatest thrills any man can possibly enjoy.

As I was admiring her through the nursery window at the hospital, I was suddenly overwhelmed with a sense of responsibility for her future.

The birthright of every American is individual freedom and economic opportunity—a guarantee which is seriously threatened by what we have been doing in Congress.

I plead with each and every one of you to examine and reexamine every vote we cast by asking ourselves these simple questions:

Do we need it? Can we afford it? And finally, How in the world did we ever get along without it?

If we don't exercise some responsibility soon, we jeopardize the future hopes and dreams of all Americans.

Yes, Amy, the American dream is still alive. Ours is still a land where one can make their dreams come true with hard work, dedication, and personal responsibility. Ours is still a land of hope, freedom, and opportunity.

And, if we here in the Congress live up to our responsibility, it will still be that way throughout your lifetime and beyond.

That is my dream for you and all future generations.

## RESOLUTION TRUST CORPORATION, OR RIP-OFF TRESPASS CORPORATION?

(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, according to the GAO, the Resolution Trust Corporation wants Congress to believe that, No. 1, junk-bond kings built imaginary castles in the sky; No. 2, ET and his friends moved into them; No. 3, the savings-and-loan people tried but could not collect the rent. So, No. 4, the RTC is now stuck holding the bag.

But the GAO says that is not the truth. They said the truth is the RTC does not even know what property it has, the RTC does not even know what property it sold, and the RTC does not even know what to charge for the properties it does not even know they have but which they have to sell.

The Resolution Trust Corporation, my eye, Mr. Speaker; this is the Rip-Off Trespass Corporation of America, and Congress had better stop giving them money, because it is now up to $500 billion.

Before it is over, I predict it will be $1.5 trillion.

## ONE HUNDRED DAYS: THE PRESIDENT'S CHALLENGE

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

Mr. THOMAS of Wyoming. Mr. Speaker, 100 days ago this coming Friday, the President challenged the Congress to move on two domestic issues, the crime package and transportation. The Congress has made little, if any, progress. Part of that delay, I think, has to do with Presidential politics. Part of it reflects a poor use of our time and resources.

Mr. Speaker, the chart shows graphically that we have made little progress. In 100 days we have met on 50 days and voted only 30 days. This is not good use of our time, nor does it demonstrate any commitment to meeting the needs of the American people. Mr. Speaker, we can do better. Most of us have served in State legislatures where we utilized our time much better.

Mr. Speaker, in my State the complete legislative process took 40 days. We had to move forward with solving problems. We are not doing that here.

This country deserves better. We should not let Presidential politics keep us from solving our problems and serving the people of this country.

## IS THIS GOOD NEWS?

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

Mr. PANETTA. Mr. Speaker, the Commerce Department this week has some wonderful news for us. Last week we were a debtor nation to the tune of $664 billion, but this week, through the magic of statistics, the number is only $464 billion or perhaps even $281 billion, depending on how you count. But no magic can change the reality.

Americans remember that from World War I until the 1980's, this Nation was the world's dominant creditor nation. Our investments abroad far exceeded investments of foreigners in this country. Today, with private and public debt skyrocketing, with our Nation's economic clout weakening every day, our children's economic future is increasingly dependent on decisions of foreign investors.

□ 1220

Mr. Speaker, we need real improvements to strengthen our economy, not just statistical adjustments, and, until the administration and this Congress face up to the tough decisions about resources and investments that must be made, our children will continue to face a very precarious economic future, and no statistical revision can change that reality.

## WHY THE PRESIDENT'S 100-DAY CHALLENGE IS SO IMPORTANT

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

Mr. McCOLLUM. Mr. Speaker, 97 days have elapsed since the President challenged this body to pass crime legislation, his crime bill particularly, within a hundred days. That is very important when we reflect on what happened last year.

Last year, near the end of the last Congress, this body overwhelmingly passed most of the President's crime package. They called for a restoration of the death penalty procedures which had been declared unconstitutional all the way back in 1972 for a myriad of Federal crimes, for a new death penalty for drug kingpins who traffic in a large quantity of drugs. We passed an amendment and a provision of the President's crime bill making it easier to get evidence in to prove convictions of drug dealers and other hardened criminals, and we overwhelmingly passed a provision which would end the endless appeals that death row inmates and others have through the court systems through a process of using the Federal system of habeas corpus. All of that we passed overwhelmingly, but we got it to conference with less than 3 days before Congress adjourned, a conference with the Senate that led to the opportunity for a handful of liberals who did not agree with this policy to kill the bill.

Mr. Speaker, we need to do what the President suggested and get on with passing a crime bill early this time so we do not have that kind of obstruction possible, and that is why the 100-day challenge was so important and why it is so disappointing to see, with only 3 days left in it, there has been no movement out of any of our committees. I hope that our leadership on the other side of the aisle, the Democratic leadership, will indeed pass legislation in a timely fashion out of the Committee on the Judiciary and on to this floor very, very soon so we do not see a whole other scenario at the end of this Congress like we did the last. That is again why the President's challenge of a hundred days not being met is a big disappointment.

## AMERICANS MUST PROMOTE ACADEMIC COMPETITIONS

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

Mr. ROEMER. Mr. Speaker, last month I had the pleasure of watching the 64th annual National Spelling Bee. This national competition, which began in 1925, is sponsored by Scripps-Howard Newspapers in 13 cities and 208 other daily, weekly, and Sunday newspapers. A record 227 children—113 girls and 114 boys from across the country—ages 10–15, participated in this year's event.

I would like to extend special recognition to Richard Maupin, a LaCrosse, IN, eighth-grader from Wanatah Middle School in my district. Richard was one of only six contestants making an appearance at the bee for the third time. He spelled his way into the fourth round.

The young people who participated in the National Spelling Bee should be commended for their hard work in preparation for this event. While many other kids enjoyed hours of spare time each day, these young people were reading and studying. I am delighted to see that their hard work is being recognized with this national event.

This spelling competition reminded me that each year, Americans spend millions of dollars on athletic competition. As a former high school football player and a sports enthusiast, I believe this is money well spent. Athletic competition encourages teamwork, promotes good health, and inspires participants to succeed.

Sadly, in contrast, Americans spend a fraction of the cost of athletics on academic competitions like spelling bees and citizen bees. As a member of the Committee on Education and Labor, I hope to work to see that academic competitions become more than just an annual event.

## AN UNMET CHALLENGE

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

Mr. ALLARD. Mr. Speaker, this Friday marks the 100th day since President Bush challenged Congress to take action on the crime bill. Unfortunately for Americans, the challenge will go unmet.

House Democrats do not appear interested in solving the growing problem of crime in our society. The House Judiciary Committee has held only two hearings on the President's bill.

Meanwhile in America, the crisis spreads. America's new murder capitals are cities with populations under 1 million. The FBI says the number of murders and other violent crimes jumped 16 percent last year in cities with populations of 500,000 to 1 million.

The numbers are incredible: Milwaukee has experienced a 126-percent increase in murders between 1985 and 1990; New Orleans 101 percent; Jacksonville 84 percent; Memphis 71 percent; and Charlotte 60 percent.

But these are not just numbers, they are lives, lives lost to violence.

Mr. Speaker, Congress should take action when there's a demonstrated need for action. If these statistics do not demonstrate a need, then I'm confused.

Let's act on tough crime legislation soon.

## WHERE ARE THE PRESIDENT'S PRIORITIES?

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

Mr. APPLEGATE. Mr. Speaker, President Bush still wants to give most-favored-nation status to China. My God, where are his priorities? After he does this for China, then who is he going to give most-favored-nation status to? Hussein? Qadhafi? Castro? Or maybe he just wants to free Noriega and send him back down to Panama, and we will give it to him, too.

My colleagues, what is the difference between the two? And now he is looking at wanting to give it to the Soviet Union.

The President for some reason wants to recognize the deprivation of human and civil rights and the degradation of the human soul by continuing to give China virtually free access to our free American market to send in their cheap products made with slave labor to take away American jobs. It is a damn shame when our President does not stand up for what America stands for.

## INTERNATIONAL PARENTAL CHILD ABDUCTION AWARENESS WEEK

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

Mr. SAXTON. Mr. Speaker, I am pleased to join my colleague from New York, Mr. SOLARZ, in introducing a resolution to designate the "International Parental Child Abduction Awareness Week."

Over the past 13 years, the Department of State has been actively involved with more than 2,800 cases of American children who were abducted from the United States and hidden in foreign countries. Currently, the Department has some 700 active cases that have not been resolved.

I congratulate and thank Congressman SOLARZ for his interest and help with this critical issue. With the support of Congress, this significant resolution will increase awareness of the problem, and will be helpful in aiding the children and families affected by international kidnappings.

These statistics alone exemplify the need for public awareness and information on the subject of international parental child abduction.

I further believe this resolution will be influential in promoting legislation currently before the House Committee on Judiciary. In April, I was pleased to join in introducing the International Kidnapping Crime Act which will recognize international kidnapping as a Federal offense.

## PAYING THE FOXES TO GUARD THE CHICKEN COOP

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

Mr. KENNEDY. Mr. Speaker, earlier today the head of the General Accounting Office announced that the cost of the S&L bailout has risen by $50 billion. Much, if not most, of this amount is a direct result of the careless and wreckless way in which the Bush administration is conducting this bailout effort. It is becoming perhaps the single largest squandering of taxpayer dollars in the history of the Nation. Contracts are awarded without any evidence of competition, or without even the most basic checks on those who want to do business with the Government. One arm of the bailout agency awarded a $2 million contract to a company whose CEO happened to also be a senior officer at an S&L. Another company has been billing the bailout agency $120,000 per month in unspecified, miscellaneous operating expenses—and yet the agency has not even bothered to question what those expenses are.

Mr. Speaker, this administration is paying the foxes to guard the chicken coop. The taxpayers of America are being taken for a ride. It is time for the administration to stop being accountable to everyone but the average Americans who are being asked to foot the bailout bill. If George Bush can ask for hundreds of billions of dollars from the people, then the people are entitled to have every dime of their hard-earned tax dollars spent wisely. We in Congress should expect no less. We should withhold every dollar in future bailout funding until President Bush cleans up the costly mess he's allowed this bailout to become. And we should pay for it as we pay for defense, health care, housing, and all other programs—on a pay-as-you-go basis.

□ 1230

## NO AID TO THE KREMLIN

(Mr. ROHRABACHER asked and was given permission to address the House

for 1 minute, and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, there are powerful people in this town who are seriously considering a massive aid program to the Soviet Union. I say, no way, no aid to the Communists in the Kremlin.

I would ask my colleagues to join me in an amendment to the foreign aid bill which states the principle that if there is aid, it should go to democratic republics if the central government is controlled by the Communists. Common sense dictates that we do not give scarce tax dollars to the Kremlin while they are spending billions of dollars in aid to Castro, tens of billions of dollars to produce weapons aimed at us. The Kremlin is still also supplying billions to the regime in Afghanistan that is murdering people around the world.

There are democratic forces in the Soviet Union and in Yugoslavia. They are the ones we should be supporting. We should be on the side of the democrats and the democracies, not the Communists and now the power structure in the Soviet Union.

Mr. Speaker, I say, no aid to the Kremlin. I ask my colleagues to join me in supporting my amendment. The American people do not want their scarce tax dollars going to the Kremlin or any other Communist governments around the world.

## RTC PROMISES TO BE A FINANCIAL DISASTER

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

(Mr. McMILLEN of Maryland. Mr. Speaker, here is another indictment of the RTC. I am referring, as the gentleman from Massachusetts [Mr. KENNEDY] did earlier, to the General Accounting Office findings of the enormous problems with the asset disposition process of the Resolution Trust Corporation.

Mr. Speaker, the GAO yesterday portrayed the RTC as unable to keep track of the money it is supposed to be recovering for taxpayers, while it continues to dole out millions in contracts.

It is ironic that we are encountering the same kinds of problems in cleaning up the mess as that which caused it in the first place. A lack of oversight.

It was the absence of regulatory oversight and intervention that allowed hundreds of savings and loans to wreck an industry and almost derail our entire financial system. Now we are seeing a lack of oversight in administering the cleanup.

As I have mentioned in the RTC refunding debate earlier this year, the only way we are going to recover the billions of dollars in working capital which we have committed to the bailout, is to ensure the RTC's contracting system is efficient and effective so that the assets which have been seized can be sold off. If we do not ensure this, we will be back here every year asking for more money to fund the S&L bailout.

GAO has found that where the RTC used individuals with appropriate skills and business knowledge and acted like an owner, properly overseeing the work of its agents, many successes were achieved.

Those skills exist and it the RTC uses them, further successes can be achieved.

Mr. Speaker, we must straighten up the RTC. We are headed for the biggest financial disaster in the history of the country.

## LEVEL OF SOVIET AID TO CUBA CRITICAL IN CONSIDERING ASSISTANCE TO THE SOVIETS

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

Ms. ROS-LEHTINEN. Mr. Speaker, any request for assistance from the Soviet Union, both financial and in-kind, must be met with a firm response about the level of Soviet aid to Cuba, which is anywhere from $4.5 billion to $7 billion annually. That would be an impressive figure coming from an economically healthy country, but this aid is coming from an almost bankrupt Soviet Union. The Soviets obviously feel that having Cuba as a client state is very important to them.

President Bush must make Cuba an important part of the coming summit with President Gorbachev. Cutting all Soviet aid to Cuba would be a key indictor of how real Soviet reforms are. The brutal Communist regime in Cuba has caused more misery, and instability, in this hemisphere than we have time to recite. We cannot be expected to underwrite any extension of this brutal Cuban regime by giving assistance to a Soviet Union that is really continuing its cold war ways.

## THE NATIONAL VICTORY CELEBRATION

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

Mr. RAY. Mr. Speaker, I rise today to congratulate everyone who contributed to the national victory celebration.

What a sight it was to see General Schwarzkopf lead his troops down Constitution Avenue, pausing in front of our Commander in Chief, extending his hearty salute.

There was a time when U.S. soldiers returning home from battle were shunned and ostracized, often changing out of their uniforms in airport bathrooms to avoid having eggs thrown at them. How happy we are that those those times are over.

Let us commit to the men and women that we send into battle that we will always be proud to have them represent the United States anywhere in the world.

This weekend thousands of Americans flocked to the Mall to marvel at the military hardware that overwhelmed the Iraqis in Operation Desert Storm. One could not miss the pride of our men and women in uniform as children anxiously awaited their autographs. Huge lines formed behind aircraft as thousands waited for the opportunity to peer into the cockpit of a marine Harrier.

Our troops deserved this welcome home, and America deserved the opportunity to tell them how proud we are of them. I thank those who made the victory celebration possible, and I thank the soldiers and their families for the sacrifices they made when we needed them.

## THE LUXURY TAX, A TAX TRICKLEDOWN

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

Mr. WALKER. Mr. Speaker, earlier today the Democratic majority leader came to the floor and defended the luxury tax as being a good thing for America. He made the typical appeal that we often get with this kind of tax to class envy.

I think we ought to look at the facts about the luxury tax. The fact is that the rich would not pay it because they are not buying the products that the luxury tax is imposed upon. What does that mean? Well, it means that people who build boats are out of jobs. In my district there are 400 workers now out of jobs who originally were building boats and paying taxes. Automobile dealers across the country are closing down.

Does that hurt the rich? No, it means that mechanics and salesmen and clerical help are out on the streets. They have lost their jobs.

What we have in the luxury tax is a good example of Democratic tax trickledown. Democratic tax trickledown is when Washington imposes taxes and Main Street, middle class America loses its businesses and loses its jobs.

## DESPITE VICTORY PARADES, THE WORLD REMAINS DANGEROUS

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

Mr. DORNAN of California. Mr. Speaker, I, too, enjoyed myself tremendously on The Mall and on Constitution Avenue watching that beautiful parade, and I was stunned by the city of my birth, the island of Manhattan,

making good on its promise to really give us the mother of all parades—4.7 million people, 4 million more than turned out here in Washington. It was a stunning sight to see the joy and adulation for our fighting men and women in both New York City and Washington, DC.

I do not scorn anybody who could not enjoy that loving explosion of patriotism. I pity them. I pity anybody who could not have enjoyed the rather humble parade we had here in Washington, DC—two tanks, a few personnel carriers, one F-15, and one F-16. It was hardly a Roman legion returning from its conquests and victories.

However, does it mean that we are invincible? It certainly does not. On Sunday, in between the two parades, Thomas Sutherland, a fine American citizen, began his seventh year of captivity in the tiny geographical area of the Bakaa Valley. Terry Anderson, the AP bureau chief in that area, finished his sixth year and began his seventh year of captivity on March 16. There are six Americans and six other Europeans held in that area of the world.

How is it that this Nation, with all its diplomatic skill and all its military might, is unable to rescue those 12 suffering people? It is a difficult and a dangerous world that we still operate in, and I hope everybody remembers that as we revel in these great parades.

□ 1240

## DISTRICT OF COLUMBIA BUDGETARY EFFICIENCY ACT OF 1991

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 2123) to amend the District of Columbia Self-Government and Governmental Reorganization Act to establish a predictable and equitable method for determining the amount of the annual Federal payment to the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2123

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

**SECTION 1. SHORT TITLE; PURPOSE.**

(a) SHORT TITLE.—This Act may be cited as the "District of Columbia Budgetary Efficiency Act of 1991".

(b) PURPOSE.—It is the purpose of this Act to assist the District of Columbia in compensating for revenue shortages resulting from the unreimbursed services provided by the District to the Federal Government and the significant deficiencies in the District's tax base resulting from federally imposed limitations on the District's ability to raise revenue, including (but not limited to)—

(1) the exemption from taxation of property owned by the Federal Government or by any foreign government which uses such property for diplomatic purposes;

(2) the statutory prohibition on taxation of income earned in the District by any individual who is not a resident of the District; and

(3) limitations on the height of buildings located in the District.

**SEC. 2. ANNUAL FEDERAL PAYMENT TO DISTRICT OF COLUMBIA.**

(a) AMOUNT.—The first sentence of section 502(a) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47-3405(a), D.C. Code) is amended by striking "$386,000,000" and all that follows and inserting the following: "$386,000,000; for each of the fiscal years ending September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988, the sum of $474,500,000; for each of the fiscal years ending September 30, 1989, and September 30, 1990, the sum of $494,500,000; for the fiscal year ending September 30, 1991, the sum of $596,500,000; and for the fiscal year ending September 30, 1992, the sum of $630,000,000.".

(b) FORMULA.—Title V of such Act is amended by adding at the end the following new section:

"FEDERAL PAYMENT FORMULA

"SEC. 503. (a) There is authorized to be appropriated as the annual Federal payment to the District of Columbia an amount equal to 24 percent of the following local revenues:

"(1) For the Federal payment for fiscal year 1993, the local revenues for fiscal year 1991.

"(2) For the Federal payment for fiscal year 1994, the local revenues for fiscal year 1992.

"(3) For the Federal payment for fiscal year 1995, the local revenues for fiscal year 1993.

"(b) For purposes of subsection (a), the term 'local revenues' means, with respect to a fiscal year, the independently audited revenues of the District of Columbia that are derived from sources other than the Federal Government during that year, as reviewed by the Comptroller General under section 715(e) of title 31, United States Code.".

(c) BREAKDOWN OF DISTRICT REVENUES.—

(1) DETERMINATION UNDER INDEPENDENT ANNUAL AUDIT.—The first sentence of section 4(a) of Public Law 94-399 (sec. 47-119(a), D.C. Code) is amended by striking the period and inserting the following: ", and shall include in such independent audit a report of the revenues of the District of Columbia for the fiscal year, broken down by revenues derived from the Federal Government and revenues derived from sources other than the Federal Government during that fiscal year.".

(2) REVIEW BY COMPTROLLER GENERAL.—Section 715 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(e) Not later than March 1 of each year, the Comptroller General shall submit to the Committee on the District of Columbia of the House of Representatives and the Subcommittee of General Services, Federalism, and the District of Columbia of the Committee on Governmental Affairs of the Senate a review of the report of the breakdown of the independently audited revenues of the District of Columbia for the preceding fiscal year by revenues derived from the Federal Government and revenues derived from sources other than the Federal Government that is included in the independent annual audit of the funds of the District of Columbia conducted for such fiscal year.".

(d) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 502 the following new item:

"Sec. 503. Federal Payment Formula.".

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

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

The SPEAKER pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes.

Mr. DELLUMS. Mr. Speaker, today we will take up legislation to provide equity and fairness in the financial relationship between the Federal and the local government. This legislation will also improve the ability of the District of Columbia government to manage its financial affairs and to conserve the time of the Congress by authorizing a Federal payment formula and to authorize the fiscal year 1992 Federal payment.

We are keenly aware that the District has new political leadership in Mayor Sharon Pratt Dixon, who is pursuing an enlightened agenda which is heartening and suitable for our National Capital.

The purposes and needs of H.R. 2123 are to compensate the local government for:

First, specific services requested by and provided to the Federal Government by the District of Columbia;

Second, losses due to the statutory prohibition on taxation of income earned in the District by any individual who is not a resident of the District—that is, no commuter or reciprocal tax can be be levied by the local government; and

Third, revenues denied as the result of federally imposed requirements, for example, large parcels of open space, no tall buildings, tax-exempt Embassies, and also revenues denied on the tax-exempt Federal land in the city. This land comprises 50 percent of the land area, which when combined with other federally chartered tax-exempt properties, totals 67 percent of the land in the District of Columbia.

Mr. Speaker, congressional support for a Federal payment formula for the District of Columbia is not new. In fact, a Federal payment formula concept was initiated and supported by the late Everett McKinley Dirksen, a former distinguished chair of this committee. Mr. Dirksen was a member of the D.C. Committee from 1936 until 1950. In 1948, with Mr. Dirksen as the chair, this committee reported the first home rule bill in this century, H. Rept. 80-1876, which included a Federal payment formula for the District of Columbia. Unfortunately, the bill became entangled on the House floor in a procedural fight and did not pass.

Mr. Speaker, every Republican and Democratic President since 1948 has supported a continuing Federal payment formula authorization.

In September 1978, President Jimmy Carter made the following statement:

> We must bring stability and predictability to the Federal payment process * * * I favor the establishment of a formula which would consider the various factors involved in the Federal presence to determine the appropriate amount of the payment each year * * *.

President Nixon summarized a longstanding Republican policy in a message (H. Doc. 91–108) to Congress only 2 months after taking office in 1969. In recommending a home rule government for the District of Columbia, President Nixon specifically recommended:

> That the Congress authorize a Federal payment formula, fixing the Federal contribution at 30 percent of local tax and other general fund revenues.

President Nixon continues:

> The District of Columbia cannot achieve strong and efficient government unless it has ample and dependable sources of financing. Sound financing can be achieved only if the Federal Government pays its appropriate share.
>
> This formula would equitably reflect the Federal interest in the District of Columbia * * *.

Mr. Speaker, enactment of a formula approach as outlined in H.R. 2123 would be a significant step toward increased effective government in the District. It would provide the District with a predictable estimate for use in the annual budget process, thus allowing it to plan its expenditures more accurately and imaginatively for the growing needs of our Capital.

Mr. Speaker, I stress the proposed Federal payment formula is not an entitlement. Rather, it sets a cap of 24 percent of locally raised revenues and would still have to be reviewed and appropriated by Congress. This translates into approximately 19.1 percent of the District's operating budget.

Mr. Speaker, contrary to popular misunderstanding, the Federal payment is not a gift from the Federal Government to the citizens of the District of Columbia, it is payment in fairness and equity for Federal impositions. The Federal Government, the Congress, and the citizens of the United States want certain things of the District of Columbia and the Nation's Capital. They want services rendered, they want an ambiance maintained that reflects the grandeur of the Capital of a great Nation and they want it at a cost that is reasonable. However, since 1985, the Federal payment has decreased by 6 points, from 20 percent of the revenues raised by the District of Columbia in 1985 to 13.8 percent in 1990, with no decrease in Federal requirements. In aggregate dollars that amounts to a reduction of $725.6 million or $120 million per year.

Mr. Speaker, in the past few years we have witnessed an unprecedented rise in drug-related crime and addiction with almost all of the cost for law enforcement and treatment being borne by the citizens of the District of Columbia.

In short, we have asked the citizens of the District of Columbia to do many things at once while at the same time decreasing the Federal payment which many persons on both sides of the aisle have agreed is both unfair and unjust.

To conclude, Mr. Speaker, H.R. 2123 accomplishes several important things:

First, it increases the Federal payment authorization for fiscal year 1992 by $33.5 million over the aggregate appropriation for fiscal year 1991, an increase of about 5½ percent.

Second, it establishes a cap of 24 percent of locally raised revenues for the Federal payment formula authorization for fiscal year 1993 through fiscal year 1995. This is 19.1 percent of the District's operating budget.

Mr. Speaker, locally raised revenues are those revenues from sources other than the Federal Government. To determine the accuracy of the accounting, the legislation calls for the District of Columbia government, through the Comptroller General, to transmit to the Congress a report for the fiscal year that ended on September 30 of the preceding calendar year. That is, the Federal payment for fiscal year 1993 is to be based on the aforementioned audit and reports for fiscal year 1991, fiscal year 1994 on fiscal year 1992, and so on.

Mr. Speaker, I truly believe that H.R. 2123 is a good bill, a bipartisan effort with our distinguished colleague, the ranking minority member, the gentleman from Virginia [Mr. BLILEY] and cosponsored by the gentlewoman from the District of Columbia, Ms. ELEANOR HOLMES NORTON.

Mr. Speaker, H.R. 2123 deserves the support of all the Members of this body and I therefore ask that support.

Mr. BLILEY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, it has been a privilege to work with the distinguished chairman to bring H.R. 2123 to the floor. It is an honor to help shape the history we are making today in the restoration of the fiscal health of our Nation's Capital. Just as importantly, we are also restoring dignity and mutual trust in the relationship between the Congress and the District of Columbia which has been missing for too long.

As we vote on this legislation today, we will be adding to the process of renewal which was begun last November in the District with the election of a new Mayor and a new city council.

Shortly after the beginning of the 102d Congress, we began our work on what would become H.R. 2123, the District of Columbia Budgetary Efficiency Act of 1991, based on the following concepts:

First, as the distinguished chairman has already explained, the Federal payment is not a gift to the district. It is payment for services actually provided to the Federal Government. The Federal payment, as provided for in the Home Rule Act is also compensation for the restrictions Congress has placed on the local government's ability to raise revenue. These restrictions include a prohibition on commuter taxes and limitations on the height of buildings in the District.

Second, the unpredictable nature of the Federal payment hurts the District's budget planning ability and costs the District millions of dollars in additional interest payments on its bonds because of revenue uncertainty.

Third, any formula based on a percentage of local revenue must be somehow divorced from direct and immediate impact by actions of the council.

Fourth, any agreement we reached must not violate the budget agreement reached last fall between the Congress and the White House.

Fifth, the request from the District and propounded by the Rivlin Commission for a Federal payment based on 30 percent of local revenues was unacceptable and politically not feasible.

The result of months of intensive negotiations between members of the committee is before the House today as H.R. 2123. This bill is a bipartisan compromise in the truest sense of the word and meets all of the criteria I just mentioned for helping the District of Columbia while preserving congressional responsibility.

There are four principle reasons Members should support this legislation. The first three reasons are graphically illustrated in the following charts.

CHART 1.—FEDERAL PAYMENT

[Constant 1982 dollars]

| X data | Series 1 |
|---|---|
| 1977 | 445.161 |
| 1978 | 417.549 |
| 1979 | 351.617 |
| 1980 | 355.856 |
| 1981 | 348.028 |
| 1982 | 360.385 |
| 1983 | 363.3 |
| 1984 | 398.472 |
| 1985 | 413.922 |
| 1986 | 358.91 |
| 1987 | 375.74 |
| 1988 | 350.285 |
| 1989 | 368.687 |
| 1990 | 366.025 |

First, as this chart illustrates, the District has faced overwhelming instability and uncertainty with respect to the Federal payment. As you can see the Federal payment between 1977 and 1990 looks more like the Anaconda roller coaster ride at King's Dominion than a rational payment to the Nation's Capital. No level of Government, local or State, nor any Federal agency can engage in any semblance of rational planning with this kind of instabil-

ity. The Federal payment has been patently unfair.

CHART 2.—FEDERAL PAYMENT H.R. 2123

[Constant 1982 dollars]

| X data | 24 percent |
|---|---|
| 1990 | 366.025 |
| 1991 | 422.151 |
| 1992 | 420.623 |
| 1993 | 414.45 |
| 1994 | 423.078 |
| 1995 | 431.643 |

As you can see from this next chart H.R. 2123 ends the uncertainty and unpredictability of the Federal payment. Basing the authorized level of the payment on a formula of 24 percent of local revenue raised 2 years before will allow the Mayor, the Council and the District's bond underwriters to know what the cap will be well in advance of the money actually being budgeted by the District and appropriated by the Congress. This new predictability for the Federal payment should save millions of dollars as well as allow the District to manage its fiscal affairs in a more responsible manner.

Let me point out that the Congress has already provided the noticeable increase between 1990 and 1991. We cannot go back to 1990 without dire consequences. From 1991 and beyond, the level of funding is really just keeping pace with inflation.

CHART 3.—H.R. 2123 FEDERAL PAYMENT

[Constant 1982 dollars]

| X data | 24 percent | 30 percent |
|---|---|---|
| 1991 | 422.151 | |
| 1992 | 420.623 | 520.37 |
| 1993 | 414.45 | 513.779 |
| 1994 | 423.078 | 528.907 |
| 1995 | 431.643 | 539.498 |

The third reason Members from both sides of the aisle can support H.R. 2123 is that it is a fair compromise. This chart illustrates the differences in projected costs between the 30 percent requested by the District and the 24 percent contained in H.R. 2123. Looking at projected payment figures, it is clear that 30 percent is far more money than Congress would be willing to authorize with a Federal deficit of $300 billion. The difference between a 24-percent and a 30-percent formula comes out to $500 million over the 1993-95 period covered by this bill. That is $500 million that we would have to take from some other deserving program or project. As it is, H.R 2123 provides the District with the stability to get its fiscal house in order without committing a mass assault on the Federal Treasury.

As we develop this legislation, we were acutely aware that a Federal payment formula should not violate the budget agreement and that it must be in line with the plans of the Appropriations Committee. I thank the chairman for his sharing my interest in this matter. At this time I will yield to the ranking minority member of that Appropriations Subcommittee, the distinguished Congressman from New Jersey [Mr. GALLO] for the purpose of a similar colloquy. I would ask my colleague to confirm my belief that H.R. 2123 does not violate the terms of the budget agreement and I yield to him.

Mr. GALLO. I thank the gentleman from Virginia for his efforts on this important matter and I can confirm his understanding—H.R. 2123 is in conformance with the budget agreement.

Mr. BLILEY. Reclaiming my time, I thank the gentleman for his answer and ask if this bill will cause concern on the Appropriations Committee or if it will obligate the appropriation of any set amount for the Federal payment?

Mr. GALLO. The Appropriations Committee will continue to examine proposed District budgets with a sharp eye and we will not approve any budget or appropriate any Federal moneys in excess of what is reasonable and necessary for the effective governance of the District of Columbia. If the gentleman will continue to yield to me, I would add further that I join Mr. DIXON in support of this legislation and I believe that it will give the Appropriations Committee necessary leeway to fit the Federal payment to the needs of the District and to a fair and reasonable amount of taxpayer funds.

Mr. BLILEY. Reclaiming my time, I thank my colleague for his support and for his answers to my questions. My desire to stay within necessary restraints and guidelines thus has been met in the provisions of H.R. 2123.

My most important reason for negotiating this bill and for supporting it so strongly is that it is in the interest of this Congress and of all of the American people that this city—this Federal city which is the seat of our Government—renew itself and become once again a Capital of which we can all be proud. Across the country, the citizens of this Nation expect our help to make the District of Columbia once again a place where they can visit without fear and visit the monuments commemorating our past achievements, and, as so many did this past weekend, view history in the making. We want Mayor Dixon to succeed. We must do our part or else I see no way that she can lead the District back from the brink. I would like to thank Mayor Sharon Pratt Dixon and Council Chairman John Wilson for working so hard at the other end of Pennsylvania Avenue to restore our confidence and trust in the District government.

Washington and Jefferson envisioned a great city worthy of our great experiment in democracy. The Federal city cannot fulfill our forefathers' expectations without national participation in its fiscal affairs. H.R. 2123 institutes a stable, predictable, rational, and equitable funding formula for our Nation's Capital and provides just that mechanism needed for meeting our obligations to the District of Columbia's 250 million constituents. The Nation's Capital belongs to each and every one of us and it is our responsibility to help ensure that it is a Capital of which we can all be proud.

I urge my colleagues to support this bipartisan compromise as the principle means in the 102d Congress to restore that pride.

□ 1250

Mr. MICHEL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I want to commend my colleagues, the gentleman from California [Mr. DELLUMS] and the gentleman from Virginia [Mr. BLILEY] for working together to fashion a true compromise on H.R. 2123, the District of Columbia Budgetary Efficiency Act of 1991.

I think the election of Mayor Sharon Pratt Dixon marks a new era in the history of D.C. politics, and hopefully the end of the confusion and bitterness which so often characterized the Congress' relationship with the previous D.C. administration. This bill is, in my judgment, the product of this new era.

The formula devised in the measure will give the District a dependable, predictable, and equitable revenue source. It will allow the District to act more responsibly on its current obligations, and give the District more confidence to accurately predict its ability to undertake additional responsibilities.

□ 1300

I would remind our colleagues that the Congress will not forfeit its traditional oversight role with this piece of legislation. It is not an entitlement. It is an authorization. The funding still must go through the appropriation process as has been alluded to by previous speakers. Congress will merely give the District the opportunity to govern more effectively and efficiently.

The healthy dose of bipartisanship that characterized this bill is a reminder, I think, to all of our colleagues that the process can work as long as reasonable people from both sides negotiate in good faith.

The District has been my home away from home now for more than 40 years. No one wants to see this Capital City undergo a renaissance more than I do, so there is quite a bit riding on what we do today, and what is involved is more than a legislative act. What is involved is an implicit promise to the people of the District under Mayor Dixon's leadership.

Once again, I want to commend my colleagues of the District of Columbia Committee on both sides of the aisle for working together on the measure and certainly urge its prompt and speedy approval.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman very much for his statement that he made in support of H.R. 2123. I thank the gentleman for his generous remarks directed at this gentleman and my distinguished colleague, the gentleman from Virginia [Mr. BLILEY]. We certainly thank the gentleman for his enthusiastic support. It is paramount to the passage of this legislation.

Mr. MICHEL. I thank the gentleman.

Ms. NORTON. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, H.R. 2123 has a routine number, but it is not a routine bill. Its extraordinary and gratifying support from the entire Democratic and Republican leadership is a hallmark of its importance. The bill's authorization for a 24 percent Federal payment formula for the District of Columbia is a historic breakthrough toward fiscal stability that we in the District have been hoping for almost 200 years.

Indeed, this is the bicentennial of the District. We know that this historic legislation has not been timed for this historic year, Mr. Speaker, but we choose to include it in our celebration anyway. If the Senate approves this bill as well, it will mark the first structural change and the most important since this body granted the District home rule.

It would be difficult to overestimate the importance of this legislation to the District. Mayor Sharon Pratt Dixon, whose extraordinary first 6 months in office have been marked by bold reform and courageous action, has given this legislation the priority it deserves. Council Chairman John Wilson, the District's knowledgeable financial wizard, has linked the District government's ability to restructure its operations to a predictable formula. The 13 members of the D.C. City Council have both supported reform and put forth excellent ideas of their own.

H.R. 2123 has been drawn to meet not only the District's needs but the budget strictures embraced by the Congress last year. First, the formula is tied to revenues raised by the District alone, excluding all Federal funds, in the preceding two years. This means that the formula will not reflect current revenue figures and thus inevitably will be behind the District's actual needs and the Federal Government's fair share. Second, the authorized formula, a payment not a grant, is tied to 24 percent of the revenues that we ourselves raise. Yet, the blue ribbon Rivlin Commission, chaired by Alice Rivlin, who served this body as director of the Congressional Budget Office, recommended 30 percent, the same figure sought by President Nixon in 1975, the year of home rule. Perhaps the best evidence of the soundness of the 30 percent figure is that even without a formula, OMB, as recently as 1980 through 1985, consistently recommended amounts that equaled 30 percent of the revenues the District had raised during the preceding year.

Mr. Speaker, between 1985 and 1990 the base payment was kept at a constant of $430 million. The effects on the District were devastating. We were caught in a confluence of reduced Federal spending for urban areas and increased pressure from baffling new problems, such as AIDS and drug and crime escalation. District residents dug into their own pockets as no jurisdiction in this country has. We taxed ourselves. District residents incurred a 50-percent increase in local taxes in just 5 years between 1985 and 1990. At the same time, we paid a billion dollars in taxes to the Federal Treasury last year. Today we are second per capita in the United States in taxes paid by D.C. residents.

The 24 percent Federal payment will neither lower District taxes nor relieve the unusual pressure under which the Mayor, City Council, and other District officials are now working. What the formula will do is to facilitate the hard-headed planning and restructuring of government that Congress has long sought.

Mr. Speaker, there are great benefits to being the Capital City, and most of us who live in the District would not want to live anywhere else. My own family has been in the District for more than a century. But there are also restrictions that come with the Federal presence that keep us from raising revenue that otherwise would be available to us. We cannot make up for the 67 percent of the land that Federal action has taken off our tax rolls. We cannot make up for our limited land mass by building high, as other cities do. We cannot tax neighbors who work here and take home most of the income generated in our city. The Federal formula will partially reimburse us for these limitations.

Finally, Mr. Speaker, on behalf of the residents of the District, I speak today for a grateful city. We thank Speaker THOMAS S. FOLEY and Minority Leader ROBERT MICHEL for their unusual action in lending their great respect and authority to the support for this bill. We thank the members of the District Committee whose hearings and hard work clarified H.R. 2123. We have nothing but endless rounds of applause for Chairman RONALD V. DELLUMS who was the chief sponsor of the bill through hard times and who for 20 years has been the District's devoted and articulate champion. We are deeply grateful to ranking District Committee member TOM BLILEY, who, though new to his post as ranking member, has skillfully and enthusiastically taken up this and other of the District's most urgent problems and priorities. Our thanks go also to the other members of the Republican leadership, the minority whip, Mr. NEWT GINGRICH, and the other leaders, Mr. JOE MCDADE, Mr. DEAN GALLO, and Mr. JERRY LEWIS. Our thanks as well are due to the other members of my own leadership without whom the formula would not be a possibility, Majority Leader RICHARD A. GEPHARDT, the majority whip Mr. WILLIAM GRAY, Mr. STENY HOYER, and Mr. JULIAN DIXON.

Mr. Speaker, we all know that the Federal amount of the District budget is a payment, not a gift. I hope that you will forgive us this year, however, should H.R. 2123 pass, if we regard the Federal formula as a bicentennial gift from this House.

The SPEAKER pro tempore (Mr. MAZZOLI). The time of the gentlewoman from the District of Columbia [Ms. NORTON] has expired.

(At the request of Mr. DELLUMS and by unanimous consent, Ms. NORTON was allowed to proceed for 2 additional minutes.)

Mr. DELLUMS. Mr. Speaker, will the gentlewoman yield?

Ms. NORTON. I am happy to yield to the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, let me first thank the gentlewoman for a very articulate statement and for her generous remarks.

I might just say that back in 1971 this gentleman introduced the first piece of legislation calling for a formula-based Federal payment, so it has been a long time and a very difficult journey to this moment.

I would like to say to the gentlewoman that I am very pleased and very proud, on the basis of cooperation and bipartisan efforts, we have been able to come to this moment during the gentlewoman's tenure as the Representative from the District of Columbia.

Ms. NORTON. And may I say to the gentleman from California that it all would not have been possible without his leadership and his endless devotion to a city in which he lives only by virtue of having been sent here by the citizens of California. We are eternally grateful to the gentleman.

Mr. DELLUMS. The gentlewoman is very generous.

Mr. WOLF. Mr. Speaker, I move to strike the last word.

Mr. Speaker, representing the congressional district just across the river, I am in a unique position to comment on the relationship of the District of Columbia to the Federal Government.

I have worked closely with the honorable chairman from California and the ranking Member from Richmond on a variety of issues, and I am pleased to give my support to H.R. 2123 today.

H.R. 2123 is a bill whose time has come. The time has come for Congress to take a fresh approach to the manner in which the District of Columbia is

compensated for the services it provides to the Federal Government. It is time that the payment reflect the extraordinary costs of the Federal presence which also prevents the raising of revenue through more traditional sources.

Article 1, section 8, paragraph 17 of the Constitution provides that an independent seat of government be created in which Congress would have exclusive legislative authority. With exclusive authority comes responsibilities which need to be addressed by providing a formula Federal payment—a payment which the District of Columbia can use to accurately predict the amount of revenue the District will receive from the Federal Government.

Last, I would like to commend Mayor Dixon and the city council on their efforts to restore integrity to the District and foster a partnership with the Congress. The evidence of their success lies in the fact that we are here debating this bill which enjoys bipartisan support. Mayor Dixon cannot put this city back on the course of fiscal responsibility without our help. I urge my colleagues to recognize not only their historic responsibility, but also the importance of helping the District of Columbia make our Nation's Capital a city worthy to be the home of our great experiment in democracy.

□ 1310

Mr. HOYER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I rise with the gentleman from California [Mr. DELLUMS], the gentleman from Virginia [Mr. BLILEY], and other Members of this community in strong support of H.R. 2123. It is, like so many ideas, late in its realization. The gentleman from California, as has been so rightly noted by the gentlewoman from the District of Columbia, has, for 20 years, stood, sometimes alone, but always with great integrity and intellectual force, in stating the case for formula funding. Now, for a commitment of this Congress to the Nation's Capital.

The Framers of the Constitution provided for creation of an independent Federal seat of government in article 1, paragraph 17 of the Constitution:

> The Congress shall have the power * * * to exercise exclusive legislation in all cases whatsoever, over such district * * * as may by cession of particular States, and acceptance of the Congress become the seat of government of the United States.

Pursuant to the Home Rule Act of 1973, section 602(A)(5) specifically provides that:

> The (District of Columbia) council shall have no authority to * * * impose any tax on the whole or any portion of the personal income, either directly or at the source thereof, of any individual not a resident of the District.

That has been a contentious item in our Washington metropolitan area, but it is not a contentious item that undercuts the close cooperative feelings that we have for one another. Another restriction is that the District of Columbia is unique because both the U.S. Constitution and the Home Rule Act result in the following restrictions:

First, all real property owned by the Federal Government and foreign missions are exempt from the real property tax;

Second, the Federal Government is exempt from sales taxes on purchases made in the District;

Third, a height restriction on buildings in the District limits the amount of commercial space that can be constructed;

Fourth, the District is not permitted to impose a tax on income at its source.

The 1973 Home Rule Act provided for limited self-government, but this city's unique character, including the benefits and the very significant costs which have been spoken of earlier, attendant with being the Federal City, have not changed with home rule.

Along with the restrictions imposed upon this community in order to protect Federal interests and rights, and therefore the rights and interest of all Americans, comes the equally important responsibility and duty to adequately compensate the District of Columbia for the unique burdens associated with its unique status.

The Home Rule Act itself says:

> It shall be the duty of the mayor, in preparing an annual budget * * * to identify the elements of cost and benefits to the District resulting from its unique role.

Among the concerns the mayor is to take into account are some of the arguments you have heard expressed today in support of H.R. 2123, including: estimates of unobtainable revenues because of the lack of taxable commercial property; estimates of potential revenues that would be realized if exemptions from District taxes were eliminated; estimates of the net cost of services to tax-exempt and corporate offices doing business with the Federal Government; and evaluations of the relative tax burden on District residents compared to that of residents in comparable cities and neighboring communities.

Although the Home Rule Act does not proscribe how the various factors are to be specifically determined in the annual Federal payment, it is clear that the Congress, America, and all of its citizens, have a responsibility to the people who live in this community and to the citizens of this Nation who visit it regularly, to fairly and adequately compensate them for the cost of operating the Nation's Capital.

Let me share a few facts with Members: 55 percent of the real property in the city is exempt from taxation. Half of all sales are to the Federal Government or other tax-exempt organizations. Recent estimates of revenues foregone because of the District's special status is approximately $1.8 billion, almost $2 billion.

This figure has been referenced before, but it ought to be remembered by every Member who comes to this floor to vote. This is a cap, a target of 24 percent. The Federal Government provided 40 percent of all local revenue from 1790 to 1878, some 90 years of our history. We worked 40 percent, almost two-thirds above the figure that has been set here. After the Federal Government began making lump-sum payments in 1925, the Federal payment was still as high as 35 percent of the District's own general revenue local collections in 1974.

As a percent of its own source revenues, the level of Federal compensation to the District slipped to under 17 percent in fiscal year 1990. Members have seen the chart put forward by the gentleman from Virginia [Mr. BLILEY].

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

Mr. HOYER. The Federal Government must bear the responsibilities associated with its presence here in the Nation's Capital. It has the duty to do so, and I am pleased that we have joined together to accomplish that objective. However, there are other issues of impact in this debate. Along with the limited powers of home rule, the Federal Government also ceded responsibility for several large and burdensome financial obligations to the District of Columbia. The unfunded pension liability for police, fire fighters, judges and teachers is literally enormous, and the Federal Government is presently responsible for only one-fourth of this liability.

At the time of transfer, the unfunded liability was approximately $3 billion; today, it is approximately $5.4 billion. The Federal Government also passed along a $300 million accumulated operating deficit. We are talking about that now, and it has yet to provide the funds that would support the infrastructure improvements at St. Elizabeths Hospital which we transferred to the District.

H.R. 2123 is fair and appropriate in its authorization of a stable and reasonable Federal commitment to compensate the people of the District of Columbia for the costs associated with the Federal presence.

Mr. Speaker, this is an extraordinary time in the history of the Nation's Capital. The Nation's Capital has gone through a very difficult, distressing time for its citizens and for the Nation. We have noted before when this House and the Senate and the President made a determination to give some additional resources for this fiscal year, that was accomplished because the District of Columbia voters did an extraordinary thing. They stood up, they walked to the polls, and they spoke

with a very strong voice, and they elected a new leadership in the District of Columbia. They elected a mayor who, when she was inaugurated said, "We can do it. We can be the city that we want to be."

We can, indeed, be that city, shining on the hill, of which President Reagan spoke, to which all Americans will look with pride and with satisfaction that local government works to create the kind of city that we want to share in the pride as being the Capital of our Nation.

□ 1320

Sharon Pratt Dixon has shown herself to be an individual of extraordinary talent and commitment, and yes, courage in facing directly and squarely the problems that every urban area of America faces, and because she has done so this Congress and the Nation has responded.

She has been joined in this House by another extraordinary American, a woman elected to the Congress to represent the District of Columbia. She has, unlike the other 435 of us, a debility that we do not have. She cannot vote. That is unfortunate. That perhaps is clearly the next step we ought to take, but she has even without a vote made a very substantial impact on this House and the Senate in representing her city.

So I join with the Mayor, I join with ELEANOR HOLMES NORTON, I join with the ranking Member, the gentleman from Virginia [Mr. BLILEY] whose leadership on this issue has been so outstanding, I join with the gentleman from California [Mr. DELLUMS], the chairman of the District of Columbia Committee, and Mr. Speaker, I speak on behalf in this well of the leadership on my side of the aisle. As chairman of the Democratic Caucus, I am pleased to say that Speaker FOLEY, Majority Leader GEPHARDT and the whip, the gentleman from Pennsylvania [Mr. GRAY] all are enthusiastic supporters, along with the gentleman from California [Mr. FAZIO] and the gentleman from Michigan [Mr. BONIOR], in favor of this legislation and urge its passing.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I am very pleased to yield to the gentleman from California [Mr. DIXON], the chairman of the District of Columbia Appropriations Subcommittee.

Mr. DIXON. Mr. Speaker, I thank the gentleman from Maryland for yielding me.

I would like to associate myself with the gentleman's remarks and to say to the gentleman that one of the things that he may have mentioned is that this leadership, made up of Mayor Dixon and Representative NORTON have developed a financial plan that I feel and the committee feels is very sound. Not only have they developed a plan, but they are implementing a plan.

The Federal payment and formula that is before us is the only fair way for the District to reasonably predict what their revenues should be. We all like to know what the paycheck is going to be at the end of the month or the end of the year. This is the appropriate way to hold them accountable and they have demonstrated thus far that they intend to be accountable.

Mr. HOYER. Mr. Speaker, I would simply like also to state, as Congresswoman NORTON has stated, that we want to give credit as well to John Wilson, the chairman of the Council and the Council itself. All of us know in this body, the Executive cannot, nor should, do it alone.

So it has been Mayor Dixon, Chairman Wilson, Delegate NORTON and the members of the Council who have given us all this confidence that we are indeed recognizing a new day in the District of Columbia.

Mrs. MORELLA. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this a good bill. I rise in support of H.R. 2123, a bill to establish a more equitable means to repay the District of Columbia for the Federal prisons in that city.

As a matter of fact, I also want to extend my appreciation and commendation to the chairman of the committee, the gentleman from California [Mr. DELLUMS], to the ranking member, the gentleman from Virginia [Mr. BLILEY], who have worked so hard, and all those other members of the committee who have supported this long needed legislation, to Congresswoman ELEANOR HOLMES NORTON who has also worked very hard behind the scenes and on the scenes to assure that a bill of this nature would come before this Congress.

This annual Federal payment is not a handout. It is not a charitable gesture representing preferential treatment for the District. Rather, it is a compensation for specific services provided by the local government at the request of the Federal Government. It is a compensation for money that is denied the District of Columbia as a result of federally imposed requirements.

It is estimated that the presence of the Federal Government costs the District of Columbia $2 billion in lost revenue. For example, 57 percent of the its land is tax exempt, because this land belongs to the Federal Government. These revenue restraints also include a limitation on building heights to 90 feet throughout the District. Moreover, the District government must bear the responsibility for accommodating large gatherings of citizens from all over the country. Whether these citizens converge on the District of Columbia to exercise their constitutional rights to petition their Government, or to honor their fellow citizens who fought in the Persian Gulf, as they did this past weekend, the District must bear the burden of taking care of them.

Over the last 5 years, the Federal payment to the District of Columbia has remained practically stagnant. The Federal payment to the District government has dropped from approximately 23 percent of the District's operating budget in 1974 to approximately 13 percent in the current fiscal year. Numerous studies recognize that the Federal payment is insufficient to offset the costs and lost revenue caused by the Federal presence in the District.

H.R. 2123 would increase the Federal repayment to the District of Columbia for the costs of the Federal presence, and it would institute a formula to ensure a payment that is consistent with the increases in the District of Columbia's own tax effort. This formula would be an amount equal to 24 percent of locally raised revenues, with 24 percent representing a cap rather than an entitlement.

Mr. Speaker, I have a great deal of confidence in Mayor Sharon Pratt Dixon and the new leadership in the District of Columbia. Mayor Dixon has traveled to the Hill numerous times in a good faith effort to obtain assistance in putting the District back on the road to fiscal responsibility. We need to provide her with every means to fully achieve her goal.

I am particularly concerned for the poor and vulnerable citizens of the District of Columbia. These are the residents who suffer the most from the program cuts and the insufficient services that result from insufficient funds.

I urge my colleagues to join me in voting in favor of H.R. 2123 to establish a more equitable Federal payment to the District of Columbia at last. The residents of the District deserve a payment that is more predictable and fair. We, in Congress, can take a very important step in establishing a new cooperation and partnership between the Federal Government and the District of Columbia by supporting this legislation.

To paraphrase John Donne, no man or woman is an island, and all of us in this region are connected with all of us in this great country and we need to support our Capital City.

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

Mr. Speaker, I do not choose to use the entire 5 minutes, but I yield to my distinguished colleague, the gentleman from California [Mr. DIXON] for the purpose of a clarification.

Mr. DIXON. Mr. Speaker, I thank the gentleman for yielding to me.

In case Members are concerned as it relates to the 1992 budget and the level of funding, the 602 allocation from the Appropriations Committee takes into consideration the $200 million, so the $200 million additional figure for the 1992 appropriation has already been in-

cluded by the Appropriations Committee.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for that clarifying information.

Mr. MORAN. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I, too, would like to underscore the appreciation that has been expressed on this floor today for the leadership on both sides of the aisle that has brought us to this point today, and also to express the admiration and respect for the current leadership of the District of Columbia, because it is a major factor in the fair and the equitable legislation that we are about to pass today.

□ 1330

I cannot express the thoughts that have been said by speakers prior to me today any more eloquently than they have. That is, the gentleman from Maryland [Mr. HOYER], the gentlewoman from the District of Columbia [Ms. NORTON], all of the speakers.

I would like to associate myself with all of their remarks.

But rather than be repetitive, perhaps I can set some historical perspective on this vote today.

Mr. Speaker, it was exactly 200 years ago that the District of Columbia was established. It was established because our first President insisted that this be our Nation's Capital. In fact, he was adamant that his hometown be included in the District of Columbia.

He loved this area, and in fact we see repeated references during his term to his determination that the District of Columbia be economically healthy, well-run, and, in fact, the model city in the Nation that he loved so well. In fact, George Washington's vision was sustained for 50 years.

In 1846 the Scottish merchants in Alexandria who were thriving but felt that they were missing much forgone revenue from the fact that the District of Columbia did not allow slavery, so they called for a referendum for retrocession from the District of Columbia. There was a compelling edition of the Alexandria Gazette on that day that describes the men and women and children of African-American descent on their knees, begging the white males, who were the only ones who were allowed to vote in those days, begging them not to break off from the District of Columbia, not to retrocede. But it was all in vain.

Alexandria soon became a major slave-trading center on the east coast. There is a substantial amount of history in the relationship between the District of Columbia and the jurisdiction that I now represent. There is no need to go through it all, because much of it is fast becoming past history. But it is to some extent because of that history that I am so proud to be able to vote today for the fairest, most equitable payment to the District of Columbia that we have had in modern history.

It did not come about easily, but it is a reflection of the responsive leadership that we have on both sides of the aisle, the chairman, the gentleman from California [Mr. DELLUMS] and the ranking member, the gentleman from Virginia [Mr. BLILEY] on the Committee on the District of Columbia, the authorizing committee, and my colleagues in the House.

A new day is dawning. It is a bright day, and it is a day that everyone in this Nation, particularly in the Washington region, of which they can be very proud.

Mr. Speaker, I urge my colleagues to support H.R. 2123 and also, when we can afford it, a payment of 30 percent. That will come to the floor one day when we know we cannot afford it, and I am prepared to support that then.

But for the time being, this is right, it is equitable, it is the least we can do, and I am proud to lend my support to it.

Mr. RAY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I want to congratulate the chairman of the committee, the gentleman from California [Mr. DELLUMS] for the outstanding leadership he has given in this legislation, and also the ranking Member, the gentleman from Virginia, [Mr. BLILEY] and the delegate from the District of Columbia [Ms. NORTON] for the leadership they have provided on this legislation.

Mr. Speaker, I rise in support of this legislation, H.R. 2123, which authorizes a Federal payment to the District of Columbia and also establishes a new funding formula for providing Federal money for the District.

This is a good compromise, and I want to commend the committee members for working in a bipartisan fashion to draft this legislation.

I also want to commend Mayor Sharon Pratt Dixon for the role she has played in addressing the many budget problems facing the district. She won the mayor's race against long odds, and she has done an outstanding job since her election. She has brought stability and integrity to the District's government.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

The SPEAKER pro tempore (Mr. MAZZOLI). Without objection, the gentleman from California [Mr. DELLUMS] is recognized for 5 minutes.

There was no objection.

Mr. DELLUMS. Mr. Speaker, just prior to calling for a vote on the previous question, I would simply like to take this time to, in a very pointed fashion, thank the distinguished gentleman from Virginia [Mr. BLILEY], who acts as the ranking member on the Committee on the District of Columbia.

Mr. Speaker, it is a sheer delight to work with my distinguished colleague. Whether we agree or disagree, the relationship is extraordinary, the cooperation is exemplary, and it is very clear, and I would like to state to you, Mr. Speaker, and to the Members of this House that there is no way that this piece of legislation could have come to the floor of this House in a timely fashion had it not been for the willingness, the diligence, the hard work of my distinguished colleague from Virginia, Mr. BLILEY.

I cannot underscore enough what it meant to work with this gentleman and what it means to bring the legislation to the floor of this Congress with my distinguished colleague's diligent support.

Mr. BLILEY. Mr. Speaker, will the gentleman yield?

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

Mr. BLILEY. I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from California for his kind words. Mr. Speaker, if he keeps on going, I am going to have to get the chaplain over here to hear his confession.

Seriously, it has been a pleasure to work with the gentleman. This has been a good bill. It is a pleasure to work with the new Mayor and the new council president.

Mr. Speaker, I look forward to working with the gentleman from California [Mr. DELLUMS], and the Mayor, and the new team at city hall on other issues as well.

Mr. DELLUMS. I thank the gentleman.

Mr. Speaker, reclaiming my time, I would point out to my distinguished colleague from Virginia that I do have a member of the clergy sitting next to me. So I am well covered.

Mr. LOWERY of California. Mr. Speaker, I rise in support of H.R. 2123 and request permission to revise and extend my remarks. I would like to commend my colleagues Chairman DELLUMS and the ranking minority member, Congressman BLILEY for bringing this legislation to the floor.

This past weekend demonstrated the stage this beautiful city, our Nation's Capital, so wonderfully provides. The District of Columbia belongs to our troops, and the millions of Americans all over this Nation and world, who come here to claim their history. But with that, it is also home to a concerned and vibrant population. Today we have an opportunity to demonstrate our commitment to ensuring that the District continues to flourish for all Americans.

H.R. 2123 is a solid compromise bill and goes a long way toward establishing a fair and equitable payment for the District of Columbia. As my colleagues have explained, this bill will establish a predictable funding formula which will provide the city an essential tool for efficiently managing the Nation's Capital. The Congress has an obligation to the District of

Columbia and H.R. 2123 is a major step in restoring equity to the Federal Government's relationship with the city.

Without a doubt, the city's new mayor, Sharon Pratt Dixon, should be commended for her leadership and diligence in working toward bringing fiscal responsibility to the District of Columbia. The city's commitment to this endeavor is certainly matched by this body and H.R. 2123 is an appropriate demonstration of that commitment.

In closing, Mr. Speaker, it should be noted that this legislation has widespread bipartisan support, with the leadership from both sides of the House supporting H.R. 2123. This bill is a fair and equitable compromise and I urge my colleagues to support it.

Mr. DYMALLY. Mr. Speaker, I rise in strong support of H.R. 2123, the District of Columbia Budgetary Efficiency Act of 1991, a bill authorizing a specific formula for determining the dollar amount of the Federal payment to the District of Columbia. As a member of the House District Committee, I welcome the bipartisan support for this initiative. While 24 percent falls short of the recommended increase of 30 percent, the increase called for in the bill will go a long way toward helping the D.C. government to properly plan their budgetary expenditures. Moreover, let me add that no more eloquent argument can be made for an increase in the Federal payment than the one offered today in a Washington Post op-ed by our colleague, the gentlewoman from the District of Columbia [Ms. NORTON] I commend it to the attention of my colleagues and I urge support for H.R. 2123.

THE DISTRICT'S BELATED FEDERAL PAYMENT

(By Eleanor Holmes Norton)

During this year of bicentennial hoopla, D.C. residents probably will have something concrete as well as historic to celebrate if all goes well today. H.R. 2123, authorizing a specific formula for determining the dollar amount of the federal payment, will go to the House floor with the remarkably broad support of the entire Democratic and Republican leadership. No change since home rule itself has been as important to the District.

District residents were elated when Congress appropriated a $100 million emergency supplemental in March, but it was the first increase in the federal payment in six years, and it was truly an emergency. Although the federal payment has been as low as 8.5 percent and as high as 50 percent, supplementals are not the way to run a large, complicated city.

While the federal payment formula is not an entitlement, it is a preauthorized amount and is thus a reliable expectation of the payment. Nevertheless, the actual appropriation must still be voted by Congress every year.

Mayor Sharon Pratt Dixon, D.C. Council Chairman John Wilson and our Council members need a predictable estimate of revenues if they are to do the planning and reform that District residents and Congress expect. Moreover, a predictable formula will raise our bond rating and lower the interest we pay to the bond markets, a premium extracted because the significant federal portion of our budget is an unknown. This wasteful cost, of course, is passed on to District and federal taxpayers.

The payment to the District is called a payment for a reason. Ever since 1800, the federal government has recognized its obligation to pay the D.C. government for protective and other services, for revenues denied because of restrictions on our development such as height limitations, for tax exempt federal and federally chartered land amounting to a hefty 67 percent of our land area and for restrictions on our taxing authority.

The House District Committee bill calls for a payment of 24 percent of revenue raised by the District rather than the 30 percent that Mayor Dixon, Chairman Wilson and I preferred and that the Rivlin Commission recommended. In a year when budget caps have reduced much federal spending, 30 percent could not be achieved. The 24 percent figure is well above the 13 percent figure at which the base payment was kept for five years, leaving the District with an 18 percent decrease in the federal payment while the overall federal budget for other national obligations increased by 56 percent. Consequently, between 1985 and 1990 the District lost $725.6 million, or $120 million a year.

Looked at this way, the 24 percent figure is gratifying for the way it at least recoups most of what we have lost (in 1977 dollars). In effect, we are getting the functional equivalent of most of our "back pay." In 1995, when this formula is reviewed, we may be in a position to achieve the 30 percent recommended by President Nixon when the District achieved home rule in 1973.

If there was any doubt the Congress wants the District to succeed, it should be allayed by the "Dear Colleague" letters we have been able to get from the leadership on both sides of the aisle. In a rare action, letters of support from House Speaker Thomas Foley and the entire Democratic leadership and from Minority Leader Robert Michel and the entire Republican leadership have been distributed to members.

Moreover, District Committee Chairman Ronald Dellums (D–Calif.) and ranking Republican member Tom Bliley (Va.) have worked together with me as if they directly represented the District. They and all of the other members in fact do, and as Tom Bliley says, they have "inherited historical and legal ties and obligations to the citizens of the federal city." With the work done to craft and pass H.R. 2123, the Democratic and Republican members of Congress have found a striking and historic way to meet these obligations.

Mr. DELLUMS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. DELLUMS. 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. 2123, the legislation just passed.

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

There was no objection.

## DISTRICT OF COLUMBIA MENTAL HEALTH PROGRAM ASSISTANCE ACT OF 1991

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 1720) to amend the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 1720

*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 "District of Columbia Mental Health Program Assistance Act of 1991".

**SEC. 2. CAPITAL IMPROVEMENTS RELATING TO MENTAL HEALTH SERVICES IN THE DISTRICT OF COLUMBIA.**

Section 4(f)(2) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-623(f)(2), D.C. Code) is amended—

(1) in subparagraph (A), by striking "and complete" and inserting "and, except as provided under an agreement entered into pursuant to subparagraph (C), complete"; and

(2) by adding at the end the following new subparagraph:

"(C) The Secretary may enter into an agreement with the Mayor under which the Secretary shall provide funds to the Mayor to complete the repairs and renovations described in subparagraph (A) and to make other capital improvements that are necessary for the safe and cost effective delivery of mental health services in the District, except that $7,500,000 of the funds provided to the Mayor under such an agreement shall be used to make capital improvements to facilities not located at Saint Elizabeths Hospital. Of the $7,500,000 provided for improvements to facilities not located at the Hospital, not less than $5,000,000 shall be used to make capital improvements to housing facilities for seriously and chronically mentally ill individuals.".

**SEC. 3. EXTENSION OF DEADLINE FOR DISTRICT ASSUMPTION OF MENTAL HEALTH FUNCTIONS, RESOURCES, AND PROGRAMS.**

(a) IN GENERAL.—The Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-621 et seq., D.C. Code) is amended by striking "October 1, 1991," and inserting "October 1, 1993," each place it appears in section 2(b)(1) and subsections (a)(2) and (f)(2)(A) of section 4.

(b) CONGRESSIONAL AUTHORIZATION OF TRANSFER OF SAINT ELIZABETHS CAMPUS TO DISTRICT, SUBMISSION OF MASTER PLAN FOR USE OF REAL PROPERTY.—Section 8(b) of such Act (sec. 32-627, D.C. Code) is amended—

(1) by striking "October 1, 1991" and inserting "October 1, 1992"; and

(2) by striking "twelve-month" and inserting "2-year".

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, H.R. 1720 amends the St. Elizabeths Hospital and District of Columbia Mental Health Services Act—Public Law 98-621—to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District of Columbia.

Mr. Speaker, H.R. 1720 was drafted at the beginning of the 102d Congress following a series of staff level meetings with officials of the Department of Health and Human Services, the District of Columbia Commission on Mental Health Services, and representatives of the Mental Health Law Project who represent patients at St. Elizabeths Hospital and in the community.

Mr. Speaker, H.R. 1720 allows the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia to allow funds presently allocated to the District of Columbia for capital improvements on the St. Elizabeths Hospital campus to be used instead for capital improvements to community residential facilities not located on the St. Elizabeths Hospital campus.

At present, there exists a serious shortage of available housing in the District of Columbia for St. Elizabeths Hospital outpatients. At the same time, the District of Columbia and the Department of Health and Human Services are under the 1976 Federal court decision, Dixon versus Sullivan and Dixon to outplace patients residing in St. Elizabeths Hospital into community residential facilities. The facilities are to be both therapeutically and environmentally in compliance with the aforementioned Federal court decision. Section 2 of H.R. 1720 amends Public Law 98-621, the St. Elizabeths Hospital Transfer Act, to allow for capital improvements in community facilities for the needed outpatient housing.

Mr. Speaker, it is important to note that H.R. 1720 does not, I repeat does not authorize new moneys. Instead, it allows the Mayor of the District of Columbia to enter into an agreement with the Secretary of Health and Human Services to use moneys transferred in 1988 from Health and Human Services to the District of Columbia under Public Law 98-621.

Mr. Speaker, at the request of Health and Human Services, with the full agreement of the committee, the following clarification language regarding the proposed aforementioned agreement between the Mayor of the District of Columbia and the Secretary of Health and Human Services is included in the committee bill Report—H. Rept. 102-91—that accompanies H.R. 1720. It states and I quote:

The Secretary transferred $26,751,000 to the mayor in fiscal year 1988 to complete the repairs and renovations described in subparagraph (A) and to make other capital improvements that are necessary for the safe and cost effective delivery of mental health services in the District of Columbia. The mayor is hereby required to use $7,500,000 of the funds provided to make capital improvements to facilities not located at Saint Elizabeths Hospital. Of the $7,500,000 provided for improvements to facilities not located at the hospital, not less than $5,000,000 shall be used to make capital improvements to housing facilities for seriously and chronically mentally ill individuals.

The balance of the funds transferred in 1988 will continue to be used as intended under Public Law 98-621.

Mr. Speaker, in addition to amending subsection 4(f)(2) of Public Law 98-621, section 3 of H.R. 1720 amends other pertinent sections to achieve the intended result. Also in accordance with the recommendation of the General Accounting Office in its reports to the Committee on the District of Columbia in June 1990, H.R. 1720 now before us, amends Public Law 98-621 to change the final date of transfer from October 1, 1991 to October 1, 1993.

Finally Mr. Speaker, H.R. 1720 amends Public Law 98-621 to change the due date from October 1991 to October 1992 by which the District must submit a master plan for use of the west side of the hospital. It also requires the Congress to take action on such plan not later than October, 1992.

Mr. Speaker, H.R. 1720 has the full support of the Committee and was ordered reported by a vote of 12 to 0.

□ 1340

Mr. BLILEY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the District of Columbia Mental Health Program Assistance Act of 1991, introduced by Mr. DELLUMS and cosponsored by Ms. NORTON, Mr. STARK, Mr. MCDERMOTT, and myself is a simple and noncontroversial bill. H.R. 1720 contains several provisions that are beneficial to St. Elizabeths Hospital, the District of Columbia, and its citizens. The legislation enjoys bipartisan support and passed through committee on a unanimous vote.

H.R. 1720 allows $7.5 million of already appropriated funds to be used for capital improvements of off-campus facilities and the development of housing for chronically mentally ill persons. I want to stress this very important point to my colleagues. These capital improvement funds have already been appropriated. We are simply allowing them to be used in the community, as the Mayor deems necessary, rather than on the St. Elizabeths campus.

H.R. 1720 also provides for the extension of the transition period for the transfer of St. Elizabeths Hospital to the control of the District government by 2 years. Finally, the submission date of a master plan for the usage of the west campus have been lengthened by 1 year. The Mayor's office, the U.S. Department of Health and Human Services, the D.C. Commission on Mental Health Services all support this legislation. The Congressional Budget Office has reviewed the legislation and determined that H.R. 1720 does not require the appropriation of new or additional Federal funding.

Allowing currently unused renovation funds to be applied to off-campus renovation of facilities, housing, and other capital improvements will allow for the most efficient use of those moneys. The deadline extensions provided for in H.R. 1720 are also justifiable. Representatives from the General Accounting Office confirm that, in order for the District to complete the transfer process as Congress intended, the extensions are necessary. The District of Columbia's Commission on Mental Health has endorsed both of these provisions.

I should emphasize that the provisions of this bill freeing moneys for new uses and the deadline extensions granted in H.R. 1720 do not require new or additional Federal financial obligations to the hospital.

It is essential to the welfare of the District that all of its citizens receive adequate mental health care. Affordable off-campus housing will allow the hospital to provide adequate outpatient care to its patients. And such care is far more preferable than the costly alternative of institutionalization. The hospital's move toward expanding its commuity-based treatment facilities will allow it to reach out to more citizens of the District. Furthermore, a community-based mental health care system is a key ingredient for assisting the large homeless population of the District.

As ranking minority member of the District of Columbia Committee, I am pleased to support this legislation. H.R. 1720 is beneficial by providing a reasonable extension of the deadlines and avoids errors which would be inevitable under an unnecessarily hasty transfer. In the long term, it will be beneficial by providing a foundation by which the District can address it's mental health care needs. I urge my colleagues to support H.R. 1720.

Ms. NORTON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I want to associate myself with the words of the chairman of the Committee on the District of Columbia, the gentleman from California [Mr. DELLUMS], and of the ranking minority member, the gentleman from Virginia [Mr. BLILEY], and to express my appreciation to each of them for their continual and extraordinary work to bring to the citizens of the District

of Columbia the highest level of mental health care.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT.

Page 3, add after line 24 the following new section:

**SEC. 4. BUY AMERICAN PROVISIONS.**

The Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-621 et seq. D.C. Code) is amended—

(1) by redesignating section 11 as section 12; and

(2) by inserting after section 10 the following new section:

**SEC. 11. BUY AMERICAN PROVISIONS.**

(A) The mayor shall insure that the requirements of the Buy American Act of 1933 as amended apply to all procurements made under this Act.

(B) DETERMINATION BY THE MAYOR.— (1) if the mayor, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the U.S. trade rep shall rescind the waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any agreement, between the United States and a foreign country pursuant to which the head of an agency of the United States Government has waived the requirements of the Buy American Act with respect to certain products produced in the foreign country.

(b) REPORT TO CONGRESS.—The mayor shall submit to Congress a report on the amount of purchases from foreign entities under this Act from foreign entities in fiscal year 1992 and 1993.

Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19) U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) BUY AMERICAN ACT DEFINED.—For purposes of this section, the term "Buy American Act" means the title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(C) RESTRICTIONS ON CONTRACT AWARDS.—No contract or subcontract made with funds authorized under this title may be awarded for the procurement of an article, material, or supply produced or manufactured in a foreign country whose government unfairly maintains in government procurement a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to (g)(1)(A) of section 305 of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(a)). Any such determination shall be made in accordance with section 305.

(D) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—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, that person shall be ineligible to receive any contract or subcontract under this Act, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

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

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

There was no objection.

Mr. TRAFICANT. No. 1, Mr. Speaker, this is a basic buy American amendment that affords the Mayor the opportunity to try and get some of these jobs for needy workers in the Dictrict of Columbia; and, second of all, I am hoping, under the leadership of the new Mayor, Mayor Dixon, that the gentlewoman from the District of Columbia [Ms. NORTON] will become a full voting Member.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

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

Mr. DELLUMS. Mr. Speaker, we have examined the contents of the amendment offered by my distinguished colleague, the gentleman from Ohio [Mr. TRAFICANT], and we are prepared to accept the amendment.

Mr. BLILEY. Mr. Speaker, will the gentleman yield?

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

Mr. BLILEY. Mr. Speaker, we have examined the amendment. We have no objection on this side of the aisle.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I shall not use the 5 minutes, however I want to thank my good friend and colleague, the ranking Republican of the Committee on the District of Columbia, Mr. TOM BLILEY, for his work with this gentleman to bring to the House today the two bills H.R. 2123 and H.R. 1720. Without his willingness to work in a bipartisan manner, neither piece of legislation would have reached the floor in such a timely manner. Also, Mr. Speaker, I want to extend my personal thanks to the staff for their excellent work. For the majority, Mr. Edward C. Sylvester, Jr., staff director; Mr. Dale MacIver, senior staff counsel; and Mr. Ronald C. Willis, senior staff associate; and for the minority, Mr. Dennis Smith, minority staff director; Mr. Ronald Hamm, minority senior staff assistant; and for his work on H.R. 1720, Mr. Sam Jefferson, minority staff assistant.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

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

There was no objection.

## INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1992

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 169 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 169

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2038) to authorize appropriations for fiscal year 1992 for the intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, the bill shall be considered for amendment under the five-minute rule, by title instead of by section, and each title shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 169 is the rule providing for the consideration of H.R. 2038, the Intelligence Authorization Act for fiscal year 1992. This is an open rule, providing for 1 hour of

general debate to be equally divided and controlled by the chairman and the ranking minority member of the Permanent Select Committee on Intelligence.

The rule provides that the bill shall be considered by title instead of by section, with each title considered as having been read.

Finally, the bill provides for one motion to recommit.

Mr. Speaker, the bill for which the Rules Committee has recommended this rule, H.R. 2038, authorizes funding for the Central Intelligence Agency and other United States intelligence agencies and intelligence-related activities. The bill also provides for some consolidation of intelligence activities, sets ceilings for personnel, and substantially increases funds for intelligence agency foreign language programs.

The amounts provided for the activities authorized by H.R. 2038 are contained in a classified annex to the bill, available to Members for viewing in room H-405.

Mr. Speaker, to repeat: House Resolution 169 is a simple open rule; any germane amendment is in order. I urge adoption of this rule so that the House can proceed to consideration of this important measure.

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

Mr. Speaker, I join the gentleman from California [Mr. BEILENSON], the former chairman of the House Intelligence Committee, in support of the rule he so ably described. It is a distinct pleasure to do so because this rule is a relatively rare thing to behold: An open rule that respects the traditional minority right of recommittal. In layman's language, that means the House will enjoy the luxury of 1 hour of unfettered debate, and that the minority gets a chance to offer their version of the bill for consideration by the House.

That is important, and right, and for that I want to express thanks to both the Intelligence Committee chairman, the gentleman from Oklahoma, and the ranking member, Mr. SHUSTER of Pennsylvania. Chairman MCCURDY requested an open rule, and he deserves our commendation for that. Likewise I would wish to express gratitude to Chairman MOAKLEY of the Rules Committee who, along with the ranking member, Mr. SOLOMON of New York, worked to honor Mr. MCCURDY's request.

This is an especially important rule because it deals with an especially important topic—our Nation's secrets. For those of us who serve in the House, I think it is fair to say that there is no higher form of public trust than to serve on the Intelligence Committee.

The average American watching at home on his television probably assumes that this is one area in which partisanship is set aside in the cause of protecting our Nation's secrets. Usually that is the case, and certainly it was the general rule during the chairmanship of Mr. BEILENSON. But all too often, it seems to me, that the American watching at home sees an unseemly display here on the floor, a display of bickering and backbiting—more often than not aimed at the previous administration of Ronald Reagan.

The contempt which many in the majority continue to feel for our former President has fueled a very political attack on the right of any future President to execute his national security duties as Commander in Chief. They have pushed hard for a 48-hour reporting requirement in order to force the President—any President—to tell Congress within 48 hours about the special operations that this country may be conducting.

Wisely, this bill avoids that debate—and thereby avoids the certain veto that it would elicit from virtually any White House. I commend all the members of the committee for sparing us the acrimony that such a provision would have brought.

In fact, with that provision left out, the bill really is, as the ranking member described it in his testimony before the Rules Committee, "a bare bones authorization."

There are differences between the majority and the minority regarding the proposed reorganization of the Defense Department's science and technology. The majority would rush to make changes rather than study the proposed reorganization a bit more thoroughly. It strikes me as the antithesis of the fly-before-you-buy mentality that so many of us in the House have endorsed for other defense-related programs. Additionally, many of us remain confused as to why it is better to construct a new portion of our Embassy in Moscow to sit atop the floors we know are laced through and through with bugging devices. Putting a cone of silence on top of a huge electronic bug strikes many of us as penny wise and extraordinarily pound foolish.

Beyond those two issues, there really is only one essential element missing in my judgment. What is missing is a requirement for a secrecy oath to be administered to the members and staff of the Intelligence Committee. Such an oath would not serve in any way to draw into question the patriotism of any member, nor of any staff member. Rather, it would serve as a sobering reminder of the very solemn duty charged to this particular committee.

My understanding is that the ranking member, Mr. SHUSTER, will be offering such an amendment later during consideration of the bill. I will wholeheartedly support it, and take this opportunity to encourage my colleagues of the House to do likewise.

The reason that an oath is necessary is to remind members and staff that, quite literally, lives are on the line. And those lives depend, in part, upon committee members and staff keeping their lips sealed. An oath would serve to underscore that vital fact.

Indeed, this issue is all the more important in light of Operation Desert Storm. Based upon that experience, the committee is renewing its call for greater reliance on human intelligence. That is, in my judgment, a wise and good decision. However, it means that human lives—not mere machines—will hang in the balance, will rely on secrets being kept, will rely on people not leaking stories to the press.

As the committee's report stated, more eloquently than I:

> There will always be secrets worth knowing. If what is truly important requires significant personal and political risk, then our country must be willing to pay the price—a price which may include compromised operations and the arrest of U.S. citizens or their agents.

I agree 100 percent. Allow me to simply paraphrase.

> There will always be secrets worth protecting. If what is truly important requires significant personal and political risk, then our country's elected representatives must be willing to pay the price—a price which includes doing everything possible to avoid compromising operations or the arrest of U.S. citizens or our agents.

Mr. Speaker, it is so little to ask of members and staff of this committee that they reaffirm their commitment to protecting the secrets—and therefore the lives—of those who risk their lives on a daily basis so that we might enjoy the sweet fruits of freedom.

All they need say is this:

> I do solemnly swear that I will not directly or indirectly disclose to any unauthorized person any classified information received in the course of my duties on the Permanent Select Committee on Intelligence, except with the formal approval of the committee or the House.

I submit that such an oath is not too much to ask.

So, I look forward to supporting the Shuster amendment, and respectfully request that my colleagues do the same recognizing that it is the very least that can be done to show our support and solidarity with those brave men and women who collect sensitive information on behalf of the American people.

I hope and trust that we will have that opportunity under this open rule. I urge all Members to support the rule.

Mr. Speaker, over this past weekend our Nation's Capital witnessed a tremendous demonstration of the military strength that led to our recent victory in the Persian Gulf. The investment that our former President, Ronald Reagan, made in our conventional weapons and in the morale and training of our troops was on display for all to clearly see.

And Mr. Speaker, just as our victory over Iraqi aggression was due in large part to President Reagan's commitment to military preparedness, we also must give him credit for much of our recent progress in negotiating new arms reduction treaties with the Soviet Union.

Not only did he modernize our strategic forces, compelling the Soviets to go back to the table and negotiate in earnest, he also adhered to basic, commonsense principles of arms control. How many times have we all heard him say, "Trust but verify"?

I raise this point today because I am pleased not just that we have before us an open rule, but also the report on the fiscal year 1992 intelligence authorization bill, a document that is equally frank and open in its admonition to our arms control negotiators.

Allow me to quote from the report:

> The monitoring of new arms control agreements will present a considerable challenge to U.S. intelligence * * *. The intelligence community cannot afford major new systems or expeditures because of U.S. oversights or misjudgments during treaty negotiations.

Mr. Speaker, today we stand on the threshold of a new era in arms control, with agreements on reductions in strategic arms, conventional forces in Europe, and chemical munitions stockpiles all close at hand.

If this new era is to serve our national security interests and the interests of peace—and if it is to set the stage for global arms control agreements—it is absolutely vital that our negotiators ensure that inspection and verification procedures under such agreements are stringent and thorough.

Now, more than ever, there is little room for error in these important areas during treaty negotiations and I am hopeful that our arms negotiators, in the State Department and elsewhere, will heed the admonition of the Intelligence Committee. Our Nation's future security from a treacherous attack—either strategic or terrorist in nature—depends on it.

I urge support of this open rule.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 169 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2038.

The Chair appoints the gentlewoman from New York [Ms. SLAUGHTER] as chairman of the Committee of the Whole and asks the gentleman from California [Mr. BEILENSON] to assume the chair temporarily.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2038), to authorize appropriations for fiscal year 1992 for intelligence activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. BEILENSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Oklahoma [Mr. MCCURDY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SHUSTER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. MCCURDY].

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

Madam Chairman, I rise in support of H.R. 2038, the Intelligence Authorization Act for fiscal year 1992.

H.R. 2038 authorizes all of the funds for the coming fiscal year for the intelligence and intelligence-related activities of the U.S. Government. The term intelligence activities includes all of the activities of the Central Intelligence Agency, the Defense Intelligency Agency, and the National Security Agency; as well as the activities of other intelligence components of the Department of Defense and the Departments of the Army, Navy, and Air Force. Included as well are the activities of the Bureau of Intelligence and Research of the Department of State, the intelligence division at the Federal Bureau of Investigation, intelligence elements of the Departments of the Treasury and Energy, the Drug Enforcement Administration, and the intelligence community staff of the Director of Central Intelligence. These activities provide intelligence for the use of national leaders like the President, the Cabinet, the National Security Council, and the Joint Chiefs of Staff.

This legislation also authorizes the tactical intelligence and related activities programs of the Department of Defense which have as their primary responsibility the provision of intelligence to military commanders, but which may be tasked, particularly in peacetime, for national intelligence purposes. The similarity of programs and functions between the national intelligence programs and the intelligence related activities of the Department of Defense is the reason that both are considered by the Intelligence Committee and authorized in this bill. The sequential referral of the bill to the Committee on Armed Services ensures that the judgments we have made are sound from the standpoint of both intelligence and military perspectives. On behalf of the Intelligence Committee, I want to extend my appreciation to the members and staff of the Committee on Armed Services for their assistance in our work.

Most intelligence activities are cloaked in a mantle of secrecy, and necessarily so. In some cases, the very existence of programs or activities is highly classified, and the ability to discuss them in an open setting such as this is therefore extremely limited. Those programs and activities are, however, set forth in a classified schedule of authorizations, which is incorporated by reference into H.R. 2038, and described in detail in a classified annex to the committee's report. Those documents are available for review in the committee's offices, and I urge those Members who have not already done so to review this material.

H.R. 2038 is the product of approximately 45 hours of hearings by the Program and Budget Authorization Subcommittee. I want to commend the committee staff and in particular the staff of the subcommittee—Bob Fitch, Jeannie Seelbach, Ken Kodama, Larry Prior, and Dee Jackson—for their dedicated and effective work. That the bill enjoys the bipartisan support of committee members is, I believe, evidence that it is a balanced and thorough assessment of the budgetary needs of our Nation's intelligence and intelligence-related programs and activities. I am especially grateful for the time and effort the committee's ranking Republican, the gentleman from Pennsylvania [Mr. SHUSTER], put into this legislation. His commitment to the work of our intelligence agencies is reflected in all aspects of H.R. 2038.

Madam Chairman, as was vividly demonstrated in the past year, the end of the cold war has not eliminated international challenges to which the United States must respond. Effective intelligence capabilities will be essential if threats such as the proliferation of weapons of mass destruction, terrorism, Third World instability, and the international narcotics trade are to be successfully addressed. We must ensure that U.S. intelligence agencies are able to provide the information which policymakers will need to deal with the complex crises and contingencies we are likely to confront. Adequate resources and an intelligence community structure that will enable those resources to be employed with maximum effectiveness, will be necessary if that goal is to be met. H.R. 2038 contributes to this end in two ways. First, the bill authorizes an appropriate level of resources. While less than requested by the President, the level of authorizations is, in conformance with the budget agreement, more than was made available in fiscal year 1991. Second, the bill encourages, and in some cases accelerates, the structural changes already underway in some components of the intelligence community. It is imperative that unnecessary duplication of effort be eliminated, and that management be able to provide centralized direction and coordination. The committee looks forward to working with representatives of the Department of Defense and the Director of Central Intelligence in particular, to ensure that changes are made, where appropriate, in the current organizational framework of the intelligence community to produce these results.

In addition, the bill authorizes resources to correct some deficiencies noted throughout Desert Shield and Desert Storm. For example, an increase in funding is recommended for innovative language training and standardized testing and evaluation for linguists. I believe this initiative is the beginning of a long-term program which could help reshape our thinking on the recruitment and retention of linguists and analysts who support the intelligence community. Also, funding adjustments are recommended to en-

hance reconnaissance support to deployed military commanders.

Madam Chairman, I want to take a moment to commend the many professionals throughout the intelligence community who came together and worked long hours in support of our deployed forces. Intelligence played a vital role in the outcome of Desert Storm.

At this time, I want to briefly summarize the provisions of H.R. 2038.

It should be noted that the administration's legislative requests for the intelligence agencies were not received by the committee until May 2. Our Subcommittee on Legislation has begun work on those requests, and a separate bill reflecting the judgment of the committee on them may be reported later in this session. H.R. 2038 is therefore strictly an authorization measure.

Title I provides authorizations for the majority of U.S. intelligence and intelligence-related activities. As I explained earlier, specific authorization levels and program details are in the classified schedule of authorizations and the annex to the report.

Title II provides for the intelligence community staff whose function is to assist the Director of Central Intelligence coordinate the activities of the various elements of the intelligence community, and prepare the community's budget. A reduction of 27 personnel is recommended.

Title III provides an authorization of $164.1 million for the Central Intelligence Agency's retirement and disability system. This system provides benefits to those CIA employees performing hazardous duties or serving in special situations, usually overseas, which may limit the lengths of their careers.

Finally, title IV contains two recurring general provisions, one of which provides for adjustments to pay which may occur as a result of general pay raises and other personnel legislation. The other provides that authorizations in the bill are not to be construed as authorizing intelligence activities not otherwise permitted by the Constitution or laws of the United States.

Madam Chairman, H.R. 2038 seeks to address our Nation's near-term intelligence needs as well as encouraging the kinds of structural changes that will give our intelligence agencies the flexibility to deal with future challenges. I urge the passage of the bill.

□ 1400

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

Madam Chairman, this intelligence authorization bill, H.R. 2038, is a simple, basic, indeed bare bones authorization for our country's intelligence activities for the coming fiscal year. My good friend from Oklahoma, the distinguished chairman of the Intelligence Committee, has ably summarized its significant provisions.

As Chairman MCCURDY noted, the administration's fiscal year 1992 request includes a number of legislative proposals which are not contained in H.R. 2038. I would hope and expect that the Intelligence Committee will have an opportunity later in this session to fully consider those legislative proposals and, where appropriate, take action on them. The Legislation Subcommittee of the Intelligence Committee did, in fact, hold a hearing on two of the administration's fiscal year 1992 legislative proposals last week. A subcommittee hearing on another initiative is scheduled for tomorrow.

Those Members who have had an opportunity to look at the minority views in our committee report to accompany H.R. 2038 will observe that the principal issue on which we differed with our majority colleagues involved the committee's decision on reorganizing the Defense Department's science and technology intelligence components. The minority dissented from that conclusion not because we think it necessarily incorrect, but because we believe that there has been insufficient study of the issue to support any particular conclusion at this time.

In addition to this issue, the minority has reservations about the Committee's treatment of certain CIA programs discussed in the minority views to the classified annex to the report. We remain sensitive to most of the administration's concerns about the Committee's actions with respect to these classified programs. Hopefully, these concerns and reservations can be constructively addressed by the time we reach the conference stage on this legislation.

Apart from these issues, members of the Intelligence Committee were in substantial agreement on almost all other matters in the bill and report. Therefore, barring the adoption of harmful amendments during consideration of the bill on the floor today, I expect to vote in favor of its passage.

As you may recall, I continue to hold the view that members and staff of the Intelligence Committee ought to take an oath of secrecy as formal evidence of our solemn commitment to diligently protect the sensitive intelligence information to which we are privy by virtue of our committee duties. Therefore, at the appropriate point during consideration of the bill, I expect to offer an amendment to require such an oath of secrecy. Because of potential germaneness problems with an amendment addressing this issue, I requested that the Rules Committee include a waiver of points of order for my amendment in the rule for consideration of H.R. 2038. Regrettably, by a 5-to-4 vote the Rules Committee declined.

Some of us have long endeavored to give the House an opportunity to consider and vote on this matter. For the life of me, I cannot understand the stiff-necked, foot-dragging, teeth-pulling resistance to letting the House have that opportunity. One would think that we were proposing that Members and staff of the Intelligence Committee be strip-searched in the well of the House. Instead, we are merely proposing a modest measure, the thrust of which is educational. It is intended to raise the consciousness of Intelligence Committee members and staff and to engrave more effectively in their minds the rules and corresponding responsibilities pertaining to the constant protection of sensitive intelligence information to which our sensitive positions give us access.

I want to emphasize that thanks to the chairman and members on both sides of the aisle of this committee, there have been very strong bipartisan support as we come to the floor today.

□ 1410

In discussing these matters last week with the distinguished chairman of the Rules Committee, he reminded me of the high caliber of the Members who served as chairmen of the Intelligence Committee and of their diligence in trying to assure that Members and staff remember their responsibilities in this area. I do not dispute that at all. I would argue that my amendment complements those very efforts.

I would also like to remind the distinguished Rules Committee chairman that our former colleague, Eddie Boland, the first and longest serving Intelligence Committee chairman, in a letter to Chairman MOAKLEY on June 26, 1990, just last year, stated that he did not oppose secrecy oaths of the nature of the one I propose.

If today is not the day when the House finally gets to consider this issue, then I will keep looking for every opportunity which may present itself in the future. Perhaps one day the pigeonholing and the gag rules will end and this proposal can be openly debated on the floor of the House.

Two final points, Madam Chairman. First, I would like to emphasize the point our distinguished chairman made with regard to the outstanding performance of U.S. intelligence activity in the Persian Gulf. The performance of U.S. intelligence in Desert Storm and Desert Shield was absolutely extraordinary.

Never, never in the history of our country have our military people had the kind of precise targeting information which was available to them and available to them because of the outstanding performance of our intelligence agencies. Never before have we had the kind of detailed order of battle information that was provided by our intelligence capabilities. And yes, the

performance of our intelligence agencies with regard to thwarting terrorism was absolutely heroic. I wish I could go into more detail to tell some of the stories of the tremendous efforts on the part of the CIA and FBI around the world to stop terrorism before it really inflicted its deadly awesome pain on American citizens here in the United States and around the world. Major terrorists act were blocked because of U.S. intelligence efforts.

If there is any one area where I think our intelligence activities have been criticized, and in a sense unfairly, it is that we have heard that the intelligence activities of our country were not able to foresee Saddam Hussein's intentions. We have been holding hearings on this, and I have looked at this issue quite carefully. I have come to the conclusion that our intelligence people would have had been fortune tellers to be able to divine the intentions of Saddam Hussein. There is absolutely no credible evidence that shows that he knew what his intentions were going to be until a few days before he invaded Kuwait.

Indeed, our allies in the region unanimously informed us that they believed he was not going to invade, the Saudis, the Kuwaitis, the Egyptians, et cetera. So I think on balance, while there certainly always is room for improvement in human endeavor, the intelligence performance of our agencies in the gulf war was absolutely extraordinary, and the American people can be very proud of that performance.

Last, on the subject of counternarcotics we hear a lot about the need to shift priorities in a post cold war world. I can assure my colleagues that the intelligence community is indeed reordering priorities, and one of those reordered priorities, which is very critical, is the increased emphasis on counternarcotics.

Around the world, our intelligence activities are performing extremely well to provide both the strategic and the tactical intelligence necessary to rollup drug organizations and indeed drug lords. I certainly would not want to be a drug lord in one of these far away countries today, knowing what I know about the tremendous capability and effort and accomplishment of our intelligence agencies around the world. It is something else that the American people can be very proud of, the role that is being played in this spectacular effort. We bring a bill to the floor today which supports sound, well thought out intelligence capabilities for our country in the coming fiscal year, and I urge my colleagues to vigorously support this legislation.

Mr. MCCURDY. Madam Chairman, I yield 5 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY], chairwoman of the Subcommittee on Legislation of the Permanent Select Committee on Intelligence.

Mrs. KENNELLY. Madam Chairman, I rise in support of the intelligence authorization bill for fiscal year 1992, and I want to compliment our chairman, Mr. MCCURDY, and his leadership in this year's authorization process.

This is a bill which is difficult to discuss on the floor because so many of the program details and authorization levels are classified. Classification is necessary because an awareness that an intelligence activity even exists may reduce or eliminate its effectiveness, endanger lives, or lead to the collection of false information contrived by our adversaries to confuse or mislead us. However, I recognize that classification does produce a certain sense of frustration on the part of Members who are uncertain about whether we are spending too much, or too little, on intelligence.

I believe this bill provides the right level of resources for our intelligence agencies for the coming fiscal year. It does not give the President all he requested in the aggregate, nor does it match his specific requests for each and every program and activity. The bill does, however, provide a level of resources that the members of the committee, Democrats and Republicans alike, were convinced, after many hours of hearings and briefings, is necessary for our intelligence agencies to carry out their important responsibilities.

This legislation also moves us in the direction of ensuring that those agencies are working together to provide a reliable and timely intelligence product with an absolute minimum of duplication and wasted effort. Our committee's efforts to streamline the intelligence community begins with this bill. That effort is not one in which we engage on our own. The Department of Defense has completed a review of its intelligence structure and recommended a number of changes. The CIA has a similar review underway, and with a new Director of Central Intelligence on the horizon, I am certain that the organization of the entire intelligence community will be closely examined.

This is as it should be because a robust intelligence capability will be every bit as important as the United States enters a new century, as it was at the height of the cold war. International challenges may be of a different character, but they are not going to go away. The task before us is to determine whether the intelligence structure that developed as a response to the threats of the past is the best possible structure with which to confront the threats of the future.

I believe that it is clear that intelligence is going to have to do more with less in the years ahead. Budget constraints will affect both equipment purchases and personnel levels. Resources for new technologies and the people to use them will be stretched, making sound investment decisions in all categories of spending essential.

To operate successfully in this environment, our intelligence agencies will need to stress intracommunity cooperation and eliminate redundancy. Consolidation of activities within agencies should be a priority. I am especially pleased, therefore, that H.R. 2038 recommends consolidation within elements of the Department of Defense, of defense scientific and technical intelligence, human intelligence, and theater intelligence. These kinds of consolidation efforts should produce the type of effective centralized management of intelligence activities that will be crucial in the years ahead. I'm sure that the committee will encourage greater efforts in this regard in next year's bill, but I want to commend our chairman for his insistence that we take these first, but important steps this year.

Madam Chairman, I urge that the House endorse H.R. 2038.

□ 1420

Mr. SHUSTER. Madam Chairman, I yield 5 minutes to the gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Madam Chairman, I thank the gentleman for yielding me this time. I will not use that time.

But I just would be remiss if I did not stand for a moment and say how difficult it is to talk about a subject you cannot talk about, Madam Chairman, but I do want to pay the accolades where they are due. This is a very good committee on which to serve, and I appreciate very much the cooperative spirit in which there is a bipartisan effort on that committee.

I would be very remiss if I did not compliment the staff. I do not know, and I am not familiar with, all of the staffs on the Hill, but I think it would be impossible to have a staff that is more professional, more courteous, or more knowledgeable than the staff on the Permanent Select Committee on Intelligence and the great works that they do. They are the one continuity in that committee which continues with the rotation of the membership.

Then, very briefly, with the matter for which we are here, Madam Chairman, I would rise in strong support regardless of the disposition of any of the other matters that are currently not a part of this authorization bill, to rise to very strongly support it and encourage my colleagues to support it and to say that those people, particularly on my side, who know where I am philosophically, this is a bill in which I think they can firmly support and place their confidence in.

Mr. MCCURDY. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Kansas [Mr. GLICKMAN], a very active and hard-working member of our committee.

Mr. GLICKMAN. Madam Chairman, I rise in support of this bill.

It is a good bill, and as the gentleman from Pennsylvania [Mr. SHUSTER] said, most of it has been agreed to in a bipartisan context.

I would like to make a couple of comments about the intelligence community and intelligence legislation and activities at this time. We are at an intelligence crossroads in two areas, one substantively and one procedurally. On a substantive basis, we are at a crossroads in this world from an intelligence base that was directed almost exclusively at the Soviet threat. We are now moving to an intelligence base which is directed at, first, economics, to make sure that we know what is happening to us in the economic theater of the world, at terrorism, at counternarcotics and particularly at the Third World and areas like the Middle East.

The question is: Can our intelligence community adopt and adapt its functions, functions that since 1945 have been geared to the cold war, and adapt to those functions, to threats which are a lot more serious and a lot more modern? What we on the committee try to do all the time is to try to ensure that the intelligence community focuses on what are the current threats to this country, and not merely get locked into historic threats.

I compliment both the gentleman from Oklahoma [Mr. MCCURDY], the gentleman from Pennsylvania [Mr. SHUSTER], and the committee for putting together a bill that is focused on that.

I would reiterate one of my great interests, which is economic intelligence. In a modern world, in a global economic world with a lot of very serious competitors to the United States, we must make sure that what we know about what is happening to America economically, particularly from threats from other countries, that that should remain a very high priority of the intelligence community.

The other intelligence crossroad is organizationally oriented. We see we will have a new director of the CIA hopefully fairly soon, one who will have great influence on the future of American intelligence. In that connection, we see that relationships between the intelligence communities, the intelligence agencies, are under very serious discussion. We also look at relationships between the intelligence community and policymakers such as those within the State Department and the administration, and we see in some cases things are working well, and in other cases, areas of great confusion.

One of the reasons we are at a crossroads right now is because a new director of the CIA will have the opportunity to put together organizationally an intelligence network which makes more sense in a modern world; to not only focus the intelligence community substantively at economics and terrorism and counternarcotics, but also organizationally to maybe break the yokes of the organization of the cold war era and look to a modern organization of intelligence which makes sense and which makes us leaner and meaner when it comes to our organization of intelligence.

Intelligence can be the eyes and the ears to keep America on top in this world economically or militarily, or it can be an expensive albatross which keeps us from being as innovative as we need to be in meeting our threats.

The jury is still out on how well the intelligence community functioned in the Middle East crisis of the Iraq-Kuwait war. I agree with the gentleman from Pennsylvania [Mr. SHUSTER] that most of the time I think it operated in a very fine sense. I am not so sure it operated well in conjunction with how it related to the policymakers in the State Department and the administration, who were making poor decisions prior to Iraq's invasion of Kuwait.

One of the things we have to focus on is how well intelligence relates to the policy people in the State Department, the National Security Council and the administration who were actually making and carrying out the decisions in Kuwait, Iraq, and Saudi Arabia which affected the lives of our servicemen and women in the future of this great country of ours. So we have a lot of issues to face in this area, a lot of challenges to make intelligence activities function more effectively.

I compliment, again, the chairman of the committee and the staff of the committee for putting together a bill which I think pushes the intelligence community into areas that if needs to be focused on.

Mr. SHUSTER. Madam Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS], a member of the committee.

Mr. GEKAS. Madam Chairman, to the members of the committee, I am grateful for the yielding accorded to me by the gentleman from Pennsylvania.

I, too, want to pay my compliments to the chairman of the committee and the ranking Republican.

As a new member of this committee, I have learned a lot fast, and I appreciate the solicitude which has been offered to me by the staff on both sides and by the individuals and women of the committee.

The important opening statement made by the gentleman from Oklahoma brings to mind a pet concern of mine. The gentleman from Oklahoma, the chairman, quite rightly said that one of the focuses of our committee is to make sure that the agencies within the intelligence community can work better together. In some cases, perhaps their activities should be merged or some other accommodations made for a concentration of effort and a minimum of cost to be applied to these functions. I would have to say that that same concern applies to my pet peeve, the necessity for having two intelligence committees, one on the House side and one on the Senate side.

The very same concern that the gentleman from Oklahoma proscribes with respect to cost can apply to two committees working as an intelligence committee as these two are, the permanent select committees on both sides of the Chambers, and the other one, and it is more important than anything, and it does not apply to any other committee, the argument that other committees have the same face and the same function on both sides of the Capitol which does not apply to this, because in this particular case, we have to deal with the national security, and the one most sickening aspect of some of the news that we have heard over the past years has been the extent of the leaks by Members and perhaps by staff of vital information that could have led to threaten the very existence of our country and the lives of our servicemen and, indeed, our agency people throughout the world.

Madam Chairman, the existence of leaks perhaps can never be forbidden or protected against. But would it not be a certainty that the number of leaks and the ferocity of leaks could be diminished if we had but one Select Committee on Intelligence, a joint committee, House and Senate? One set of people would be testifying. One set of documents would be proffered. One set of testimony would come to the ears of the Intelligence Committee members and nothing more. That automatically would diminish and reduce the chances for leaks of vital national security information.

I intend to pursue this subject. Just as the gentleman from Pennsylvania wants very much to insert an oath into the process, I want to explore fully the possibility of joining up the committees, and at the appropriate time I will ask the gentlewoman who heads the Subcommittee on Legislation of the Intelligence Committee to offer a hearing on this question.

I feel very strongly about this.

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

Madam Chairman, just in response to my friend and colleague, the gentleman from Pennsylvania [Mr. GEKAS], who is a member of the committee, first of all, I want to commend him for his participation in the committee. I think, as he indicated, he has learned a great deal in a short amount of time as we all do on this committee.

□ 1430

It is one of the most fascinating jurisdictions that the Congress is in-

volved in because it is a window onto the world in a number of respects, and it is obviously very important to our national security and the foreign policy of our country.

I just wanted to respond briefly to one of the comments made regarding the function of the committee, and perhaps even the other gentleman from Pennsylvania [Mr. SHUSTER] had referred to it as well in his comments regarding the secrecy oath. As chairman of this committee, and I have had the pleasure of serving under four distinguished chairmen including the original chairman, Mr. Boland from Massachusetts, the distinguished gentleman from Indiana [Mr. HAMILTON], the distinguished gentleman from Ohio [Mr. STOKES], and the distinguished gentleman from California [Mr. BEILENSON]. Each of the Chairs that preceded me have undertaken that unique responsibility that we hold with the utmost seriousness in trying to maintain the security of the committee. We have taken renewed precautions to improve the physical security of the committee room, the suites. We have tried to impress upon Members and staff the importance of information with which we deal and the procedures under which we operate which are protected under the rules of the House and governed by the rules of the House regarding the disclosure of any classified, unlawful disclosure of any classified material.

I would say during my tenure, I think the record has been very good within the committee. Specifically, to the reference of the joint committee, I only just want to say rather parenthetically that there has been great progress over the years in references to this issue. At one point the community had to report to eight separate committees of the Congress in the House. Eight separate committees. Now, they report to one committee of each House. I believe that by that consolidation we have addressed much of the concern of the gentleman from Pennsylvania.

We do not control the other body. We deal with them at times, but there are substantive issues of difference between the two bodies. There are areas of jurisdiction that, although they may overlap, that obviously require that we investigate and oversee different degrees of detail, and it has always been the prerogative of the chair of the committee to lay out the agenda for the committee to follow for the tenure of that particular chair and for the term in Congress.

This year, we have looked very aggressively at the issue of lessons learned from Desert Shield/Desert Storm to improve the overall effectiveness in the intelligence community. As I have said, and I think other Members have said, in my opinion the intelligence community performed admirably and well, and in many cases spectacularly, in support of these operations. I believe that they were on the mark prior to the full invasion in many respects.

Nonetheless, there are other areas of importance. The whole issue of the end of the cold war, the tremendous turmoil internationally, potential for chaos in the Soviet Union, and the unique challenges that face vital United States interests around the globe are also, I think, coming at a time when we are having diminished resources in the Department of Defense, and I think over time within the intelligence community as well. Therefore, we have to get more out of these agencies, greater requirement, and more demand, with fewer funds. So it is important that we have the utmost efficiency and effectiveness in these operations and in these agencies.

Having said that, I still believe that there is a strong sense of bipartisanship within our committee. I have made it a point to try to depoliticize the debate and the agenda to make sure we get an agenda that is looking at improving the overall national security and effectiveness in our community. I believe we are making real progress toward that end.

Madam Chairman, I reserve the balance of my time.

Mr. SHUSTER. Madam Chairman, I yield 5 minutes to the distinguished gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Madam Chairman, I commend the members of the select committee for their work and rise in support of the intelligence authorization bill for fiscal year 1992. I also want to take a moment to discuss a matter which is addressed in the report which accompanies this measure. The matter involves pending discussions on a consolidated Washington-area CIA facility.

Officials at the CIA are currently involved in a site selection process for what would be the consolidation of several CIA offices that are outside of the Langley headquarters complex. I am not predisposed one way or another about the desirability or need for a consolidation. But I believe that as this process moves forward the CIA should carefully consider the effect that a relocation and consolidation would have upon the employees involved and their families, as well as on the mission of the Agency.

I have a strong record of support for the Agency over the years, and have worked to secure many Federal employee programs—such as child day care, leave sharing, and flexible work schedules—that benefit CIA employees. So I have a longstanding interest in the well-being of CIA employees. My concern is that all of the efforts that have been made at the CIA to institute profamily employee programs would be made meaningless unless employee considerations are taken into account as discussions on the consolidation progress.

The CIA employees at the satellite offices have become part of their communities in Virginia, Maryland, and the District of Columbia. They have joined places of worship, are involved in community service groups, have spouses who are employed here, and have children active at local schools. As the ranking member of the Select Committee on Children, Youth, and Families, I am very concerned about the disruption that a major relocation would have on these families.

The American family is under pressure today such as it has never faced before. And the state of the economy compounds these pressures. If the consolidated site was to be outside of this commuting area, the families involved would face difficult decisions. Employees who move their homes may have spouses who would be unable to find similar employment near the new location. Many who have invested in homes simply would not be able to sell these homes in the current market. Those who decide to make the long commute would have less time to spend with their spouses and children. And my understanding is that some of the locations under consideration would be almost impossible to commute to for CIA employees who currently live in parts of Maryland, the District of Columbia, and Virginia. In short, there is the potential that the consolidation would have a major effect on the morale of CIA employees.

Just as important is the impact of a consolidation on the ability of the CIA to perform its mission. As the select committee has recognized in this bill, the Agency must change to keep pace with the profound developments in the world community. The CIA will need to be unified to meet the intelligence challenges of the new world order. It would be ill-advised to consolidate if it would create operational and organizational separation at this time when unity is essential.

When discussing a possible consolidation it is important to keep in mind that the CIA is not just another Federal agency: It is the central intelligence function of our Government. It coordinates and oversees the entire intelligence community, and must be close to these and other arms of the Federal Government if it is to carry out its vital mission.

For these reasons, I believe that careful thought must be given to plan for consolidation.

Madam Chairman, at this point I insert a letter addressed to the Director of the Central Intelligence Agency.

HOUSE OF REPRESENTATIVES,
*Washington, DC, June 11, 1991.*

Hon. WILLIAM H. WEBSTER,
*Director, Central Intelligence Agency, Washington, DC.*

DEAR JUDGE WEBSTER: I am writing to supplement our recent discussion about the

pending decision on a consolidated Washington-area CIA facility.

As the record of Operation Desert Storm indicates, intelligence is critical to the advancement of U.S. national interests in the world community. The significant changes that have taken place in recent years will require the CIA to face great challenges in the years ahead. Although the consolidation of CIA offices may at first glance seem far removed from these broad matters, I believe that the location of the proposed facility will have a profound effect of the ability of the CIA to effectively meet the challenges of the 1990s and beyond. In the long-term, the location of the facility will affect the way that the CIA institutionally performs its vital mission. In the near-term, the location of the consolidated site and the manner in which the relocation is carried out will determine whether CIA employees face disruption at home and at work, just as they are being called upon to carry out the changing mission of the agency.

As you know, I have supported the CIA over the years and have worked to secure federal employee benefits that have benefited CIA employees. The agency has implemented many problems that I have authored, including on-site child care, leave sharing, and flexible work schedules. We have worked together to resolve disputes with local residents on the physical aspects of the Langley headquarters complex. So I bring to the matter of the consolidation the hope that we can continue our cooperation and comity.

I was deeply concerned to learn of discussions by some at the agency to move forward with a consolidation of several satellite offices in what could be a location far from current headquarters. It also concerns me that I was not informed about the proposal by CIA officials but had to learn about it through a third party.

I have a strong interest in the proposed consolidation not only because it would affect many of my constituents and would involve hundreds of millions of taxpayers dollars, but also because a consolidation in a remote location could jeopardize the very future of the central intelligence function of the U.S. government. In the mid-1980s a decision was made to bring several offices of the CIA together in the current headquarters at Langley, in an effort to improve the coordinated operations and efficiency of the agency. The clandestine nature of the operations of the CIA directorates has a centrifugal effect, but many who are knowledgeable about the CIA have told me that the current headquarters setup has made important strides in unifying the operations of the agency. This could be lost if a second consolidation were effected at a site too far from Langley. Geographic separation would bring operational separation and could effectively weaken the integrity of the agency. It could have a very negative effect on the morale and espirt d'corps of CIA employees, and foster an "us" versus "them" attitude that would debilitate the agency.

In addition, it is important when discussing a consolidation and relocation of satellite offices to keep in mind that the CIA is not just another federal agency: it is the central intelligence function of our government. It coordinates and oversees the entire intelligence community, including the departments of Defense, State, Commerce, and Justice. Close proximity to these and other arms of the federal government is essential to the CIA carrying out its mission.

For these reasons, I hope that as the proposal comes up to you for decision, you will give serious thought to its potential impact upon the employees involved and their families, as well as on the ability of the CIA to perform its mission.

As I have looked into the human and capital costs involved, it has grown clear that the farther away the new facility is placed from Langley and Washington, the greater the negative impact of the CIA's mission and on its employees. Since Congress is ultimately responsible for the federal expenditures involved in a consolidation and relocation, I would appreciate the agency providing answers to the following questions. I recognize that in order to be complete, some of the answers might have to get into areas that are sensitive from a national security standpoint. I would appreciate your staff answering these questions at a non-classified level, and then providing separate supplementary answers in a classified document.

1. A primary question involves what the CIA would hope to achieve by consolidating Washington-area facilities. I know that this is an areas of interest to members of the House Permanent Select Committee on Intelligence, as reflected by the report to the Fiscal Year 1992 Intelligence Authorization Act, which calls for a review of CIA facilities and activities to insure that the analysis conducted to support the consolidation is sound. Some who I have spoken with regarding the consolidation suggest that it would affect not only satellite offices, but could also involve employees now assigned to the Langley facility.

(a) What offices in the Washington area would be involved in the consolidation?

(b) How do these offices currently interact with Langley and with federal agencies downtown?

(c) How many trips are required annually between these existing offices and CIA headquarters?

(d) How many trips are required between these offices and other federal agencies in Washington, D.C.?

(e) How would a consolidation affect the current method of interaction between the satellite offices, main CIA headquarters, and federal agencies?

(f) What additional travel costs, including time lost in travel, would be involved?

(g) What modes of travel would be involved?

(h) Would the consolidated site be located near a major airport?

(i) Would it be proximate to a major interstate highway, with direct access to Langley and Washington?

(j) Would it be located near other means of mass transit?

(k) How would a consolidation impact the operations of these offices?

(l) How would the distance of the consolidated site from main headquarters affect the operations of the functions involved?

(m) Would it affect the way that information is transmitted between headquarters and other functions?

(n) What steps would be taken to prevent the consolidated site from developing a separate organizational identity from headquarters?

2. The CIA employees at the satellite offices have become part of their communities in Virginia, Maryland, and the District of Columbia. They have joined places of worship, are involved in community service groups, have spouses who are employed here, and have children active at local schools. As the ranking member of the Select Committee on Children, Youth, and Families, I am very concerned about the disruption that a major relocation would have on the families involved.

A consolidation in a remote location would be a serious burden on families at a time when the family is already under great pressure. The state of the economy would compound the disruption caused by a major relocation, and families who have invested in their homes would face difficult decisions. Employees who decide to move might have spouses who would be unable to find similar employment at the new location. Those who decide to commute would have less time to spend with their spouses and children. And some of the locations under consideration would be almost impossible to commute to for CIA employees who currently live in Maryland and Washington and parts of Virginia.

(a) How many employees would be involved in the consolidation?

(b) Where do these employees now live?

(c) How does that break down by Congressional district?

(d) What are the pay grades of the employees involved?

(e) How would the consolidation affect commuting patterns?

(f) If the consolidation were to occur in a location far from the current offices, how many employees would willingly relocate?

(g) Would you offer employees who do not wish to relocate other positions of equal pay and tenure within this commuting area?

(h) Do you have assurances that top management at the various offices involved would relocate?

(i) What assistance would be provided to employees who choose not to relocate?

(j) Would eligible employees be offered early-outs?

(k) How many of the employees involved have school-age children?

(l) How many have spouses who also work?

(m) How many of these spouses are employed by the federal government, or in work related to the federal government?

(n) How many of the employees involved are single parents?

(o) Would the relocation of individual employees to timed to consider the needs of school-age children?

(p) Are there employees involved who have children with special educational, physical, or emotional needs that are being met today but might not be met if they were relocated to a remote site?

(q) How are quality of life factors—such as school systems, libraries, transportation systems, medical facilities, higher educational facilities, parks and recreation, and employment opportunities for spouses—being addressed in the evaluation of potential sites?

3. The CIA currently benefits when hiring new employees by recruiting them for service in the Nation's Capital.

(a) How would a consolidation in a remote location affect recruitment efforts?

(b) What provisions would be made for hiring new employees, including recruitment and training, if some current employees chose not to relocate?

4. Moving a federal office entails many incidental costs that must be considered by the agency when determining whether a planned move will be cost-effective.

Because of the present downturn in the real estate market in the Washington areas, many employees would simply be unable to sell their houses if they were relocated to a distant site. Many would choose to commute, regardless of the distance, and this of course would affect moral as well as work performance.

(a) For those who did move their homes, what would be the costs of the federal government in terms of employee relocation allowances such as household goods move, home marketing, new home search and purchase assistance, present home carrying costs, family move, and temporary living costs?

(b) What would be the costs associated with relocating the physical offices of the satellite facilities involved in terms of equipment relocation costs, ADP costs, furniture, communications equipment, and other costs?

(c) What would be the construction costs at the new location?

(d) What have been the capital improvements made at each of the satellite offices involved in the past three years?

(e) What lease penalties at current locations would be due to private lessors?

(f) What would be the additional costs in terms of communications and travel if the consolidated facility is at a remote location?

(g) What other incidental costs would be incurred by the federal government?

5. Concerns have been raised about the manner in which the current site selection process has been conducted.

(a) How many sites have been surveyed in the current site selection process?

(b) What is the preferred size of the site for the proposed consolidation?

(c) Has the CIA considered better use of the space at its present locations?

(d) Has the CIA made attempts to take advantage of the currently depressed real estate market by considering long-term leased space, with an option for federal purchase?

(e) What is the delineated geographic area under consideration for the consolidated?

(f) How was this area determined?

6. Considering each of the items mentioned above, what would be the total costs of a relocation and consolidation, including incidental and employee-related costs?

My hope is that by considering the effects of the proposed consolidation and relocation you will conclude that it is in the best interest of the CIA to keep the proposed limited to an area that is close to CIA headquarters and to Washington D.C. Given that officials at the CIA have been working on the concept for several years and may have already determined the requested information, I would appreciate a response to these questions by July 8.

Thank you for your attention to this request.

Sincerely,

FRANK R. WOLF,
*Member of Congress.*

□ 1440

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

Mr. SHUSTER. Madam Chairman, I would say to my good friend that our committee has informed the CIA that we expect to be fully kept abreast of this study and expect to be fully involved in any such decision.

I would also say to my friend, in addition to the reference to this matter in our report, in the open report before the body, there is further reference in our classified annex, so the gentleman may want to peruse that at his convenience as well.

Mr. WOLF. Madam Chairman, I appreciate the gentleman doing that. It is important that the Agency knows that this is in here so they cannot move ahead on anything until they come back to the Agency, and I will follow up on that, and I thank the gentleman.

Mr. SHUSTER. Madam Chairman, I yield 5 minutes to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Madam Chairman, I greatly appreciate the opportunity to have a few minutes to speak on this subject because it is one that is very personal to me, as most of you know.

I was a classified intelligence officer for the Central Intelligence Agency for 12 years. I bring that perspective to this debate and to the question of the oversight of Congress on our intelligence operations.

I think today's debate on the future of our Nation's intelligence gathering really does miss an opportunity, perhaps even a golden opportunity, to discuss an issue very crucial to the success of our operations, and I want to emphasize the success of our operations is something that we do read about in the papers, because when we fail we hear about that and there is a great hue and cry for accountability of what went wrong; so it is incumbent upon us to do our best to provide every possible edge that our operations in the intelligence theater will succeed.

The issue that I am speaking of is an oath of secrecy. It is a very simple oath. It is given to members of the Permanent Select Committee on Intelligence and to their staffs.

Let me quickly say, by the fact that we do not have this oath of secrecy now I am in no way making any suggestion that we are not doing the job properly. I am talking about sending a signal for the future.

It may seem to some to be a symbolic step, but it is one that could go a long way in shoring up what I think is a waning confidence in Congress, sending a message to our allies and our operatives in the field that we take their work most seriously and that we in fact will not take any chances on betraying their trust for political reasons or for political gain.

Of course, this is not a new idea. Every year I have been here it has been mentioned. It has been discussed at this time. The concept of an oath of secrecy for committee members and staff has been around for a long time. I think we eventually are going to have to implement it.

Repeated efforts to have an open vote on the issue I think have fallen victim to partisan politics, sadly. Take it from somebody who knows, we need better safeguards to insure that classified material remains classified. It seems to me common sense to demand a little accountability from the people to whom we trust some of our most sensitive information and the lives of many loyal, hard-working people around the world.

A few simple words of commitment does not seem that much to ask.

Having said that, I honestly do not think that there would be much resistance from any members of the staff or of the committee to take such an oath. I think that we are kidding ourselves by not making a requirement of it. I think it is a simple way to send a signal that is so terribly important.

Madam Chairman, I thank the gentleman for the opportunity to be able to make these remarks again. Until we get this provision, I am going to try to have the opportunity to make these remarks at every occasion like this.

The reason I say that is that I know of very few places in the whole intelligence network where there is such a concentration of vital information as in the House Select Committee on Intelligence. I think we have to go the extra step to provide those safeguards and assurances that the people who depend on us handling that information wisely know that we are taking every step.

Mr. RAY. Madam Chairman, I rise today in support of H.R. 2038, the fiscal year 1992 intelligence authorization bill. I would like to commend Chairman MCCURDY and the ranking minority member from Pennsylvania [Mr. SHUSTER] for their efforts on this legislation.

I recognize that it is not easy to craft legislation which addresses the issue of intelligence and intelligence-related programs. However, Operation Desert Storm has shown us the importance and critical need for good intelligence gathering capabilities.

I applaud the bipartisan effort of the Select Committee on Intelligence in reporting a bill which provides the direction we need in this area.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered under the 5-minute rule by titles and each title shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 2038

*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 "Intelligence Authorization Act, Fiscal Year 1992".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—INTELLIGENCE ACTIVITIES

**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 1992 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.

(2) The Department of Defense.

(3) The Defense Intelligence Agency.

(4) The National Security Agency.

(5) The Department of the Army, the Department of the Navy and the Department of the Air Force.

(6) The Department of State.

(7) The Department of the Treasury.

(8) The Department of Energy.

(9) The Federal Bureau of Investigation.

(10) The Drug Enforcement Administration.

**SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

(a) SPECIFICATION OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1992, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany H.R. 2038 of the One Hundred Second Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations described in subsection (a) shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

**SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

(a) AUTHORITY FOR ADJUSTMENTS.—The Director of Central Intelligence may authorize employment of civilian personnel in excess of the numbers authorized for fiscal year 1992 under sections 102 and 202 of this Act when he determines that such action is necessary for the performance of important intelligence functions, except that such number may not, for any element of the Intelligence Community, exceed 2 percent of the number of civilian personnel authorized under those sections for that element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by subsection (a).

**SEC. 104. TRANSFER AUTHORITY.**

(a) PURPOSE AND AMOUNTS OF TRANSFER.—Of the funds authorized to be appropriated under section 101, an amount specified in the classified Schedule of Authorizations referred to in section 102 may be transferred, in accordance with the provisions of section 502(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)), by the Director of Central Intelligence to a special program identified in that classified Schedule of Authorization.

(b) TRANSFER SCHEDULE.—The Director may exercise the transfer authority provided by subsection (a) only in three increments, as follows:

(1) The first increment of funds may be transferred only during the three-month period beginning on January 1, 1992, in an amount not to exceed one third of the amount referred to in subsection (a).

(2) The second increment of funds may be transferred only during the three-month period beginning on April 1, 1992, in an amount which, when added to any amount transferred in the first increment, does not exceed two thirds of the amount referred to in subsection (a).

(3) The third increment of funds may be transferred only during the three-month period beginning on July 1, 1992, in an amount which, when added to any amounts transferred in the first and second increments, does not exceed the full amount referred to in subsection (a).

(c) IDENTIFICATION OF SOURCES OF FUNDS.—Not later than 15 days before the date of the transfer of each increment, the Director shall identify for the intelligence committees of the Senate and House of Representatives each specific program, project, or activity within the National Foreign Intelligence Program that is proposed as a source of the funds to be transferred.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendments: Page 3, at the beginning of line 11, insert "2038".

Page 4, after line 11, insert the following new section:

**SEC. 104. TRANSFER AUTHORITY.**

(a) PURPOSE AND AMOUNTS OF TRANSFER.—Of the funds authorized to be appropriated under section 101, an amount specified in the classified Schedule of Authorizations referred to in section 102 may be transferred, in accordance with the provisions of section 502(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)), by the Director of Central Intelligence to a special program identified in that classified Schedule of Authorizations.

Mr. McCURDY (during the reading). Madam Chairman, I ask unanimous consent that the committee amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. McCURDY Madam Chairman, I move to strike the last work.

Madam Chairman, among other things, the committee amendment authorizes the transfer of funds to a single program identified in the classified schedule of authorizations incorporated by reference in the bill. The scope of this authority and limitations on it, are set forth in the classified annex to the report.

It is the committee's intention that, before each and every occasion in which this authority is used, the proposed sources of funds will be identified, and the committee will render its judgment on them. The committee believes this procedure is entirely consistent with the meaning of section 502(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)), and the legislative history applicable to that provision.

Mr. SHUSTER. Madam Chairman, I rise in support of the committee amendments.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. Are there any amendments to title I?

Mr. McCURDY. Madam Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill is as follows:

TITLE II—INTELLIGENCE COMMUNITY STAFF

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1992 the sum of $30,719,000.

**SEC. 202. AUTHORIZATION OF PERSONNEL END-STRENGTH.**

(a) AUTHORIZED PERSONNEL LEVEL.—The Intelligence Community Staff is authorized 240 full-time personnel as of September 30, 1992. Such personnel of the Intelligence Community Staff may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(b) REPRESENTATION OF INTELLIGENCE ELEMENTS.—During fiscal year 1992, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(c) DETAILEES TO BE ON REIMBURSABLE BASIS.—During fiscal year 1992, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

**SEC. 203. INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN SAME MANNER AS CENTRAL INTELLIGENCE AGENCY.**

During fiscal year 1992, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) in the same manner as activities and personnel of the Central Intelligence Agency.

TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM AND RELATED PROVISIONS

**SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1992 the sum of $164,100,000.

TITLE IV—GENERAL PROVISIONS

**SEC. 401. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.**

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

**SEC. 402. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.**

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 10, strike out "240" and insert in lieu thereof "213".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 8, after line 15, insert the following new subsection:

SEC. 403. INTELLIGENCE COMMUNITY CONTRACTING.—The Director of Central Intelligence shall direct that elements of the Intelligence Community, whenever compatible with the national security interests of the United States and consistent with the operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, shall award contracts in a manner that would maximize the procurement of products in the United States. For purposes of this provision, the term "Intelligence Community" has the same meaning as set forth in paragraph 3.4(f) of Executive Order 12333, dated December 4, 1981, or successor orders.

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

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

There was no objection.

Mr. TRAFICANT. Madam Chairman, this is the same language that was added to last year's Intelligence Authorization Act.

I want to commend the new chairman, a young chairman, for giving everybody an equal opportunity and access to look at the bill and have an opportunity in their own minds to try to enhance it.

I also want to thank the ranking minority member that I served with on the Committee on Public Works and Transportation for the fine job he has done.

It is the same language that was in the bill last year.

Mr. McCURDY. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the committee chairman.

Mr. McCURDY. Madam Chairman, I thank the gentleman for yielding to me.

Madam Chairman, the amendment offered by the gentleman from Ohio is identical to language included in the conference report on the fiscal year 1991 intelligence authorization bill. Although that measure was vetoed, the same language on intelligence community contracting is contained in the revised authorization bill for fiscal year 1991 which is now before the Senate.

I would have preferred that the gentleman wait to offer his amendment until the committee could evaluate how the intelligence community responds to the directives on this issue contained in the 1991 bill. That would have allowed the committee to work with the gentleman to address any problems identified as a result of the community's experience with the implementation of this kind of provision. Nevertheless, I understand the gentleman's desire to further express his concerns in this area.

As the language in the amendment is identical to a provision we hope will soon be enacted into law in another intelligence bill, I have no objection to accepting the amendment.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

□ 1450

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SHUSTER

Mr. SHUSTER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHUSTER: Page 8, after line 15, add the following new section at the end of Title IV:

**SEC. 403. OATH OF SECRECY.**

In order to promote an enhanced consciousness by the Members and staff of the Permanent Select Committee on Intelligence of their special responsibilities for the protection of sensitive classified intelligence information, and thereby to promote an increased readiness on the part of the Executive Branch to provide information to the Committee necessary for it to most effectively carry out its legislative and oversight responsibilities for programs for which funds are authorized in this Act, Rule XLVIII (Rule 48) of the Rules of the House of Representatives is amended—

(a) at the end of clause 1 by adding the following new paragraph:

"(d) At the time a Member is appointed to serve on the select committee, or within thirty days after the adoption by the House of this provision, whichever is later, the member shall take the following oath:

"I do solemnly swear (or affirm) that I will not directly or indirectly disclose to any unauthorized person any classified information received in the course of my duties on the Permanent Select Committee on Intelligence, except with the formal approval of the committee or of the House."

The oath shall be administered by the Speaker of the House of Representatives. The Clerk of the House of Representatives of the One Hundred Second Congress and each succeeding Congress shall cause this oath to be printed, furnishing two copies to each Member appointed to the select committee who has taken this oath, which shall be subscribed to by the Member, who shall deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record.":

(b) at the end of clause 5 by adding the following new sentences: "Each employee of the select committee and any person engaged by contract or otherwise to perform services for or at the request of the select committee who is required to subscribe to the agreement in writing referred to in the first sentence of this clause shall, at the time of signing or within thrity days after the adoption by the House of this provision, whichever is later, also take the oath set out in clause 1(d) of this rule. The oath shall be administered by the chairman or by any member of the committee or of the committee staff designated by the chairman. The Clerk of the House of Representatives of the One Hundred Second and each succeeding Congress shall cause this oath to be printed, furnishing two copies to each of such persons taking this oath, which shall be subscribed by each such person, who shall deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record.":

(c) in clause 7(d) by inserting immediately after the words "paragraph (c)" the words "or of the oath required by clause 1(d) or by clause 5," and by adding immediately after the last sentence of clause 7(d) the following new sentences: "The select committee may refer cases of unauthorized disclosure and violations of the required oaths to the Committee on Standards of Official Conduct for investigation. While a member of the committee is the subject of such a pending investigation, the select committee may determine by majority vote that the member shall not be given access to classified information.": and

(d) by adding the following new sentence at the end of clause 7(e): "If the Committee on Standards of Official Conduct determines that any member of the select committee or any person on its staff who is the subject of any such investigation has violated the oath required by clause 1(d) or clause 5, such person shall be permanently expelled from membership on the select committee or have his employment in any capacity by the select committee terminated permanently, as the case may be, in addition to being subject to such other actions as the House may determine are appropriate.".

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

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

There was no objection.

POINT OF ORDER

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

Madam Chairman, the amendment proposes a change in the rules of the House. Changes in House rules are outside of the jurisdiction of the Permanent Select Committee on Intelligence, and within the jurisdiction of the Committee on Rules. H.R. 2038 therefore contains no changes to House rules.

The amendment fails the test of committee jurisdiction under section 798c of the Rules and Practices of the House of Representatives by including matters within the jurisdiction of a committee not reporting the bill, the Committee on Rules. As a result, the

amendment is not germane, and therefore it violates clause 7 of rule XVI (16).

Madam Chairman, I insist on my point of order.

Mr. SHUSTER. Madam Chairman, I regret that once again the House will not apparently be given the opportunity to vote on this amendment, and I am prepared for the ruling of the Chair.

Mr. SOLOMON. Madam Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman wish to speak on the point of order?

Mr. SOLOMON. Madam Chairman, did the gentleman reserve a point of order or did he make a point of order?

Mr. McCURDY. I made a point of order.

The CHAIRMAN. The gentleman has made a point of order.

Mr. SOLOMON. So it is not debatable and I cannot engage in a colloquy with the sponsor of the amendment then?

The CHAIRMAN (Ms. SLAUGHTER of New York). The gentleman is correct.

The Chair is ready to rule on the point of order of the gentleman from Oklahoma [Mr. McCURDY].

For the reasons stated by the gentleman from Oklahoma, and based on the Chair's ruling of May 1, 1991, on the question, the Chair agrees that this amendment is not germane to the bill before the committee and, accordingly, the point of order is sustained.

Are there further amendments?

AMENDMENT OFFERED BY MR. SHUSTER

Mr. SHUSTER. Madam Chairman, in the spirit of compromise, I offer another amendment which I trust will be acceptable.

The Clerk read as follows:

Amendment offered by Mr. SHUSTER: Page 8, after line 15, insert the following new section:

**SEC. 403. LIMITATION ON SUBMISSION OF INFORMATION—OATH OF SECRECY.**

(a) Notwithstanding any other provision of this Act, during fiscal year 1992, no element of the United States Government for which funds are authorized by this Act may provide any classified information concerning or derived from the intelligence or intelligence related activities of any such element to a Member or employee of the House Permanent Select Committee on Intelligence unless and until a copy of the oath set out in subsection (b), signed by that Member or employee, as the case may be, has been published in the Congressional Record.

(b) The oath referred to in subsection (a) is as follows:

"I do solemnly swear (or affirm) that I will not directly or indirectly disclose to any unauthorized person any classified information received in the course of my duties on the Permanent Select Committee on Intelligence, except with the formal approval of the committee or of the House.".

POINT OF ORDER

Mr. McCURDY. Madam Chairman, as with the previous amendment, I would raise a point of order that this amendment, too, is not germane. I would argue, Madam Chairman, that the amendment restricts the ability of the Speaker to appoint members to the committee and is therefore an amendment to House rules. It conditions and amends the implementation of an existing law, the National Security Act of 1947, which is outside the scope of the bill.

Therefore, Madam Chairman, it violates rule XVI, that is clause 7 of rule XVI, and I insist upon my point of order.

Mr. SHUSTER. Madam Chairman, this clearly is within the rules of the House. First of all, the Speaker may appoint anybody he chooses. This does not limit the Speaker's ability to appoint. And second, this does not amend the National Security Act referred to by the gentleman. Rather, this amendment is limited specifically to the piece of legislation that is before us today. It simply prohibits the intelligence components of the Government for which funds are authorized in this bill from providing classified intelligence-related information to members or employees of the Inteligence Committee unless and until a simple oath of secrecy, signed by them, has been published in the CONGRESSIONAL RECORD. And I emphasize, this amendment is limited to fiscal year 1992. This is limited to this bill before us today.

Its primary purpose is to promote an increased readiness on the part of the executive branch agencies covered to provide information to the Intelligence Committee necessary for it to most effectively carry out its legislative oversight of the activities for which the funds are authorized in this bill. Making the provision of this classified intelligence information to members and staff of the Intelligence Committee contingent on the solemn commitment represented by their taking this oath to protect the information will strongly encourage the full candor we seek. It does not change any rules of the House. It does not go to any law beyond that which we are considering today. This clearly is within the rules of the House and is indeed germane and is a much more modest amendment than that which I previously offered.

Furthermore, Madam Chairman, may I emphasize that there are two other provisions of this bill, as amended here today, that already deal with the transfer of information by the executive agencies to Congress. Section 103(b) regards information on exceeding personnel ceilings, section 104(c) concerns information on funding accounts from which funds are transferred.

So, if these two provisions are within the scope of this bill, then certainly my amendment is within the scope of this bill.

The CHAIRMAN (Ms. SLAUGHTER of New York). The Chair finds that this amendment does differ from the previous one ruled upon. This amendment constrains the flow of information from the entities that are funded by the bill for this fiscal year to the Congress only for the period of such funding. In addition, the bill directly addresses the flow of information from the intelligence community to the Congress. Accordingly, the Chair finds that the amendment is germane to the bill.

□ 1500

Mr. SHUSTER. I thank our distinguished Madam Chairwoman, thank her for her very fair treatment, and I am delighted that finally, through the persistence of many fine people, we have been able to bring this very important issue to the floor of the Congress.

My colleagues, this is a simple amendment that asks only that those members of the Permanent Select Committe on Intelligence and the employees who have the distinct honor and privilege of being responsible for the handling of our Nation's most sensitive secrets are required to take an oath of secrecy.

Madam Chairman, there is nothing new about this. When a predecessor to the Permanent Select Committee on Intelligence, the Committee of Secret Correspondence, met in the Second Continental Congress, Benjamin Franklin and others who handled the Nation's sensitive material at that time indeed did take a similar oath of secrecy.

Beyond that, I referred earlier today to a letter the committee received just last year from the distinguished Eddie Boland, the first chairman of the Permanent Select Committee on Intelligence, in which he said that he was not opposed to such an oath of secrecy.

Beyond that, in the Iran-Contra report provided this body not too many years ago there are repeated references to specific leaks which occurred in the House, in the Senate, leaks which occurred from sitting members of the House Permanent Select Committee on Intelligence, sitting members of the Senate Intelligence Committee, and so we are not talking theory here. We are talking about direct experience in the past.

Madam Chairman, having said that, I emphasize that I believe the chairman has done an outstanding job in emphasizing the importance of protecting leaks so that we do not divulge classified information, and I believe that my colleagues on both sides of the the aisle are indeed sensitive to this issue.

However, Madam Chairman, this goes beyond the question of simple sensitivity of the members sitting on the committee. It goes fundamentally to the issue of our setting an example, our setting the best example in this town, so when others in this town and in this official Government community, particularly those in the executive branch, as well as our colleagues in both bodies, deal with sensitive, classified infor-

mation, they know that, like Caesar's wife, we on the Permanent Select Committee on Intelligence are going to be very, very concerned and sensitive. We on the Permanent Select Committee on Intelligence are taking an oath to protect that secrecy.

Madam Chairman, this is extremely important because there has been example after example of leaks, most of which we think of coming from the executive branch, but, nevertheless, there have been very specific examples of classified leaks in the past out of the House Permanent Select Committee on Intelligence, out of the Senate Intelligence Committee. Indeed it has been published that a former Member of the Senate of the other body's Intelligence Committee threatened to disclose two covert actions as a method of stopping those covert actions from being implemented.

So, there is a clear need, not only for us to address this issue ourselves, but, even more importantly, for us to set a good example.

In closing, Madam Chairman, I cannot understand for the life of me why my colleagues are so opposed, so afraid, of our taking a simple oath of secrecy to preserve our Nation's most sensitive secrets. What is wrong with this simple amendment? Why are we afraid? In fact I would suggest that several colleagues on the other side of the aisle have told me that they have no problem with this, but that it is a Democratic leadership position, and so they have got to march in lockstep to support the opposition to this amendment. I say we should all think for ourselves. I cannot believe that the Democratic leadership has in fact attempted to muzzle our colleagues on the other side of the aisle on this issue. Let us vote on this. Let us be free to vote on both sides of the aisle, and let us support this modest amendment which indeed will improve the security of the United States of America.

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

Mr. Chairman, I have been somewhat perplexed this year since I have taken over the chair of the Permanent Select Committee on Intelligence at the amount of time spent on this amendment, and I am also a little perplexed by the statement of the gentleman from Pennsylvania [Mr. SHUSTER], my friend and colleague, when he obviously has become very worked up on this position and says that he cannot understand why anyone would oppose this amendment. On the face of it there is very little to oppose, but, as we sit here and we see the gentleman from New York [Mr. SOLOMON] with his amendment on drug testing, we see the gentleman from Pennsylvania [Mr. SHUSTER] with his amendment on an oath, we have seen amendments here on saluting the flag, it appears that, in spite of the multibillions of dollars in our bill, in spite of the incredible authorization authority that we have and the jurisdiction that we cover, we spend all of our time on provisions such as this.

Mr. Chairman, the fact of the matter is it irritates me because it seems as if people are trying to take partisan advantage or create some partisan position here by placing people in a position. If we accept the oath on this, what is next? Polygraphs? And after polygraphs do we have to do random drug testing to Members?

Mr. Chairman, the gentleman is shaking his head that he would like to see that as well.

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

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

Mr. SHUSTER. Mr. Chairman, this gentleman did not shake his head yes.

Mr. McCURDY. Mr. Chairman, it was the gentleman from New York [Mr. SOLOMON].

Mr. SHUSTER. Mr. Chairman, I thank the gentleman from Oklahoma.

Mr. McCURDY. Mr. Chairman, as my colleagues know, I have extended my hand in an attempt to be fair in the Permanent Select Committee on Intelligence. We come here with an open rule, we come here, and the gentleman knows in the committee we have taken extra precautions to admonish and advise Members about the information that we deal with, and now he is saying we are just here to set an example.

My colleagues, I think, more importantly for the American public, we need to really put this issue to rest here today and discuss this. Members of Congress are elected in each of our individual districts across the United States, 435 Members of Congress, by roughly 500,000-plus individuals; some districts more, some a little less. We come to this body, and we take an oath to uphold and defend the Constitution of the United States. Every single Member of Congress takes the oath. It is the same that the President of the United States takes, an oath to uphold and defend.

Now, Mr. Chairman, if we single out this committee as being so unique, then maybe another symbolic step would solve this problem. But then the next question will be: What about the R&D Subcommittee of the Committee on Armed Services, which I also serve on? That also handles classified information. And what about the Committee on Appropriations' Subcommittee on Defense? They, too, happen to get involved in appropriating on matters involving intelligence. Are we going to require them to do it? All of a sudden we might as well bring in the whole Congress and start swearing them in.

The point of the matter is that we already take an oath of office, and I believe that the amendment of the gentleman from Pennsylvania [Mr. SHUSTER] is redundant. Again I think there are those who are looking for a position which not necessarily advances the posture of the committee. The gentleman is continually; he said it a few weeks ago; talking about leaks. I do not know of an example of a leak from the committee that has been pointed out to a Member. In addition, the gentleman mentioned the Senate, but we, quite frankly, do not have jurisdiction over the other body.

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

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

Mr. SHUSTER. Mr. Chairman, I refer to the Iran-Contra minority report which refers to a former distinguished Member of this body who at that time sat on the Permanent Select Committee on Intelligence, who admitted to staff that he was the leak of a Newsweek article, and it is in chapter 13, entitled "The Need To Patch Leaks," and the gentleman's name is included there.

□ 1510

Madam Chairman, this is not a retroactive amendment, so it does not apply to former members of the committee. There have been instances, I will point out to the gentleman, where Members have been basically removed from committee positions.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. McCURDY] has expired.

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

Mr. McCURDY. Madam Chairman, there have been instances where Members have actually been removed. I think the other body has made tremendous strides in improving the situation, and I commend the distinguished chairman on the Senate side, Mr. BOREN, for his efforts to correct any potential abuses over there. They do not have an oath of office or an oath of secrecy. I commend the gentleman from Alaska [Mr. MURKOWSKI] as well.

I think we, too, on this side have taken precautions and continue to take precautions to protect information. I know the gentleman has raised earlier concerns about the requirement under the rules of the committee that were already there, that testimony before our committee be taken under oath. We talked about Iran-Contra, where the administration obviously appeared before committees, including ours, and there have been allegations of misleading or false testimony, but this rule applies to all committees in the Congress. It applies to the Committee on Appropriations and other committees as well. Even the Science Committee has that same provision in the rule. So we did not set a new precedent by using that rule. It has been used at times in other committees as well.

So again, I am a little surprised at the vigor and the persistence of the gentleman on this point since he admits, and I think the gentleman would have to admit, that during his tenure, since he has been the ranking member and I have been chairman of this committee, we have not had abuses, and I would hope we could maintain that record as well.

Mr. LAGOMARSINO. Madam Chairman. I move to strike the requisite number of words, and I yield to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Madam Chairman, I thank my good friend for yielding, and I take this oppportunity to respond to my good friend, the gentleman from Oklahoma, on several of the points he has made.

First of all, I could not agree more that there appear not to have been any leaks from our committee in the past 5 months or so. That is not the point I am making here. The point I am making here is that there have been leaks in the past. This city leaks like a sieve, and we need to set an example.

Beyond that, my good friend, the gentleman from Oklahoma, apparently complains about the amount of time spent on this amendment. The reason we have spent time on this amendment is because of the gentleman's opposition. We could have solved this in 3 minutes 5 months ago. So it is not this gentleman who has caused the time to be spent, but it is the opponents of this amendment.

Beyond that, my good friend, the gentleman from Oklahoma, says—and let me quote him, if I wrote the words down accurately—"On its face, there is very little to oppose in this amendment."

I agree with that. If there is so very little to oppose, why all the opposition?

Beyond that, my good friend said, "What's coming next, a drug amendment?" Well, this is not a drug amendment.

Then he says, "What's coming next?" He refers to our already having passed one on saluting the flag. This is not saluting the flag.

Then he says, "Are we going to have polygraph tests?" This is not a polygraph test.

So we should not be dredging up straw men and indicating this amendment is about something it is not. This amendment is only about Members and staff of the committee taking an oath of secrecy, Members who deal with our Nation's most sensitive secrets.

The gentleman suggests, darkly perhaps, that there might be those here wanting to take partisan advantage by offering this amendment. This amendment was not meant to be partisan. It was only made partisan by the majority who opposed it. This was not offered in a partisan way at all. So that point should be emphasized as well.

We should emphasize also that this goes to the question of trust with our allies. We know there have been cases where our allies have refused to share intelligence with us. So this is one more step to say to our allies that we are setting a good example.

Beyond that, the gentleman referred to our requiring an oath by those in the executive branch who come before us to testify. Yes, we do. Those very same officials who come before us have also previously, when they assumed their office, held up their right hands and taken an oath to preserve and protect the Constitution of the United States, just as we have. The gentleman said that because we took that oath, somehow we do not need to take this oath. Those very people who came before us took that same oath that we took, and we require another oath of them.

So it seems to me that this is simply one more reason to support the amendment.

Finally, we should also never forget that our Founding Fathers took this kind of an oath as they dealt with the top secrets of their country in their day and age.

So, Madam Chairman, for all those reasons, on a bipartisan basis, we should pass this simple amendment.

Mr. LAGOMARSINO. Madam Chairman, I just want to say that I rise in very strong support of this amendment. It seems to me that if we went out and asked the American public what they thought about this, whether they thought members of this committee should take such an oath, they would overwhelmingly say yes.

Mr. DORNAN of California. Madam Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Madam Chairman, let me say to the chairman of our distinguished committee and Members on both sides that I truly also underscore what the distinguished gentleman from Pennsylvania [Mr. SHUSTER] has said. This is not a partisan amendment.

Now, I understand deep in the liberal soul, particularly if Members are over about 45 years of age, this can conjure up the image of loyalty oaths, which strikes terror in the hearts of some of our most senior liberals who are long of tooth. But I would remind the Members here what I have just reaffirmed from my own knowledge, that our staff members on both sides—and they are good, loyal Americans, all of them; I know some well and some not so well and some I have just only been introduced to—do not as members of the staff of the Intelligence Committee ever come into this job and raise their hands and swear or affirm to uphold the Constitution of the United States. They sign certain documents that have the same effect, but they do not do that.

Now, I know that our chairman, the gentleman from Oklahoma, is an Air Force officer in the Reserves. I do not know whether he was ever an enlisted man, but I know that when he got that Air Force commission, he raised his hand and swore to defend the Constitution, as he has done here every 2 years from 1980 on. And knowing the gentleman pretty well, I will bet that he and I and most of the Members in this Chamber get goose pimples, no matter how many times we have done it, even those who are senior Members, Mr. MICHEL and Mr. BROOMFIELD on this side, and our Speaker and all the way to JAMIE WHITTEN, the distinguished chairman of the Committee on Appropriations on the other side. I know they get goose pimples; I can see it on everybody's face. I know when we do that at the beginning of each two years of Congress, we get goose pimples. We like doing it. Yet once we have done it, if we are incumbents, is there any other reason to do it over again except for the ceremony to indicate that this is a new Congress and we are just doing it over again?

I did it as an enlisted man, a teenager, when I joined the Air Force for 4 years. I did it within a year or so later when I became an aviator cadet. I did it again a year and a half after that when I got my wings, and I have done it seven times on the floor of this Chamber, sometimes holding the hand of my youngest daughter when I first came here and she was still a teenager, and then with four or five different grandchildren over the years, holding their hands with my left hand and raising my right hand and swearing to defend the Constitution.

Now, certainly if somebody were to break this down for staff and we would get a vote on this, every Member knows that it is going to be an overwhelming vote for the staff of the Intelligence Committee, this powerful and important select committee; we know that is going to win overwhelmingly. Our staffers, some of them young people without military service, will for the first time in their lives get the goose pimples connected with raising their hands and swearing to defend the Constitution and defend it against every enemy, foreign and domestic.

□ 1520

Did you hear that last word, folks? "Domestic." Yes, there are some people who call themselves Americans, that in their hearts have already betrayed their country, that we have to defend the Constitution against those people. I would simply say that since it would win overwhelmingly to have our intelligence staffers do what we do at the beginning of each Congress, and do it proudly and willingly and get a lump in our throat doing it, if we are going

to do it to the staff, then why can we not lead by example, as the gentleman from Pennsylvania [Mr. SHUSTER] has said so eloquently, and merely have the Members and the staff do it one more time?

I have done it as an enlisted man, a cadet, a young Air Force officer, and seven times in this Chamber. I think I have done it in between testifying at certain committees. We have now taken to swearing in certain people, and I am sure if we had a Member, a Senator or Congressman testifying with other Members, and you asked the panel to stand, which I support your doing it every time, a Member would stand and take the oath. I have seen them do it over in committee hearings in the Rayburn and Longworth Buildings.

Madam Chairman, in conclusion, I would ask the gentleman from Oklahoma [Mr. MCCURDY], quite simply, is it really anything but another goose pimple moment for Members and staffers?

Mr. MCCURDY. Madam Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from Oklahoma.

Mr. MCCURDY. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I actually think that I would concur and agree with the gentleman that every time we take the Oath of Allegiance to our country, I get goose bumps. I get goose bumps every time I salute the flag.

Mr. DORNAN of California. Madam Chairman, reclaiming my time, I knew the gentleman did, because I do, too.

Mr. MCCURDY. Madam Chairman, I actually get goose bumps when I walk up these stairs.

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

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

The CHAIRMAN. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. MCCURDY. Madam Chairman, as chairman of this committee I felt constrained to resist this on the germaneness issue earlier because it was a rules change. Now that the Parliamentarian has ruled that it is germane, if I could engage with the gentleman from Pennsylvania [Mr. SHUSTER] for just a moment.

As I indicated, on the face of this I have no problem. I have not had problems with that. What I am concerned about though is, having done this, that now we are going to hear about drug testing, or polygraphs, or other amendments, that all of a sudden our committee becomes so unique with regard to responsibility requirements, that it becomes almost unworkable.

Madam Chairman, I honestly do not believe that we should impugn the honor of any member of our committee.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

Mr. SHUSTER. Madam Chairman, that is certainly not my intention, I would say to my good friend, the gentleman from Oklahoma [Mr. MCCURDY], as I am sure the gentleman knows.

Mr. MCCURDY. Madam Chairman, reclaiming my time, before we start loading up requirements into this bill, will this now become the next standard amendment on the floor, like the Walker amendment on 2 percent, or the Solomon drug amendment?

Mr. SHUSTER. Madam Chairman, if the gentleman will yield further, that is certainly not this Member's intention.

Mr. MCCURDY. Madam Chairman, if the gentleman would agree to that then, if that is not going to be the case, then I personally could accept the amendment.

Mr. SHUSTER. Madam Chairman, if the gentleman will yield, I thank the gentleman from Oklahoma [Mr. MCCURDY] and give him my assurance it is not my intention to offer a series of amendments as he has described.

Mr. MCCURDY. Would the gentleman from Pennsylvania [Mr. SHUSTER] resist the other amendments if offered?

Mr. SHUSTER. Madam Chairman, I would have to vote my conscience on any of them. I would not intend to actively participate.

Mr. MCCURDY. Madam Chairman, I would accept the amendment.

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

Madam Chairman, I thank the gentleman from Oklahoma [Mr. MCCURDY] for his colloguy with the ranking Member, the gentleman from Pennsylvania [Mr. SHUSTER]. I commend him for it.

Madam Chairman, I intended to rise for the purpose of taking just a selection from the reports of the Iran-Contra Committee to the Congress in which it has various subtitles, one being, "The Leaky 1970's," and the other being, "The Still Leaky Congress During the Reagan Years." Then it begins to cite specific examples in which one member of the Committee on Intelligence allowed as how he had leaked certain documents. The final conclusion was that this member was set straight by the House Intelligence Committee chairman, but who decided to take no action against this member since leaks were so epidemic.

Madam Chairman, I think that the conclusion that is made here by the acceptance of the amendment of the gentleman from Pennsylvania [Mr. SHUSTER] is a step in the right direction. My father used to urge me, as I would run home with some dire explanation as to a crisis at hand, he would look at me and say, "Young man, you must learn to not fight battles not worth winning."

Madam Chairman, the opposition to a cause such as this is not worth the fight. The people in this country want to know that their secrets are secure, and there is no reason to oppose it. I commend the gentleman from Oklahoma [Mr. MCCURDY] for accepting it.

Madam Chairman, the final point would be that there are people, and when I say people, I mean not only just Members, I mean families, wives, husbands, and children, whose parents serve this country in a very, very dangerous position. They carry within their brain information that makes them subject to attack, to abuse, to capture, and to destruction, because they house our Nation's most vital secrets.

If someone, on purpose or inadvertently, leaks that information and makes them a target, that father, that mother, that serves our Nation so ably, is placed at risk.

For their benefit, if for no one else's, for their benefit we want to assure them that the one composite, if you go to the Central Intelligence Agency, that agency is what we call compartmentalized. The person working next door to another person does not know what that person is doing. The only place in the Government where all of that is compiled in one central location is in the hands of the Intelligence Committees of the Congress.

Therefore, we have a very, very sacred obligation and responsibility. I think the gentleman from Pennsylvania [Mr. SHUSTER] is trying to say to those employees, trying to say to those families, trying to say to those who place their lives at risk, that we are going the extra mile to assure you that every staff member and every member of the committee is committed to that protection, and, thereby, your safety as well.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

Mr. SHUSTER. Madam Chairman, I would say to my good friend, the gentleman from Oklahoma [Mr. MCCURDY], I thank him for accepting my amendment, and give him the assurances he requested from me. I would also say for the RECORD it is my understanding from the gentleman that he indeed will support the House position as we go to conference on this issue.

Mr. MCCURDY. Madam Chairman, will the gentleman yield?

Mr. MCEWEN. I yield to the gentleman from Oklahoma.

Mr. MCCURDY. Madam Chairman, that is correct. The gentleman from Pennsylvania [Mr. SHUSTER] can count

on the word of the gentleman from Oklahoma.

I would just for the RECORD state one thing. It has often been reported now from the Iran-Contra affair about the leaks. I just want to state for the RECORD that this is a position held within the minority views of the committee, the Iran-Contra Committee, and was not the full committee.

Mr. McEWEN. Madam Chairman, reclaiming my time, that was an excellent addition to the report.

Mr. McCURDY. Madam Chairman, If the gentleman will yield further, I also say with all the pounding on the Congress on this, that in many respects I think it unjustified, I would like to point to the RECORD that the principal leaks are coming from the administration. When the Secretary of Defense instructs members of the intelligence community to give interviews to report on the record during a conflict, I for one believe that is what has to stop as well. I do not think we ought to be taking potshots at the Congress. Our record is good.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

Mr. SHUSTER. Madam Chairman, the gentleman from Oklahoma [Mr. McCURDY] makes an excellent point. As the gentleman knows, I have dealt with that particular issue earlier today.

Mr. McEWEN. Madam Chairman, reclaiming my time, let me emphasize that that which I quoted was a quote from the chairman of the committee as reported in Newsweek. That is what I was reporting in the minority report.

Madam Chairman, let me conclude by saying I commend the gentleman from Oklahoma [Mr. McCURDY] the chairman of the Committee on Intelligence. He is an excellent leader. I believe the choice by the Speaker to choose him as chairman was an excellent choice. It has been my privilege to serve with him on the Committee on Intelligence. In handling the rule I intended to say so.

Madam Chairman, I especially commend the gentleman now for accepting this amendment, which he has opposed in the past. That shows, again the reason that he is held in such high esteem and regard by this body.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SHUSTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: At the end of title IV (page 8, after line 15), insert the following new section:

**SEC. 403. CONTROLLED SUBSTANCES TESTING PROGRAM FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.**

(a) ESTABLISHMENT OF PROGRAM.—The Director of Central Intelligence shall establish and carry out a program for random testing of the officers and employees of the Central Intelligence Agency for the use of controlled substances.

(b) DEFINITION.—For the purposes of this section, the term "controlled substance" has the meaning given that term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

(c) IMPLEMENTATION.—The program of random testing for the use of controlled substances required by subsection (a) shall be implemented not later than October 1, 1991, or the end of the 90-day period beginning on the date of the enactment of this Act, whichever is later.

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

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

There was no objection.

Mr. SOLOMON. Madam Chairman, let me just say this same amendment was offered last year to this same authorization bill, and it was accepted. It is one of two amendments that I am offering to all authorization bills affecting all branches of Government from now through the end of this Congress.

Madam Chairman, I regret that it is necessary to offer this amendment to each authorization bill, but the reason is that the committee of jurisdiction has not seen fit to allow my all-encompassing bill to be considered. That bill has been languishing in the House Administration Committee for several years now.

□ 1530

I wish it could be brought to the floor because then we could settle once and for all this issue. We could bring to the floor the concept of random drug testing of all Federal employees. Then that law could be tested in the courts and we would know once and for all whether it was constitutional or not.

I for one believe it is. I have sponsored a number of amendments that have been upheld in the courts; namely, the Solomon amendment which required all young men to register for the draft or be disqualified from any kind of Federal benefits. Many Members on this floor, a minority, but many Members said that amendment was unconstitutional. The same Members are now saying that this amendment today is unconstitutional.

All this does is establish, in the Central Intelligence Agency, a Random Drug Testing Program that would be set up by the Director of Central Intelligence.

Let me tell my colleagues something, Federal employees are no different than anyone else. I happen to think that they are some of the finest people in the entire world; I am not here to pick on Federal employees. I think my colleagues all know that I am one of the major sponsors of the repeal of the Hatch Act, which I consider to be a totally, totally unconstitutional law on the books. And it should be repealed, it should be repealed today on a bipartisan basis.

Having said that, let me say to my colleagues that back in the early 1980's, when Ronald Reagan was elected President of this country, and what a great President he was, he, at the urging of myself and others established in our military a Random Drug Testing Program for all Members of the military, all branches of the military. And it was not just for privates PFC's, corporals, and sergeants. It was for admirals and generals and five-star generals, four-star admirals as well. At that time, according to studies, there was casual drug use by 27 percent of the people in our military. My colleagues all know what kind of shape our military was in back in the late 1970's, when our American hostages were being held in Iran and we had to cannibalize about 14 helicopter gunships just to get 4 that would work. We attempted to rescue those hostages, and those four helicopters did not even work. The rescue mission failed miserably. At that time we were losing a lot of our capable noncommissioned officers and commissioned officers to the private sector because we had such serious problems in our military.

Yes, Ronald Reagan and this Congress, all of us together in a concerted effort, established random drug testing. And do my colleagues know what happened? In a period of 5 years, that casual use of drugs by 27 percent of the people in our military dropped to 4.5 percent, just 4.5 percent.

Do my colleagues know that is an 82-percent drop, 82 percent?

It is considered an average nationwide in the private and public sectors, that 10 percent of the American people are on illegal drugs today. Suppose we dropped the use of illegal drugs in the Federal Government employees by 82 percent. Suppose we enacted this law on the State and local government, the second largest employers in the Nation. And suppose the illegal drug use dropped by 82 percent among all State employees in the 50 States and all of the thousands of local government employees around the country. And then, because of the example that we set here in this Congress today, suppose the large corporations like IBM, General Electric Corp., General Motors, and the Ford Motor Co., and even the little corporations, all adopted the same policy. What do my colleagues think would happen to the illegal drug use in America?

First of all, all of the drug kingpins would go out of business. There would not be any more profit because nobody

would be using drugs except a finite number of people.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLOMON] has expired.

(By unanimous consent, Mr. SOLOMON asked and was given permission to proceed for 5 additional minutes.)

Mr. SOLOMON. My point is, my colleagues, we do need to be setting the example here, just as we were told by the ranking member of the Permanent Select Committee on Intelligence. We want to set the example. I do not believe that there is a vast, huge amount of drugs being used by Federal employees, but there is a Rand study, recently completed, about this Greater Washington, DC Capital District area. That Rand study said that 75 percent of all the illegal drugs used in this area are used by casual drug users not living here in Washington, DC, but coming from the suburbs, out there where my colleagues and I live in Maryland and Virginia.

They are driving their brand new Volvos and Saabs into Washington, DC and buying these drugs from people who live here.

The point is that if 75 percent of all the drug use in America is used by casual drug users, they are the ones that we need to go after. Let us set the example.

I know last year and the year before that my amendments were passing on this floor by overwhelming margins. I think the last time was by a vote of 405 to 3. All of a sudden a public union gets its back up because some of the members of that public union, probably 1 or 2 percent, do not like to be drug tested.

So they went to their leaders in the union and they started raising cain. So all of a sudden, there are "Dear Colleague" letters roaming around in all of our offices here, signed by a lot of distinguished Members, who all of a sudden are opposing my random drug testing amendment.

I say to those Members, why do they not stand up and be counted? Seriously, there is no difference today in what I am offering than what I offered last year and the year before that. If they really want to be fair, go to the House Administration Committee, tell them to let my bill out so that I do not have to waste their time and mine debating these individual amendments for each authorizing bill which comes on the floor. Let us do it once and for all for all Federal employees.

If they let my bill out, put it on the floor, I will never offer this amendment again because we will have a legitimate up and down vote once and for all.

Last, let me just tell my colleagues from a political point of view, that I do not want to be partisan. I want to be absolutely fair and bipartisan. But I am going to tell my colleagues something. I would not want to be in the shoes of any Member of Congress who 17 months from now is faced with an opponent who all of a sudden is running TV ads out there that say, "Do you know your Congressman voted 17 different times to prevent random drug testing of himself and his staff and Federal employees?" Do not do that to yourselves. That is not fair to Members.

Mr. DORNAN of California. Madam Chairman, will the gentleman yield?

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

Mr. DORNAN of California. Madam Chairman, I want to let the gentleman from New York know before his time ran out, I did not mean to destroy his rhythm because, frankly, his rhythm is marvelous. But I wanted to tell him, we are prepared to accept his amendment on the Republican side. So if he wants to take that into consideration as he closes, be so advised.

Mr. SOLOMON. I would hope that the amendment would be accepted, but if it is not, I am going to call for a vote because I have promised those Federal employees who are now subjected to random drug testing, and it is about 25 percent of them out there, that they ought to be treated just as fairly as everyone else. They should not be discriminated against.

If we are going to have some people drug-tested, then let us random drug test them all so that they know it is fair. Let us also adopt my amendment for pre-application drug testing of all Federal employees so that they know once and for all if they are going to work for the Federal Government, if they are going to be paid by the taxpayer, they are going to be subject to random drug testing; that is going to be a part of their job.

Mr. McCURDY. Madam Chairman, I move to strike the last word, and I rise in opposition to this amendment.

I do appreciate the rhythm of the gentleman from New York. Several weeks ago, when the revised fiscal year 1991 intelligence authorization bill was before the House, we accepted an amendment similar to the one now being offered by the gentleman from New York.

□ 1540

Madam Chairman, I was reluctant to do that not because I disagreed with the purpose of the amendment but because I was not certain that it was necessary. After additional consideration, I have concluded that the Solomon amendment would not significantly add to the aggressive and effective drug awareness and prevention program already in place at the CIA.

That the CIA is actively committed to preventing and detecting drug use among its employees cannot be seriously questioned. Before an employee is hired by the Agency, he or she must undergo a background investigation which focuses on use or abuse of drugs or alcohol, a medical examination which screens urine and blood samples, and a psychological assessment which is meant to identify behavior indicative of the abuse of drugs or alcohol. Potential employees who clear those hurdles still may not be hired until they complete a polygraph examination to determine if they have abused alcohol or drugs.

The Agency's concern with drug use does not end with the acceptance of an applicant for employment. New employees are subject to reinvestigation after 3 years on the job. In the course of the reinvestigation, another medical examination is administered, and the employee is subjected to another polygraph focused on substance abuse during the time of his or her employment at the Agency.

In addition to the scheduled reinvestigation, periodic routine investigations involving the same types of tests and examinations are administered. If there are indications of drug abuse, a specific-issue polygraph examination and/or fitness-for-duty medical examination may be conducted at any time.

Madam Chairman, I know of no Federal agency with a more vigorous program to ensure a drug-free workplace than that administered by the CIA. Given the sensitivity of the information to which Agency employees have access, it is altogether appropriate that such a program be implemented.

The point is that program is already in place. The Solomon amendment does not add to it in any significant way, and I should think that with all the talk we hear on this floor about the dangers of Congress micromanaging the affairs of executive branch agencies, we would want to avoid adding any redundant requirement to a drug-detection program that is thorough and effective.

I urge the rejection of the amendment.

Madam Chairman, I would say that of all the agencies out there, this is the most intrusive when it comes to drug testing. We have voted on this amendment three times previously in the House, and I believe that it has only been done just to get the record so they can have the position that the gentleman seeks.

However, in this particular instance, I am not sure one can find a better model, a more effective model than what is already in place in the CIA.

Mr. SOLOMON. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Madam Chairman, let me just say that I concur 100 percent with what the gentleman is saying. The CIA is, first of all, one of the finest organizations anywhere. They do have one of the best models.

The only reason I offer it to this particular bill is because of a pledge that I am going to offer it to every authorization bill for every branch of Government, and the CIA knows that.

So, otherwise, I would not be offering it.

Mr. McCURDY. I understand that, and because of that, I would urge that we, since we voted on this three times, that we move the amendment. We have heard the debate before, gentleman. There are other bills scheduled. I would just as soon that we take the vote. If the gentleman is going to ask for a vote, fine.

The Agency here is not in question. They have a good program, but if the gentleman wants to get the record in, let us do it and save the time, and let me finish the bill.

Mr. SOLOMON. Or the gentleman could just accept the amendment, and you could work it out in conference.

Mr. McCURDY. We have had this vote. We know what the vote is going to be. So let us proceed with the amendment.

Mr. WALKER. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. The gentleman had indicated that the amendment of the gentleman from New York is not different in any significant way from what the Agency now does. Can the gentleman tell me what the differences are?

Mr. McCURDY. As I understand it, his is purely random. Theirs at the CIA is a periodic examination of employment, and also verification of behavior that may pose a national security risk in addiction to drugs, and, by the way, it is even more intrusive, because it has a polygraph. We go much further than the gentleman from New York. I am not suggesting that the gentleman ought to adopt that kind of provision. I am just saying that if there is an intrusive program, this is the one.

Mr. WALKER. If the gentleman will yield further, that is helpful. In other words, the CIA is presently going much further than anything the gentleman from New York recommends in his amendment, and the one thing that the gentleman from New York would add that they are not now doing is the potential of random testing of employees?

Mr. McCURDY. Correct.

Mr. WALKER. Over and above that which the Agency now does, and now, how would that significantly harm the program that the Agency now has?

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. McCURDY] has expired.

(At the request of Mr. WALKER and by unanimous consent, Mr. McCURDY was allowed to proceed for 1 additional minute.)

Mr. WALKER. I am not certain how that would significantly harm it.

Mr. McCURDY. I appreciate the gentleman's point. The fact of the matter is I do not believe it is broken at the CIA, and the gentleman's amendment is trying to fix something that is not broken.

I understand the pride of authorship. I understand the need to try to develop a record and wanting to put people on record on this particular position, but, quite frankly, as it pertains to this Agency, I think this amendment is irrelevant.

Mr. WALKER. I thank the gentleman.

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

Madam Chairman, I appreciate the chairman wanting to bring this to a vote, and I understand that. But I just want to make sure that we do understand the amendment.

I have great faith in democracy. I want to tell my friend from New York that I am convinced that America is going to survive 30-second ads. I am convinced that America is going to survive the simplification of politics by 30-second sound bites. I am convinced that America has survived for more than two centuries, and will continue to survive, even though we have 17 redundant amendments on which we are asked to vote, and we are informed that we may have to respond in 30-second sound bites.

I want to tell the gentleman from New York that I do not believe there is a Member, and I hope there is not a Member on this floor, who votes intimidated by the specter of 30-second sound bites.

Now, let me tell the Member what is wrong with this amendment. It does not do anything. What it does, it provides opportunities for 30-second sound bites.

The gentleman from New York has said that the CIA does this right now. There is not a Member on this floor who disagrees with that.

This Member worked very hard to come up with this policy in conjunction with the then Director of OPM, Connie Horner, members of the Defense Department, the executive department, Mr. Taft, who was then the Deputy Secretary of Defense, I believe, members of OMB and the White House, and one thing we said was that if a person is in a security position where the security of this country may be at risk, then that person ought to be subject to random drug testing. CIA employees are. We said, further, that employees who are in a position where they might damage the safety of individuals, they fly an airplane, drive a train, drive a truck, et cetera, et cetera, carry a gun, that they ought to be sure that Americans can be secure in those persons' being substance abuse free.

In fact, the CIA goes further. Their tests cover alcohol which, of course, this would not necessarily cover, because the definition to which the amendment refers does not cover alcohol.

Let me say that I am hopeful that we will reject this amendment. We will reject this amendment because, first, it is redundant; second, because the administration and the leadership of the CIA are carrying out the now-existing program. There ought not to be an implication on this floor that the Members of Congress and, I might say, the administration of whose party I am not a member, as will come as no surprise to all of you, who is carrying out the policy carefully crafted to protect the security and safety of American citizens, the constitutional rights of Government employees and the integrity of the tests; there is no need for these amendments. The administration is carrying out a program, the administration that I did not support. Either the prior administration or this administration has not come to us and said, "We need to change the policy." They have not requested anybody on this floor to introduce these amendments. The Commander in Chief is not saying that the security of America is at risk if we do not pass the Solomon amendment.

As a matter of fact, the Agency informally is opposed to this amendment. Why? Because it imposes upon them additional costs that they think are totally unjustified and unnecessary.

I respect and enjoy my friendship with the gentleman from New York. We disagree on this issue.

□ 1550

If it is the subject of a 30-second sound bite, I will tell Members that I am hopeful that every Member will be able to stand up and say with confidence and with clarity that this amendment is not necessary and clouds the issue that Congress and the administration have responded to the concerns upon which it is positive. All Members in this body are concerned about the abuse of drugs. All Members are concerned about the security of America. We just accepted an amendment on our side of the aisle that the gentleman from Pennsylvania offered. Why? Because we think that people ought to keep secrets, that not kept can damage the safety of employees in our security agencies or the welfare of our Nation.

However, this amendment is not necessary. This amendment costs unnecessary money to effect an end where there is not a problem.

The gentleman from New York said that we did this in the armed services and we had 27-percent drug abuse in the armed services. Let me tell Members that is 54 times the rate of abuse that was found in random testing in

the Defense Department, a less security agency than this one. Listen to that: One fifty/fourth of the problem exists as the result of testing that we found out. One fifty-fourth of the problem in the Defense Department. A half a point subject to random testing.

I would suggest to Members that CIA authority has this authority. Let Members reject this amendment. If we have to reject it 14 more times, let Members stand with the same conviction when we rejected this amendment 269 to 157; and 262 to 145 just recently. We were right then, we are right now, in our hearts we will continue to know we are right.

Mrs. KENNELLY. Madam Chairman, I move to strike the last word.

Madam Chairman, I stand in strong opposition to the Solomon amendment on the grounds that it is redundant and unnecessary. Madam Chairman, we have all debated mandatory drug testing on its merits and on philosophical grounds, carefully weighing the civil liberties of the employees with the right of an employer to institute policy to maintain a drug-free workplace. We've all formulated opinions on drug testing, but this question is not what is being debated today.

This amendment would call for duplicated efforts. The CIA currently conducts the most extensive and comprehensive drug testing program in the Government. Not one single individual who is not already tested for drug abuse would be tested under the Solomon amendment. And need I remind everyone how expensive drug testing is. To overlay another drug testing program where one exists in order to retest the same employees is a waste of time, money, and energy—it's as simple as that.

I urge my colleagues to oppose this amendment. We all want to eradicate the problem of drug abuse in workplaces throughout America. But the Solomon amendment is unnecessary. I hope it is defeated as it has been in previous efforts.

Mr. WALKER. Madam Chairman, I move to strike the last word. I was interested in the direction, Madam Chairman, that the debate has taken. I was interested in the gentleman from Maryland claiming piety on the issue of 30-second commercials.

We are going to have a whole series of votes here, at some point over the next couple of months, on an entire labor agenda, all of which we know is going to be vetoed at the White House, and all of which will be subject to the veto being sustained on Capitol Hill, and no one will care about that because that will be the Democratic Party, lining up their 30-second ads for the upcoming election. All Members know it. So let Members be clear that that is not a technique which does not have precedence in much of what we do in the House.

I am also fascinated by the contention that we ought not vote on these things all the time. The only reason why we end up voting on a number of these things all the time is legislation dealing with the issue in an overall sense never moves out of the committees controlled by Democratic chairmen. If a Member wants a good example of it, it was the drug-free workplace amendment a few weeks ago. A drug free workplace amendment came on the floor and we heard many of the same arguments. This is not necessary, we ought not do it. However, after we had voted on it a few times, and after we actually had it out on the floor and had a system that the Members had voted on, we decided maybe we could move some legislation on that, and we ended up with a Drug Free Workplace Act of 1988 which most people think is working pretty well.

However, the only reason why it came about is we managed to force some votes on the House floor that put the Members on record, and decided we needed to have an overall bill. Perhaps if the gentleman from New York were successful in a few of his amendments, we would actually get an overall bill dealing with drug testing that would deal with all the agencies, and we would not have to go through this exercise. However, we do not see that kind of legislation emerging. That is not happening out of the various committees. For that I am disappointed.

That is the problem the minority faces. If we cannot get it done the right way, what we have to do is, we have to come to the floor and offer a series of amendments, hopefully, to put the House on record despite the fact it is not being done right.

Mr. HOYER. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Maryland.

Mr. HOYER. Madam Chairman, I just want to make the comment with respect to the partisanship that the gentleman seems to refer to, with reference to the legislation that the gentleman has in the Committee on House Administration, or that the Committee on Post Office and Civil Service have jurisdiction over, either one, I do not believe the administration which is, of course, of your party, has asked for this legislation nor has supported these amendments.

Mr. WALKER. Reclaiming my time, my experience has been that we do not pay much attention to that unless the committee chairman happens to agree with the administration. We often move legislation around here.

I would tell the gentleman that I do not remember the administration asking for the parental leave bill. Members are going to move at some point in the near future, along the way, and Members will not care a hoot about what the administration's opinion is on that, because what Members want to do is force the President into a veto of that bill. I just would remind the gentleman that that is a partisan way of dealing with national issues, too.

Mr. CLAY. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Missouri.

Mr. CLAY. Madam Chairman, in regard to the parental leave bill, as I recall, when the President of the United States was a candidate for President, in his acceptance speech at the convention, he said he wanted parental leave.

Mr. WALKER. Madam Chairman, I thank the gentleman for his contribution. Has he asked to bring forward that bill? I do not think so. That is the gentleman from Maryland's point, and the gentleman can make any issues that he wants in that regard.

The fact is, they have an agenda, and they are pushing it forward, and if need be, they will use that agenda for 30-second spots.

I would certainly like to also make the point that this is not useless legislation. This is something that can be blended in with what is going on. I was fascinated to hear many of the people coming to the floor, indicating the CIA did this problem and does it well. A couple of weeks ago Members were on the floor arguing that we ought not have any program for another agency, and at that time their arguments were that we ought not be testing Federal employees. Somewhere along the line we ought to have a bit of balance. The gentleman from New York is balanced. He is offering his amendment all the time. It would be nice to hear the same arguments.

Mr. HOYER. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Maryland.

Mr. HOYER. So we do not mischaracterize what the debate was, the present policy which I worked on, and a number of people on both sides of the aisle and the former administration, President Reagan's administration worked on it, covers employees involved in security endeavors.

Mr. WALKER. Reclaiming my time, the gentleman from New York believes it ought to.

Mr. HOYER. All of these employees are involved in security-sensitive positions.

Mr. WALKER. The gentleman from New York believes it ought to go beyond that, and at that point the gentleman from Maryland argues, "No, we ought not test people involved in the narrow categories of duties that I personally support." The gentleman from New York suggests that perhaps having it broadened across the whole Federal Government might, in fact, save Members from having some people on drugs that are presently users and abusers. I happen to agree with the gentleman

from New York. The gentleman from Maryland is entitled to his opinion. Only I am suggesting, there needs to be some consistency in what we are doing in terms of policy.

Mr. SIKORSKI. Madam Chairman, I move to strike the requisite number of words, and I rise in opposition to the Solomon amendment.

Madam Chairman, As chairman of the House Subcommittee on the Civil Service, I rise in opposition to the amendment offered by my good friend, the distinguished gentleman from New York.

Here we go again. This is the third time this body has unnecessarily returned to the floor to debate this amendment. The House has spoken decisively on drug testing of Federal employees: they have overwhelmingly defeated two times this needless, duplication, and costly proposal.

Madam Chairman, the Central Intelligence Agency has the most aggressive drug testing plans in the whole Federal Government. They check the blood and urine and strap on the detectors and it starts with applicants—everyone of them. All applicants undergo a background check; a medical review which includes urine and blood screening tests; a psychological assessment; and a polygraph exam, questioning whether an applicant has abused drugs or alcohol in the past.

Once a candidate is hired, every new employee is subject to reinvestigation after 3 years. This reinvestigation includes another medical exam and a polygraph that specifically asks about substance abuse during the time of employment at the Agency. After the 3-year reinvestigation, Agency personnel are subjected to periodic routine reinvestigations. Finally, if there are any indications of drug use, a CIA employee may be required to take a polygraph exam and a fitness-for-duty medical exam.

Madam Chairman, the CIA does not need another drug testing program. It and the administration doesn't want it. They do this now and basically do—alot more thoroughly and effectively. Adding another drug testing layer would be a foolish and expensive mistake. The CIA already has in place a rigorous program aimed at deterring drug use. In addition, the Agency is currently covered by the President's Executive order mandating drug testing programs. Finally, if Mr. SOLOMON'S proposal does not receive additional funding, money will have to be taken from critical, ongoing intelligence and security programs in order to pay for this unneeded program.

Madam Chairman, for all these reasons, I strongly urge all Members to oppose the amendment and vote "no" on Solomon.

Mr. CLAY. Madam Chairman, I move to strike the requisite number of words, and I rise in opposition to the Solomon amendment.

Madam Chairman, I rise in opposition to the amendment by the gentleman from New York [Mr. SOLOMON]. Currently, the CIA, the only agency affected by the amendment, not only drug tests all applicants and employees, it also polygraphs those individuals regarding drug usage as well. As a practical matter then, this amendment will have no effect on the existing policy of the CIA. The gentleman from New York would have us needlessly consider an amendment that will not result in any additional drug testing.

The amendment is not simply redundant, however, it is also potentially damaging and deserves to be defeated. The Government currently has authority to test all employees in sensitive positions or in positions affecting public safety and health. The gentleman from New York proposes that we enact a law requiring drug testing of employees for no other reason than that they work for the Federal Government. Such an amendment not only wastes Government resources and gratuitously insults Federal employees, it jeopardizes the constitutionality of the Govenrment's existing efforts to combat drug abuse.

The CIA, as well as any other Government agency, should be able to design drug deterrence programs to meet the special needs of the individual agency and its personnel. A congressionally imposed policy mandating the testing of all employees will inevitably interfere with the ability of agencies to devote resources to those areas where a greater concentration of resources would better serve the interests of the agency. The CIA not only tests for drug abuse, it also tests for alcohol abuse. One may well wonder whether enactment of this ill conceived amendment would jeopardize that effort. Within the parameters established by the Constitution, and pursuant to the direction of the President, each agency should be able to develop its own drug deterrence program that best meets its needs.

The Solomon amendment deserves rejection. As the distinguished chairman of Energy and Commerce has pointed out, an inaccurate or poorly administered drug testing program does far more damage than good.The amendment proposed by the gentleman from New York is wholly bereft of any requirements to ensure the accuracy of the drug tests the gentleman proposes to impose upon all Federal employees. No committee of the House would report such an obviously flawed amendment, nor should the Committee of the Whole.

The Solomon amendment does not authorize the testing of any employee who is not already subject to testing. It needlessly jeopardizes both the constitutionality of the CIA's existing drug testing program as well as the ability of that agency to tailor its testing program to meet its specific needs. Finally, this amendment lacks any protection for either employees or the Government regarding the validity of the program implemented. In effect, it adds injury to insult. This body has rejected similar amendments to the State Department authorization bill and the Defense authorization bill. I urge it to do so again and reject this amendment.

Mr. MFUME. Madam Chairman, as a member of the Select Committee on Narcotics, I rise in opposition to this amendment. It is bad Federal policy. It discriminates against the work force.

Madam Chairman, I vehemently oppose the random drug testing of this Nation's Federal employees. The benefit of subjecting thousands of Government employees to drug testing is minuscule at best and is far outweighed by the associated disadvantages.

Moreover, at every turn it seems that Federal employees are being assailed at this Nation's public servants. Most recently, Federal employees' cost-of-living adjustments [COLA's] were on the chopping block to help balance the budget. Now, the rights of Federal employees are being sacrificed to ameliorate America's drug problem. This certainly isn't equity.

Many dedicated individuals have pledged their entire careers to advance America as a nation and to ensure the well-being of American citizens. Drug testing seems a rather onerous an inappropriate response to their dedication and commitment.

Madam Chairman, in my district alone, I have over 50,000 Federal employees who daily contribute to the functioning of the U.S. Government in almost every capacity. They ensure that Social Security recipients are served well through the Social Security Administration [SSA]; they ensure that America continues to develop a solid health care policy at the Health Care Financing Administration [HCFA]; and myriad other services.

Madam Chairman, not only is random drug testing inappropriate in this instance, its cost is also prohibitive and it represents poor judgment with regard to policy development. In instances where drug testing is warranted, a solid policy must be developed so that the rights of those involved are protected.

Drug testing is intrusive and in many instances inconclusive. Federal employees as subjects of drug testing deserve accuracy and dignity, particularly when most are career civil service. Random, high-priced, marginally accurate drug testing has no place as policy for America's Federal employees and I oppose it.

I remain committed to the rights and causes of Federal employees as public servants and will continue to voice concern for their fair treatment as well as for equitable policies in this regard. Random drug testing for Federal employees should be opposed.

Mr. STOKES. Madam Chairman, I rise in opposition to the Solomon amendment.

There is no doubt that substance abuse is a major problem in our society, and that this abuse is having a deleterious effect in the work place. To help remedy this problem in the Federal Government, in September 1986, former President Reagan signed Executive Order 12564, which required each agency to develop a plan with provisions for conducting drug testing on a controlled and carefully monitored basis.

The CIA developed such a plan, and maintains an active drug awareness and prevention program. I think that the CIA has demonstrated its commitment to detection of drug use by CIA employees, and has done so in compliance with the law. Furthermore, the CIA polygraphs its employees, and the polygraph examination includes questions regarding drug usage. The CIA has one of the most extensive drug testing programs in Government.

I am opposed to expansion of the scope of the CIA drug-testing program to include random testing of all employees. In effect, the Solomon amendment seeks to deny Federal agencies like the CIA the discretion to develop drug testing programs best suited to each agency's needs and interests. Moreover, this amendment treads on unconstitutional ground by intruding on the privacy of employees

whose positions or duties do not warrant random drug testing.

Madam Chairman, I am not opposed to drug-testing of Federal Government employees where there is a clear nexus between the job responsibilities of the employee and national security or public safety, or where there are other compelling Government interests. As former chairman of the House Permanent Select Committee on Intelligence, I am well aware of the importance of protecting classified information. However, we must be circumspect. We must restrict drug testing to the particular groups of employees who should be tested based on their job responsibilities, and not risk costly litigation which would jeopardize current, effective Federal drug-testing programs.

Madam Chairman, we must ensure that drug testing is narrowly tailored to specific groups of Federal Government employees. We need to support Federal Government agencies who are complying with the law and who have been effective in achieving the goal of a drug-free Federal workplace. I urge the defeat of this amendment.

Mr. MORAN. Madam Chairman, I rise in opposition to the Solomon amendment. It is bad legislation, and in fact beyond that it is demeaning to our finest civil servants who are dedicated in their professionalism to serving this country.

I trust that this body will reject any such attempt to demean their professionalism.

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

The CHAIRMAN. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. McCURDY. I just want to commend these gentlemen for truncating their statements. In the interest of moving this amendment, I would urge others to do so as well.

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

Madam Chairman, I will not take but just a couple of seconds.

I do not plan on doing any 30-second sound bites, but I would like to give the Chair a look from a freshman's perspective. It seems like every single item that we want to do to limit the flow of drugs, to stop drugs, that there is opposition to it from the other side of the floor, and I cannot understand that.

Our country is being devastated by drugs. If I were a betting man, I would say someone in the CIA, someone in the FBI, we had a mayor of this city, pilots in my own command, air crews, policemen, across the board, and, yes, even in some cases casual use by Members of Congress, that everything we can do to stop to flow of drugs, we should try to do.

Let me give you something from a personal perspective. In a squadron, as a commanding officer, in the last 20 years drugs were rampant when I first joined the Navy. We put random drug testing to use. Over a period of time, we cut that utilizations, but still 95 percent of all the cases that I saw in captains mast were drug-related.

Now, we had regular tests. We had a good program, but the only way that I was able to catch some of these rascals was through random tests. They used diuretics. They knew what period of time the tests were going to come. They would abstain from utilization, and even on deployment we would take the antidrug team and catch these rascals.

I submit, my colleague saying this is a demeaning bill, it is demeaning for the flow of drugs and utilization in this country and our inability to stop it.

In my opinion, from a freshman's perspective, we cannot continue not to support legislation that will improve that.

The amendment of the gentleman from New York [Mr. SOLOMON] will do just that, add one more step in catching these rascals and I think we ought to support it.

Mr. MFUME. Madam Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Maryland.

Mr. MFUME. Madam Chairman, is the gentleman aware that the CIA currently conducts the most extensive drug testing program in the Federal Government?

Mr. CUNNINGHAM. Yes, I am, and I am saying that regardless of how extensive it is, I bet we would find a member from the CIA who is a casual user of drugs. Would the gentleman say that is wrong?

Mr. MFUME. Well, I will just remind the gentleman that this is the most extensive drug testing program in the Government, conducted by the CIA on its employees.

I would just ask the gentleman further if the gentleman is aware that the Government spends $77,000 for each positive test that it conducts.

Mr. CUNNINGHAM. Yes, I am.

Mr. MFUME. Madam Chairman, I thank the gentleman for yielding to me.

Mr. SOLOMON. Madam Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes, I yield to the gentleman from New York.

Mr. SOLOMON. Madam Chairman, the gentleman is also aware that it costs $10 per test, according to the CIA, according to the Department of Transportation, and every other Federal agency presently conducting random drug testing. That's $10 a test, and it is worth it.

Mr. CUNNINGHAM. How much did it cost this Government when Mayor Barry used drugs in the city?

Mr. MFUME. Madam Chairman, if the gentleman will yield further, I will answer his question.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. SOLOMON. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 234, not voting 28, as follows:

[Roll No. 146]

AYES—169

Allard
Applegate
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehner
Brewster
Broomfield
Browder
Bunning
Burton
Byron
Callahan
Camp
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Early
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fields
Fish
Gallegly
Gaydos
Gekas
Geren
Gibbons
Gilchrest
Gilman
Glickman
Goodling
Goss
Gradison
Hall (OH)
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hubbard
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kolter
Kyl
Lagomarsino
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Lloyd
Lowery (CA)
Luken
Martin
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
Meyers
Miller (OH)
Miller (WA)
Montgomery
Moorhead
Murphy
Nichols
Nussle
Orton
Oxley
Packard
Patterson
Paxon
Payne (VA)
Penny
Pursell
Quillen
Ramstad
Ravenel
Regula
Rhodes
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Santorum
Sarpalius
Saxton
Schaefer
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Skelton
Slattery
Slaughter (VA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Tallon
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torricelli
Traficant
Upton
Valentine
Vucanovich
Walker
Weldon
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—234

Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Berman
Bilbray
Boehlert
Bonior
Borski
Boucher
Boxer
Brooks
Brown
Bruce
Bryant
Bustamante
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers

| | | |
|---|---|---|
| Cooper | Kildee | Petri |
| Costello | Kleczka | Pickett |
| Cox (IL) | Kopetski | Pickle |
| Coyne | Kostmayer | Porter |
| Darden | LaFalce | Poshard |
| Davis | Lancaster | Price |
| de la Garza | Lantos | Rahall |
| DeFazio | LaRocco | Rangel |
| DeLauro | Laughlin | Ray |
| Dellums | Lehman (CA) | Reed |
| Derrick | Lehman (FL) | Richardson |
| Dicks | Levin (MI) | Ridge |
| Dixon | Levine (CA) | Rose |
| Donnelly | Lewis (GA) | Rowland |
| Dooley | Lipinski | Roybal |
| Dorgan (ND) | Livingston | Russo |
| Downey | Long | Sabo |
| Durbin | Lowey (NY) | Sanders |
| Dwyer | Machtley | Sangmeister |
| Eckart | Manton | Savage |
| Edwards (CA) | Martinez | Sawyer |
| Edwards (TX) | Matsui | Scheuer |
| Engel | Mavroules | Schiff |
| Espy | Mazzoli | Schroeder |
| Evans | McCloskey | Schumer |
| Fascell | McCurdy | Serrano |
| Fazio | McDade | Sharp |
| Feighan | McDermott | Sikorski |
| Flake | McGrath | Sisisky |
| Foglietta | McHugh | Skaggs |
| Ford (MI) | McMillen (MD) | Slaughter (NY) |
| Frank (MA) | McNulty | Smith (IA) |
| Frost | Mfume | Solarz |
| Gallo | Miller (CA) | Spratt |
| Gejdenson | Mineta | Staggers |
| Gephardt | Mink | Stallings |
| Gillmor | Moakley | Stark |
| Gonzalez | Mollohan | Stokes |
| Gordon | Moody | Studds |
| Grandy | Moran | Swett |
| Gray | Morella | Swift |
| Green | Morrison | Synar |
| Hamilton | Mrazek | Tanner |
| Hatcher | Murtha | Thomas (GA) |
| Hayes (IL) | Myers | Thornton |
| Hefner | Nagle | Torres |
| Hertel | Natcher | Towns |
| Hoagland | Neal (MA) | Traxler |
| Hochbrueckner | Neal (NC) | Unsoeld |
| Horn | Nowak | Vento |
| Horton | Oakar | Visclosky |
| Hoyer | Oberstar | Volkmer |
| Huckaby | Obey | Walsh |
| Hughes | Olin | Washington |
| Jacobs | Ortiz | Waters |
| Jefferson | Owens (NY) | Waxman |
| Jenkins | Owens (UT) | Weber |
| Johnson (SD) | Pallone | Weiss |
| Johnston | Panetta | Wheat |
| Jones (GA) | Parker | Whitten |
| Jones (NC) | Payne (NJ) | Williams |
| Jontz | Pease | Wilson |
| Kanjorski | Pelosi | Wise |
| Kaptur | Perkins | Wolf |
| Kennedy | Peterson (FL) | Wolpe |
| Kennelly | Peterson (MN) | Wyden |

NOT VOTING—28

| | | |
|---|---|---|
| Abercrombie | Guarini | Ritter |
| Ackerman | Gunderson | Roe |
| Campbell (CA) | Hopkins | Rostenkowski |
| Condit | Houghton | Roukema |
| DeLay | Lent | Smith (FL) |
| Dingell | Markey | Vander Jagt |
| Dymally | Marlenee | Wylie |
| Ford (TN) | Michel | Yates |
| Franks (CT) | Molinari | |
| Gingrich | Rinaldo | |

□ 1640

The Clerk announced the following pairs:

On this vote:

Mr. DeLay for, with Mr. Ackerman against.

Mrs. Roukema for, with Mr. Dymally against.

Mr. Marlenee for, with Mr. Guarini against.

Ms. Molinari for, with Mr. Dingell against.

Messrs. VOLKMER, LEWIS of Georgia, WEBER, HUCKABY, and ANNUNZIO changed their vote from "aye" to "no."

Messrs. BREWSTER, ERDREICH, CRAMER, and BROWDER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MILLER OF WASHINGTON

Mr. MILLER of Washington. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Washington: At the end of the bill add the following new title:

TITLE V—DISCLOSURE OF INFORMATION CONCERNING CERTAIN PRISONERS OF WAR AND MISSING IN ACTION

**SEC. 501. DISCLOSURE OF INFORMATION CONCERNING UNITED STATES PERSONNEL CLASSIFIED AS PRISONER OF WAR OR MISSING IN ACTION AFTER 1940.**

(a) IN GENERAL.—Except as provided in section 502, the head of each department or agency which holds or receives any records and information, including live-sighting reports, which have been correlated or possibly correlated to United States personnel listed as prisoner of war or missing in action after 1940, including from World War II, the Korean conflict, and the Vietnam conflict, shall make available to the public all such records and information.

(b) DEPARTMENT OF DEFENSE.—The head of a department or agency referred to in subsection (a) in the Department of Defense shall make available to the public with its records and information made available under subsection (a) a complete listing of United States personnel of the agency classified as prisoner of war, missing in action, or killed in action (body not returned) after 1940, including from World War II, the Korean conflict, and the Vietnam conflict. The listing shall include—

(1) the current classification for each person listed; and

(2) any changes which have occurred in the person's classification during or after the conclusion of hostilities of World War II, the Korean conflict, and the Vietnam conflict.

(c) CONFORMING AMENDMENT.—Section 552a of title 5, United States Code, is amended—

(1) in paragraph (11) by striking "and" after the semicolon at the end;

(2) in paragraph (12) by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(13) required by title V of the Intelligence Authorization Act, Fiscal Year 1992.".

**SEC. 502. LIMITATIONS ON DISCLOSURE.**

(a) PROTECTION OF SOURCES AND METHODS.—Section 501 does not apply with respect to information that would reveal sources and methods of intelligence collection that if released would compromise national security.

(b) SPECIFIC MENTION BY NAME.—

(1) CONSENT REQUIRED FOR DISCLOSURE.—No record or information, including a fatality report, which specifically mentions by name a United States service member who is classified by the Secretary of Defense as a prisoner of war, missing in action, or killed in action shall be made available to the public pursuant to this title unless—

(A) express consent for the disclosure is provided by the primary next of kin, or in order, the living—

(i) spouse,

(ii) child,

(iii) parent, or

(iv) sibling,

of the service member; or

(B) no relative of the service member listed in subparagraph (A) is alive.

(2) DISCLOSURE TO RELATIVE HAVING AUTHORITY NOT PROHIBITED.—Paragraph (1) shall not be considered to prohibit disclosure of information to a person authorized to consent to disclosure of the information under paragraph (1)(A).

(3) LIMITATION ON DELEGATION OF AUTHORITY TO CONSENT.—The authority of a person to provide consent under paragraph (1)(A) may not be delegated to any other person without execution of an express legal power of attorney delegating that authority from the person having that authority to the other person.

**SEC. 503. DEADLINES.**

(a) EXISTING RECORDS AND INFORMATION.—The head of a department or agency referred to in section 501(a) shall make records and information available pursuant to this title not later than 180 days after the date of the enactment of this Act.

(b) NEW RECORDS AND INFORMATION.—If the head of a department or agency referred to in section 501(a) receives records and information after the date of the enactment of this Act, such records and information shall be made available pursuant to this title not later than 180 days after it is received by the department or agency.

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

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

There was no objection.

Mr. McCURDY. Madam Chairman, will the gentleman yield?

Mr. MILLER of Washington. I yield to the gentleman from Oklahoma.

Mr. McCURDY. Madam Chairman, I would inform the committee that the chairman intends to accept the amendment offered by the gentleman from Washington [Mr. MILLER]. Therefore, there will not be a recorded vote on that amendment. It is also not my intention to request a recorded vote on final passage. So if we could have the patience of Members and quiet in the House, I think, we can resolve this matter very quickly.

Madam Chairman, I do not know the schedule after this bill, but if we can have the attention of Members for just a few minutes, we will finish this bill without further votes.

Mr. SOLOMON. Madam Chairman, will the gentleman yield?

Mr. MILLER of Washington. I yield to the gentleman from New York.

Mr. SOLOMON. Madam Chairman, I would inform Members that the next order of business after this bill passes is the rule on the foreign aid bill. We do not intend to ask for a vote on that.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

Mr. MILLER of Washington. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Madam Chairman, it is our intention to support the amendment of the gentleman from Washington [Mr. MILLER] as well.

Mr. WALKER. Madam Chairman, will the gentleman yield?

Mr. MILLER of Washington, I yield to the gentleman from Pennsylvania.

Mr. WALKER. Madam Chairman, I do not want Members to get the impression there are not going to be more votes today. There is a suspension bill left over from yesterday. Even after this bill is completed and the rule is completed, the suspension bill will come up. There is at least one more vote left for the day.

Mr. MILLER of Washington. Madam Chairman, I offer this amendment on behalf of the distinguished gentleman from Delaware [Mr. CARPER] and myself.

Madam Chairman, for years families and friends of POW/MIA's from across the United States have waited for information on the fate of their loved ones. For some, the wait has been since Vietnam. For others, like Bill Sowles in my district, the Korean conflict. Still others have waited since as long as World War II. Today, I say enough is enough. Let us join together to pass an amendment that would open up Federal Government files to families of POW/MIA's.

This provision seeks to protect the rights and privacies of families of POW/MIA's by ensuring that no information mentioning a serviceman's name could be released without the consent of the family. At the same time, this amendment would protect Government sources because it does not require the release of information that might compromise national security.

Many Federal agencies have information about missing servicemen, including live sighting reports, which have been kept classified. But, beyond protecting intelligence sources and intelligence gathering methods, there are no other security considerations to justify keeping this information secret any longer.

It is high time that we make these files public—for our national conscience, for the morale of our veterans, and for the families of these soldiers.

Passage of this amendment is critical to obtaining the fullest possible accounting of literally thousands of missing military personnel from World War II, Korea, and Vietnam. Many Members of Congress are now questioning why live-sighting reports on missing soldiers dating back to World War II are still kept classified by Federal agencies on national security grounds. The Miller-Carper amendment will solve this perplexing dilemma by requiring the information to be declassified unless an agency can explain why it should remain classified.

This legislation is endorsed by a broad coalition of veterans and family groups including the Vietnam Veterans of America, the American Ex-Prisoners of War, and the National Alliance of Families of POW/MIA's. Together, we must seek answers from Federal departments and agencies on what POW/MIA information remains classified after all these years and why.

The families of World War II, Korean, and Vietnam soldiers, as well as the families of those now deployed in the Persian Gulf, need to know that Congress will do everything possible to ensure that Americans will never be forgotten or abandoned in a foreign land.

I hope that you will join me in supporting this amendment. The families of POW/MIA deserve to know of information that the Government may have about loved ones. It is the right thing to do.

Mr. CARPER. Madam Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Madam Chairman, I will remind Members there are 2,000 American men who are still classified as missing in action, and the kind of discussion that is going on on this floor today does disrespect to them and their families. We will be very brief in describing this amendment.

Madam Chairman, the families of American men who are missing in Vietnam, in Laos, in Korea, deserve to know what our Government knows about their husbands, their fathers, their brothers, and their uncles. This legislation offered by my friend, the gentleman from Washington [Mr. MILLER], a version of the truth bill the gentleman introduced earlier this year, does just that.

□ 1650

It does so in a way to protect our intelligence sources. I want to thank him for his leadership. I want to thank the gentleman from Oklahoma [Mr. MCCURDY] for accepting this amendment and the gentleman from Pennsylvania [Mr. SHUSTER], as well. It deserves unanimous support.

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

Madam Chairman, let me state at the outset that I am fully in sympathy with the motivation behind the Miller amendment. All of us want a full and final accounting of American servicemen who are missing and unaccounted for in foreign conflicts. We owe those individuals no less than a vigorous exploration of every lead that can reasonably be expected to shed some light on their fate. To the families of the missing in action, we owe as complete a disclosure as possible of available information about their loved ones. That is why I fully support the requirements in existing law and defense department regulations that the primary next of kin of all Americans unaccounted for in Southeast Asia be provided with all information which correlates or may correlate to their missing relative.

Most of the work done to collect and analyze information about those listed as missing in action is done by our intelligence agencies. It is extremely important that the sources and methods employed by those agencies to collect reports on missing Americans not be compromised. Once it becomes clear from whom a report was received, or how information was collected, the future utility of that source or method is substantially degraded. Nothing would more directly detract from our ability to obtain the type of information sought by the Miller amendment than to disclose, even inadvertently, the sources and methods by which the information is obtained and reviewed.

The original version of the Miller amendment would not, in my judgment have adequately protected intelligence sources and methods.

The version now before the House is a significant improvement in this area over its predecessor. As a result, we will accept the amendment on this side. It still may not be acceptable to the administration, but we will work with administration representatives, and the gentleman from Washington to address those concerns.

Mr. SHUSTER. Madam Chairman, will the gentleman yield?

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

Mr. SHUSTER. Madam Chairman, we are happy to accept the gentleman's amendment.

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

Madam Chairman, as Chairman of the Task Force of POW/MIA in Southeast Asia, I appreciate and share my colleague from Washington's deep concern about the fate of Americans still missing from the Vietnam, Korean, and Second World Wars. Both Presidents Reagan and Bush have made the fullest possible accounting of American POW/MIA's a highest national priority. We all should continue to support positive, responsible measures designed to enhance the return home of these missing Americans and, at the minimum, satisfactorily resolve their final fate. While I have some important reservations about this amendment, which I will describe and hope they can be addressed by the amendment's sponsor, in general I support it.

As Chairman of the House POW/MIA Task Force, I believe beyond a doubt and based on seven different investigations, including at least two by the House Foreign Affairs and Intelligence Committees, that the real answers to the fate of most of these men lie in Hanoi and Pyongyang, not in Washington in some secret Pentagon file.

For those who may not remember, on May 26, 1988, this House passed an

amendment to the fiscal year 1989 Intelligence Authorization Act, which was subsequently signed into law, providing primary next of kin with all live sighting information that is related or could possibly be corelated to their missing relative. This information and any new reports are automatically provided to the next of kin—they don't even have to ask for it. This is already the law. The other contents of the missing serviceman's record are also already available to the primary next of kin. Should the family release this information, it is free to do so.

However, this 1988 amendment which I helped enact applies only to those POW/MIA's in Southeast Asia—those from the Vietnam War. I concur with Mr. MILLER that the families of Korean war and World War II POW/MIA's also deserve the same service. These primary next of kin should receive all the information that is reasonably available that is related or could be corelated to their missing loved one.

The Miller amendment would allow the closest living relative to provide written consent to others in the public to be given access to the information to which the family is entitled. Because the family is already free to share whatever it likes with whomever it likes, I do not have problems with this provision. It retains family control over information about the missing member of the family. However, I believe it should be clear that the intent of Congress is for the public to access this information through presently available channels and within presently established guidelines, like the Freedom of Information Act.

I am concerned by the time frame by which the various U.S. Government agencies must fulfill the obligations of this amendment. In the 1988 amendment, Congress specified that this information shall be made "in a timely manner." And, it was. To arbitrarily assign a certain period of time, such as 180 days, can limit the flexibility of agencies like the Defense Intelligence Agency to accommodate the provisions of this amendment with conducting investigations and operations on any new live-sighting or other intelligence reports received. The last thing we want to do is create an unnecessary obstacle to today's efforts to followup on new intelligence. Our first and foremost goal must remain the repatriation of any live Americans.

I hope my concern will be satisfactorily addressed. Making the changes I have recommended will make this a more workable and more responsive provision. In general, I support the Miller amendment.

One concern I do have, however, is that providing this information may take away the time and talent and availability of personnel from what I think is the most important task and that is running down life sighting reports of people who may still be alive in Southeast Asia.

I would like to ask my colleague, the gentleman from Washington [Mr. MILLER], if it is his intention that that not happen?

Mr. MILLER of Washington. Madam Chairman, will the gentleman yield?

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

Mr. MILLER of Washington. That is certainly my intention. We do set a time limit on providing this information because many of our constituents have explained and complained about the delays and frustration. But it is not my intent that man or women power be diverted from doing intelligence operations. And as the gentleman from California [Mr. LAGOMARSINO] said, two Presidents have said this is the highest national priority.

If it takes another couple of people in order to supply the information that those who are inquiring need, then I am sure this Congress and the administration will supply those people and we should.

Mr. DREIER of California. Madam Chairman, will the gentleman yield?

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

Mr. DREIER of California. Madam Chairman, I thank the gentleman for yielding. I simply rise in strong support of this amendment. I would like to compliment the chairman of the POW-MIA task force. The gentleman from Washington [Mr. MILLER], has pursued this in other legislation that we have had earlier this year. I would like to thank the gentleman from Oklahoma [Mr. MCCURDY] and the gentleman from Pennsylvania [Mr. SHUSTER], for accepting the amendment.

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

The CHAIRMAN. Without objection the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. PENNY. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I yield to the gentleman from Minnesota.

Mr. PENNY. Madam Chairman, I thank the gentleman for yielding. I simply want to rise in support of the amendment as well and thank the chairman, the gentleman from Oklahoma [Mr. MCCURDY], for his cooperation in getting this issue addressed.

Mr. McEWEN. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I yield to the gentleman from Ohio.

Mr. McEWEN. Madam Chairman, I thank the gentleman for yielding. I rise in strong support of the amendment.

Mrs. MEYERS of Kansas. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I yield to the gentlewoman from Kansas

Mrs. MEYERS of Kansas. Madam Chairman, I rise in strong support of this amendment. I think there are sufficient safeguards in here so that our sources and our methods of intelligence would be protected.

Madam Chairman, I rise in support of the amendment of the gentleman from Washington. There are over 2,200 Americans who remain unaccounted for from the war in Indochina—who disappeared in or over Vietnam, Cambodia, or Laos—and many people believe that some of them may still be alive. The American people have the right to know what information has been gathered on the fates of those servicemen.

I do not want information that would jeopardize our intelligence capabilities to be declassified. I believe this amendment has been drafted carefully enough to prevent this from happening. Our sources and methods of collecting intelligence must be preserved. But this information can be sanitized so as to protect them and still allow this information to be released.

The treatment of the POW/MIA issue has caused a bitter suspicion in the hearts of many Americans, and the recent revelations from the former director of DIA's POW/MIA office has just added fuel to the fire. There has been the sense that the Government abandoned these men for political purposes. To restore trust in the integrity of our Government, this information must be released to stop the accusations of stonewalling that have plagued this issue for 20 years.

Madam Chairman, there can be nothing more agonizing than having a loved one be missing in action. It is tragic when a loved one does, but then the loss can be accepted. It is more difficult to have the faint flicker of doubt and hope continue to eat away at your soul. Yet even worse would it be to abandon those who put their trust in their leaders and did their duty in the uniform of our country. If we are to expect young men and women to risk their lives to defend this great Nation, we must demonstrate that this country will make every rseasonable effort to recover them, should they fall into the hands of the enemy. That is why this House must approve this amendment, to end the gnawing suspicion that the military and political leadership did not make that necessary effort, and abandoned Americans to Communist prisons.

Mr. RAY. Madam Chairman, will the gentleman yield?

Mr. McCURDY. I yield to the gentleman from Georgia.

Mr. RAY. Madam Chairman, I rise today in support of H.R. 2038, fiscal year 1992 intelligence authorization bill.

Mr. RAMSTAD. Madam Chairman, today I rise to commend my distinguished colleague from Washington for sponsoring H.R. 1147, the truth bill, and I rise in full support of this measure as an amendment to the intelligence authorization bill.

This important legislation requires information on missing soldiers to be declassified unless an agency can demonstrate to the appropriate committees in Congress why is should remain classified. It also protects sources and

methods of intelligence collection as well as family privacy.

It is time to resolve the POW/MIA issue, Madam Chairman. We need to know what POW/MIA information remains classified after all these years and why. We must seek these answers from Federal agencies and departments now.

The families of World War II, Korea, and Vietnam soldiers deserve to know that those Americans have not been forgotten. They deserve to know that Congress is doing everything it can to make certain that never again will Americans be abandoned in a foreign country.

I give my full support to POW/MIA truth bill as an amendment to the intelligence authorization bill and urge my colleagues to do the same.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. MILLER].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to this bill?

If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PANETTA) having assumed the chair, Ms. SLAUGHTER of New York, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2038) to authorize appropriations for fiscal year 1992 for intelligence activities of the U.S. Government, the Intelligence Community staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 169, she reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to authorize appropriations for fiscal year 1992 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.".

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. FRANKS of Connecticut. Mr. Speaker, I was unable to vote due to the birth of my first child, Jessica Lynn.

Jessica was born in Waterbury at 12:49 p.m.; she weighed 7 pounds, 2 ounces, and she is 19 inches long.

Mr. Speaker, had I been here, I would have voted in favor of the following legislation: H.R. 26 and the Solomon amendment to H.R. 2038.

□ 1700

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2038, INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1992

Mr. McCURDY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2038, the Clerk be authorized to make such technical and conforming changes as may be necessary to correct such things as spelling, punctuation, cross-referencing, and section numbering.

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

There was no objection.

## GENERAL LEAVE

Mr. McCURDY. 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. 2038, the bill just passed.

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

There was no objection.

## MONEY LAUNDERING ENFORCEMENT AMENDMENTS OF 1991

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 26, 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 Illinois [Mr. ANNUNZIO] that the House suspend the rules and pass the bill, H.R. 26, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 25, as follows:

[Roll No. 147]

YEAS—406

Abercrombie
Alexander
Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Costello
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Horton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius

Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—0

NOT VOTING—25

Ackerman
AuCoin
Campbell (CA)
Condit
Coughlin
DeLay
Dickinson
Dymally
Ford (TN)
Franks (CT)
Guarini
Gunderson
Hopkins
Houghton
Marlenee
Mrazek
Neal (NC)
Ritter
Rostenkowski
Roukema
Smith (FL)
Solarz
Vander Jagt
Wylie
Yates

□ 1718

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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□ 1720

## INTERNATIONAL COOPERATION ACT OF 1991

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 170 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 170

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that Act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that Act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI and clause 3 of rule XIII are hereby waived. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule, by titles instead of by sections, and each title shall be considered as having been read. No amendment on the subject of military assistance to El Salvador shall be in order in the House or in the Committee of the Whole. Subject to clause 6 of rule XXIII, debate on all amendments to the bill shall not exceed eight hours. No amendment to the bill, except as provided in the following sentence, the amendment in the nature of a substitute offered by Representative Broomfield specified in this resolution and pro forma amendments for purposes of debate, shall be in order except those printed in the Congressional Record. It shall be in order for the chairman of the Committee on Foreign Affairs, or his designee, at any time to offer en bloc amendments printed in the Congressional Record, including modifications in the text of any amendment which are germane thereto. Such amendments en bloc shall be considered as having been read and shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. Such amendments en bloc shall be debatable for not to exceed twenty minutes, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. It shall be in order to consider en bloc amendments, if offered by Representative Hall of Ohio, said amendments en bloc shall be considered as having been read, said amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, and may amend portions of the bill not yet considered for amendment. At the conclusion of the consideration of the bill for amendment, it shall be in order to consider an amendment in the nature of a substitute, if offered by Representative Broomfield of Michigan or his designee, said substitute shall be considered as having been read, and debate on said substitute shall not exceed one hour, notwithstanding any other provision of this resolution. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. (Mr. PANETTA). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON] for purposes of debate only, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. HALL of Ohio. Mr. Speaker, House Resolution 170 is a modified open rule providing for the consideration of H.R. 2508, the International Development Cooperation Act of 1991. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

According to the rule, the bill shall be considered for amendment by titles, instead of by sections, and each title shall be considered as having been read. The rule also waives points of order against consideration of the bill for failure to comply with clause 2 (L)(6) of rule XI, relating to the 3-day layover, and clause 3 of rule XIII, the "Ramseyer" rule.

Mr. Speaker, the rule prohibits amendments on the subject of military assistance to El Salvador. This is necessary because of current sensitive negotiations going on with respect to a peaceful settlement in El Salvador.

Subject to clause 6 of rule XXIII, debate on all amendments to the bill, shall be limited to 8 hours. Except as follows, all amendments to the bill must be printed in the CONGRESSIONAL RECORD prior to the consideration of the amendment: An amendment in the nature of a substitute to be offered by Representative BROOMFIELD or his designee, pro forma amendments and en bloc amendments to be offered by Chairman FASCELL.

Under the rule, Chairman FASCELL may offer at any time en bloc amendments consisting of the amendments printed in the CONGRESSIONAL RECORD, including modifications in the text of any amendments which are germane. This will facilitate the efficient use of floor time, and provide for the orderly consideration of the lengthy legislation. The Fascell en bloc amendments are not amendable or subject to a demand for a division of the question and are debatable for 20 minutes, to be equally divided and controlled by the chairman and the ranking minority member.

The rule also makes in order the Hall of Ohio en bloc amendments which are not subject to a demand for a division of the question in the House or the Committee of the Whole. Mr. Speaker, these are amendments I will offer as Chairman of the Select Committee on Hunger, which are tenets of my Freedom From Want Act. These amendments include agricultural, child survival, and basic education initiatives, as well as human rights reform.

Under the rule, Representative BROOMFIELD may offer a substitute at the conclusion of consideration of the bill for amendment. The Broomfield substitute shall be considered as having been read, and is debatable for 1 hour.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2508, the International Cooperation Act of 1991, seeks to rewrite certain authorities under the Foreign Assistance Act of 1961 in order to establish more effective aid programs and to eliminate outdated and inconsistent provisions of the current law. The bill also authorizes for-

eign aid programs for fiscal years 1992 and 1993.

I would like to express my support for this bill. Chairman FASCELL and ranking minority member, Representative BILL BROOMFIELD have done an outstanding job in putting together a package that is a meaningful rewrite of existing law. In particular, I would like to express strong support for section 242, which addresses the subject of arms transfers, and incorporates many of the provisions of my conventional arms control resolution.

I also commend the committee for including provisions I authored calling for meaningful U.N. reform. In particular, I would like to thank my colleague Representative BEN GILMAN, who offered my U.N. proposals as amendments to the bill. These include the proposal in section 1106 on the U.N. Convention on the Right to Food, as well as the provisions in section 1107 to reform the U.N. response to international disasters. Both of these sections will help the U.N. in its humanitarian relief duties.

Mr. Speaker, this is a bipartisan rule which will allow fair consideration of important foreign aid and foreign policy questions. The Rules Committee passed this rule in a voice vote. I urge my colleagues to adopt it.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume.

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

I rise in support of the rule. Its only significant modification is the postponement of consideration of the section dealing with El Salvador. All Members can support this rule because no one is being gagged on either side of the aisle.

The gentleman from Ohio has presented a thorough explanation of the rule. There are several important points that I would like perhaps to reiterate.

All germane amendments to H.R. 2508 are permitted under this rule, with three important modifications.

First, all amendments must be printed in the RECORD prior to their being offered.

Chairman MOAKLEY sent out a Dear Colleague letter to this effect last Thursday.

All amendments can still be printed in today's RECORD and be eligible for consideration on the floor tomorrow; I think Members ought to take note of that.

Mr. Speaker, I normally take a rather skeptical view toward preprinting requirements for amendments. But the bill before us is so massive, all 721 pages worth, as Ronald Reagan used to say, "That is some bill."

□ 1730

I suppose that a preprinting requirement might make some sense in trying to manage this bill a little more efficiently. But preprinting requirements should only be in order when the rule is otherwise open, Mr. Speaker, as this one is.

The second modification this rule makes is an 8-hour time limit on the amendment process. However, Members should be assured that any amendments to titles still to be considered when the 8-hour time limit expires will still have a chance to be offered. These amendments will be considered under a strict 5-minute rule, 5 minutes pro, 5 minutes con. Then it will be disposed of. There will be no striking the last word and so on.

But considering 8 hours of amendment debate, I personally think that is fair and every Member will be heard.

Finally, the rule prohibits any amendment concerning military aid to El Salvador. This was agreed to by the bipartisan leadership of the House and the administration. There are some very sensitive negotiations between the various factions in El Salvador scheduled to resume this summer. It is the intent of every responsible Member of this Congress to let those negotiations proceed without external interference from us. Again, I think it is a far-sighted attitude on the part of this Congress.

Any amendment, even a well-intentioned one, could send the wrong signal or be misinterpreted in the present atmosphere.

So El Salvador is off limits as far as this bill is concerned. We will revisit that issue if necessary, as I understand it, after Labor Day.

Mr. Speaker, we have before us a modified open rule. All germane amendments will be in order, subject to the three modifications I have just outlined.

Mr. Speaker, I thank the leadership of the Committee on Foreign Affairs for requesting this fair rule, a reasonable rule, and the Committee on Rules certainly is to be commended for writing it.

I would urge all Members to support it on the floor today.

Turning now to the bill itself, I have to say it needs quite a bit of work. Indeed, it may be beyond redemption. As always, the intent was laudable; the end product is something altogether different.

Much attention has been drawn to the fact that this bill rewrites the core legislation for the foreign aid program, the Foreign Assistance Act of 1961. That is indeed a worthy goal.

More than 600 reporting requirements and at least 50 policy initiatives, many of which then conflict with each other, have accumulated like barnacles on the Foreign Assistance Act over the past 30 years. But this new bill merely replaces one set of reporting requirements and policy initiatives with another. This bill is fraught with provisions that micromanage virtually every aspect of U.S. foreign policy, something that should be the purview of the President of the United States of America.

And that leads me to the real problem in this bill, a problem that can be summed up in one word, "earmarks."

Earmarks are the bane of any foreign aid bill. The administration has correctly identified earmarking as the single most important factor in preventing flexibility and consistency in the conduct of U.S. foreign policy.

Earmarks practically preclude our foreign aid programs from being integrated effectively into the overall foreign policy objectives of the country.

Of the funds for fiscal year 1992 that are authorized in this bill, fully 68 percent, more than two-thirds, are earmarked in some fashion or another.

Mr. Speaker, this is not a reform bill. This is a bill that takes an existing problem and makes it worse, much, much worse.

Mr. Speaker, if Members were to delineate fully all of the problems in this bill, we would be here until after midnight just on the general debate. Needless to say, if this bill or anything like it ever lands at the White House, it will be dead on arrival, vetoed right on the spot. We will have wasted all of our time here this evening and tomorrow.

Suffice it to say that the provision in the bill that reverses the so-called Mexico City policy concerning funding for foreign organizations that promote abortion as a method of family planning and the provision that earmarks funds for the United Nations Fund for Population Activities are enough to prompt a veto. We have been assured that the bill will be vetoed, and well it should be.

This is not so much a foreign aid bill as it is a wish list by the left wing of the Democrat Party, and as such there is no way I or any other conscientious Republican can support it in its present form.

I urge support of the rule, but the bill is another story. Let us at least pass the rule so that we can attempt to repair the damage in the bill itself.

I personally have a few amendments I would like to offer to it tomorrow.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], the chairman of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, as has already been pointed out, this bill contains no specific provisions regarding the issue of military aid to El Salvador—and the rule would bar any amendments relating to this matter. It is the invention of the leadership to bring a bill on El Salvador to the floor shortly after Labor Day—at which time Members will have a full opportunity to debate and vote on the issue. For the record, as one of those who ad-

vocated this change in procedure, let me make clear exactly what we are attempting to do here today by moving a vote on El Salvador to September.

We are keeping the pressure on both sides in the conflict. In the coming months we will all have the opportunity to monitor the negotiations, the level of violence and the progress on the Jesuits' case and then determine what is the appropriate course in terms of United States military assistance to El Salvador.

Both the FMLN and the Salvadoran Armed Forces should be put on notice.

If the FMLN deliberately stalls the negotiations, if the FMLN is assassinating civilians, if the FMLN fails to meet its international legal obligations in the helicopter case, or if the FMLN continues to get significant shipments of arms from outside El Salvador—then that misbehavior will be reflected in the level of military assistance this Congress provides to the Salvadoran Armed Forces.

If, on the other hand, the Salvadoran Government stalls the negotiations, if the Salvadoran Army assassinates civilians, and unless there is a breakthrough in the Jesuits' case—then these facts will be reflected in the level of military assistance—or lack of military assistance—this Congress provides the Salvadoran Armed Forces.

And let me emphasize my belief, at this point in time, that the cooperation of the Salvadoran Armed Forces on the Jesuits' case has not been at all satisfactory. The lies, the obstruction of justice, and the general level of non-cooperation by the Salvadoran Armed Forces cannot be tolerated and I believe—unless there is a change in that attitude—will not be tolerated by this Congress in September.

It should also be made clear that our silence on the foreign aid bills at this time should not—in any way—be interpreted as a lessening in our unequivocal support for the efforts of the United Nations Secretary General in mediating the negotiations between the government and the FMLN. And we are pleased to note that over 100 U.N. personnel will soon arrive in El Salvador to monitor human rights.

I believe temporarily witholding congressional action on this matter will keep the pressure on both the FMLN and the Salvadoran Government to negotiate seriously an end to the war. And I would hope that the Bush administration will follow our lead and refrain from doing anything that might jeopardize this delicate process. Specifically, I would urge that they continue to withhold $42.5 million in fiscal year 1991 U.S. military assistance that has not yet been obligated. I also hope that the administration will give unequivocal and unambiguous support to the U.N. Secretary General's efforts in the negotiations.

Mr. Speaker, let me close by urging my colleagues to support this rule.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I my consume.

Mr. Speaker, I rise in support of this rule. I would specifically like to take this time to talk about the work of the chairman of the Committee on Rules, the gentleman from Massachusetts [Mr. MOAKLEY]

Mr. Speaker, I had the privilege of serving with him on the task force on El Salvador specifically dealing with the very tragic murder of Ignacio Ellacuria and the other Jesuits and their housekeeper and her daughter. We went to El Salvador investigating this case, and we have very diligently been trying to pursue it and at the same time encourage the Government of El Salvador through their judicial process to bring about a resolution to this.

Tragically, we have not seen the kind of success that we would like and that the chairman of the full committee, the chairman of our task force would like to have.

But I would like to say that it is difficult to look at a rule which is going to actually preempt Members from at this point being able to offer amendments on El Salvador; but we are in fact dealing with an extraordinarily delicate situation. The fact that we are seeing these negotiations between the Faribundo Marti National Liberation Front and the Government of El Salvador struggling to do what we all want to see happen, that is bring about peace with democracy and freedom in El Salvador.

□ 1750

Mr. Speaker, it has been a tough, tough time, and I should say that the gentleman from Massachusetts [Mr. MOAKLEY], chairman of the Committee on Rules, has, while dealing with, frankly, extremes on both ends of the spectrum, he has done a very good job, and I would like to, Mr. Speaker, compliment him for his work. I hope very much that the way we are going to be bringing up this issue under the foreign aid authorization bill will play a role in encouraging what we all want to see happen.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. FROST], a member of the Committee on Rules.

Mr. FROST. Mr. Speaker, I rise in support of House Resolution 170 which provides for the consideration of H.R. 2508, the International Cooperation Act of 1991. During the past 14 months I have been directly involved in a facet of democratic institution building in Eastern Europe and I am particularly pleased that H.R. 2508 contains authorization for the continuation of these most important activities in the region.

In April 1990, following the tumultuous events in Eastern Europe during the fall of 1989, Speaker FOLEY appointed a special bipartisan task force that was charged with developing a plan of assistance to the new democratically elected parliaments in Eastern Europe. The Special Task Force on the Development of Parliamentary Institutions in Eastern Europe, which I am honored to chair, with the cooperation and assistance of the distinguished chair of the Foreign Affairs Committee, Mr. FASCELL, and the chair of the Europe and Middle East Subcommittee, Mr. HAMILTON, has developed a comprehensive plan of support to the parliaments of Hungary, Czechoslovakia and, in cooperation with the U.S. Senate Gift of Democracy Program, Poland.

The task force found, to no one's surprise, the national legislatures of these three countries had been no more than rubberstamps for the Communist governments which ruled those countries since the end of World War II. These parodies of representative government existed only to be convened once or twice a year to approve decisions that had already been made by the Communist party leaders. As a result, we found these parliaments lacking in office space and office equipment, trained staff, and the capacity to gather the kind and quality of information and analysis required to make independent policy assessments. On the other hand, the task force found the members of these new freely elected parliaments to be full of enthusiasm and belief that pluralistic democracy would bring them the freedom they had so long been denied.

Based on these findings, the task force recommended to Speaker FOLEY that a coordinated program of technical assistance be instituted and recommended that the Congressional Research Service be enlisted to serve as a lead agency in the U.S. Government to provide and coordinate a comprehensive program. The task force also recommended, and the Speaker concurred, that $6 million be allocated in fiscal year 1991 to fund these efforts. Working with our colleagues on the Foreign Affairs Committee, and the Foreign Operations Subcommittee of the Committee on Appropriations, the task force was able to secure a commitment from the Department of State that $6 million of the $19 million set aside for democratic institutions building in Eastern Europe in the fiscal year 1991 foreign assistance appropriation would be made available to implement the parliamentary assistance programs of the House task force and the programs initiated by the U.S. Senate. In January 1991, $4.25 million was transferred by AID to the Library of Congress and CRS to purchase equipment, books and library

materials, and to provide training, and technical assistance to the parliaments of Poland, Hungary, and Czechoslovakia. Another $750,000 of the $6 million was set aside for the continuation of the Senate's Gift of Democracy Program and the remaining $1 million was held in reserve by AID for other parliamentary support programs consistent with the activities being undertaken by the House and Senate in the region.

Mr. Speaker, your task force is happy to report that by early August the first delivery of computer and office equipment will be made to the Parliament of the Czech and Slovak Federal Republic and the first delivery to the Hungarian Parliament should be made early this fall. In addition, several hundred books and periodicals are in the process of being delivered to the libraries of all three parliaments. Training for the core staffs of these three parliaments is underway. An important component of that training program involves the development of research and analysis components within the parliaments in order that members and staff might have ready access to the information they need in order to make the important decisions they must make during their transition to free market economies.

The task force has recommended that during fiscal year 1992 that another $6 million be dedicated to the development of the parliaments of Hungary, Czechoslovakia, and Poland. And, upon the recommendation of the Department of State with whom the task force has been working in an unprecedented spirit of cooperation between the executive branch and the legislative branch, we have also begun examining the situation in Bulgaria. It is likely that our assistance project will be extended to Bulgaria if funding for the program is fully funded in the coming fiscal year. The task force commends the Committee on Foreign Affairs for including $20 million for democractic institution building in Eastern Europe in its authorization and hopes that the significant progress we have seen in Eastern Europe in the past year can be carried forward in the coming fiscal year.

Mr. Speaker, I would like to take this opportunity to thank the members of the task force for their dedication to this project. During the 101st Congress, members of the task force included BART GORDON of Tennessee, DOUG BOSCO of California, GERALD SOLOMON of New York, and JIM LEACH of Iowa. In the 102d Congress, the Members include BART GORDON, MATT MCHUGH of New York, HOWARD BERMAN of California, GERALD SOLOMON, JIM LEACH, and DAVID DREIER of California.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the very thoughtful and hard-working ranking member of the Committee on Foreign Affairs, the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Speaker, while I am opposed to the foreign aid bill in its current form. I am nevertheless hopeful that this legislation can be substantially improved as a result of floor debate.

Toward that end, I wish to commend the distinguished chairman of the Rules Committee, the gentleman from Massachusetts [Mr. MOAKLEY] for designing a rule that should ensure a fair and open floor debate. I also commend the gentleman from New York [Mr. SOLOMON] the ranking Republican member, for helping see to it that we can have a full and fair debate on this bill.

In particular, I wish to draw attention to those parts of the rule which allocate 8 hours for the consideration of amendments, create an orderly process for submitting amendments prior to floor consideration, and enable an amendment in the nature of a substitute at the conclusion of debate.

The opportunity to offer a substitute amendment will enable us to combine the best parts of H.R. 2508 with the most constructive amendments adopted on the floor. In essence, it may offer the only real hope for producing legislation that can be enacted into law.

In conclusion, I support this rule and look forward to a constructive debate on the foreign aid authorization bill.

Mr. Speaker, I will submit extraneous matter for the RECORD during consideration of this bill under general debate.

Mr. DREIER of California. Mr. Speaker, I yield 7 minutes to my very able friend and colleague, the gentleman from Ohio [Mr. MCEWEN], a member of the Committee on Rules.

Mr. MCEWEN. Mr. Speaker, I thank the gentleman from California [Mr. DREIER] for yielding.

Mr. Speaker, it is a pleasure to rise in support of the rule for H.R. 2508, the Foreign Assistance Authorization Act for Fiscal Years 1992 and 1993. The chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], along with the ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD], deserve commendation for requesting an open rule. Likewise I would like to commend my colleagues on the Committee on Rules, led so capably by the gentleman from Massachusetts [Mr. MOAKLEY] and our vice chairman, the gentleman from New York [Mr. SOLOMON], for granting the Foreign Affairs request by proposing an open rule.

Mr. Speaker, the United States of America is the beacon of the world and in all corners of the globe stands for free speech and vibrant democratic values. Our foreign assistance programs lie at the heart of our Nation's foreign relations in expressions of those values. It is especially appropriate that on this major foreign policy measure, as it is debated on the floor in an environment of totally free discussion, the rule allows the cornerstone of our system, free speech, to be practiced here in the House. I hope that other committees will take the lead of the gentleman from Florida [Mr. FASCELL] and follow suit by seeking open rules like this so that the people's Representatives are permitted to fully air their views, and cast their votes and settle their differences.

Although the rule for consideration of H.R. 2508 deserves unanimous support, I am sorry to say that the bill itself is seriously flawed. It falls short of the original goal of the chairman and the ranking member of the Committee on Foreign Affairs to reform the process by which the United States provides foreign assistance. The chairman's original bill attempted to implement many of the reforms recommended by the 1989 Hamilton-Gilman Task Force on Foreign Assistance. Unfortunately the subcommittee recommendations, which were incorporated into the bill and now make up more than half of the measure that will be before the House, will fail to include these excellent reforms. The subcommittee recommendations often demonstrated the same tendency to earmark, to mandate, to micromanage foreign policy that have heretofore been practiced much too much. That is one reason why this bill in its present form will be vetoed and the Committee on Foreign Affairs will be denied its significant impact into our foreign aid policy which it deserves.

Mr. Speaker, the bill authorizes $12.4 billion in foreign assistance in fiscal year 1992, $13 billion in 1993. These figures are $99 million below the President's request, $630 million above fiscal 1991 levels. I would like to note that $8.5 billion of the 1992 authorization is earmarked 68 percent of the total. Along with the earmarks are an abundance of reports that are mandated of the administration.

Mr. Speaker, although the committee bill touches just about every foreign policy issue imaginable, on one it is noticeably silent. That is the issue of direct foreign assistance to the Soviet Union. The bill reported by the Committee on Foreign Affairs proceeds with caution on this matter, and I commend the committee for doing so. The only assistance provided the Soviet Union is in the form of specialized technical assistance for the democratically elected governments of the Baltic Republics. There is no direct foreign aid, and there is no mention of prospective aid.

Mr. Speaker, following the terrible incidents of the spring in the Baltics, when unarmed civilians were machinegunned and crushed under tank treads, it appeared that no serious talk of Soviet aid would emerge for

some time. Alas, the continued rapid collapse of the Soviet economy has caused serious talk of direct aid to begin anew despite this chill.

For example, President Gorbachev has very recently made pleas for billions of dollars of Western aid included in every major story in every major newspaper today. An article in the Washington Times mentions 250 billion American dollars.

Mr. Speaker, now is the time for the House of Representatives to make a clear statement outlining responsible conditions to be met before the American taxpayer provides any direct financial assistance to the Soviet Union. Doing so, we can provide guidance to both the administration and to the Soviet Government regarding the type of policies the Soviet Government must pursue if it is to receive aid. This bill is the appropriate legislation to make that statement, and I believe that my amendment outlines four general conditions that a vast majority of the Members of the House can support. They are:

Major reforms of the Soviet economic and legal systems must first be established to protect democratically elected government, a market economy, and human rights.

□ 1750

Second, before we aid the Soviet Union with direct American dollars, I believe a significant reduction in Soviet defense expenditures and a reduction in the number of their ballistic nuclear missiles should be first obtained.

Third, I recommend the removal of the occupation troops that are now occupying the Baltic Republics, and finally, I believe that we should request the elimination of economic and military aid to belligerent totalitarian states such as Cuba.

I would like to note in closing that these reasonable and responsible conditions are similar to those that have recently been proposed by such leading sources as Zbigniew Brzezinski, former President Nixon, the Washington Post, and a number of administration officials, including the President in his speech at the Houston economic summit last July.

Mr. Speaker, this open rule deserves the support of every Member. On the other hand, I hope the Members take advantage of the open rule to correct the deficiencies I have outlined in the bill so that we can approve a bill acceptable to the President.

Mr. HALL of Ohio. Mr. Speaker, I yield 6 minutes to the gentleman from Ohio [Mr. APPLEGATE].

Mr. APPLEGATE. Mr. Speaker, I thank my friend and colleague, the gentleman from Ohio, for yielding time to me.

Mr. Speaker, I rise in support of the rule, but I have some difficulties with the entire bill. I am hopeful that there will be an amendment allowed that will shift some of this money over to domestic programs rather than spending the $12 billion plus in foreign aid, all overseas.

I heard my good friend and colleague, the gentleman from Ohio [Mr. McEWEN], who was just standing here talking about the "beacon of the world," which is what the United States is, but that light is slowly dimming, particularly the economic portion of that light, and we are sinking deeper and deeper into debt.

I think our priorities are all wrong in this area. If the doctor is not feeling well, if he has an illness, it is going to be very difficult for him to be able to treat the patient. That is the situation I think we are in.

I agree and I think the whole House agrees that there is a need to help starving and diseased people. I think we can do that, and I think we should help them, but we should also help from the standpoint of doing something besides just pumping money in there to help develop new technologies so they can help to educate their own people, so that they will be able to clothe themselves and to feed themselves.

Americans are a caring people. We are here to help the desperate people, but why do we forsake our own people? Why do we forsake Americans, those who are sick, 38 million people who do not have any health insurance, the hungry and the homeless in this country?

Let me tell you why. It is because those who help themselves are using the United States for their own well-being and their own profit. President Bush's foreign policy has gone awry. Let us just take a look at China. Let us see what he wants to do in China. He wants to give them most favored nation status, and here is a country that has been depriving its own people of civil and human rights. Look at what they did to Tibet. They just had a big celebration of 40 years after they have taken over Tibet and taken away the human and civil rights of the Tibetans.

China sold arms to Iraq while we were trying to fight those people, and yet we are going to recognize this deprivation of human and civil rights and this degradation of the human soul. They employ slave labor, and they produce cheap products which they are going to send into the United States to steal jobs from Americans.

Then we are going to do the same thing with the Soviet Union, because in our foreign policy what they want to do is give them most favored nation status while Gorbachev is turning his back on the Baltic States, going back on the promise he made that he would make free the republics within the Soviet Union.

Why do we recognize these abuses? Is this not against what all our American veterans have fought for in this country when we fought for freedoms? I think it is an insult to them.

We spent billions of dollars, tens of billions of dollars and over 300 lives in Kuwait and Saudi Arabia, and how do they honor America's sacrifice? Well, Kuwait is not giving all of their contracts to us, and I suppose maybe they ought not give them all to us, but at least they could take a look. The first contracts went to Venezuela and Japan for 25,000 metric tons of steel, which could have gone to Wheeling-Pittsburgh Steel or it could have gone to any number of steel mills in Ohio, in western Pennsylvania or eastern Ohio.

In Saudi Arabia they built a desalinization plant. So what do they do? They gave the general contract to the Italians, the Italians gave a subcontract to the British, and the British went to Japan to get the titanium. So my titanium plant loses. That would have meant an increase of 10 percent in the production of titanium in my area.

In Japan we spent billions and billions of dollars and we spent 300 lives to help secure their energy policies. And how do they honor us? They renege on a commitment to pay us over $10 billion. They have only paid a small part of it. Of course, they restrict our right to their marketplace. They restrict our productivity, and they do not allow Americans to come in and invest.

The Government is abandoning the Appalachian coal fields. You may ask, how does that get into foreign policy? Well, they are not pumping any money into the Appalachian coal fields, but what they did was to build a scrubber in Krakow, Poland. We need it over here to keep our jobs.

Our American allies soon forget World War II and NATO and the moneys we pumped in and the thousands of American lives that went into keeping them free. All I am saying is that while we have need for a foreign policy to help them, let us take a look at a domestic assistance program and help Americans who deserve it, who helped to build our country, Americans who have lost their jobs. Let us help them to get their jobs back. Let us fight to keep an equity in our trade policies, or to get one. We do not have one right now. I think that is very important.

I think our directions are misguided, and I am just wanting to see that the American workers in this country do not go on the endangered species list, and that they get what they have worked and fought for.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the very distinguished former Mayor of Ojai, CA, the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I rise in strong support of the rule contained in House Resolution 170 which,

among other things, provides that no amendments are in order on the subject of military assistance to El Salvador.

While I might normally have problems with such a provision in a rule, I believe in the case of today's rule on El Salvador, the leadership, particularly JOE MOAKLEY, the chairman of the Rules Committee and JERRY SOLOMON, ranking member, have acted responsibly to prevent any adverse affect on the delicate negotiations that are going forward between the government and the FMLN guerrillas.

For the House, or the Congress, to take action or to debate conditions or restrictions on United States aid to the Government of El Salvador at this time, it could be misinterpreted by either side involved in the peace talks. It could very well cause the collapse of the negotiations if one side or the other viewed congressional action as damaging its cause or favoring the other side.

I particularly wish to commend the chairmen of the Western Hemisphere Affairs Subcommittee and the full Foreign Affairs Committee Representatives FASCELL and TORRICELLI as well as ranking member BILL BROOMFIELD for their statesman-like position on this issue. The government of El Salvador has been engaged in unprecedented peace talks with the opposition guerrilla forces in El Salvador with several dramatic agreements already reached. The hardest part of the negotiation still remains: To achieve a cease-fire and to agree on the reorganization of the armed forces. It is to the benefit of all sides that the U.S. Congress not be seen as interfering in these sensitive talks, and the decision to wait an additional 3 months to see if some agreement can be reached on the remaining issues is a wise and responsible decision.

I think the government of El Salvador deserves a great deal of credit for negotiating seriously and in good faith with the armed FMLN guerrilla opposition. For the Congress to wait an additional 3 months before taking a position on United States aid to El Salvador gives an opportunity to determine if the FMLN is also negotiating seriously and in good faith.

Once again, I want to commend the leadership of the House, of the Central American task force, the Foreign Affairs Committee and of the subcommittee on Western Hemisphere Affairs for their responsible position in urging postponement of action on United States aid to El Salvador. I fully concur with their decision that we will be better able to determine what our policy should be after seeing how negotiations progress over the next 3 months.

I urge my colleagues to support this rule.

□ 1800

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I rise today to congratulate the committee on holding the line on foreign debt writeoffs.

By refusing to go along with the administration's request to convert $270 million in foreign military loans to grants, the committee has sent the right message: Uncle Sam is tired of being taken for Uncle Sucker.

For the past 10 years, the administration has refused to deal effectively with foreign debt collection.

Many of the foreign debts owed to the United States have been restructured, sidestepped, hidden in smoke, swept under the rug and generally ignored.

Americans expect repayment of just debts.

Our process should be a simple one: Debts owed, should be debts paid.

While the policy of the last 12 years or so has been to soft pedal foreign debt collection, the Government has continued to foreclose on American farmers, homeowners and others who are unable to pay back loans they have with the Farmers Home Administration and other Federal agencies.

The people I represent do not understand this.

I do not understand this and have tried to fix it.

The speaker may remember helping me back in 1975, when I was the House sponsor of what became known as the Alexander-Brooks amendment.

The purpose of that legislation was to cutoff foreign aid if a country falls behind in its debt repayment.

The amendment was based on the simple premise that the United States expects repayment of debts owed to it by other countries.

I did not think that was too much to ask then. As a result of the Alexander-Brooks amendment hundreds of millions of dollars of debts were paid by foreign countries. Foreigners will pay their debts owed to the United States if they believe that we expect them to pay what is owed.

I do not think that is too much to ask now.

Through restructuring of these foreign debts, the Bush administration and the Reagan administration before it, have been able to knock the teeth out of the amendment, circumventing the will of Congress—and the American taxpayer.

If we are to meet our needs here at home—including reducing the deficit, making needed infrastructure improvements, fighting drugs and crime, and providing better health care and education for our people—we should insist that foreign debt collection procedures be toughened.

Again, Mr. Speaker, I rise to congratulate the committee for holding the line.

The American taxpayer also thanks you.

Mr. DREIER of California. Mr. Speaker, to close the debate on our side, I yield 5 minutes to a dynamic speech writer from Long Beach, the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I rise in support of the rule. It will give us the opportunity to confront some serious issues. And there are questions that we need to answer dealing with American foreign aid.

Should our scarce taxpayer dollars be used to prop up the last vestiges of Communist power?

No way. Should the U.S. taxpayer be forced to subsidize Mikhail Gorbachev and his forces of repression in the Kremlin, even if it ends up costing the taxpayer tens, if not hundreds, of billions of dollars?

Again I say: No way. A new world is in the making. The forces of freedom and democracy are on the march. The evil empire is crumbling from Armenia to Georgia, from the Baltics to Yugoslavia. At this time, it is fair to ask at this historic moment:

What side are we on?

Will America be with the people or the Politburo. The Ivy-League-educated elites in the State Department argue that the unelected Mikhail Gorbachev must be kept in power. They argue in the Soviet Union and in Yugoslavia for stability over freedom even it means favoring commissars, comrades, and Communists over reformers, republics, and human rights. I will offer an amendment tomorrow, and, under this rule, it will be considered. I appreciate that.

My amendment will ensure that if taxpayer funds are appropriated for foreign aid, and that is a big "if," those funds should be given to the democratically elected republics, rather than the Communist controlled central governments. As written. It affects two countries, the Soviet Union and Yugoslavia.

When the Communist government in Ethiopia fell several weeks ago, Herman Cohen, Assistant Secretary of State, said, "No democracy, no cooperation." We should apply the same principle elsewhere.

With democracy everything—without democracy nothing. Aid to the Kremlin would pour our dollars down the world's largest and most inefficient rat hole. The brutal repression of the Baltic States, continued Soviet support for Castro and other dictator's massive military spending—all call into question whether we should be giving aid at all.

Support for the Kremlin or any other central government still in the hands of the Communists is wrong on all

counts. Keeping tyrants and militarists in power in the name of stability is ludicrous.

How can anyone request funds for our own costly defense projects and then ask us to give money to the Kremlin bosses as they keep spending for weapons? It doesn't compute.

Gorbachev sends billions to Castro, keeps spending hundreds of billions on his military machine, sends Scuds and jets to Afghanistan. If he needs resources, let him cease wasting his people's money on weapons and overseas adventures rather than looking for a handout from America's hard-working people.

Gorbachev, his public image not withstanding, is communism's last gasp in the Soviet Union. United States foreign aid must not be used as a club to beat the forces of democracy into submission, whether it be in the Soviet Union, Yugoslavia, or anywhere else. It should be used to build a more democratic, freer more peaceful world. Great strides have been made. Competitive forces are pulling at the Soviet Empire from within and without. In Eastern Europe, progress, perhaps irreversible progress, has been made.

In Yugoslavia, there is great hope. The clock cannot be turned back to despotism there or in the Soviet Union itself. But the old regime has proceeded as far as it will go down the road to reform. If Gorbachev is not willing to make the radical reform needed to make a sea-change in the direction of his country, Yeltsin's democratic forces are ready, willing and able.

Reformers, democratically elected, are in the Republics, anxious to build a peaceful, free and more prosperous world.

Let us play an active role in this defining moment in history. Let us, as Winston Churchill once said, "never cease to proclaim in fearless tones the great principles of freedom and the rights of man."

Let us support the freedom movement in the East and let us pray for, and, yes, work for a world order among free peoples, where communism and other forms of tyranny will be as distant a memory as the despotism of ancient times.

I ask my colleagues to support my amendment. I seek and my colleagues will seek no U.S. aid to prop up the Communists in the Kremlin.

We seek support for the democratic republics, not the Communists.

I will ask Members to support my amendment, and rise in support of the rule.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. YATRON].

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

Mr. Speaker, I rise in strong support of H.R. 2508. I want to commend Chairman FASCELL and Mr. BROOMFIELD, for once again working together in a bipartisan spirit to bring this legislation to the floor.

Mr. Speaker, if the American public is to have confidence in the budget process, then Congress must adhere to its own procedures as called for by the rules. The budget resolution should be followed by consideration of the authorization bills, and then the appropriations bills.

Authorization bills guarantee the fullest possible participation of all Members, allow for more open rules, and ensure that policy decisions are made with the full knowledge of the American public.

H.R. 2508, gets the process back on track in an open and fair manner. Enactment of this authorization will enable the Appropriations Committee to concentrate on funding matters without being saddled with authorization responsibilities. H.R. 2508 will restore balance and coherence to the budget process.

Mr. Speaker, H.R. 2508 affords the American people, through their elected representatives, a say in setting the foreign policy priorities of the United States.

It was through the authorization process that human rights was first legislated into American foreign policy. It was through the authorization process that U.S. policy committed itself to combating illicit narcotics trafficking abroad, and it was through the authorization process that U.S. policy has isolated those countries involved in acts of international terrorism.

Mr. Speaker, H.R. 2508 addresses the dramatic changes taking place throughout the world by assisting governments in the consolidation of democratic institutions and the rule of law, preserving the environment, vaccinating the world's children from deadly diseases, and creating free markets for American exports.

H.R. 2508, reflects our democratic values and serves U.S. interests in an increasingly interdependent international community.

I urge my fellow colleagues to follow the lead of Chairman FASCELL during consideration of this bill and to vote for final passage.

□ 1810

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Speaker, I want to commend my friend, the gentleman from Florida [Mr. FASCELL], and also the gentleman from Michigan [Mr. BROOMFIELD], for the job they have done on this important piece of legislation. This really is the foreign policy of the United States, and it is an enormously difficult task. They deserve our thanks.

I offered, during the markup, an amendment which was agreed to which said very simply that we would not sell arms to Kuwait until they dealt with the problems they have had in that country in terms of trying people for crimes, allegedly committed. But today I read in the New York Times very distressing news, Mr. Speaker.

> The Kuwaiti Government has begun expelling civilian prisoners to Iraq, and some of those deported apparently have been sent against their will. Any such forcable expulsions would be a violation of an agreement signed by all parties at the end of the Persian Gulf War.

This is not the worst of it. On the op-ed page of the New York Times, there is an article today entitled "Mass Graves in Kuwait." And I will read just a very small part of it.

"Those who have died in Kuwaiti hands since liberation."

"Those", are not people killed by the Iraqis. These were people apparently, according to these allegations made in today's New York Times, Kuwaitis killed by the Kuwaiti Government or its agents since the liberation. I do not think that this is what Americans sacrificed their lives for, I do not think it is what this country sacrificed billions of dollars for.

I think the Emir ought to get his act together. I think the Emir and his family ought to take a walk and allow free and fair elections in Kuwait.

I am going to offer an amendment tomorrow adding to those conditions, which are already in the bill, that these bodies in Kuwait be exhumed, that we find out whether or not these people were tortured, and that we find out precisely what happened. This condition should be added to the conditions which already exist in the legislation conditions which, Mr. Speaker, the President must certify are being met before another bullet is sold to Kuwait.

Mr. Chairman, this is not what Americans died for in the Middle East. It is not what Americans paid for in the Middle East. It is unacceptable, and I hope that tomorrow the House will support by amendment.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. PANETTA). Pursuant to House Resolution 170 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2508.

The Chair designates the gentleman from Oregon [Mr. AUCOIN] as Chairman of the Committee of the Whole, and requests the gentleman from Ohio [Mr. HALL] to assume the chair temporarily.

□ 1815

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes, with Mr. HALL of Ohio, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida [Mr. FASCELL] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 30 minutes.

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

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

I rise in strong support of H.R. 2508, the International Cooperation Act of 1991.

Let me say that this is a comprehensive foreign assistance authorization bill for the next 2 fiscal years. It consolidates, streamlines, makes more effective the global or the generic provisions of the Foreign Assistance Act and represents a continuing effort by the Committee on Foreign Affairs to rewrite and update the act.

Let me say at this point that I appreciate the cooperation from the ranking Republican member, my distinguished colleague, the gentleman from Michigan [Mr. BROOMFIELD], and the Republican members who worked with us in fashioning this bill.

The administration, of course, had its own bill down here. Two years ago, when we passed the foreign aid bill, we got the administration to focus in on a rewrite, which they did, and their rewrite was introduced by request by the gentleman from Michigan [Mr. BROOMFIELD] and I. We did our level best to incorporate as many of those provisions as we could work out in this particular bill. So 90 percent of the administration's requests are in here.

The others, of course, have not been worked out and the administration, of course, is not really happy with the ones that have been left out. But this is a first step in a long process, and I hope that in the interim, as we consider the legislation here and other places, that we can get even closer together than we have already.

Nevertheless, the point I wish to stress is that a very strong effort has been made by both parties and the administration to achieve as much of a consensus as we possibly could on this bill as we present it to the House so that we can have a bipartisan position with regard to many of these matters.

Now, Members will recall that in 1989, the House considered and passed H.R. 2655, which was a similar rewrite of the Foreign Assistance Act, and that was based on recommendations that came from a year-long task force. The gentleman from Indiana [Mr. HAMILTON] and the gentleman from New York [Mr. GILMAN] headed that up, and that bill incorporated many of the recommendations of that task force. And it was adopted by the House by an overwhelming majority of 314 ayes and 101 nays.

Now, there will be many amendments to this bill, but hopefully there will not be as many as we had last time.

□ 1820

One never knows, but one can hope.

I think we had over 250 amendments last time, Mr. Chairman, and so far we probably have about 100 noticed, maybe more. I am not sure of the exact count. All I can say to my colleagues is we will do our best in working the amendments to accommodate all of those who have amendments.

I am not saying we will accept them all, but we will do our best to work with the Members as we did last time in the consideration of this authorization bill. We have got a long road ahead of us.

We will finish general debate tonight in short order, I would hope. I only have one speaker on my side besides myself. Tomorrow we will start in the House at 10 o'clock, as I understand it. Under the rule, as the gentleman from Michigan [Mr. BROOMFIELD] has pointed out, we have an open rule that allows for 8 hours of debate on all amendments and amendments thereto. If the amendments are in the RECORD, of course, under the rules of the House the individual is protected. If we run out of the 8 hours of time, they would have 10 minutes in the discussion of their amendment if there is no more time left. I am hopeful, however, that we will not have that difficulty.

That means that the gentleman from Michigan [Mr. BROOMFIELD] and I will have to agree and make judicious use of the time that is available to us.

Last time we had this similar kind of rule we had excellent cooperation from our colleagues, and I ask them again to work with us and give us the same kind of cooperation this time so that perhaps we can get through with this bill tomorrow night. It would be very important to see if we cannot get through this bill before 10 o'clock tomorrow night, and I think we can if we get the kind of cooperation that we have had in the past in assuring everybody gets some consideration on whatever their amendments might be.

In terms of the entire bill, as I said, it covers fiscal 1992 and 1993.

Mr. Chairman, I rise in support of H.R. 2508, the International Cooperation Act of 1991. This bill is a comprehensive foreign assistance authorization for the next two fiscal years. This bill, which consolidates, streamlines, and makes more effective the global or generic provisions of the Foreign Assistance Act, represents a continuing effort by the Committee on Foreign Affairs to rewrite and update the act.

Members may recall that in 1989 the House considered and passed H.R. 2655, a similar rewrite of the Foreign Assistance Act, based on recommendations of a yearlong task force of the Foreign Affairs Committee which had been chaired by Representative LEE HAMILTON and Representative BEN GILMAN. That bill passed the House by an overwhelming majority, with 314 ayes and 101 nays. Unfortunately, the Senate did not take a foreign aid authorization to the Senate floor during the 101st Congress, and H.R. 2655 was never enacted into law.

The first six titles of H.R. 2508 are based substantially on H.R. 2655. In addition, this year the administration also drafted a revised foreign assistance act, which Representative BROOMFIELD and I introduced by request. The administration's draft bill was also based in large measure on the recommendations in the 1989 Hamilton-Gilman task force report. In preparing H.R. 2508, an effort was made to incorporate provisions from the administration's draft.

H.R. 2508 authorizes a total of $12.399 million for fiscal year 1992 and $13.035 million for fiscal year 1993. It should be noted that the Committee on Foreign Affairs, in keeping with the spirit of the Budget Enforcement Act and the conference report on the budget resolution for fiscal year 1992, has kept the authorization levels for this legislation within the ceiling for the international affairs (150) function. H.R. 2508 is $226 million below fiscal year 1991 levels and $100 million less than requested by the executive branch.

H.R. 2508 is an attempt to set new priorities for foreign assistance. Recognizing budget constraints, the bill makes substantial cuts in overall spending. In addition, it alters the balance in favor of economic assistance over military assistance, cognizant that "economic issues increasingly dominate the international agenda," as noted in the 1989 Hamilton-Gilman task force report. H.R. 2508 is a serious effort to update U.S. foreign assistance

law in a time of worldwide political and economic changes.

H.R. 2508 marks a shift away from military assistance and toward a greater emphasis on economic assistance. Economic assistance levels in the bill are $680 million higher than current levels, and $314 million greater than requested by the executive branch.

At the same time, military assistance levels in H.R. 2508 are $907 million lower than current levels; and $414 less than requested by the executive branch.

This bill is fiscally responsible, Mr. Chairman, and it deserves support.

I wish we did not have to spend money on military assistance and economic development and humanitarian programs around the world. But the truth of the matter is that this bill is absolutely essential. The United States cannot build a fence high enough to isolate ourselves from the rest of the world. We cannot deny our Government, or the American people, the tools by which we say to the rest of the world that we are a part of the world, interested in your development. We know that economic development and growth are two-way streets, and that if other countries grow we will have increased chances to trade and sell U.S. products to the rest of the world. We cannot walk away from the rest of the world. We Americans are compassionate people and we do our best to help the poor and hungry around the world. I urge all members to support this important and responsible bill.

Significant provisions in H.R. 2508 are as follows:

Endorsement of a multilateral embargo on the transfer of new major arms to the Middle East, and implements a U.S. arms moratorium unless another major arms supplier nation breaks the U.S. moratorium or until it is replaced by a multilateral arms restraint regime;

A rewrite of the Foreign Assistance Act of 1961 to streamline the statute, eliminating many outdated and unnecessary provisions, consolidating restrictions, and establishing the overall objective for U.S. development policy as "broad-based sustainable development", the components of which are sustainable economic growth, sustainable resource management, poverty alleviation, and promotion of democracy;

Provision of a total of $400 million for family planning programs;

An earmark of a total of $327 million for health, child survival, and AIDS;

An increase in funding for the Development Fund for Africa to $1 billion;

Provision of necessary legislative authority for the debt reduction element of the President's Enterprise for the Americans Initiatives;

Establishment of the Trade and Development Agendy as a separate agency and an increase in funding to $55.7 million;

Authorization $200 million for the Peace Corps;

An earmark of $85 million for microenterprise;

An earmark of $275 million for assistance through private voluntary organizations;

Authority for debt-for-development exchanges;

A mandate for enhanced evaluation of foreign assistance projects;

Establishment of a policy framework for assistance to the nations of the Caribbean;

Creation of a democracy contingency fund to provide assistance to countries emerging from civil strife or into democracy;

Consolidation of all generic restrictions on assistance to countries and the addition of a new restriction on assistance to countries selling arms to countries supporting terrorism;

Enhancement of congressional oversight of security assistance, while maintaining basic assistance levels;

A streamlining of the narcotics control certification process, while increasing the focus on money laundering and precursor chemical flows form other countries;

A prohibition on military assistance to Guatemala with certain restrictions placed on economic assistance;

Maintenance of restrictions on negotiations with the PLO;

Provision of $1.2 billion in economic assistance and $1.8 billion in military financing for Israel and $815 million in economic assistance and $1.3 million in financing for Egypt;

Restrictions on assistance to Syria;

Conditions on military assistance to Kuwait concerning respect for human rights and steps to institute democracy;

Continued restrictions on assistance to Pakistan because of its nuclear capability;

Restriction on the sales of military equipment to the People's Republic of China; and

Conditions on assistance to several African countries, including Sudan, Kenya, Liberia, Mozambique, and Somalia, because of concerns over violations of internationally recognized human rights and conditions resulting from civil strife.

The Commission for the Study of International Migration and Cooperative Economic Development, in its report on "Unauthorized Migration: An Economic Development Response," recommends that U.S. foreign assistance address the root causes of emigration through a more targeted aid program. I agree that migration should be a factor in evaluating both the potential and the effectiveness of foreign assistance programs. I therefore am requesting that the AID Administrator, in cooperation with the Secretary of the Treasury, develop methodology and criteria for assessing the migration impact of bilateral and multilateral assistance programs to migrant sending regions, especially in Central America and the Caribbean, and for evaluating the effects such programs have on migration trends from the aid recipient areas. I hope that such a plan can be made available by January 31, 1991.

□ 1830

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

Mr. Chairman, last December, Chairman FASCELL and I urged the administration to work with the committee on an overhaul of the Foreign Assistance Act.

The administration made a good-faith effort to engage in this process. They submitted a bill to the Congress in mid-March. It was a good first step.

But the spark of reform was snuffed out. It was smothered during markup by subcommittee recommendations that earmarked billions of dollars, mandated numerous reports from the administration, and sought to micromanage U.S. foreign policy in every corner of the globe.

The goal of the administration was to reform and streamline the U.S. foreign aid program. However, in a letter I received from Deputy Secretary of State Lawrence Eagleburger today, he states:

> In our view, however, the International Cooperation Act reported last week by the Committee on Foreign Affairs does not meet this challenge. While several of the provisions that the Committee has included would be helpful, there are so many new or repackaged restrictions and limitations that the bill as a whole in fact would represent far more the business-as-usual approach of the past decade than a new direction.

I have served on this committee for many years now under Presidents from both parties. I have witnessed numerous attempts—both successful and unsuccessful—to enact foreign aid bills into law. Successful foreign aid bills have two virtues: They reflect bipartisanship and they reflect a willingness to cooperate with the President. This bill has neither virtue.

In my view, without substantial revisions, this legislation will be dead on arrival. The administration has said as much in its message to Congress. It believes this bill is worse than the act it seeks to reform. If it doesn't die in the Senate, the President will kill it off with a veto.

This is a bill that needs major repairs. Without such repairs, I will recommend that my Republican colleagues vote "no".

The Foreign Affairs Committee once had the power to set policies and budget authority for foreign aid. It no longer has this power. It lost that power to those who were able to use the legislative process to achieve realistic goals.

If this bill fails to become law, we will once again leave the field to the appropriators. The appropriators alone will decide the composition of foreign aid policy, progams and dollars. We will become further irrelevant to the foreign aid process.

The Rules Committee has been generous enough to allow me the opportunity to offer an amendment in the nature of a substitute at the end of consideration of the bill. I will offer such an amendment—aimed at salvaging this legislation—if there is a possibility that it could successfully delete many of the troublesome provisions in H.R. 2508.

In the meantime, I urge my colleagues to work toward improving this bill in an effort to pass meaningful reform legislation that will truly help the needy in developing countries.

Mr. Chairman, at this point I insert for the RECORD a statement of administration policy from the Executive Office of the President as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
*Washington, DC, June 6, 1991.*

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 2508—INTERNATIONAL COOPERATION ACT OF 1991—(FASCELL (D) FLORIDA AND 19 OTHERS)

H.R. 2508, as reported by the House Foreign Affairs Committee, falls well short of the goals outlined by the President in his letter to the Speaker of the House endorsing the Administration's proposed "International Cooperation Act of 1991." In recognition of rapidly changing world events, the President sought to delete the many restrictions, prohibitions, burdensome and unnecessary reporting requirements, and statutory waiting periods that have accumulated over the several decades since enactment of the Foreign Assistance Act of 1961. H.R. 2508 does not meet these goals. If H.R. 2508 were presented to the President in its current form, his senior advisers would recommend a veto of the bill.

On particular concern are two provisions that overturn the Administration's anti-abortion policy:

Section 1205 earmarks funding for the United Nations Population Fund, which participates in the management of a program of coercive abortion or involuntary sterilization.

Section 1206 reverses the Mexico City policy of denying U.S. foreign assistance to foreign non-governmental organizations that promote abortion as a method of family planning.

The President has indicated that he would veto any legislation presented to him containing such provisions.

In addition, H.R. 2508 includes unworkable cargo preference requirements, contains numerous earmarks (more than 60 percent of the funds authorized), and imposes many country-specific conditions, notification requirements, and other restrictions. These would impede the Administration's ability to respond to changing circumstances, limit the President's flexibility in administering foreign air programs, and decrease the effectiveness of U.S. foreign assistance.

H.R. 2508 includes several provisions that raise constitutional concerns, by infringing on the President's authority to conduct foreign relations. The bill also contains substantial new formal reporting requirements that would divert resources from productive pursuits to activities that appear to duplicate congressional oversight, especially an expanded global International Narcotics Control Strategy Report.

While H.R. 2508 does contain several components of the President's request which provides needed program flexibility, other essential provisions are absent or unacceptably revised. Even if sections 1205 and 1206 are deleted, the cumulative effect of the added requirements and missing or weakened Administration proposals would require the President's senior advisors to recommend a veto of the bill.

Mr. Chairman, at this point in the RECORD I insert a letter addressed to me from the Deputy Secretary of State, Mr. Lawrence S. Eagleburger.

THE DEPUTY SECRETARY OF STATE,
*Washington, DC, June 11, 1991.*

Hon. WILLIAM S. BROOMFIELD,
*House of Representatives.*

DEAR MR. BROOMFIELD: Following last week's statement of administration position, I wanted to take this opportunity to express more fully our concerns regarding the proposed International Cooperation Act of 1991.

Efforts to re-write the Foreign Assistance Act grew out of the work of the Hamilton-Gilman task force during 1988 and 1989. The task force report unequivocally recognized the need for greater clarity of purpose in the legislation governing foreign aid, as well as the need to reduce substantially the reporting requirements, earmarks and other restrictions that hamper U.S. foreign assistance programs. This Administration agrees that substantial overhaul of foreign assistance legislation is needed. In this spirit, and encouraged by your letter last December to work together toward reform, the Administration in early April submitted a major foreign aid legislative package. It contained what we see as the essential elements for effective reform in this area; clarity of purpose, simplification of the law, accountability, and flexibility to ensure that the United States is well-positioned to respond to opportunities and challenges in a rapidly changing world.

The President underscored the importance he attached to the enactment of such legislation in his letter to you dated April 12. The vision presented in our legislation was one of strengthened cooperation between the branches of government, and a reinvigoration of the old adage that partisan politics must stop at the water's edge. It was a vision based on the need to move beyond the mistrust between the branches of government that has appeared all too frequently over the last decade, and beyond the gridlock created by the many layers of restrictions, prohibitions, burdensome reports, unnecessary reporting requirements and statutory waiting periods that have accumulated over time as a product of this mistrust. For his part, the President pledged as part of this package to work closely and cooperatively with the Congress throughout each stage of the foreign policy-making process so that Congress could fully meet its responsibilities under the Constitution.

In our view, however, the International Cooperation Act reported last week by the Committee on Foreign Affairs does not meet this challenge. While several of the provisions that the Committee has included would be helpful, there are so many new or repackaged restrictions and limitations that the bill as a whole in fact would represent far more the business-as-usual approach of the past decade than a new direction.

Thus, beyond the inclusion of provisions earmarking funds for UNFPA and overturning Mexico City policy, provisions that the President has already stated would result in a veto, the bill is laced with country specific prohibitions, restrictions, and conditionality that would also compel the President's senior advisers to recommend a veto. While some country-specific legislation may be unavoidable in a bill containing annual foreign aid authorizations of appropriations, the extent to which this occurred on a business-as-usual basis in response to a Presidential initiative for foreign aid reform is distressing. The bill contains restrictions or prohibitions on countries in every region of the world. Several provisions would restrict the Administration's flexibility on the delicate issue of Middle East peace or raise constitutional issues. New restrictions would limit our ability to use DOD personnel in certain Latin American programs. IMET for sub-Saharan Africa is conditioned. Sales to Kuwait would be subject to Presidential certification. New China provisions would be included, including objectionable provisions imposing conditions on private businessmen in China and Tibet. New reporting requirements abound.

Section 1303 of the bill, the cargo preference provision, would establish drastic new restrictions on furnishing assistance from the ESF account. It would sharply reduce the usefulness of such assistance for achieving important foreign policy objectives, and is fundamentally inconsistent with the objective of making foreign aid a more useful tool of foreign policy.

Other provisions would undermine the effectiveness of our development assistance. For instance, section 1102(g) (4) and (5) of the bill would require establishment of child survival and basic education programs in certain countries, regardless of whether there were higher priority programs that needed funding. These provisions are fundamentally inconsistent with the basic tenets of the bill—set forth by the Committee itself, in section 1202(g), that assistance "should be concentrated in countries that will make the most effective use of that assistance" and "focus on those activities which the United States can provide most effectively." They should be eliminated.

Title IV of the bill contains new requirements for a worldwide international narcotics control strategy report on every member country of the United Nations. The new requirement would blur the focus of the present INCSR, which concentrates on the most important countries and aspects of our anti-narcotics program, and require a substantial diversion of resources to prepare. To make matters worse, the new INCSR, along with new certification procedures, would be established for only a two year period, so that the new administrative procedures that the Executive branch would need to develop would outlive their usefulness almost immediately.

Section 1604 limits disaster assistance borrowing authority to a maximum of thirty percent from development assistance and the Development Fund for Africa. This mechanistic formula would substantially reduce our ability to use this authority to respond to emergencies, and should be eliminated.

We are also disappointed with the provisions in title VI on ineligible countries and projects. The Administration proposed a rational set of categories of countries for which assistance would be prohibited, sub-

ject to certain exceptions—including one based on a Presidential national interest determination. Besides retaining country-specific restrictions, like that for Pakistan, in the re-written Foreign Assistance Act, the committee's insertion during mark-up of a provision making the national interest provision subject to 15-day congressional notification procedures in many cases actually decreases Presidential flexibility beyond current law. In addition, the prohibition on assistance to exporters of lethal military equipment to countries covered by section 6(j) of the Export Administration Act should be deleted.

Several other proposals suggested by the Administration were not adopted. For instance, the committee failed to adopt the proposal, based on current section 533 of the Foreign Assistance Act for using otherwise earmarked funds to provide emergency assistance; the committee's proposed section 6109 would make clear that activities under a series of other acts are not ordinarily affected by prohibitions on foreign assistance, but the activities listed by the committee fall short of those contained in the administration bill; the broad and uncertain definition of "United States assistance" contained in section 481 has not been modified; the committee has included new language to govern the so-called Democracy Contingency Fund that could greatly limit its availability for countries undergoing rapid change (a limitation that did not appear when the committee itself proposed a similar provision in 1990); and the bill provides insufficient funding authority for the debt restructuring components of the President's Enterprise for the Americas Initiative.

Although Title II contains many positive features, section 242, regarding Middle East arms transfers, should be deleted in view of the initiative recently announced by the President. Issues of this type can only be addressed effectively through diplomatic channels, and we do not believe it is helpful to attempt to resolve such issues through legislation. We are disappointed also with several other aspects of Title II, including the committee's failure to include language like that proposed as section 203(b) of the Administration bill; the inclusion of new language such as that on peacekeeping activities and a series of new 15-day notification provisions; and the inclusion of the provision on earmarking of the FMF account, which appears tacitly to accept the new notion of continued pervasive earmarks of that account. In that regard, we are disappointed at the continued high level of earmarking in the bill, especially in the ESF and FMF accounts, and particularly with limitations on our ability to provide military aid to Turkey—an ally whose fundamental importance to Western security was underscored by its key role during the Persian Gulf crisis.

Even more fundamental, we are disappointed that the committee bill raises the thresholds on reporting certain arms transfers only to $18 million, rather than the $25 million figure requested by the Administration. The $18 million figure would not reverse the substantial decrease when adjusted for inflation that has occurred since the present $14 million figure was enacted in 1981.

Sincerely,

LAWRENCE S. EAGLEBURGER.

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

Mr. TRAFICANT. Mr. Chairman, I have listened to some of the debate on the rule because it was really general debate. It seems that the more democratized the countries get, the more challenging they are as nations. We probably should leave them Communist, and they could not find their way out of a paper bag, and the economy would collapse.

I would like to say that I probably, as much as any Member, have questioned the foreign aid policy of our country, where I think we are paying our neighbor's rent bill while they are foreclosing on our homes. I do not want to be misunderstood. I think the chairman of the committee, the gentleman from Florida [Mr. FASCELL], is probably one of the finer chairmen we have, and he has a most difficult job because he has to put up with Members like me who represent districts which are very hard hit. I want to apologize in advance for some of the things I have said, but I have never really taken any Member on personally. Without question, I am sure that this chairman has helped the world as much as he has helped our country.

I have a situation, and I will not talk about a number of amendments I have tomorrow, but I have a problem that has existed in my district for some 10 years. I had a company, a small business, by the name of Bucheit Construction Co., that built a mall in Riyadh, Saudi Arabia 10½ years ago. They did business with a Prince Mishael bin Adbu Aziz, the brother of the King. Let me tell Members what happened. This Prince ripped my small business company off, and he also ripped off nine other American companies that chose not to go after him because it is a lucrative marketplace, they feel over there. I have the names of those companies if any Member wants their names. I will not bring them out on the House floor.

Let me tell Members what happened: The Prince changed the rules in the midst of the stream. He changed Saudi law. He forced his company to do things outside of the contract. Then he did not pay them. When the Bucheit Co. objected, they took their foreman and kept him hostage until they made some of those improvements on the contract that were not even covered under the contract. Then they proceeded to keep 16 of their workers hostage, and it took our Government at the top levels to get these 15 workers released.

□ 1840

They forced him to put up a $1.3 million line of credit. Then he went into the bank and stole the money from the company, almost bankrupting them today.

Mr. Chairman, as we are here right now, all the construction equipment of the Bucheit Co. is still being held in Saudi Arabia.

Now, I do not know what anybody is doing about this. We are in the midst of trying to mitigate and negotiate this matter; but to be quite honest, this Prince said, "I'll spend $10 for every $1 that Bucheit can spend," and he is just stonewalling us.

So there is no last resort to bring a grievance on behalf of the company.

Now, I do not want to micromanage and I do not want to get us involved in the dispute of a small company; but let me say this. I agree wholeheartedly with one thing this committee has done, this chairman has done and the ranking member. They have had and developed a very responsible arms program and an arms sales agreement. I commend what they have done in this bill.

Let me say this. If Saudi Arabia is going to allow this prince to literally dump on international law and rip off American companies and nothing can be done about it in the courts, then it is the Congress that is going to have to address itself to it.

Now, I want some assurances that if this prince continues to say, "Go to hell, Bucheit," that he is not going to be able to flirt about the law.

I am looking for Congress now if necessary to hold hearings in this particular regard, and I would like to engage in a colloquy with the chairman.

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

Mr. TRAFICANT. I certainly am glad to yield to the gentleman from Florida.

Mr. FASCELL. Well, Mr. Chairman, the gentleman has brought this matter to the attention of not only me as chairman, but others in the Foreign Affairs Committee on this dispute between the Bucheit Construction Co. and Saudi Arabia.

As the gentleman knows, we are very interested in this problem. I would like to say this is the only one that exists around the world. It is not, unfortunately; nevertheless, it does not change the correctness of the gentleman's position that the matter ought to be resolved properly, especially after this long period of time.

The gentleman has been working very diligently to raise the level of consciousness and attention of the Saudi officials, as well as our own Government.

It is my understanding that within the past several weeks after the gentleman called this matter to our attention that a cable was sent to Riyadh and the Department of State has officially contacted the Saudi Embassy here in Washington on the matter; so I am fully supportive of the gentleman's effort and I can assure the gentleman that if this matter is not attended to in a reasonable period of time, it seems to me enough time has long expired, that the committee through the subcommittee or otherwise will continue to help

the gentleman and have a hearing in order to raise the issue.

Mr. TRAFICANT. Mr. Chairman, if the gentleman will allow me to continue, I would like to engage in a further colloquy.

First of all, let me say this, that the Department of Commerce officials have met with me and said literally they treated our Department of Commerce officials like they are flies.

The CHAIRMAN pro tempore (Mr. HUBBARD). The time of the gentleman from Ohio has expired.

Mr. FASCELL. Mr. Chairman, I yield 1 additional minute to the gentleman from Ohio.

Mr. TRAFICANT. The Department of Commerce people will tell you right out that they more or less have treated them as if they are flies on their face and really did not give our Department of Commerce any real respect.

Mr. FASCELL. Well, if the gentleman will yield further, that is the reason we went to the State Department to raise this at a diplomatic level.

Mr. TRAFICANT. The Department of Commerce did a fine job, Mr. Chairman.

What I am asking the committee chairman is this: Failing all else, if the committee would look into this matter and if necessary because of the impact of many other companies that have experienced this type of international chicanery, if the committee will hold a hearing on this particular matter to highlight such affairs, I would appreciate it.

Mr. FASCELL. I can assure the gentleman that will be done.

Mr. TRAFICANT. I appreciate it.

Mr. Chairman, I hope this matter can be resolved peacefully, but if not, I would appreciate the gentleman's help on this matter.

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

Mr. ROTH. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, it is with great concern that I see once again this body undertaking consideration of a foreign aid authorization bill that indulges itself in micromanagement and earmarking to the detriment of a constructive, bipartisan foreign aid policy.

The administration and many Republicans on the Foreign Affairs Committee cannot support the bill in its present form. Unless a series of changes are made in the provisions of this bill, I believe it is unlikely that it will ever be signed into law.

I am particularly concerned about changing the Mexico City policy, which the President has said is reason alone to veto the bill. Also of concern to me are some of the provisions on Pakistan, for which I will be offering amendments in an effort to correct. And as in past years, this bill contains the general problems of earmarks and micromanagement which, for the most part, reflect a liberal bias against private enterprise and private investment solutions to development problems. The liberal approach is the usual policy favoring the discredited notion that Government intervention will promote both economic growth and more equitable social development.

In reference specifically to title VII of this bill, which evolved from the recommendations of the Subcommittee on Western Hemisphere Affairs, where I serve as vice chairman, I am gratified that the final outcome of the language in this title, for the most part, reflects changes which the minority and the administration consider a great improvement over the original majority provisions.

Without the constructive leadership of the chairman of the committee and the chairman of the subcommittee, BOB TORRICELLI, and the close cooperative efforts between the administration, the Assistant Secretary of State Bernie Aronson, and the members of the subcommittee, I am certain we could not have achieved a compromise on the Western Hemisphere provisions. Of particular concern for the administration in the beginning was the subcommittee's action on Guatemala. I am pleased to note that the final language reflects both the administration's and the Congress's concern about improved human rights performance in Guatemala. The cooperation exhibited between the administration and the Congress on Guatemala is an encouraging sign that perhaps in other areas as well we can return to the days of a foreign policy that truly reflects a bipartisan consensus.

Another policy action which merits praise is the leadership's decision to postpone debate and action on U.S. aid to El Salvador. It reflects the recognition that at this time of sensitive talks between the Government of El Salvador and the FMLN armed guerrillas opposing that government that it would be imprudent to send signals which might lead to the breakdown of those negotiations. It is essential that we give the Government the chance to reach agreement on the remaining issues in dispute with the FMLN guerrillas and to support the Government's efforts to achieve a cease-fire in El Salvador, while at the same time continuing our concern on the Jesuits case.

I strongly commend the leadership of the House, particularly JOE MOAKLEY, chairman of the Rules Committee and subcommittee for their responsible action on this very important, but very sensitive issue.

Until all action is completed on this foreign aid bill, it will be difficult to know whether the administration and the majority of Republicans will be able to support this measure, or whether we end up, as in the past, without a foreign aid authorization bill. If that occurs, it should come as no surprise to anyone because until this body as a whole, and the Foreign Affairs Committee specifically, is able to develop a foreign aid policy that reflects both the needs and the concerns of the administration as well as the Congress, there will not be sufficient support to have signed into law an authorization bill like this one and like those in the past which have failed to become law.

I urge my colleagues to consider carefully those actions taken during floor consideration of this bill before deciding whether to give their support to the final product.

Mr. ROTH. Mr. Chairman, I yield 3 minutes to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I would like to say a few words in support of foreign aid in general, not necessarily this bill. I think all of us recognize this bill has some problems.

No one wants to spend $12 billion when we have deficits and debts and when we have needs here at home. Although Americans are compassionate and good-hearted, make no mistake about it, this money is spent in the self-interest of the United States, and I think that is something that we should remind ourselves of from time to time.

In other words, the goals of our foreign assistance are twofold: To relieve human suffering and to promote the national interests of the United States.

Of the money authorized in this bill, 36 percent of it goes to security assistance, military assistance in those areas, and in those countries in the world where it is very important to us; 27 percent of it is economic aid to countries that we support for strategic reasons, cash that helps them pay their debts. A great deal of this money goes to countries in Central and South America.

□ 1850

Twenty-seven percent of it is economic aid, and 35 percent of it goes for developmental and humanitarian aid to ameliorate poverty and misery, and about 1.5 percent of it is for narcotics control.

There are legitimate questions whether aid in certain cases actually accomplishes these objectives, and these should be debated on their merit. But the blanket statement that all foreign aid is a waste of money I believe is wrong.

I would like to mention additionally one section of the bill that I think both relieves human suffering and promotes our national interest. During the consideration of the Foreign Assistance Act, Representative SMITH of New Jersey will offer an amendment to strike

section 1206 from the bill. I would urge any of my colleagues present or who are listening in their offices to vote against that amendment.

Section 1206 repeals the Mexico City policy. Section 1206 should stay in the bill and the Mexico City policy should stay repealed.

It is the international version of the gag order.

The specific language of this policy forbids money from going to organizations for family planning that promote, and this is a quote, "that promote abortion as a method of family planning."

The language is clever and subject to interpretation. It has been interpreted by the Reagan and Bush administrations as meaning that no U.S. money can go to any organization that even mentions abortion as an alternative, even if that abortion is performed with private money or money from other sources.

If you look up the word "promote" in the dictionary, you will see that it means advocate or urge the adoption of. No family planning organization in the world advocates the use of abortion as family planning. They advocate contraception just as we do in the U.S. Congress.

The international gag order, the Mexico City policy, I think, has served only one purpose, and that is to destroy our efforts at trying to provide effective family planning. I do not see the Mexico City policy as being a debate about abortion. I see it as being a debate about family planning.

I do not discuss abortion, nor debate abortion on this floor. I feel that is a very personal decision that Members in this body make. I will debate family planning all day.

The world needs it, and section 1206 should stay in the bill.

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

Mr. Chairman, we have had a good deal of discussion here on this particular piece of legislation and why it is important, why people are for it. I would like to analyze the legislation for a bit to tell you where I come from.

I am opposed to this legislation. This legislation is not some small bill. This is $25 billion. And $25 billion, as I see it, is lot of money.

Many people say, most people say, that we have to have foreign aid. Well, I think we live in a new world. We have to think anew and we have to act anew. We are facing in our own country this year over $300 billion in deficits. I ask you is it fair to our children, is it fair to the future of this country to take money and to pour it overseas?

Now, some people say it is hard to vote for foreign aid. Don't you believe it. The easiest vote we can cast in this House is foreign aid.

There are 900 registered lobbyists for foreign aid right here in Washington, DC.

We have to look at the future, where we want to take this country.

You know, yesterday New York City did not have enough money to pay for a victory parade for our own soldiers. But we are going to sent $25 billion overseas.

The day before yesterday we were told that Bridgeport, CT, the largest city in Connecticut, is going bankrupt or has gone bankrupt. But we are spending $25 billion overseas.

We are cutting back on our senior citizens, Medicare, on roads, cutting back on education. But we are increasing the foreign aid budget. That does not make a lot of sense to me. You know, sometimes the countries that we give the most money to are the most difficult with which to deal.

Benjamin Franklin said if you want to make a man your enemy, loan him money. I think that is what happens with countries, many times.

Now, we have to analyze this bill. We have, for example, $87 million in this bill so that we can go all over the world, not in the United States but all over the world, and drop $300 to $500 to everyone who runs a fruit stand or to someone to start a small business, $300 to $500 all over the world, whether it is Brazil, Chile, wherever it may be.

I ask is this fair to our people?

You know, we put so much money into foreign aid that they cannot spend it fast enough. We have what is called a pipeline. We push millions and billions of dollars through that for the last 10 years, we now have a backup in our pipeline of $8.8 billion.

We have run huge deficits, but tomorrow we are going to spend another $25 billion, sending it overseas. Is this fair to the United States of America? Is this fair to our people? I do not think so.

I know it is not popular to speak out against foreign aid, but we have to do it, in my opinion, if we are going to be fair with our taxpayers and with our people.

I think it is about time we take care of our own people and our own problems for a change.

I ask you to read the fineprint, not just to look at the legislation and say, "It is foreign aid, I am going to vote for it."

Read the fineprint and see where this money is going. Then ask yourselves in good conscience, "Can I vote for this legislation?" I think you will come to the conclusion that I have come to: "No, I cannot vote for this legislation in good conscience and do the right for my country."

Mr. GOODLING. Mr. Chairman, after serving on the Budget Committee for 6 years, I returned to the Foreign Affairs Committee in the 102d Congress. While I was away concentrating on budget authority, baselines, outlays, and sequesters, the world around us changed dramatically. When I came back to the committee, I found earmarks, restrictions, policy directives, and micromanagement of specific foreign assistance programs pretty much the same as when I left. Quite frankly, this is disappointing.

I am not referring to the able leadership of Chairman FASCELL or the work of my ranking member, Mr. BROOMFIELD, however. They should both be commended for their efforts in bringing this authorization bill to the floor and for working year after year, under what can best be described as difficult circumstances, to improve the way the committee deals with foreign aid.

After my time away from the Foreign Affairs Committee, I had hoped to return to find an improved method for disbursing U.S. foreign assistance. A sincere effort was made 2 years ago to craft a bill which reflected the changing nature of international affairs and incorporated many of the recommendations of the Hamilton/Gilman task force. As we all know, this legislation never became law, the appropriators assumed responsibility, and the Foreign Affairs Committee was left to start again this year.

In April, the President submitted his International Cooperation Act of 1991. This was another attempt to give the administration more flexibility in spending foreign assistance dollars and to reflect new priorities for U.S. assistance. During its deliberations in May, the committee did incorporate some of the President's organizational reforms, but little progress was made in liberating the bill from the usual web of earmarks, restrictions, and policy pronouncements which limit the administration's ability to effectively manage U.S. foreign aid programs. As we will hear more than once today, 68 percent of the authorizations in H.R. 2058 are earmarked, and specific congressional policy directives are too numerous to count.

I must say that I have to agree with the administration's view of the bill, as it is currently written. I share the frustration of many of my colleagues with congressional micromanagement of foreign aid programs, but also feel that progress can be made, if not this year, then at some point in the near future. We are slowly moving in the right direction, but world events have unfolded with much greater speed. The world in 1991 is not what it was in 1989, and bears no resemblance to 1961, the year the current foreign aid law was written.

We all know that foreign aid does not enjoy the political or popular support of other Government programs. This is why it is so important that these funds be spent as effectively as possible. As long as Congress insists on dictating how the majority of foreign aid dollars will be spent, the President's ability to formulate and implement foreign policy will suffer, and with it, our nation's ability to maintain its position of world leadership. I hope that the committee will see the light and act to substantially reform the system so that both the Foreign Affairs Committee, and Congress as a whole, can play a constructive and complementary role in assisting the President in the conduct of our Nation's foreign policy.

Mr. TORRICELLI. Mr. Chairman, I rise in support of H.R. 2508, the International Cooperation Act of 1991.

This bill reflects the Foreign Affairs Committee's rewrite of the Foreign Assistance Act of 1961. As such, it would make a significant contribution to making sense of our foreign aid programs and getting them back to their original purpose of fostering development. I urge my colleagues to support this foreign assistance reform package. It would give us far more bang for the buck.

Mr. Chairman, in January my colleagues on the committee did me the honor of electing me chairman of the Subcommittee on Western Hemisphere Affairs. This bill contains several provisions of importance to our region, on which I have had the pleasure of working with the distinguished ranking member of the subcommittee, Mr. LAGOMARSINO. These provisions include:

The Caribbean Regional Development Act, which would reorient our development policy in the Caribbean on the basis of extensive consultations with the governments and people of the region;

Legislation to authorize the President's Enterprise for the Americas Initiative as it relates to the reduction of foreign assistance debts;

A prohibition on foreign military financing assistance for Guatemala, and a provision that ESF for Guatemala cannot be used for balance-of-payments support unless the President reports that the Government of Guatemala has made progress in eliminating human rights violations and bringing to trial those responsible for such violations;

The authorization of funds necessary to help Central America deal with some 800,000 refugees and displaced persons that were created by the conflicts and troubles of the past decade;

A statement of support for the newly democratic Government of Haiti;

Withholding of $1,000,000 in ESF for the Dominican Republic until the Government of that country takes steps to improve the situation of Haitian sugar cane harvesters, who now work in virtual slavery in the Dominican Republic;

Withholding of assistance for the Government of Guyana unless that country holds free and fair elections;

Reauthorization of our assistance programs for reducing narcotics production and trafficking in the Andes;

Authorization of law enforcement assistance programs for Latin America and the Caribbean, and the careful limitation of these programs to ensure that they respect and promote human rights; and

Funding for the Inter-American Foundation, and amendments to the foundation's charter to ensure its continued independence and nonpartisanship.

Mr. Chairman, these are some of the significant provisions in this bill that pertain to our own hemisphere. I believe they are important for the foreign policy of this country and for our relations with our neighbors in this region, and are worthy of the support of the House.

I appreciate the cooperation of our chairman, Mr. FASCELL, my colleague, Mr. LAGOMARSINO, and all the members of the subcommittee in enabling us to bring these provisions to the floor. I ask my colleagues to support the bill.

I would also like to address two other provisions of H.R. 2508. One is extremely important to the economic health of the United States, and the other is crucial to the physical health of women throughout the developing world and the environmental health of our planet.

H.R. 2508 contains the Torricelli amendment on cash transfer reform. This amendment would ensure that foreign recipients of U.S. cash aid purchase American goods, products and agricultural commodities, and transport a portion of those purchases on American flagged vessels. Presently, recipients of U.S. cash aid have no obligation to buy and ship American, but are free to spend all their U.S. cash aid on foreign products. This creates a situation in which U.S. cash aid, provided by American taxpayers, can be used to subsidize foreign jobs and to purchase foreign products. In light of our own economic problems and our enormous foreign trade deficit, it is only common sense to ensure that we receive some payback for our generosity to foreign nations.

H.R. 2508 also contains provisions to reverse the Mexico City policy, which states that AID cannot provide funds to nongovernmental organizations in foreign countries that provide information about abortion, and it provides $20 million to the United Nations population fund contingent on a requirement that none of those funds go to China. Both of those provisions would drastically improve family planning in the developing world and contribute to the effort to curb the growing environmental threat posed by escalating world population growth.

The Mexico City policy, like the administration's gag rule on title X funding for domestic family planning agencies, has not and will not lead to any reduction in the incidence of abortion. Instead, it simply hampers the efforts of women in developing countries to get adequate family planning advice and assistance. The same holds true for the refusal of the Bush administration to contribute funds to the UNFPA, which is the world's largest multilateral provider of population and voluntary family planning aid. UNFPA does not support abortion anywhere in the world, and it even modified its China program in 1990 to clarify that its activities there have nothing to do with abortion. By withholding funds from UNFPA, the United States only succeeds in impeding the effectiveness of a vital dispenser of population and voluntary family planning aid.

Mr. MATSUI. Mr. Chairman, I rise today in support of the proposed $350 million in military aid for Greece. Greece has been a recipient of United States foreign assistance since 1947, when the Truman administration began a postwar recovery program focused on containing communism throughout the region. Although the threat of communism has been diminished with the ending of the cold war, we remain committed to the philosophy of maintaining the present balance of military strength among countries of the region, including Greece.

The Committee's recommendation for military aid funding to Greece and Turkey also sustains the long-established funding ratio between these two countries. I believe maintenance of this ratio is important to the continued improvement of relations between Greece and the United States. In the summer of 1990, Greece elected to power the New Democracy government led by Constantine Mitsotakis. Prime Minister Mitsotakis has made a determined effort to improve relations with the United States. In order to continue improved relations between the United States and Greece we must maintain a consistent attitude toward the countries of the region.

Again, I commend the committee's military funding recommendations for Greece and I urge my colleagues' continued support for our ally in the Eastern Mediterranean.

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

Mr. OWENS of Utah. Mr. Chairman, we have no further speakers on this side, and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. HUBBARD). All time for general debate has expired.

Mr. OWENS of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker pro tempore [Mr. HATCHER] having assumed the chair, Mr. HUBBARD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that Act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes, had come to no resolution thereon.

## PERSONAL EXPLANATION

Mr. DAVIS. Mr. Speaker, unfortunately I was unable to be present in the House of Representatives during votes on H.R. 2508, Authorizing Foreign Assistance and Related Programs. I wish to note for the RECORD that my absence was unavoidable as I had to be in my district for a tour of Wursmith Air Force Base with the chairman of the Defense Base Closure and Realignment Commission. This is a crucial matter to my constituents.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall vote, if postponed, will be taken on Wednesday, June 12, 1991.

## EXTENDING AN INVITATION TO THE INTERNATIONAL OLYMPIC COMMITTEE TO HOLD THE 1998 WINTER OLYMPIC GAMES IN SALT LAKE CITY, UT

Mr. OWENS of Utah. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 142) extending an invitation to the International Olympic Committee to hold the 1998 winter Olympic games in Salt Lake City, UT, and pledging the cooperation and support of the Congress of the United States, as amended.

The Clerk read as follows:

H. CON. RES. 142

Extending an invitation to the International Olympic Committee to hold the 1998 winter Olympic games in Salt Lake City, Utah, and pledging the cooperation and support of the Congress of the United States.

Whereas the International Olympic Committee will meet on June 15, 1991, at Birmingham, England, to consider the selection of a site for the 1998 winter Olympic games;

Whereas Salt Lake City, Utah, has been selected by the United States Olympic Committee as the United States candidate for the 1998 winter Olympic games;

Whereas it is the consensus of the Members of Congress of the United States that the designation by the International Olympic Committee of Salt Lake City, Utah, as the site of the 1998 winter Olympic games would be a great honor for all the people of the United States; and

Whereas the people of Utah, who symbolize the heart of America's pioneer spirit, and who have for a number of years fully supported the effort to bring the winter Olympic games to the United States, have fashioned their Olympic bid with the goal of establishing the world's finest winter sports center based upon Olympic ideals: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That the International Olympic Committee be advised that the Congress of the United States would welcome the holding of the 1998 winter Olympic games in Salt Lake City, Utah, the site so designated by the United States Olympic Committee; and be it further

*Resolved*, That the Congress of the United States expresses the sincere hope that Salt Lake City, Utah, will be selected as the site for the 1998 winter Olympic games, and pledges its cooperation and support of their successful fulfillment in the highest sense of the Olympic tradition.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. OWENS] will be recognized for 20 minutes, and the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. OWENS].

□ 1900

Mr. OWENS of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1989 the U.S. Olympic Committee gave Salt Lake City in my home State of Utah the honor of being this Nation's candidate to host the 1998 Winter Olympic games. Since that selection was announced to the International Olympic Committee hundreds of dedicated Utahns who have worked literally night and day to show that Salt Lake City, to paraphrase Brigham Young, is the place for those games.

Foremost among the goals of the Salt Lake Olympic Bid Committee has been the advancement of the Olympic ideal. Inspired by this ideal, an athlete can prepare a lifetime for an opportunity to compete in the Olympics. If they make the grade, these Olympic competitors come from around the world to put aside differences in politics and culture and compete in something which is as old as one of the foundations of our civilization and could be considered the original field of dreams. Thus, every effort is made to ensure that the site for these games is the finest available. Salt Lake City is indeed the place.

The United States along with the world community recognizes this ideal and embraces it, watching its athletes, celebrating their skills, and sharing their hopes. The site for the games, then, becomes the focus of the world and Salt Lake City is enthusiastic about this opportunity to show an example of the excellence our Nation has to offer.

This concurrent resolution, which I introduced along with my colleagues from Utah, expresses the sense of Congress that the International Olympic Committee should select Salt Lake City as the site for the 1998 Winter Olympic Games. It pledges congressional support and cooperation for Salt Lake City's stated pledge of fulfillment of the Olympic tradition. This message is timely because the IOC is meeting this coming Saturday June 15 to make its selection for the 1998 games.

In the months leading up to this Saturday's momentous decision, a strong majority of the members of the IOC have visited Salt Lake City and seen the commitment of the people of Utah to the Olympic ideal. They have seen this commitment in the form of facilities under construction but most importantly heard from Utahns themselves of their great desire to proudly represent the United States.

Mr. Speaker, Salt Lake City says the world is welcome here. This is not only in keeping with the Olympic tradition it is the American tradition as well.

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

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

Mr. Speaker, it is a pleasure to join with my colleagues, the gentleman from Utah [Mr. OWENS] and the gentleman from Utah [Mr. ORTON], and I appreciate the opportunity to speak about America's choice for the 1998 winter Olympic games. The hidden beauty of Utah has been discovered. The secret is out that Utah offers the finest winter sports experience in the world.

Utah stands ready to host the 1998 winter Olympics with the available facilities and the greatest snow on Earth. Salt Lake City continues a dedicated commitment to becoming the premiere winter sports capital of the world.

Utah boasts facilities second to none. Salt Lake City presently has 1,500 more hotel rooms than Calgary, Canada, and the transportation infrastructure needed to efficiently transport millions of visitors.

You can fly into Salt Lake International Airport, and be on the slopes within 30 to 40 minutes. As one of Delta Airline's principle hubs, flights to Salt Lake are numerous and frequent. All the planned Olympic facilities are no more than 1 hour drive from the airport. With 15 resorts statewide and a climate that promotes the lightest powder in the world, the U.S. Olympic Committee has made the correct choice in making Salt Lake City "America's choice."

In May, Juan Antonio Samaranch, the President of the International Olympic Committee, visited the Salt Lake area.

During his visit he was treated to a very sizable storm that dumped more than a foot of famous Utah snow on the mountains. The snow provided the hosts the ability to show off our world class facilities and the greatest snow on Earth. His reaction to Utah was extremely positive.

What Mr. Samaranch was treated to was rugged glacier cut peaks, open bowls and spectacular resort facilities that provide for an incredible winter sports experience.

In addition to the winter sports facilities, Utah contains some of the world's most beautiful scenery. The Wasatch and high plateau ranges of the Rocky Mountains span the heart of the State for 300 miles from north to south. To the east lie the Uinta Range, Utah's most rugged and highest mountains. To the southeast is the Colorado plateau with its famed Red Rock Country. In the center of the State, the Rocky Mountains border Utah's major communities and rural areas that skirt remote mountain ranges. Covering a large portion of the State are the Great Salt Lake and the Bonneville Salt Flats.

The State's scenic wonders are readily accessible by way of an excellent transportation infrastructure. Utah has been discovered and is committed to being the winter sports capital of the world. On behalf of the citizens of the State of Utah I would like to extend an invitation to the world and the International Olympic Committee to hold the 1998 winter Olympic games in Salt Lake City, UT.

Mr. OWENS of Utah. Mr. Speaker, I yield 3 minutes to my colleague from the Third District, the gentleman from Utah [Mr. ORTON].

Mr. ORTON. Mr. Speaker, I, too, commend the chairman and the committee for their support of this resolution. In my district, in Park City, UT, we are extremely proud to be the home of the U.S. ski team. It is with great pride that I rise in support of this resolution to invite the 1998 Winter Olympics to the State of Utah.

Mr. Speaker, I am particularly proud because I know that Utah can provide the world with the best Winter Olympics in the history of the games. As we consider this resolution, Governor Bangerter, Mayor DePaulis, and the Utah Olympic Committee are in Birmingham, England, to present America's bid before the International Olympic Committee.

Mr. Speaker, as my friend and colleague, Mayor DePaulis, recently noted, there are three major reasons why Utah is America's, and hopefully the world's choice for 1998. First, the locations of the events are very close to each other and will provide exceptional convenience for both athletes and spectators; second, the proximity of the Olympic venues to Salt Lake City and other communities along the Wasatch Front will guarantee a wide range of high quality, convenient visitors services; and third the training and support facilities for the athletes are unsurpassed.

Mr. Speaker, Utah's superb snow and exceptional skiing and winter facilities are internationally famous. After the 1998 Olympics, Utah will also be famous for its unique brand of Western hospitality. Utah stands ready to welcome the world to the greatest snow on Earth.

Mr. Speaker, this Friday night Utah and Salt Lake City will beam a beacon to Birmingham to show our support for the Olympics by turning on all of the lights in the city.

As my colleagues know, recently it was reported that our Governor heard a voice which spoke to him: "If you build it, they will come."

Let the message go forth from Utah that we have built the greatest winter facilities in the world and we are anxiously awaiting the Olympics' arrival.

Mr. OWENS of Utah. Mr. Speaker, I yield 5 minutes to our distinguished olympian colleague, the gentleman from Maryland [Mr. MCMILLEN].

Mr. MCMILLEN of Maryland. Mr. Speaker, I rise today in strong support of the resolution before the House. As a former olympian 1972 men's basketball team—I understand the keen importance of amateur athletics, and am pleased that the House is taking up this issue today.

This upcoming Saturday, in Birmingham, England, the 90-member International Olympic Committee [IOC] will meet to select the host city for the 1998 winter games. Of the five sites under consideration, it is clear that Salt Lake City, UT is not just a prime candidate, but is also the best possible site for the winter games.

In terms of facilities, Salt Lake has a clear advantage. The area already has the needed infrastructure, support facilities and access which would have to be built at some of the other sites. These facilities are a necessity in accommodating the activities and large numbers of people which the modern Olympics entail. By not demanding the kind of building which absorbs such a large part of Olympic expenditures, such resources can be channeled to where they should be going: our athletes.

□ 1910

This last point has always been of grave concern to me. In the 1988 games, Americans put upward of $650 million into the games—paid out by the United States television networks—very little of which ever made it back to the U.S. athletes. According to a recent Brookings Institution report, America pays almost twice as much as all other countries combined in television rights. Furthermore, of those funds, roughly half goes to the city's organizing committee, with 10 percent or less coming back to the U.S. Olympic Committee. All the while, American athletes remain starved for funding and facilities. The only way to get a fair deal out of this situation is if the games are held in the United States, and that is why I hope that they will be held in Salt Lake City.

There are clearly structural problems with the way in which the receipts from television rights are handled. It is my hope that we will look into this matter at a later date to ensure that the massive funding for the Olympics does end up with the athletes and not with new Olympic building projects around the world every few years.

In closing, I would merely like to reiterate my support for Salt Lake's bid for the 1998 winter games. The Salt Lake metropolitan area is a prime location, and all the aforementioned factors should make the area particularly attractive to the IOC. I would also like to commend the Salt Lake City organizing committee on its fine efforts to date, and to stress my strong support for this resolution.

Mr. OWENS of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to express appreciation to my friend, the gentleman from Maryland [Mr. MCMILLEN], who is himself a former Olympian, for his strong endorsement and support. With that support, we hope to win tonight and on Saturday.

Mr. YATRON. Mr. Speaker, I want to commend Mr. OWENS of Utah for introducing House Concurrent Resolution 142.

Salt Lake City, UT, is the only American city which has been selected as a candidate for the 1998 Winter Olympic Games.

The decision will be made by the International Olympic Committee on June 15, 1991.

In addition to being the only American city selected as a candidate, Salt Lake City also enjoys excellent facilities for hosting this type of event and should have our full support and cooperation in achieving this celebrated goal.

The people of Utah exemplify the spirit of America's frontier and have supported bringing the Olympic games to the United States for many years. This resolution sends a strong signal to the International Olympic Committee backing Salt Lake City.

Mr. Speaker, I urge my colleagues to support this resolution and ask that without objection a statement be included in the RECORD.

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

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

The SPEAKER pro tempore (Mr. HATCHER). The question is on the motion offered by the gentleman from Utah [Mr. OWENS] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 142, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. OWENS of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

## A TRIBUTE TO DR. CARROLL HUBBARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. HUBBARD] is recognized for 5 minutes.

Mr. HUBBARD. Mr. Speaker, I take this opportunity to pay tribute to a wonderful man who died 10 years ago today.

Yes, it was June 11, 1981, that my father, Dr. Carroll Hubbard, died at Baptist East Hospital in Louisville, KY, of a heart attack suffered days earlier.

He had reached his 70th birthday on May 28, just 15 days prior to his death.

My father was a Baptist minister in Kentucky and Tennessee for 51 years and served on the staff at Southern Baptist Theological Seminary in Louisville and as a professor at Boyce Bible College, also in Louisville.

In 1974 when I did what many Kentuckians assumed impossible—defeating a 16-year incumbent Congressman

in the Democratic Party primary—those who know Kentucky politics realize my father's good name and his being a highly regarded minister were significant to my victory.

My father was born in Providence, Webster County, KY, raised in nearby Shady Grove in Crittenden County, KY, and was pastor of Baptist churches in Livingston, Marshall, Calloway, and Ohio Counties. The six counties I've just named are all in the congressional district I represent. I carried five of those counties in 1974 in upsetting the 16-year incumbent Congressman in the May 28 Democratic primary. In fact, on that day, May 28, 1974, it was my father's 63d birthday.

My mother, Beth Shelton Hubbard, who was born and raised in Milburn, Carlisle County, KY, another county in the congressional district I represent—a county which I carried by a 2-to 1-margin in 1974—and my brother Kyle, a well-known attorney and former judge in Louisville, join other members of my family and me in remembering on this day Dr. Carroll Hubbard, a man whose life influenced thousands of people.

Why this speech today? I mention again that Dr. Carroll Hubbard, whose good name was very significant in my being elected to the U.S. House of Representatives, died 10 years ago today.

□ 1920

## THE MILK SUPPLY MANAGEMENT ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. KOPETSKI] is recognized for 5 minutes.

Mr. KOPETSKI. Mr. Speaker, there is a crisis in this country's dairy industry. For years, the combination of current policy and market forces encouraged dairy farmers to produce an oversupply of milk at reduced quality. Milk production has gone up steeply while consumer demand has increased only slightly. The results are milk prices that are at the level they were in 1978 and many dairy farmers who are threatened with going out of business. Mr. Speaker, there is not a business in America that could continue to survive such a difficult situation.

Many in the industry have attempted to solve this problem by asking the administration to develop a supply management system. For example, 5 years ago Oregon dairy farmers asked for the establishment of a base management system. No one listened.

Mr. Speaker, to resolve this acute situation, I am introducing H.R. 2609, the Milk Supply Management Act of 1991. This bill is designed to provide relief from unprecedented levels of price and income instability for the Nation's dairy farmers. The bill addresses this issue by introducing a two-tier milk supply management program.

The bill also mandates an increase in the solids content of milk and milk products. This will increase the nutritional value in milk which I believe is greatly needed for our children in this country. In addition, the bill provides for the enhancement of domestic consumption of milk and milk products.

Finally, the bill will make a temporary adjustment to the class 1 price. This is an emergency measure which will help provide a transition from current policy to a sensible, two-tier milk supply management system. At this point, without objection, I enter into the RECORD a section-by-section description of the bill.

### SECTION-BY-SECTION DESCRIPTION OF THE MILK SUPPLY MANAGEMENT ACT

#### SECTION 1. SHORT TITLE

Milk Supply Management Act of 1991.

#### SECTION 2. MILK SUPPLY MANAGEMENT PROGRAM

This section would amend the Agricultural Act of 1949 (as amended by the 1990 Farm Bill) by requiring the Secretary of Agriculture to: 1) adjust the support price for farm milk in the beginning of each year (for 1992 through 1995) to reflect changes in milk producers' cost of production. As in current law, the support price would not be allowed to fall below the current level of $10.10 per hundredweight (cwt). 2) implement a two-tier supply management program to be triggered whenever estimated Government purchases of surplus dairy products would be expected to exceed 5 billion pounds (milk equivalent, total solids basis).

*Determining Milk Marketing Bases:* In any year that the supply management program is triggered, the Secretary would be required to notify producers of their milk marketing base before January of that year (1992 through 1995). An individual producer's base is equivalent to the milk marketing history of the producer multiplied by an allocation factor.

*Milk Marketing History:* defined as 99 percent of the quantity of milk marketed by the producer in 1990 plus any milk marketing history transferred to the producer from another producer or from the ASCS county committee. A producer can transfer a marketing base only to a producer without a marketing base, or to a family member.

*Allocation Factor:* defined as the sum of the estimated U.S. domestic and export demand for milk for the upcoming year plus a reserve of 5 billion pounds, all divided by total milk marketing histories. The allocation factor would be determined by the Secretary in consultation with an advisory board of milk producers.

*Assigning Bases:* A portion of producer bases would be set aside each year to ASCS county committees. This would be the sum of; 1) a prorata share of the product of the allocation factor and one percent of aggregate histories, and 2) the unused portion of any producer base that is not assigned by the producer to a family member or new producer.

The county committee would have ownership rights to these set-aside bases and would bear responsibility for assigning them in the following order of priority:

Family members of current producers;

New milk producers in the county;

Existing producers who use sound farming practices and need the additional production to earn at least the average net farm income for milk producers in the State;

Existing producers who need additional production to allow a family member to form or join a partnership;

Minority producers; and

Any agricultural producer in the county, State, or in the United States in that order.

At least 30 percent of the available base in each county must be assigned to beginning milk producers in the county. Under no condition may a base assigned to a nonfarm corporation or investor.

Two-Tier Price Support: Whenever a supply management program is in effect, a milk producer would receive the current market price for all milk marketed up to the producer's individual base. The producer would receive a lower price (the world market price as determined by the Secretary, less $1.00), for any quantity of milk marketed by the producer in excess of base. Any reduction in price would be collected and remitted to the USDA Commodity Credit Corporation, as prescribed by the Secretary. The secretary may impose a civil fine of up to $10,000 on any one who fails to comply.

Before January 1, 1996, the Secretary must submit a report to Congress analyzing the economic effects of this supply management program, including the effects on milk producer income, and recommendations on whether the program should be continued.

#### SECTION 3. ADJUSTMENT TO CLASS I PRICE

This section would provide a temporary increase in the minimum price paid by regulated handlers under Federal milk marketing orders for farm milk used for fluid consumption (Class I milk). The basic formula price used for computing minimum fluid-use prices under Federal orders would be no less than the basic formula price for the month of August 1990 (ie., $13.09 per cwt.). This provision would begin on the first day of the first month after enactment and end on December 31, 1991.

#### SECTION 4. SOLIDS CONTENT OF BEVERAGE MILK

This section would mandate an increase in the national, minimum nonfat solids standards for all fluid milk. Minimum nonfat solids content for all milk would be increased from 8.25 percent to 8.70 percent, except that lowfat milk and skim milk would have to contain minimum nonfat solids of 10 percent and 9 percent respectively.

#### SECTION 5. ENHANCEMENT OF DOMESTIC CONSUMPTION OF MILK AND PRODUCTS OF MILK

The Secretary would be required to establish a research program to investigate the health and nutritional benefits of milk and milk products and submit a report to Congress within one year of enactment describing new ways to increase the consumption of dairy products.

Mr. Speaker, my State has a lot of dairy farmers who produce a valuable product for this Nation. As a little boy I remember fondly going to work with my dad the very first time. He had an interesting job. He was the fellow that drove around to the farms in his milk truck and picked up the milk and took it to the local dairy. There are a lot of those kinds of small farms and dairies that dot the American landscape, and they are no different from what we had in Oregon. It was a very pastoral setting. The family farm was alive and well in rural Oregon.

I recall my dad talking politics, talking government to these farmers. It was probably my early introduction to government and the farm.

Today, as a new Member of Congress, this is my first bill that I have introduced. It seems to me I have come full circle. Again we are talking about dairy farmers and government.

I recognize as I have grown up and worked with so many farmers in Oregon, as a State legislator, and now as a Member of Congress, the hard work and dedication of dairy farmers in producing a quality agricultural product. Many of these dairy farmers are my friends. I have come to know them as honest, hardworking, family-oriented Americans.

Mr. Speaker, times are tough for them. I am here to help. The dairy business is a market sensitive business. One devastating year can destroy a 100-year-old farm. On the other hand, a lot of capital is required to start a dairy operation.

Mr. Speaker, we must recognize that if we want quality dairy products, if we want the family farm tradition to continue in America, we must continue and ensure the economic viability of this great industry.

Mr. Speaker, I encourage Members to support this Milk Supply Management Program, and address this critical situation as soon as possible.

## A COMMEMORATION OF BALTIC STATES FREEDOM DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, this week marks the 51st year of the Soviet Union's illegal occupation of Lithuania, Latvia, and Estonia. Today, the people of these Baltic countries are knocking at the door of freedom. The time has come for the Soviet leadership of Mikhail Gorbachev to unlock that door.

In light of these concerns, I urge President Bush to link all future agreements between the United States and the Soviet Union with independence for the freedom-loving people of the Baltic countries.

Specifically, that means significant moves toward Baltic autonomy must accompany any talk of American aid for the Soviets. To encourage this process, I urge Presidents Bush and Gorbachev to make Baltic independence a focal point for all future diplomatic contacts, including the summit meeting that may be held later this summer.

Progress on the question of Baltic autonomy is critical because the people of the Baltic countries—including their sizable Russian minorities—have made their feelings clear on independence through referendum votes taken earlier this year. Mr. Gorbachev should respond by withdrawing the Soviet forces that have occupied the region since June 1940.

This time for a Soviet pullout is long overdue, especially in light of the fact that the Baltic peoples have made tremendous strides toward democracy over the past 2 years, including their first free elections in half a century. Regrettably, the dream of the Baltic peoples to regain their freedom has recently fallen victim to reactionary elements in the Soviet regime.

Mr. Gorbachev has paid lip service to the aspirations of the Baltic peoples, but he has provided only empty rhetoric on the crucial question of autonomy. Meanwhile, Mr. Gorbachev looked the other way when Soviet troops ruthlessly attacked hundreds of innocent protesters in Lithuania during the "Bloody Sunday" protests of January 13. At least 14 people died during that incident and scores more were injured. Similarly in Latvia, Mr. Gorbachev betrayed the spirit of his Nobel Peace Prize by allowing Soviet troops to attack the Latvian Interior Ministry on January 20. Four people were killed during that onslaught and at least nine more were injured.

Now Mr. Gorbachev is talking of reform again and seeking financial help from the United States. But at the same time, Soviet forces are continuing to harass the Baltic peoples through bombings, seizures of public buildings, attacks on citizens and the stationing of tens of thousands of troops throughout the region.

If Mr. Gorbachev cannot—or will not—exert control over these forces that are wreaking havoc on the Baltic peoples, then he is not a leader with whom the United States can count on to advance world peace. Therefore, the American people should accept nothing less than an unconditional recognition of Baltic independence as a key to improved relations between our two countries.

## HARD LESSONS YET TO BE LEARNED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, last month, this Congress was treated to a display of Japanese HDTV in the lobby of the Rayburn House Office Building. HDTV is the high definition display of the future and whatever nation gets access to the American market will have a potential demand for product—not only as an entertainment medium—but for display technology in demand by the medical field, the Defense Department, even work station displays for high performance commercial computers. HDTV will represent a $25 to $30 billion market by the year 2000.

In this government's cavalier attitude toward who will control this whole new market, a great deal of ignorance is being displayed as to the value to a country of having thousands and thousands of engineers constructively employed in hands-on experience, building layers of knowledge every year from which evolve future generations of technology. The Japanese quickly are moving to take over HDTV while United States business is scrambling to meet the challenge.

Helping American business against their foreign competition quickly is labeled "protectionist" but I believe that Japan, of all the nations in the world, would be appreciative of a strong stand for one's country. Japan understands better than any nation in the world the necessity of conserving one's natural resources including the human resources of its generations of skilled workers.

We are losing this wealth of natural and human resources in America with the loss of our domestic market share in all too many categories of products. That is why the final producer of HDTV is so important. Not only will great wealth be created by that nation, and jobs, but critical jobs skills will be retained.

For this reason, primarily, I was offended by the display from Japan in an office building of the United States Capitol. Many people are unaware of the incredible politiking and lobbying that has been going on in this city for the last few years—Japan seeking the inside track to our market for its technology—to secure its microelectronics future in feeding generations of skilled engineers.

The standards for HDTV's entry into our media market is controlled by the Federal Communications Commission. At this point, among contestants—Japan's entry which is analog based seems to be being outstripped by the digital-based American offerings.

But the basic question, I predict, ultimately will be which nation will have the capacity to produce the numbers of units needed. Since it is an expensive technology, at this stage of the game, the cost of gearing up also will be a major factor.

And the longer we take to come on line, the more time the Japanese will have to fall back, regroup, and produce an analog-based competitor.

The aggressiveness of the Japanese in bringing their product onto Capitol Hill—even though it is old technology—grates on me when you consider the treatment of some American rice farmers when they tried to display a 10-pound bag of rice at a trade fair in Japan. They not only were thrown out, at one point they were threatened with being arrested.

Hand it to the Japanese—the HDTV display was a propaganda coup—presenting an image to the Congress of being so far ahead of us, by showing a completed product—than why would we even try to compete?

We seem to be slow catching on not only to playing every angle in securing or protecting a market, but in accepting the Japanese way for treatment of our products in Japan, all the while extending the American way to them in this country.

These market wars have much greater impact than just what name brands will be in our living rooms. Much of the microelectronics involved in production of HDTV is dual-use technology—

used both by the military and the consumer markets. In a few instances during the Desert Storm operation, contractors in this country were unable to obtain integrated circuits from Japanese producers for our defense products because the demands of Japan's domestic market were too great.

As impressive as the performance of our weaponry in the recent Middle Eastern war was, it is sobering to realize that our state-of-the-art missile technology is 20 years old and some component parts are captive of foreign nations for supply and resupply.

Not only have we lost critical capabilities in microelectronic technology, but many of the mature generation of electronics engineers to whom we must look for the evolution into the next generation of weaponry now are retired or are being laid off due to recent cutbacks in the military budget.

It is the loss of this infrastructure which must begin to be of concern to the Nation. It is this skills' infrastructure which a full blown commitment to the development of HDTV could retain.

There is no doubt that there will be future generations of weaponry, the question then becomes—if my concern over our capabilities is anywhere close to correct—who will manufacture them?

The Chinese have shown no reluctance to sell major weapons systems into the Middle East without regard to the responsibility of discerning their impact in that volatile region.

But, once again, it is old technology—older than ours, I understand, so I do not look to China to be developing advanced generations. The European Community has an enormous capability and has had great luck in selling weapons all over the world, so it is possible that the race for future weapons will be led by a cooperative venture between the United States and the European Community to come up with superweapons.

Already the next generation of development in the Patriot missile is being shared with the Germans. It is shocking to me that we are so willing to give away the crown jewels, but I intend to do all in my power to see that the United States remains at the leading edge of technology by working to regain some of our lost preeminence in the field of microelectronics.

There may be underground efforts to create monstrous weapons as was reported to exist in Iraq, but I am unaware of any particular nations involved in concerted efforts to leap ahead of the giants.

As you are all probably aware, the major breakthroughs will probably be in the microelectronics field, so, in truth, the country which controls the next generation of integrated circuits, not only will control domestic markets, but the weapons markets, as well.

The search certainly must be on for the superchip.

In all of our concerns over retaining technology, certainly microelectronics has to lead the list. It is incumbent for this Nation to realize that without controlling the capability to develop future technologies, we cannot control the development of weapons or their dispersal.

Control must be the primary defensive strategy in the future since we have seen the threat not only to the targeted country, but as we saw in the burning of the oil wells in Kuwait, whole sections of other nations suffer ecological fall outs from something as primitive as setting oil wells on fire. It is horrible to think of the impact in that crowded land mass had Saddam Hussein truly been capable of fielding biological or chemical weapons.

The United States' answer to that threat—almost a half million in personnel over a 6-months period with all the weaponry necessary—will wind up costing us $25 to $30 billion after all the contributions are settled and is becoming too expensive to pursue too often.

Keeping a Saddam or a Qadhafi from developing a new generation of weaponry makes the effort to control the export of superfast delivery systems not only necessary for peace, but for the prosperity of all nations involved—not only the winners, but also the losers. You control the export when you control the technology.

War increasingly is an unacceptable answer to the world's problems.

The demand for capital worldwide to finance a war and the peace that follows places a strain on all nations. The Kuwaitis, before the war, supplied a great pool of capital to the world's investment markets. And, if Saddam was borrowing, he also was spending all of his oil wealth building his nation's infrastructure and recovering the ravages of the Iranian war.

His country's needs—as he digs out of the rubble—will place a great demand on the world's credit markets at a time when Germany is trying to obtain investment money to rebuild the East and the Russians, with an economy in ruins, are begging for help in every sector.

The old adage that no one ever really wins a war—that there are only losers—seems to prove true if one considers the economic realities of the current world economy. The tragedy of the Kurds, the Kuwatis, and the Iraqi people report the human cost.

With this experience so vividly in our minds, there must be greater efforts made to defuse these threats before the troops have to move, the missiles fly. It was disappointing, to say the least, that Iraq did not respond to the pressure of economic isolation after the invasion of Kuwait.

I would hope that this whole diplomatic exercise is being reviewed as closely as if it had been a military engagement which failed. It is that important—the preliminary engagement with the enemy. If we are anticipating even more deadly weapons, then our negotiating skills had better accelerate at an equal pace.

As America's economy spins down * * * and each recovery is shallower * * * fewer new jobs are being created after each recession due to the hollowing out of the industrial base * * * our power to seize the future of any technologies is lessened. Not only are we losing the infrastructure of skills to develop the next generations, we are not creating the wealth necessary to finance the research.

A first step toward rebuilding our industries would be to demand reciprocal treatment in trade for every American product. If, as in Japan, an imported car has to go through several layers of government and to be taken apart to be checked for safety and then is given a higher insurance premium, because it is not as safe, then—fair is fair—let's start dismantling Japanese cars and add redtape.

The demand for reciprocity is growing. It is a policy which I long have advocated. It is fair and fairness is the American way. It should be that any foreign product entering this country will be given the same treatment as a U.S. product receives when it is offloaded in that nation. Quid quo pro.

Simple, understandable in any language and a position that can be defended rationally.

Mr. Speaker, it is an idea whose time is coming. There is a rising sentiment in the country that for too long America has been an understanding, gentle giant with its allies. It is coming on time now, many of us believe, that our allies begin to try to understand our problems and our Nation better.

The burden of rebuilding and protecting the world after the Second World War has cost the American taxpayer dearly. Many economists believe our preeminence in weaponry has come at the expense of preeminence in domestic products—and contributed to the loss of our domestic markets.

Much thought is being given to these subjects coming up on the 21st century. It should be a time of reflection in America. Where are we going? How are we going to better ourselves and the lot of our people? One answer is that we must not allow the microelectronics industry to slip any further from us and to start reclaiming it.

It is an exciting time, a challenging time—and in such circumstances—America is frequently at its strongest and best.

□ 1940

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RITTER (at the request of Mr. MICHEL) for today, on account of attending son's college graduation.

Mr. SMITH of Florida (at the request of Mr. GEPHARDT) for today, on account of illness in family.

Mr. YATES (at the request of Mr. GEPHARDT) for today, on account of illness.

Mr. ACKERMAN (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. GUNDERSON (at the request of Mr. MICHEL) for today, on account of a death in the family.

Mr. FRANKS of Connecticut (at the request of Mr. MICHEL) for today, on account of the birth of his first child, Jessica Lynn.

## 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. HANSEN) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH, for 60 minutes each day, on June 24, 25, 26, 27, 28, and July 9, 10, 11, and 12.

Mr. DORNAN of California, for 5 minutes each day, on today and June 12 and 13.

Mr. DELAY, for 60 minutes each day, on June 12, 13, 19, 20, 26, and 27.

Mr. MILLER of Ohio, for 60 minutes each day, on June 13, 14, 17, 18, 19, and 20.

(The following Members (at the request of Mr. OWENS of Utah) to revise and extend their remarks and include extraneous material:)

Mr. COX of Illinois, for 5 minutes each day, today and on June 12.

Mr. HUBBARD, for 5 minutes, today.

Mr. KLECZKA, for 5 minutes, today.

Mr. KOPETSKI, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. REED, for 5 minutes, today.

Mr. HAMILTON, for 60 minutes, on June 13.

Mr. GONZALEZ, for 60 minutes each day, on June 24, 25, 27, and 28.

Mr. OWENS of New York, for 60 minutes each day, on June 17, 18, 19, 20, 21, 24, 25, 26, 27, and 28.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. HANSEN) and to include extraneous matter:)

Mr. TAYLOR of North Carolina.

Mr. MACHTLEY in two instances.

Mr. SOLOMON in five instances.

Mr. GALLO.

Mr. GEKAS in two instances.

Mr. PURSELL.

Mr. HYDE.

Mr. GUNDERSON.

Mr. BALLENGER.

Mr. MILLER of Ohio in three instances.

(The following Members (at the request of Mr. OWENS of Utah) and to include extraneous matter:)

Mr. TOWNS in two instances.

Mr. FAZIO in four instances.

Mr. MAVROULES.

Mr. TRAFICANT.

Mr. LANTOS.

Mr. MCMILLEN of Maryland.

Mr. PALLONE.

Ms. PELOSI.

Mr. DELUGO.

Mr. TRAXLER in three instances.

Mr. MATSUI.

Mr. DYMALLY.

Mr. BILBRAY.

Mr. ROSTENKOWSKI.

Mr. MFUME.

Mr. MANTON.

Mr. NEAL of Massachusetts.

Mr. DELLUMS.

Mr. REED.

Mr. DEFAZIO.

Mr. TORRICELLI.

Ms. NORTON.

## ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 219. Joint Resolution to designate the week beginning June 9, 1991, as "National Scleroderma Awareness Week."

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 292. An act to expand the boundaries of the Saguaro National Monument; and

S. 483. An act entitled the "Taconic Mountains Protection Act of 1991."

## ADJOURNMENT

Mrs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 43 minutes p.m.), the House adjourned until tommorrow, Wednesday, June 12, 1991, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1526. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to the United Arab Emirates for defense articles and services estimated to cost $682 million (Transmittal No. 91-03), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1527. A communication from the President of the United States, transmitting his views on legislation concerning Federal policy with respect to abortion (H. Doc. No. 102-98); jointly, to the Committees on Armed Services, Energy and Commerce, Foreign Affairs, and Appropriations and ordered to be printed.

## 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. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 44. A bill to provide that certain service of members of the U.S. merchant marine during World War II constituted active military service for purposes of any law administered by the Veterans' Administration and to provide for the fair implementation of the cargo preference laws of the United States; with amendments (Rept. 102-105, pt. 1). Ordered to be printed.

Mr. SMITH of Iowa: Committee on Appropriations. H.R. 2608. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1992, and for other purposes. (Rept. 102-106). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 45 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VALENTINE:

H.R. 2606. A bill to provide for a no-cost purchase option for and construction of a building to provide housing for the Environmental Protection Agency in the Research Triangle Park, NC, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SWIFT:

H.R. 2607. A bill to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 through 1994, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Iowa:

H.R. 2608. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

By Mr. KOPETSKI:

H.R. 2609. A bill to establish a supply management program for milk and products of milk, establish a minimum solids content for fluid milk, temporarily increase the basic formula price for milk, and initiate a review of methods to enhance the domestic consumption of milk and products of milk; to the Committee on Agriculture.

By Mr. GONZALEZ (for himself, Mr. FRANK of Massachusetts, Mr. KLECZKA, Mr. REED, and Mr. MACHTLEY):

H.R. 2610. A bill to provide emergency assistance to the State of Rhode Island to stabilize the banking system in the State and provide liquidity for the benefit of depositors at State banks and credit unions in receivership; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WYDEN (for himself, Mr. PORTER, and Mr. WAXMAN):

H.R. 2611. A bill to amend the Public Health Service Act to require recipients of financial assistance for the provision of family planning methods or services under title X of such act to provide certain nondirective counseling and referral services; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. WYDEN, and Mr. PORTER):

H.R. 2612. A bill to amend the Public Health Service Act to revise and extend the program of assistance for family planning services; to the Committee on Energy and Commerce.

By Mr. CHANDLER (for himself, Mr. MORRISON, and Mr. MILLER of Washington):

H.R. 2613. A bill to provide expanded unemployment and training benefits to certain displaced workers, and for other purposes; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. DEFAZIO:

H.R. 2614. A bill to provide for the disposition of certain minerals on Federal lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FIELDS:

H.R. 2615. A bill to suspend until January 1, 1995, the duty on 2-Phosphonobutane-1,2,4-tric rboxylic acid and sodium salts; to the Committee on Ways and Means.

By Mr. HERTEL:

H.R. 2616. A bill to amend the Internal Revenue Code of 1986 to provide that the disallowance of deductions for personal interest shall not apply to interest on loans used to buy American-made highway vehicles; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 2617. A bill to amend the Internal Revenue Code of 1986 to repeal the luxury tax on passenger vehicles; to the Committee on Ways and Means.

By Mr. RINALDO (for himself and Mr. ROYBAL):

H.R. 2618. A bill to amend title XVIII of the Social Security Act to prohibit the Secretary of Health and Human Services from denying claims for benefits under the Medicare Program or recovering overpayments made under such program if the denial or recovery is based upon claim sampling, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SANGMEISTER (for himself, Mr. LIPINSKI, Mr. COSTELLO, Mr. POSHARD, and Mr. BOEHLERT):

H.R. 2619. A bill to authorize the Secretary of Transportation to carry out a rail-highway crossing program to improve highway and rail traffic safety, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. GEKAS (for himself and Mr. HYDE):

H.J. Res. 268. Joint resolution to provide for the establishment of a Joint Committee on Intelligence; to the Committee on Rules.

By Ms. PELOSI (for herself, Mr. FOGLIETTA, Mr. LEWIS of California, Mrs. ROUKEMA, and Mr. SMITH of Oregon):

H.J. Res. 269. Joint resolution designating the week beginning May 3, 1992, as "National Nurses Week"; to the Committee on Post Office and Civil Service.

By Mr. PAXON (for himself and Mr. BARRETT):

H. Res. 173. Resolution expressing the sense of the House of Representatives that in light of current economic conditions the Federal excise taxes on gasoline and diesel fuel shall not be increased; to the Committee on Ways and Means.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Ms. LONG, Mr. KOSTMAYER, Mr. WILLIAMS, Mr. LEHMAN of California, Mr. SWIFT, Mr. WHEAT, Mr. JONTZ, Mr. GEJDENSON, and Mr. OLIN.

H.R. 44: Mr. FRANK of Massachusetts and Mr. MURPHY.

H.R. 68: Mr. COSTELLO, Mr. COMBEST, Mr. NEAL of North Carolina, Mr. DE LUGO, Mr. ROE, Mr. LEACH, Mr. CARDIN, Mr. CARPER, Mr. GEREN of Texas, Mr. GRANDY, Mr. HOLLOWAY, Mr. INHOFE, Mr. IRELAND, Mr. JONES of North Carolina, Mr. LOWERY of California, Mr. MCCOLLUM, Mr. BURTON of Indiana, Mr. HAMILTON, Mr. WOLPE, Mr. SMITH of Oregon, Mr. DURBIN, and Mr. TOWNS.

H.R. 330: Mr. MFUME, Mr. MARKEY, and Mr. TRAFICANT.

H.R. 500: Mr. BRYANT.

H.R. 534: Mr. WILSON, Mr. HARRIS, Mr. MCGRATH, Mr. BREWSTER, Mr. JACOBS, Mr. WYLIE, Mr. HEFLEY, Mr. FEIGHAN, Mr. WALKER, Mrs. BOXER, Mr. ANTHONY, and Mr. BENNETT.

H.R. 770: Mr. DINGELL.

H.R. 780: Ms. SLAUGHTER of New York.

H.R. 799: Mrs. MEYERS of Kansas.

H.R. 801: Mrs. MEYERS of Kansas.

H.R. 802: Mrs. MEYERS of Kansas and Mr. GORDON.

H.R. 803: Mrs. MEYERS of Kansas.

H.R. 875: Mrs. MORELLA.

H.R. 951: Mr. JOHNSON of South Dakota, Mr. SANTORUM, Mr. RHODES, and Mr. LAUGHLIN.

H.R. 967: Mr. FORD of Michigan.

H.R. 1054: Ms. KAPTUR and Mr. GILLMOR.

H.R. 1080: Mr. CAMPBELL of California, Mr. GRANDY, Mr. KOLBE, Mr. MCGRATH, Mr. FRANK of Massachusetts, and Mr. UPTON.

H.R. 1111: Mr. CARDIN.

H.R. 1130: Mr. MACHTLEY, Mr. WEISS, and Mr. MILLER of Ohio.

H.R. 1147: Mrs. VUCANOVICH, Mr. MURPHY, Mr. INHOFE, Mr. SKAGGS, Mr. STAGGERS, Mr. CAMPBELL of Colorado, Mr. MARLENEE, Mr. EVANS, Mr. DERRICK, and Mr. OBERSTAR.

H.R. 1161: Mr. FEIGHAN and Mr. VENTO.

H.R. 1318: Mr. HOLLOWAY and Mr. HASTERT.

H.R. 1341: Ms. NORTON and Mr. MCMILLEN of Maryland.

H.R. 1346: Mr. MCCLOSKEY and Mr. MCMILLEN of Maryland.

H.R. 1360: Mr. HAYES of Illinois, Mr. FAWELL, and Mr. MRAZEK.

H.R. 1400: Mr. THOMAS of Wyoming.

H.R. 1406: Mr. SLAUGHTER of Virginia, Mr. DORNAN of California, Mr. HUBBARD, Mr. MYERS of Indiana, Mr. BARTON of Texas, Mr. MILLER of Ohio, Mr. STUMP, Mr. HASTERT, Mr. HANCOCK, Mr. EDWARDS of Oklahoma, Mr. BOEHNER, Mr. GINGRICH, Mr. BAKER, Mr. HOLLOWAY, Mr. BALLENGER, Mr. TAYLOR of North Carolina, Mr. DUNCAN, Mr. BATEMAN, and Mr. ROGERS.

H.R. 1454: Mr. COX of Illinois, Mr. GORDON, Mr. SCHIFF, Mr. PURSELL, Mr. TRAFICANT, Mr. WILLIAMS, and Mr. COOPER.

H.R. 1457: Mr. RAY.

H.R. 1466: Mr. BACCHUS, Mr. ABERCROMBIE, and Mr. MANTON.

H.R. 1472: Mr. MCCRERY, Mr. RITTER, Mr. SHUSTER, Mr. MARLENEE, Mr. PENNY, Mr. SCHAEFER, Mrs. SCHROEDER, Mr. GILCHREST, and Mr. PORTER.

H.R. 1473: Mr. WHEAT and Mr. CAMPBELL of Colorado.

H.R. 1527: Mr. DAVIS, Mr. NAGLE, Mr. ORTON, Mr. HATCHER, Mr. SMITH of Florida, and Mr. WOLPE.

H.R. 1554: Mr. JONTZ.

H.R. 1572: Mr. SARPALIUS, Mr. JACOBS, Mr. PANETTA, Mr. SHUSTER, Mr. SMITH of Oregon, Mr. HUCKABY, MR. HANCOCK, Mr. PARKER, Mr. ROGERS, Mr. TAUZIN, Mr. GRANDY, and Mr. GLICKMAN.

H.R. 1602: Ms. NORTON and Mr. LEVINE of California.

H.R. 1649: Mr. ENGEL.

H.R. 1693: Mr. ROBERTS, Mrs. MEYERS of Kansas, Mr. HUGHES, Mr. RIGGS, Mr. LEWIS of Florida, Mr. HYDE, Mr. EMERSON, Mr. MILLER of Ohio, Ms. PELOSI, and Mr. JEFFERSON.

H.R. 1736: Mr. NAGLE and Mr. COX of Illinois.

H.R. 1779: Mr. WHEAT, Mr. JEFFERSON, and Ms. NORTON.

H.R. 1782: Mr. ANTHONY, Mr. ROYBAL, Mr. BERMAN, Mr. STENHOLM, Mr. DUNCAN, Mr. RUSSO, Mr. MCMILLEN of Maryland, and Mr. OBERSTAR.

H.R. 1789: Mr. BEILENSON, Mrs. BOXER, Mr. BROWN, Mr. DEFAZIO, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. KOSTMAYER, Mr. LANTOS, Mr. PANETTA, Mr. STARK, Ms. WATERS, and Mr. WAXMAN.

H.R. 1790: Mr. PEASE.

H.R. 1816: Mr. MACHTLEY, Mr. MCMILLEN of Maryland, and Mr. MOORHEAD.

H.R. 1860: Mr. SHARP, Mr. GUNDERSON, and Mr. BONIOR.

H.R. 1864: Mr. GILMAN, Mr. FISH, Mr. PETERSON of Florida, Mr. RIDGE, and Mr. GEKAS.

H.R. 1882: Mr. MCMILLEN of Maryland, Mr. DE LUGO, Mr. COLEMAN of Texas, Mr. HAYES of Louisiana, Mr. ROE, Mr. SYNAR, Mr. MCMILLAN of North Carolina, Mr. PAXON, Mr. POSHARD, Mr. ROHRABACHER, Mr. VALENTINE, Mr. GOSS, Mr. BATEMAN, Mr. BARNARD, Mr. DICKS, Mr. GRANDY, Mr. HUTTO, Mrs. JOHNSON of Connecticut, Mr. JOHNSTON of Florida, and Mr. DURBIN.

H.R. 1885: Mr. SYNAR and Mr. HARRIS.

H.R. 1916: Mr. FISH, Mr. DWYER of New Jersey, Mrs. BOXER, Mr. DIXON, and Mr. JONTZ.

H.R. 1955: Mr. ESPY.

H.R. 1956: Mr. ESPY.

H.R. 2008: Mr. HOLLOWAY, Mr. GUNDERSON, Mr. HYDE, and Mrs. VUCANOVICH.

H.R. 2030: Ms. NORTON, Mr. LIPINSKI, and Mr. JONTZ.

H.R. 2115: Mr. VISCLOSKY, Mr. STAGGERS, Mr. BOEHLERT, Mr. ANDREWS of New Jersey, and Mr. WALSH.

H.R. 2208: Mr. DINGELL.

H.R. 2212: Mr. GEJDENSON, Mr. ENGEL, Mr. TAYLOR of Mississippi, Mr. HAYES of Illinois, Mr. WALSH, Mr. FORD of Michigan, Mr. PETERSON of Florida, Mr. SCHIFF, Mr. MOODY, and Mr. BUSTAMANTE.

H.R. 2231: Mr. AUCOIN and Mr. PERKINS.

H.R. 2240: Mr. SARPALIUS, Mr. WALSH, Mr. BRYANT, and Mr. JONTZ.

H.R. 2280: Mr. SANTORUM.

H.R. 2333: Mr. SAXTON and Mr. WEBER.

H.R. 2358: Mr. ENGEL.

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H.R. 2378: Mr. JEFFERSON and Mr. LAFALCE.

H.R. 2385: Mr. PICKLE and Mr. HORTON.

H.R. 2389: Mr. JONTZ, Mr. JEFFERSON, and Mr. LANCASTER.

H.R. 2440: Mr. OBERSTAR, Mr. YATES, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. FEIGHAN, Mr. KOLTER, Mr. LANTOS, Mr. HOCHBRUECKNER, and Mr. NEAL of Massachusetts.

H.R. 2452: Mr. LUKEN, Mr. WALSH, Mr. BERMAN, and Mrs. UNSOELD.

H.R. 2460: Mr. BLAZ, Mr. THOMAS of California, Mr. RIDGE, and Mr. IRELAND.

H.R. 2477: Mr. TAYLOR of Mississippi and Mr. WEBER.

H.R. 2511: Mr. BACCHUS and Mr. JONTZ.

H.R. 2542: Mr. HAMILTON, Mr. FRANK of Massachusetts, Mr. MCNULTY, and Mr. HORTON.

H.R. 2560: Ms. LONG.

H.R. 2576: Mr. GLICKMAN.

H.R. 2598: Mr. COX of California, Mr. HANSEN, Mr. ROBERTS, Mr. BOEHNER, Mr. HUNTER, Mr. CUNNINGHAM, Mr. LOWERY of California, Mr. BROOMFIELD, Mr. MCCOLLUM, Mr. DREIER of California, Mr. CALLAHAN, Mr. SOLOMON, Mr. HANCOCK, Mr. SUNDQUIST, Mr. HUBBARD, Mr. DORNAN of California, Mr. BURTON of Indiana, Mr. CRANE, Mr. YOUNG of Alaska, Mr. WEBER, Mr. DANNEMEYER, Mr. COMBEST, Mr. HYDE, Mr. TALLON, Mr. FIELDS, Mr. MCEWEN, Mr. GINGRICH, and Mr. ROHRABACHER.

H.J. Res. 23: Mr. BREWSTER, Mr. CARPER, Mr. CARR, Ms. COLLINS of Michigan, Mr. CONYERS, Mr. COOPER, Mr. CRAMER, Mr. DAVIS, Mr. DEFAZIO, Mr. DICKS, Mr. DIXON, Mr. DOOLITTLE, Mr. ERDREICH, Mr. FALEOMAVAEGA, Mr. HAYES of Louisiana, Mr. INHOFE, Mr. JONES of North Carolina, Mr. MCDERMOTT, Mr. MCEWEN, Mr. MCMILLEN of Maryland, Mr. MARTIN, Mrs. MEYERS of Kansas, Mr. MINETA, Mrs. MORELLA, Mr. RIGGS, Mr. ROBERTS, Mr. SAVAGE, Mr. SKEEN, Mr. SLATTERY, Mr. SMITH of Iowa, Mr. SOLARZ, Mr. STAGGERS, Mr. STALLINGS, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. TOWNS, and Mr. WYDEN.

H.J. Res. 123: Mr. BEVILL, Mr. MCMILLEN of Maryland, Mr. GONZALEZ, and Mr. WOLF.

H.J. Res. 156: Mr. VOLKMER, Mr. WHEAT, Mr. ABERCROMBIE, Ms. MOLINARI, Mr. HUTTO, Mr. CONDIT, Mr. JEFFERSON, Mr. VENTO, and Mr. TAUZIN.

H.J. Res. 233: Mr. DINGELL and Mr. WEISS.

H. Con. Res. 101: Mr. DELLUMS and Mr. TOWNS.

H. Con. Res. 126: Mr. JEFFERSON.

H. Con. Res. 152: Mr. BUSTAMANTE, Mr. HAYES of Illinois, Mr. DURBIN, Mr. SOLARZ, Mr. YATES, Mr. STOKES, Mr. MILLER of California, Mr. MANTON, Mr. MOODY, Mr. TOWNS, Mr. RICHARDSON, Mr. RAMSTAD, Mr. SMITH of Florida, Mr. JEFFERSON, and Mr. SUNDQUIST.

H. Res. 153: Mr. MACHTLEY.

H. Res. 167: Mr. CHAPMAN, Mr. ECKART, Mr. GEREN of Texas, Mr. JEFFERSON, Mr. LANCASTER, Mrs. JOHNSON of Connecticut, Mr. PERKINS, Mr. COSTELLO, Mr. MANTON, Mr. DEFAZIO, Mr. BILBRAY, and Mr. FRANK of Massachusetts.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

### H.R. 2508

By Mr. BROOMFIELD:

—Page 622, after line 5, insert the following:

**SEC. 868. SITUATION IN ALBANIA**

It is the sense of Congress that—

(1) The United States should encourage Albania in its efforts to open its society to Western ideas and ideals; and

(2) In order to maintain the progress toward democracy that has already occurred and to encourage and support further progress, the United States should provide assistance for democratic institution-building in Albania, including the development of programs concerning the rule of law, the political process, local government, public administration and social progress.

(3) The United States also should provide medical and humanitarian assistance for the Albanian people.

—Page 636, line 21, strike the words "not less than", and insert in lieu thereof "up to".

—Page 642, line 18, strike ", $1,000,000", and insert in lieu thereof ", up to $1,000,000".

—Page 652, line 23, strike the words "not less than", and insert in lieu thereof "up to".

By Mr. CAMPBELL of California:

—Page 568, after line 14, insert the following:

**SEC. 818. SAUDI POLICY TOWARD ISRAEL.**

(a) FINDINGS.—The Congress finds that—

(1) Saudi Arabia has a long record of supporting Arab war efforts against Israel, including direct participation in the 1948 and 1973 wars against Israel;

(2) Saudi Arabia possesses CSS-2 missiles that are capable of reaching Israel with a chemical, nuclear, or conventional warhead;

(3) one of the wealthiest Arab nations in the Middle East, Saudi Arabia has taken a leading role in the Arab economic boycott of Israel;

(4) the Saudi government has financially supported terrorist groups that have repeatedly attacked Israel and United States citizens;

(5) Saudi Arabia remains opposed to Israel's right to exist and has not publicly accepted United Nations Security Council Resolutions 242 and 338; and

(6) Saudi Arabia has refused to engage in direct bilateral peace negotiations with Israel.

(b) POLICY DECLARATIONS.—It is the sense of the Congress that—

(1) Saudi Arabia remains a threat to the State of Israel; and

(2) it should be the policy of the United States to seek to limit Saudi Arabia's offensive military capabilities and encourage the Saudi government to unequivocally recognize Israel's right to exist as a sovereign nation within secure and recognized borders, to end the economic boycott of Israel, and to agree to negotiate directly with the state of Israel.

By Mr. DREIER of California:

—Page 657, after line 25, insert the following:

**SEC. 927. HUMAN RIGHTS VIOLATIONS AND WEAPONS PROLIFERATION IN INDIA**

(a) FINDINGS.—The Congress finds as follows:

(1) According to the "New York Times," Indian security "forces fired on hundreds of mourners" at a funeral ceremony in Kashmir on May 8, 1991. At least 14 people were killed.

(2) Amnesty International, Asia Watch, numerous indigenous human rights groups, and the U.S. Department of State have all documented allegations of significant violations of human rights in India.

(3) In one report, Asia Watch stated that "Torture is widespread, particularly in the detention centers. Methods of torture include electric shock, prolonged beatings, and sexual molestation."

(4) The Los Angeles Times recently reported that "ambulance drivers have been beaten and hospital staff members have been arrested and tortured" in Kashmir.

(5) India has rejected an offer by the government of Pakistan to enter into negotiations to reduce nuclear weapons development in South-East Asia.

(6) The "Far Eastern Economic Review" reported last September that "evidence points to recent exports from India of thousands of tons of chemicals, including cyanide, which Bhagdad may have used to make chemical weapons."

(7) India has repeatedly refused to allow Amnesty International to conduct human rights investigations within India.

(8) Democracy, human rights, and self determination are the fundamental rights of all peoples.

(9) The United States Agency for International Development has proposed providing $3 million on Project #0494 a "Program for Acceleration of Commercial Energy Research."

(10) This amount represents only 1/38 of the total U.S. level of proposed assistance to India during the 1992 fiscal year.

(b) REDUCTION OF DEVELOPMENT ASSISTANCE FOR INDIA IF CONDITIONS ARE NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection, the amount of development assistance provided for India in fiscal year 1992, and the amount of development assistance provided for India for fiscal year 1993, may not exceed the amount that is $3,000,000 less than the amount requested by the Agency for International Development for development assistance for Indian for fiscal year 1992.

(c) REDUCTION OF DEVELOPMENT ASSISTANCE FUNDS IF CONDITIONS ARE NOT MET.—Unless conditions specified in subsection (d) are met within the period specified in that subsection—

(1) $3,000,000 of the funds made available for fiscal year 1992 under section 1202 of the Foreign Assistance Act of 1961, and

(2) $3,000,000 of the funds made available for fiscal year 1993 under that section, only shall be withheld from obligation and shall be returned to the Treasury at the end of the period of availability for obligation applicable to development assistance funds.

(d) CONDITIONS TO BE MET.—Subsections (b) and (c) apply unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) Adopted a policy of allowing unrestricted access by internationally recognized human rights groups, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations;

(2) Restored local governmental rule in the Punjab and Jammu-Kashmir;

(3) Made significant progress in curbing human rights violations by their security forces.

—Page 669, line 12, insert "(a) STATEMENTS OF POLICY CONCERNING THE ANGOLAN CONFLICT.—" before "It".

—Page 670, after line 2, insert the following:

(b) MINE CLEARING OPERATIONS IN ANGOLA.—

(1) AUTHORIZATION.—Notwithstanding section 1243 of the Foreign Assistance Act of 1961, the President is authorized for the fiscal years 1992 and 1993 to use funds (other than earmarked funds) made available for economic support assistance, foreign military financing assistance, assistance from the Development Fund for Africa, and such other assistance under the Foreign Assistance Act of 1961 as the President considers appropriate, for mine clearing operations in Angola.

(2) CONTRACTS.—Should any assistance be provided to carry out paragraph (1), the Congress urges the President to use other than competitive procedures in order to expedite the procurement of services and to limit the eligibility for contracts to United States persons.

(3) REPORT.—Not more than 180 days after the date of the enactment of this Act, the President shall notify the appropriate congressional committees of any plans for using the authority under this subsection and the status of any assistance for mine clearing operations in Angola.

By Mr. DURBIN:

—Page 615, add the following after line 24:

(g) RESTRICTION OF AID TO THE CENTRAL GOVERNMENT OF THE USSR.—

(1) PROHIBITION.—Except as provided in paragraph (2) no assistance may be provided pursuant to this section to the Central Government of the USSR.

(2) WAIVER.—Assistance may be provided under this section notwithstanding paragraph (1) if the President certifies to Congress that—

(a) such assistance will be distributed equitably to the Baltic states and the Soviet republics as shown through a detailed statement of proposed distribution;

(b) all suppressive action by the Central Government of the USSR against the people and governments of the Baltic states and the Soviet republics has ceased;

(c) the Central Government of the USSR has returned control of all buildings or other property which it has seized since January 1, 1991, within the Baltic states to the lawful owners of such buildings or property; and

(d) the Central Government of the USSR has entered into good faith negotiations with the freely elected governments of the Baltic states to determine their future relations.

By Mr. FEIGHAN:

—Page 293, line 16, strike out "March" and insert in lieu thereof "April",

—Page 294, beginning in line 10, strike out "the matters identified in section 4402(b)(2)," and insert in lieu thereof the following:

"the extent to which the country has—

"(A) met the goals and objectives of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, including action on such issues as illicit cultivation, production, distribution, sale, transport, and financing, and money laundering, asset seizure, extradition, mutual legal assistance, law enforcement and transit cooperation, precursor chemical control, and demand reduction;

"(B) accomplished the goals described in an applicable bilateral narcotics agreement with the United States or a multilateral agreement; and

"(C) taken legal and law enforcement measures to prevent and punish public corruption, especially by senior government officials, that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such acts.

By Mr. GEJDENSON:

—Page 78, strike line 22 and all that follows through page 86, line 24.

By Mr. HERGER:

—Page 657, after line 25, insert the following:

**SEC. 927. HUMAN RIGHTS VIOLATIONS IN INDIA.**

(a) FINDINGS.—The Congress finds as follows:

(1) International human rights groups, such as Amnesty International and Asia Watch, have documented numerous instances of human rights violations by Indian security forces against the Indian people, especially in Punjab and Kashmir.

(2) Such abuses reportedly include rape, torture, detention without charge or trial, summary execution, disappearances, and so-called "fake encounters."

(3) The Department of State's Country Report on Human Rights Practices for 1990 states with respect to India that "political killing occurs on an increasingly wide scale" by Indian security forces, and that despite legal safeguards, "there were credible reports of widespread arbitrary arrest or detention". In Kashmir, a widespread breakdown of the legal system is reported to have occurred.

(4) The May 1991 Amnesty International Report on human rights violations in India found that serious human rights violations in Punjab have persisted under three governments, setting the stage for the widespread abuses. It further found that the government recently even changed the criminal code, effectively granting all police and security forces immunity from prosecution for any action they take on official duty in Punjab and other states, such as Kashmir, which are under direct Presidential rule.

(5) Local elections in Punjab have been suspended since 1987. Local rule in Kashmir was suspended in 1990. Local electoral processes and representative government have also been suspended in other Indian states.

(6) The Agency for International Development has proposed providing $3,000,000 for fiscal year 1992 for the Program for Acceleration of Commercial Energy Research for India (United States Agency for International Development development assistance project number 0494).

(b) REDUCTION OF DEVELOPMENT ASSISTANCE FOR INDIA IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection, the amount of development assistance provided for India for fiscal year 1992, and the amount of development assistance provided for India for fiscal year 1993, may not exceed the amount that is $3,000,000 less than the amount requested by the Agency for International Development for development assistance for India for fiscal year 1992.

(c) REDUCTION OF DEVELOPMENT ASSISTANCE FUNDS IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection—

(1) $3,000,000 of the funds made available for fiscal year 1992 under section 1202 of the Foreign Assistance Act of 1961, and

(2) $3,000,000 of the funds made available for fiscal year 1993 under that section, only

shall be withheld from obligation and shall be returned to the Treasury at the end of the period of availability for obligation applicable to development assistance funds.

(d) CONDITIONS TO BE MET.—Subsections (b) and (c) apply unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) adopted a policy of allowing unrestricted access by internationally recognized human rights monitoring organizations, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations,

(2) fulfilled the recommendations of the United Nations Human Rights Commission that call for review and revision of anti-terrorist laws, whose application has contributed to human rights abuses and discrimination against minorities,

(3) restored local governmental rule in the Punjab and Jammu-Kashmir, and

(4) made significant progress in curbing human rights abuses committed by its security and police forces.

—Page 657, after line 25, insert the following:

**SEC. 927. HUMAN RIGHTS VIOLATIONS IN INDIA.**

(a) FINDINGS.—The Congress finds as follows:

(1) International human rights groups, such as Amnesty International and Asia Watch, have documented numerous instances of human rights violations by Indian security forces against the Indian people, especially in Punjab and Kashmir.

(2) Such abuses reportedly include rape, torture, detention without charge or trial, summary execution, disappearances, and so-called "fake encounters."

(3) The Department of State's Country Report on Human Rights Practices for 1990 states with respect to India that "political killing occurs on an increasingly wide scale" by Indian security forces, and that despite legal safeguards, "there were credible reports of widespread arbitrary arrest or detention". In Kashmir, a widespread breakdown of the legal system is reported to have occurred.

(4) The May 1991 Amnesty International Report on human rights violations in India found that serious human rights violations in Punjab have persisted under three governments, setting the stage for the widespread abuses. It further found that the government recently even changed the criminal code, effectively granting all police and security forces immunity from prosecution for any action they take on official duty in Punjab and other states, such as Kashmir, which are under direct Presidential rule.

(5) Local elections in Punjab have been suspended since 1987. Local rule in Kashmir was suspended in 1990. Local electoral processes and representative government have also been suspended in other Indian states.

(6) The Agency for International Development has proposed providing $1,900,000 for fiscal year 1992 for the Program for the Advancement of Commercial Technology for India (United States Agency for International Development development assistance project number 0496).

(b) REDUCTION OF DEVELOPMENT ASSISTANCE FOR INDIA IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection, the amount of development assistance provided for India for fiscal year 1992, and the amount of development assistance provided for India for fiscal year 1993, may not exceed the amount that is $1,900,000 less than the amount requested by the Agency for International Development for development assistance for India for fiscal year 1992.

(c) REDUCTION OF DEVELOPMENT ASSISTANCE FUNDS IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection—

(1) $1,900,000 of the funds made available for fiscal year 1992 under section 1202 of the Foreign Assistance Act of 1961, and

(2) $1,900,000 of the funds made available for fiscal year 1993 under that section,

shall be withheld from obligation and shall be returned to the Treasury at the end of the period of availability for obligation applicable to development assistance funds.

(d) CONDITIONS TO BE MET.—Subsections (b) and (c) apply unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) adopted a policy of allowing unrestricted access by internationally recognized human rights monitoring organizations, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations,

(2) fulfilled the recommendations of the United Nations Human Rights Commission that call for review and revision of anti-terrorist laws, whose application has contributed to human rights abuses and discrimination against minorities,

(3) restored local governmental rule in the Punjab and Jammu-Kashmir, and

(4) made significant progress in curbing human rights abuses committed by its security and police forces.

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**SEC. 927. HUMAN RIGHTS VIOLATIONS IN INDIA.**

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(1) International human rights groups, such as Amnesty International and Asia Watch, have documented numerous instances of human rights violations by Indian security forces against the Indian people, especially in Punjab and Kashmir.

(2) Such abuses reportedly include rape, torture, detention without charge or trial, summary execution, disappearances, and so-called "fake encounters."

(3) The Department of State's Country Report on Human Rights Practices for 1990 states with respect to India that "political killing occurs on an increasingly wide scale" by Indian security forces, and that despite legal safeguards, "there were credible reports of widespread arbitrary arrest or detention". In Kashmir, a widespread breakdown of the legal system is reported to have occurred.

(4) The May 1991 Amnesty International Report on human rights violations in India found that serious human rights violations in Punjab have persisted under three governments, setting the stage for the widespread abuses. It further found that the government recently even changed the criminal code, effectively granting all police and security forces immunity from prosecution for any action they take on official duty in Punjab and other states, such as Kashmir, which are under direct Presidential rule.

(5) Local elections in Punjab have been suspended since 1987. Local rule in Kashmir was suspended in 1990. Local electoral processes and representative government have also been suspended in other Indian states.

(6) The Agency for International Development has proposed providing $1,260,000 for fiscal year 1992 for the Technical Assistance and Support Project for India (United States Agency for International Development development assistance project number 0515).

(b) REDUCTION OF DEVELOPMENT ASSISTANCE FOR INDIA IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection, the amount of development assistance provided for India for fiscal year 1992, and the amount of development assistance provide for India for fiscal year 1993, may not exceed the amount that is $1,260,000 less than the amount requested by the Agency for International Development for development assistance for India for fiscal year 1992.

(c) REDUCTION OF DEVELOPMENT ASSISTANCE FUNDS IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection—

(1) $1,260,000 of the funds made available for fiscal year 1992 under section 1202 of the Foreign Assistance Act of 1961, and

(2) $1,260,000 of the funds made available for fiscal year 1993 under that section,

shall be withheld from obligation and shall be returned to the Treasury at the end of the period of availability for obligation applicable to development assistance funds.

(2) CONDITIONS TO BE MET.—Subsections (b) and (c) apply unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) adopted a policy of allowing unrestricted access by internationally recognized human rights monitoring organizations, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations,

(2) fulfilled the recommendations of the United Nations Human Rights Commission that call for review and revision of anti-terrorist laws, whose application has contributed to human rights abuses and discrimination against minorities,

(3) restored local governmental rule in the Punjab and Jammu-Kashmir, and

(4) made significant progress in curbing human rights abuses committed by its security and police forces.

—Page 657, after line 25, insert the following:

**SEC. 927. HUMAN RIGHTS VIOLATIONS IN INDIA.**

(a) FINDINGS.—The Congress finds as follows:

(1) International human rights groups, such as Amnesty International and Asia Watch, have documented numerous instances of human rights violations by Indian security forces against the Indian people, especially in Punjab and Kashmir.

(2) Such abuses reportedly include rape, torture, detention without charge or trial, summary execution, disappearances, and so-called "fake encounters."

(3) The Department of State's Country Report on Human Rights Practices for 1990 states with respect to India that "political killing occurs on an increasingly wide scale" by Indian security forces, and that despite legal safeguards, "there were credible reports of widespread arbitrary arrest or detention". In Kashmir, a widespread breakdown of the legal system is reported to have occurred.

(4) The May 1991 Amnesty International Report on human rights violations in India found that serious human rights violations in Punjab have persisted under three governments, setting the stage for the widespread abuses. If further found that the government recently even changed the criminal code, effectively granting all police and security forces immunity from prosecution for any action they take on official duty in Punjab and other states, such as Kashmir, which are under direct Presidential rule.

(5) Local elections in Punjab have been suspended since 1987. Local rule in Kashmir was suspended in 1990. Local electoral processes and representative government have also been suspended in other Indian states.

(6) The Executive Branch has proposed an international military education and training program of $345,000 for India for fiscal year 1992.

(b) CONDITIONS TO BE MET.—International military education and training may not be provided for India for fiscal year 1992 or 1993 unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) adopted a policy of allowing unrestricted access by internationally recognized human rights monitoring organizations, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations,

(2) fulfilled the recommendations of the United Nations Human Rights Commission that call for review and revision of anti-terrorist laws, whose application has contributed to human rights abuses and discrimination against minorities,

(3) restored local governmental rule in the Punjab and Jammu-Kashmir, and

(4) made significant progress in curbing human rights abuses committed by its security and police forces.

—Page 657, after line 25, insert the following:

**SEC. 927. HUMAN RIGHTS VIOLATIONS IN INDIA.**

(a) FINDINGS.—The Congress finds as follows:

(1) International human rights groups, such as Amnesty International and Asia Watch, have documented numerous instances of human rights violations by Indian security forces against the Indian people, especially in Punjab and Kashmir.

(2) Such abuses reportedly include rape, torture, detention without charge or trial, summary execution, disappearances, and so-called "fake encounters."

(3) The Department of State's Country Report on Human Rights Practices for 1990 states with respect to India that "political killing occurs on an increasingly wide scale" by Indian security forces, and that despite legal safeguards, "there were credible reports of widespread arbitrary arrest or detention". In Kashmir, a widespread breakdown of the legal system is reported to have occurred.

(4) The May 1991 Amnesty International Report on human rights violations in India found that serious human rights violations in Punjab have persisted under three governments, setting the stage for the widespread abuses. It further found that the government recently even changed the criminal code, effectively granting all police and security forces immunity from prosecution for any action they take on official duty in Punjab and other states, such as Kashmir, which are under direct Presidential rule.

(5) Local elections in Punjab have been suspended since 1987. Local rule in Kashmir was suspended in 1990. Local electoral processes and representative government have also been suspended in other Indian states.

(6) The Agency for International Development has proposed providing $1,900,000 for fiscal year 1992 for the Plant Genetic Resources Project for India (United States Agency for International Development development assistance project number 0513).

(b) REDUCTION OF DEVELOPMENT ASSISTANCE FOR INDIA IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection, the amount of development assistance provided for India for fiscal year 1992, and the amount of development assistance provided for India for fiscal year 1993, may not exceed the amount that is $1,900,000 less than the amount requested by the Agency for International Development for development assistance for India for fiscal year 1992.

(c) REDUCTION OF DEVELOPMENT ASSISTANCE FUNDS IF CONDITIONS NOT MET.—Unless the conditions specified in subsection (d) are met within the period specified in that subsection—

(1) $1,900,000 of the funds made available for fiscal year 1992 under section 1202 of the Foreign Assistance Act of 1961, and

(2) $1,900,000 of the funds made available for fiscal year 1993 under that section,

shall be withheld from obligation and shall be returned to the Treasury at the end of the period of availability for obligation applicable to development assistance funds.

(d) CONDITIONS TO BE MET.—Subsections (b) and (c) apply unless, within 180 days after the date of enactment of this Act, the Government of India has—

(1) adopted a policy of allowing unrestricted access by internationally recognized human rights monitoring organizations, such as Amnesty International and Asia Watch, to conduct investigations into alleged human rights violations,

(2) fulfilled the recommendations of the United Nations Human Rights Commission that call for review and revision of anti-terrorist laws, whose application has contributed to human rights abuses and discrimination against minorities,

(3) restored local governmental rule in the Punjab and Jammu-Kashmir, and

(4) made significant progress in curbing human rights abuses committed by its security and police forces.

By Mr. KANJORSKI:

—Page 128, line 3, strike all through page 144, line 25.

—Page 128, line 3, strike all through page 134, line 6.

—Page 134, line 7, strike all through page 139, line 16.

—Page 139, line 17, strike all through page 143, line 22.

—Page 140, line 1, insert a new subsection (b) as follows and reletter subsequent subsections accordingly:

"(b) DOLLAR LIMITATION ON TRANSFERS TO EACH COUNTRY.—The total value of excess defense articles transferred under subsection (a) for use in any eligible country by such country or eligible international organization or eligible private voluntary organization shall not exceed $10,000,000 in any fiscal year.

By Mr. KLECZKA:

—Page 619, strike out line 16, and all that follows through line 10 on page 620 (section 866), and redesignate subsequent sections accordingly.

By Mr. KOLTER:

—At the appropriate place insert the following new section:

**SEC. . ETHNIC MINORITIES IN YUGOSLAVIA.**

It is the sense of Congress that—

(1) ethnic minorities living in the Republics of Croatia, Serbia, and in other parts of Yugoslavia should not be discriminated against because of their ethnicity or religion;

(2) ethnic minorities in the Republics of Croatia, Serbia, and other republics of Yugoslavia should retain their full ethnic, linguistic, religious, civil, and political rights, and the respective governments of the republics should take the necessary steps to ensure these rights; and

(3) political and national leaders of Yugoslavia should resolve their political and economic problems through negotiations and peaceful dialogue as equal partners and should not, under any circumstances, resort to violence, repression, or military force.

—Page [620], insert the following after line [10] [and redesignate succeeding sections, and references thereto, accordingly]:

**SEC. . SITUATION OF THE ETHNIC MINORITIES IN YUGOSLAVIA.**

It is the sense of Congress that—

(1) ethnic minorities living in the Republics of Croatia, Serbia, and in other parts of Yugoslavia should not be discriminated against because of their ethnicity or religion;

(2) ethnic minorities in the Republics of Croatia, Serbia, and other republics of Yugoslavia should retain their full ethnic, linguistic, religious, civil, and political rights and the respective governments of the republics should take the necessary steps to ensure these rights; and

(3) political and national leaders of Yugoslavia should resolve their political and economic problems through negotiations and peaceful dialogue as equal partners and should not, under any circumstances, resort to violence, repression, or use of military force.

—Page 622, insert the following after line 5:

**SEC. 869. RESTRICTION ON ASSISTANCE TO THE SOVIET UNION.**

(a) RESTRICTION ON ASSISTANCE.—No assistance may be provided under the Foreign Assistance Act of 1961 to the Soviet Union during fiscal year 1992 or fiscal year 1993 unless the President certifies to the Congress that the Government of the Soviet Union has paid all overdue debts it owes, on the effective date set forth in section 1101, to any business concern organized under the laws of the United States whose principal place of business is in the United States.

(b) CERTAIN ASSISTANCE NOT AFFECTED.—Subsection (a) shall not apply to assistance under this Act to the government of, or through nongovernmental organizations to, any of the Baltic states or any eligible recipient in the Soviet Union as defined in section 862(f).

By Mr. KOSTMAYER:

—On page 42, after line 17, insert the following:

**"SEC. 1205. FUNDING FOR THE UNITED NATIONS POPULATION FUND.**

"Of the funds appropriated under section 1204(b), $20,000,000 or 16 percent of the amount appropriated (whichever is less) shall be available only for the United Nations Population Fund, subject to the following conditions:

"(1) The United Nations Population Fund shall be required to maintain these funds in a separate account and not commingle them with any other funds.

"(2) None of these funds shall be made available for programs for the People's Republic of China.

"(3) Any agreement entered into by the United States and the United Nations Population Fund to obligate these funds shall expressly state that the full amount granted by such agreement will be refunded to the United States if any United States funds are used for any family planning programs in the People's Republic of China or for abortions in any country.

"(4) Any agreement entered into by the United States and the United Nations Population Fund to obligate funds earmarked under this paragraph shall expressly state that the full amount granted by such agreement will be refunded to the United States if, during its five year program which commenced in 1990, the United Nations Population Fund provides more than fifty seven million dollars for family planning programs in the People's Republic of China.

—On page 568 strike line 14 after the word "held" strike the period and insert in lieu thereof:

, and

(7) has allowed independent human rights organizations to exhume and examine the bodies in the recently discovered mass graves in the al-Rigga cemetery in Kuwait City for evidence of torture.

—On Page 645, after line 15, insert the following Section, and renumber the successive Sections accordingly:

**"SEC. 911. SENSE OF THE CONGRESS REGARDING ALLEGATIONS OF COERCIVE ABORTION IN CHINA**

"It is the sense of the Congress that the Peoples Republic of China should be subject to export controls or other economic sanctions until the President certifies to the Congress that the Chinese Government is not engaged in a program of coercive abortion or involuntary sterilization.

By Mr. KYL:

—Page 622, insert the following after line 5:

**SEC. 869. LIMITATION ON ASSISTANCE.**

(a) FINDINGS.—The Congress finds that—

(1) the long term national security of the United States, and of the peoples of the Soviet Union, would benefit greatly from the transformation of the Soviet Union to a fully democratic nation based on the principles of government by the people, respect for individual rights, and free market economic opportunity; and

(2) assistance provided by the United States to the Soviet Union should promote rather than retard this transformation.

(b) CERTIFICATION.—During fiscal year 1992 and fiscal year 1993, assistance may not be provided to the Soviet Union under the Foreign Assistance Act of 1961 unless the President certifies in a report to the Congress that the following conditions have been met:

(1) That the Government of the Soviet Union has taken meaningful steps toward observing human rights for all citizens, including the following:

(A) The Soviet Government has ceased its interference with the freedom of the press in the Baltic states and the republics.

(B) The Soviet Government has ceased the threat and use of force against democratic movements.

(C) The Soviet Government has entered into meaningful negotiations with leaders of the Baltic states and the republics to ensure a smooth transition to self-determination.

(D) The people of the Soviet Union have been empowered to elect in genuinely free, fair, and open elections the government that rules them.

(E) The Soviet Government has not only codified but honors in practice the right of its citizens to leave the Soviet Union and to move freely within its borders, consistent with international standards.

(F) The Soviet Government compels no republic or historically recognized nationality group with a history of self-determination to remain part of the Soviet Union involuntarily, and fully respects the right of self-determination stipulated in the Universal Declaration of Human Rights, to which the Soviet Union is a party.

(G) The Soviet Government has withdrawn the authorization issued by Valentin Pavlov, the prime minister, permitting the police and the KGB to raid the offices of joint ventures involving nationals of western European countries and the United States, in violation of their civil rights;

(2) That the threat to the United States from the armed forces of the Soviet Union has been reduced, including—

(A) that the Soviet Union—

(i) has adopted a defense budget which will draw down the percentage of its gross national product that is allocated for military purposes to levels approximating those of the United States, and

(ii) is beginning to implement this defense budget; and

(B) that the Soviet Union has terminated the modernization of its strategic forces.

(3) That the Soviet Union is no longer engaged in acts of subversion, or of support for international terrorism, that are directed at the United States or its allies.

(4) That the Soviet Union no longer provides assistance in the form of arms sales, military assistance, or any kind of grant, credit, commodity, or technology transfer to other countries, such as Cuba and North Korea, that are engaged in activities inimical to the national interests of the United States.

(5) That the Soviet Union has taken constructive steps toward completing the Strategic Arms Reduction Talks (START) and has placed a high priority on reaching an accord in the Defense and Space Talks.

(6) That full transparency exists with respect to data necessary for the United States to determine the creditworthiness of the Soviet Union and its ability to repay debt, such as disclosing data to permit a detailed assessment of Soviet credits similar to that provided by other sovereign borrowers, including disclosure of the sources and uses of Soviet hard currency, the value of the strategic gold reserves of the Soviet Union, and other key economic and financial data.

(7) That, in order to demonstrate its creditworthiness and to demonstrate a commitment to economic reform, the Soviet Union has adopted specific provisions with strict, short timelines for deregulating most prices, selling to privately-owned entities most government-owned assets, and introducing genuine competition into the Soviet economy.

(8) That the Soviet Union is committed to environmental restoration and rehabilitation of unsafe nuclear facilities that it continues to operate.

(9) That the Soviet Union will not transfer to any country any equipment, technology, or services to build any VVERS nuclear reactors. In particular, that the Soviet Union will no longer provide support in the form of funds, equipment, technology, or services for the Cienfuegos project in Cuba.

(10) That any assistance otherwise prohibited by this subsection will be provided, whenever feasible, to the democratically elected governments of the Baltic states and the republics.

(c) CERTAIN ASSISTANCE NOT AFFECTED.—Subsection (b) shall not prohibit assistance to the government of, or through nongovernmental organizations to, any of the Baltic states or any eligible receipient in the Soviet Union as defined in section 862(f).

(d) WAIVER IN THE NATIONAL INTEREST.—The President may provide assistance to the Soviet Union notwithstanding subsection (c) if—

(1) he determines such assistance to be in the national interest of the United States;

(2) he submits his determination, together with the reasons therefor, to the President of the Senate and the Speaker of the House of Representatives;

(3) 30 legislative days have elapsed since the determination is so submitted; and

(4) in the case of credit assistance, the United States will retain collateral for the full dollar amount of such assistance.

Each submission under paragraph (2) shall include a description of the progress of the Soviet Union in meeting the conditions set forth in subsection (b).

By Mr. LAGOMARSINO:

—On page 383, line 3, after the words "ANNUAL CERTIFICATION.—", insert "(1) CERTIFICATION ON PAKISTAN.—"

—On page 383, line 16, insert the following new paragraph:

"(2) CERTIFICATION ON INDIA.—Prior to providing any assistance to India during any fiscal year, the President shall submit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, a report on the nuclear programs of India. Such a report shall include either a certification that India does not possess a nuclear explosive device or, if the President is unable to make such a certification, a statement that the President cannot certify that India possesses such a device."

—On pages 383, strike line 16 through page 384, line 14.

—Page 381, line 7, after "(a) STATEMENT OF POLICY.—"insert "(1) POLICY TOWARD PAKISTAN.—"

—Page 381, line 24, insert the following new section:

"(2) REGIONAL NUCLEAR NON-PROLIFERATION POLICY.—The Congress further recognizes that a successful nuclear non-proliferation policy in South Asia can only be achieved through a regional United States policy aimed at securing concurrent agreement by the Governments of Pakistan and India on non-proliferation. Such a policy should have as its ultimate goal concurrent accession by Pakistan and India to the Nuclear Non-Proliferation Treaty, but should also include as needed a phased approach to that goal through a series of agreements between the parties on nuclear issues, such as the agreement reached by Pakistan and India not to attack one another's nuclear facilities."

—On page 383, line 3, after the words "ANNUAL CERTIFICATION.—", insert "(1) CERTIFICATION ON PAKISTAN.—".

—On page 383, line 16, insert the following new paragraph:

"(2) CERTIFICATION ON INDIA.—No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate that India has agreed to place all plutonium produced as a by-product of the enrichment of the U.S.-supplied uranium (under the "Tarapur Agreement") under International Atomic Energy Agency safeguards after the Tarapur Agreement has ended.".

—On page 383, line 3, after the words "ANNUAL CERTIFICATION.—", insert "(1) CERTIFICATION ON PAKISTAN.—".

On page 383, line 15, after "device." insert the following:

"(2) WAIVER.—Notwithstanding the provisons of paragraph (1), if the President determines that it is in the national interest to do so, the President may provide assistance to Pakistan provided under—

(A) Title I, Chapter 2 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991, or previously under Part I, Chapter 1 of the Foreign Assistance Act of 1961 (related to development assistance);

(B) Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

(C) Title I, Chapter 3 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991 (related to economic assistance), or previously under Part II, Chapter 4 of the Foreign Assistance Act of 1961 (related to economic assistance) which is made available pursuant to subparagraph (A) or is for narcotics-related projects.

—Page 381, line 7, after "(a) STATEMENT OF POLICY.—" insert "(1) POLICY TOWARD PAKISTAN.—"

—Page 381, line 24, insert the following new section:

"(2) REGIONAL NUCLEAR NON-PROLIFERATION POLICY.—The Congress further recognizes that a successful nuclear non-proliferation policy in South Asia can only be achieved through a regional United States policy aimed at securing concurrent agreement by the Governments of Pakistan and India on non-proliferation. The Congress commends Prime Minister Nawaz Sharif for his speech of June 6, 1991 committing the Government of Pakistan to the active pursuit of such a policy, and urges the Government of India to join with Pakistan in finding a negotiated regional solution. At the same time, the Congress is greatly concerned by the statement of a leader of India's opposition party that India should develop an arsenal of nuclear weapons, and believes that such an action would dramatically increase the danger that nuclear proliferation poses in South Asia. United States regional non-proliferation policy in South Asia should be based on working with the two parties to reach such a solution, and should have as its ultimate goal concurrent accession by Pakistan and India to the Nuclear Non-Proliferation Treaty, but should also include as needed a phased approach to that goal through a series of agreements between the parties on nuclear issues, such as the agreement reached by Pakistan and India not to attack one another's nuclear facilities."

—On page 383, line 3, after the words "ANNUAL CERTIFICATION.—", insert "(1) CERTIFICATION ON PAKISTAN.—.

—On page 383, line 15, after "device." insert the following new section:

"(2) WAIVER.—Notwithstanding the provisions of paragraph (1), if the President determines that it is in the national interest to do so, the President may provide assistance under Title I, Chapter 2 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991, or previously under Part I, Chapter 1 of the Foreign Assistance Act of 1961 (related to development assistance) and assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance) to Pakistan.".

—In Title IX, on page 657, after line 25, insert the following new section:

**"SEC. 927. INDIA.**

"No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device."

—Page 381, line 7, after "(a) STATEMENT OF POLICY.—" insert "(1) POLICY TOWARD PAKISTAN.—"

—Page 381, line 24, insert the following new section:

"(2) REGIONAL NUCLEAR NON-PROLIFERATION POLICY.—The Congress further recognizes that a successful nuclear non-proliferation policy in South Asia can only be achieved through a regional United States policy

aimed at securing concurrent agreement by the Governments of Pakistan and India on non-proliferation. Such a policy should have as its ultimate goal concurrent accession by Pakistan and India to the Nuclear Non-Proliferation Treaty, but should also include as needed a phased approach to that goal through a series of agreements between the parties on nuclear issues, such as the agreement reached by Pakistan and India not to attack one another's nuclear facilities."

—Page 384, after line 14, add the following new subsections and renumber the following sections accordingly:

"(h) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in paragraph (2), notwithstanding the provisions of subsections (d), (e) and (f), if he determines that it is in the national interest of the United States to do so.

"(2) The assistance referred to in paragraph (1) includes—

"(A) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961, as amended by the International Cooperative Act of 1991, or previously under Part I, Chapter 1 of the Foreign Assistance Act of 1961 (related to development assistance);

"(B) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(C) assistance authorized under Title I, Chapter 3 or the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991 (related to economic support assistance), or previously under Part II, Chaper 4 of the Foreign Assistance Act of 1961 (related to the economic support fund) which is made available pursuant to subparagraph (A).

**"SEC. 5505. ASSISTANCE TO INDIA**

"(a) AUTHORITY TO WAIVE PROHIBITION.—

"(1) IN GENERAL.—The President may waive the prohibitions of section 6201 (a)(5) of this Act with respect to paragraph (1) of section 6206 of that Act at any time during the period beginning on the date of enactment of this section and ending on September 30, 1993, to provide assistance to India during that period if he determines that to do so is in the national interest of the United States, subject to paragraph (2).

"(2) LIMITATION.—The President may not exercise the waiver authority of this subsection unless a certification under subsection (b) of this section is in effect.

"(b) ANNUAL CERTIFICATION.—No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act of any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance to be furnished or military equipment or technology is to be sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device.

"(c) FURTHER RESTRICTION ON ASSISTANCE.—Subject to subsection (d), unless a certification under subsection (b) of this section is in effect on September 30, 1992, no funds may be allocated for fiscal year 1993 for assistance to India, or for the sale or transfer of defense articles or defense services to India.

"(d) IF A CERTIFICATION IS MADE.—If a certification under subsection (b) is made in a fiscal year after the prohibition in subsection (c) applies, funds for assistance, sales, or transfers described in subsection (c) may be allocated for India pursuant to the reprogramming provisions of section 6304 of the Foreign Assistance Act or pursuant to a subsequent appropriation act.

"(e) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in paragraph (2), notwithstanding the provisions of subsections (a), (b) and (c), if he determines that it is in the national interest of the United States to do so.

"(2) The assistance referred to in paragraph (1) includes—

"(A) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961 (related to development assistance);

"(B) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(C) assistance authorized under Title I, Chapter 3 of the Foreign Assistance Act of 1961 (related to economic support assistance) which is made available pursuant to subparagraph (A)."

—Page 384, after line 14, add the following new subsections and renumber the following sections accordingly:

"(h) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in paragraph (2), notwithstanding the provisions of subsections (d), (e) and (f), if he determines that it is in the national interest of the United States to do so.

"(2) The assistance referred to in paragraph (1) includes—

"(A) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991, or previously under Part I, Chapter 1 of the Foreign Assistance Act of 1961 (related to development assistance);

"(B) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(C) assistance authorized under Title I, Chapter 3 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991 (related to economic support assistance), or previously under Part II, Chapter 4 of the Foreign Assistance Act of 1961 (related to the economic support fund) which is made available pursuant to subparagraph (A).

**"SEC. 5505. ASSISTANCE TO INDIA**

"(a) AUTHORITY TO WAIVE PROHIBITION.—

"(1) IN GENERAL.—The President may waive the prohibitions of section 6201 (a) (5) of this act with respect to paragraph (1) of sectioin 6206 of that Act at any time during the period beginning on the date of enactment of this section and ending on September 30, 1993, to provide assistance to India during that period if he determines that to do so is in the national interest of the United States, subject to paragraph (2).

"(2) LIMITATION.—The President may not exercise the waiver authority of this subsection unless a certification under subsection (b) of this section is in effect.

"(b) ANNUAL CERTIFICATION.—No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance to be furnished or military equipment or technology is to be sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device.

"(c) FURTHER RESTRICTION ON ASSISTANCE.—Subject to subsection (d), unless a certification under subsection (b) of this section is in effect on September 30, 1992, no funds may be allocated for fiscal year 1993 for assistance to India, or for the sale or transfer of defense articles or defense services to India.

"(d) IF A CERTIFICATION IS MADE.—If a certification under subsection (b) is made in a fiscal year after the prohibition in subsection (c) applies funds for assistance sales or transfers described in subsection (c) may be allocated for India pursuant to the reprogramming provisions of section 6304 of the Foreign Assistance Act or pursuant to a subsequent appropriation Act.

"(e) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in paragraph (2), notwithstanding the provisions of subsections (a), (b) and (c), if he determines that it is in the national interest of the United States to do so.

"(2) The assistance referred to in paragraph (1) includes—

"(A) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961 (related to development assistance);

"(B) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(C) assistance authorized under Title I, Chapter 3 of the Foreign Assistance Act of 1961 (related to economic support assistance) which is made available pursuant to subparagraph (A)."

—Page 721, after line 16, add the following:

TITLE XII—ASSISTANCE TO INDIA AND PAKISTAN

**"SEC. 1201. ASSISTANCE TO PAKISTAN.**

"(a) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in subsection (b), notwithstanding the provisions of subsections (d), (e) and (f) of Section 5504 of the Foreign Assistance Act of 1961, if he determines that it is in the national interest of the United States to do so.

"(b) The assistance referred to in paragraph (1) includes—

"(1) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991, or previously under the Foreign Assistance Act of 1961 (related to development assistance);

"(2) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(3) assistance authorized under Title I, Chapter 3 of the Foreign Assistance Act of 1961, as amended by the International Cooperation Act of 1991, or previously under the Foreign Assistance Act of 1961 (related to the economic support fund) which is made available pursuant to paragraph (1).

**"SEC. 1202. ASSISTANCE TO INDIA.**

"(a) AUTHORITY TO WAIVE PROHIBITION.—

"(1) IN GENERAL.—The President may waive the prohibitions of section 6201(a)(5) of this Act with respect to paragraph (1) of section 6206 of that Act at any time during the period beginning on the date of enactment of this section and ending on September 30, 1993, to provide assistance to India during that period if he determines that to do so is in the national interest of the United States, subject to paragraph (2).

"(2) LIMITATION.—The President may not exercise the waiver authority of this subsection unless a certification under subsection (b) of this section is in effect.

"(b) ANNUAL CERTIFICATION.—No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance to be furnished or military equipment or technology is to be sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device.

"(c) FURTHER RESTRICTION ON ASSISTANCE.—Subject to subsection (d), unless a certification under subsection (b) of this section is in effect on September 30, 1992, no funds may be allocated for fiscal year 1993 for assistance to India, or for the sale or transfer of defense articles or defense services to India.

"(d) IF A CERTIFICATION IS MADE.—If a certification under subsection (b) is made in a fiscal year after the probibition in subsectioin (c) applies, funds for assistance, sales, or transfers described in subsection (c) may be allocated for India pursuant to the reprogramming provisions of section 6304 of the Foreign Assistance Act or pursuant to a subsequent appropriation Act.

"(e) PRESIDENTIAL DETERMINATION AND WAIVER.—

"(1) The President may provide the assistance described in paragraph (2), notwithstanding the provisions of subsections (a), (b) and (c), if he determines that it is in the national interest of the United States to do so.

"(2) The assistance referred to in paragraph (1) includes—

"(A) assistance provided under Title I, Chapter 2 of the Foreign Assistance Act of 1961 (related to development assistance);

"(B) assistance provided under Title XV, Subtitle A of the Food, Agriculture, Conservation and Trade Act of 1990 (related to food assistance); and

"(C) assistance authorized under Title I, Chapter 3 of the Foreign Assistance Act of 1961 (related to economic support assistance) which is made available pursuant to subparagraph (A)."0

By Mr. MCCOLLUM:

—Page 622, after line 5, insert the following:

**SEC. 869. RESTRICTION ON ASSISTANCE TO THE GOVERNMENT OF THE SOVIET UNION.**

During fiscal year 1992 and 1993, assistance may not be provided to the Government of the Soviet Union under the Foreign Assistance Act of 1961 unless that Government has terminated all military assistance, directly or indirectly, to Vietnam.

—Page 622, after line 5, insert the following:

**SEC. 869. RESTRICTION ON ASSISTANCE TO THE GOVERNMENT OF THE SOVIET UNION.**

During fiscal year 1992 and 1993, assistance may not be provided to the Government of the Soviet Union under the Foreign Assistance Act of 1961 unless that Government has terminated all military assistance, directly or indirectly, to Cuba.

—Page 622, after line 5, insert the following:

**SEC. 869. RESTRICTION ON ASSISTANCE TO THE GOVERNMENT OF THE SOVIET UNION.**

During fiscal year 1992 and 1993, assistance may not be provided to the Government of the Soviet Union under the Foreign Assistance Act of 1961 unless that Government has terminated all military assistance, directly or indirectly, to Afghanistan, Cuba, and Vietnam.

—Page 622, after line 5, insert the following:

**SEC. 869. RESTRICTION ON ASSISTANCE TO THE GOVERNMENT OF THE SOVIET UNION.**

During fiscal year 1992 and 1993, assistance may not be provided to the Government of the Soviet Union under the Foreign Assistance Act of 1961 unless that Government has terminated all military assistance, directly or indirectly, to Afghanistan.

—Page 627, strike out lines 1 through 4, and redesignate paragraphs (6) and (7) as paragraphs (5) and (6).

—Page 629, before the period at the end of line 4, insert the following:

, except that such assistance may not be provided in areas of Cambodia under the control of the Phnom Penh regime until the President and the member nations of the Association of Southeast Asian Nations (ASEAN) have confirmed that all Vietnamese troops, including paramilitary troops, have left Cambodia.

—Page 631, before the period at the end of line 23, insert the following:

, except that such assistance may not be provided in areas of Cambodia under the control of the Phnom Penh regime until the President and the member nations of the Association of Southeast Asian Nations (ASEAN) have confirmed that all Vietnamese troops, including paramilitary troops, have left Cambodia.

—Page 645, insert the following after line 15:

**SEC. 911. OPIC OPERATIONS IN LAOS.**

The Overseas Private Investment Corporation may not operate any of its programs in Laos unless the President determines and reports to the Congress that the Government of Laos has taken legal and law enforcement measures to prevent and punish public corruption, especially by government officials, that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such acts.

—Page 645, insert the following after line 15:

**SEC. 911. OPIC OPERATIONS IN LAOS.**

The Overseas Private Investment Corporation may not operate any of its programs in Laos unless the President determines and reports to the Congress that—

(1) a full and fair accounting has been made of all POW/MIAs still missing in Laos; and

(2) the Government of Laos has taken legal and law enforcement measures to prevent and punish public corruption, especially by government officials, that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such acts; and

(3) free and fair elections, with international observers, have been held in Laos to elect a representative government.

—Page 645, insert the following after line 15:

**SEC. 911. OPIC OPERATIONS IN LAOS.**

The Overseas Private Investment Corporation may not operate any of its programs in Laos unless the President determines and reports to the Congress that—

(1) a full and fair accounting has been made of all POW/MIAs still missing in Laos; and

(2) the Government of Laos has taken legal and law enforcement measures to prevent and punish public corruption, especially by government officials, that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such acts.

—Page 712, after line 12, insert the following:

(c) RESTRICTION ON PROGRAMS IN LAOS.—The Peace Corps may not carry out programs in Laos until the President determines, and so reports to the appropriate congressional committees, that—

(1) free and fair elections have been held in Laos under the auspices of an international observer team;

(2) all political prisoners in Laos have been released; and

(3) there has been a fair, full, and complete accounting with regard to all POW/MIA cases in Laos that are still pending.

By Mr. MCCURDY:

—Page 669, strike out line 11 and all that follows through line 2 on page 670 (section 1021) and insert in lieu thereof the following:

**SEC. 1021. ANGOLA.**

It is the sense of the Congress that—

(1) the Government of the People's Republic of Angola and the National Union for the Total Independence of Angola (UNITA) should be commended for successfully reaching an agreement (the Estorial Accords signed on May 31, 1991) to end the conflict in Angola and to establish a process designed to lead to free and fair elections in Angola; and

(2) the United States should formulate and implement, as soon as practicable, a program of economic and humanitarian assistance under the Foreign Assistance Act of 1961 to support implementation of the Estoril Accords.

By Mr. MCEWEN:

—Page 622, after line 5, insert the following:

**SEC. 869. UNITED STATES ASSISTANCE TO THE SOVIET UNION.**

(a) FINDINGS.—The Congress finds that—

(1) the Soviet Union is suffering from serious short-term and long-term economic problems;

(2) there is an inextricable link between the critical task of democratization in the Soviet Union and fundamental changes in its economic system;

(3) there has been a great increase in the number of people able to emigrate from the Soviet Union during the past year;

(4) great progress has been made toward agreements to reduce the number of Soviet intercontinental ballistic nuclear missiles; and

(5) the long-term economic problems that plague the Soviet economy can only be addressed by steps taken by the Soviet Union itself and special technical assistance to support market reforms in the Soviet Union is the type of asssistance that, in the long-term, will be most beneficial.

(b) CONGRESSIONAL POLICY DECLARATIONS.—The Congress—

(1) applauds the market reforms and increased democratization within the Soviet

Union and urges continued progress toward the creation of a free society and a free market economy;

(2) supports the provision of specialized technical assistance to support market reforms and democratization within the Soviet Union and emergency assistance in response to natural disasters; and

(3) opposes foreign assistance to the Soviet Union other than specialized technical assistance until—

(A) there is a significant reduction in the number of Soviet intercontinental ballistic missiles and in the defense expenditures of the Soviet Union;

(B) Soviet economic and military aid to the totalitarian Government of Cuba is eliminated;

(C) further major reforms of the Soviet economic and legal systems occur;

(D) the oppressive Soviet troops are removed from the Baltic states of Estonia, Latvia, and Lithuania.

By Mr. MCGRATH:

—At the appropriate place, insert the following new section:

Sense of the Congress concerning the outbreak of neo-Nazi video games in Europe.

It is the sense of the House of Representatives that the degree of anti-Semitism and hatred found in video games glorifying the Holocaust is so profound that the Federal Republic of Germany and the Republic of Austria should take all applicable steps to halt the production, sales, and distribution of "KZ Manager," "Aryan Test," and other similar neo-Nazi video software.

By Mr. MILLER of Washington:

—Page 568, after line 14, insert the following:

**SEC. 818. RESTRICTIONS ON ASSISTANCE TO JORDAN.**

(a) CONGRESSIONAL STATEMENT.—The Congress is extremely distressed at Jordan's behavior and attitude during the Persian Gulf war.

(b) RESTRICTIONS.—United States assistance may not be provided to Jordan for fiscal year 1992 unless the President determines, and so reports to the relevant congressional committees, that—

(1) the Government of Jordan has demonstrated its willingness to enter into direct bilateral negotiations with the State of Israel;

(2) the Government of Jordan has recognized Israel's right to exist; and

(3) Jordan is not providing assistance (other than humanitarian assistance) to Iraq.

(c) DEFINITIONS.—As used in this section:

(1) the term "relevant congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(2) the term "United States assistance" has the same meaning it has under section 7601(e)(5) of the Foreign Assistance Act of 1961.

—Page 568, after line 14, insert the following:

**SEC. 818. PROHIBITION ON ASSISTANCE TO JORDAN.**

(a) CONGRESSIONAL STATEMENT.—The Congress is extremely distressed at Jordan's behavior and attitude during the Persian Gulf war.

(b) PROHIBITION.—United States assistance may not be provided to Jordan for fiscal year 1992.

(c) DEFINITION.—As used in this section the term "United States assistance" has the same meaning it has under section 7601(e)(5) of the Foreign Assistance Act of 1961.

—Page 614, line 4, after "AND" the second place it appears, insert "CERTAIN GOVERNMENTAL AGENCIES AND"; and page 615, strike out lines 22 through 24 and insert in lieu thereof the following:

(2) any governmental agency, and any nongovernmental organization, in the Soviet Union that promotes democratic reforms, respect for human rights or the rule of law, or market-oriented reforms.

By Mr. OBEY:

—Page 62, line 11, strike out "spend" and all that follows through the end of line 25 and insert in lieu thereof the following:

agree to use its best efforts to encourage importers, whenever feasible, to purchase United States grain and other agricultural products and to employ United States-flag vessels.

—Page 63, strike out line 7 and all that follows through line 19 on page 64 and insert in lieu thereof the following:

"(d) EXEMPTION.—This section shall not apply to any country that receives cash transfer assistance under this chapter of less than $25,000,000 for a fiscal year.

By Ms. OAKAR:

—On page 554, between lines 10 and 11, insert the following new paragraph:

"(d) AMERICAN UNIVERSITY OF BEIRUT.—It is the sense of the Congress that the American University of Beirut (AUB) makes a uniquely important contribution to furthering the American ideals of democracy, humanitarianism, and liberal education in both Lebanon and the Middle East as a whole. The Congress finds that in order in ensure that AUB will be able to revitalize its operations and to continue to contribute to the democratization of the Middle East, it is desirable to establish a program of regular financial support of the university to supplement the assistance it receives under the American Schools and Hospitals program and under paragraphs (b) and (c) of this section. Therefore the Congress directs the Agency for International Development, in consultation with the Department of State and the Office of Management and Budget, to report by no later than December 15, 1991, its recommendations for such a program to provide supplemental financial support to AUB. The report shall be made to the Committee on Foreign Affairs and the Subcommittee on Foreign Operations, Export Financing and Related Programs of the House of Representatives and the Committee on Foreign Relations and the Subcommittee on Foreign Operations of the Senate."

—On page 554, line 11, strike out "(d)" and insert in lieu thereof "(e)".

By Mr. OWENS of Utah:

—Page 622, after line 5, insert the following:

**SEC. 869. NAGORNO-KARABAKH CRISIS.**

The Congress—

(1) condemns the attacks by internal security forces and the forces of the Azerbaijani government on innocent children, women, and men in Armenian areas and communities in and around Nagorno-Karabakh and in Armenia;

(2) condemns the indiscriminate use of force, including the shelling of civilian areas, on Armenia's eastern and southern borders;

(3) calls for the end of the blockades and other uses of force and intimidation directed against Armenia and Nagorno-Karabakh, and calls for the withdrawal of forces newly deployed for the purpose of intimidation;

(4) calls for an immediate end to deportations of Armenians from Nagorno-Karabakh and the freedom for all refugees to return to their homes;

(5) calls for dialogue among all parties involved as the only acceptable route to achieving a lasting resolution of the conflict;

(6) reconfirms the commitment of the United States to the success of democracy and self-determination in the Soviet Union and its various republics; and

(7) expresses its deep concern over acts of retribution or intimidation against those republics which are seeking greater independence.

By Mr. PORTER:

—Page 614, line 4, after "AND" the second place it appears, insert "CERTAIN GOVERNMENTAL AGENCIES AND"; and page 615, strike out lines 22 through 24 and insert in lieu thereof the following:

(2) any governmental agency, and any nongovernmental organization, in the Soviet Union that promotes democratic reforms, respect for human rights or the rule of law, or market-oriented reforms.

By Mr. RAHALL:

—Page 721 after line 16, insert the following:

TITLE XII—MISCELLANEOUS PROVISIONS

An amendment to title 10, sec. 403(a), (probably chapter 20) of the U.S. Code.

"To Repeal that section of the Defense Authorization Act, appearing at SEC. 403(a) of title 10, Chapter 20 of the U.S. Code, which authorizes appropriations for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance in the amount of $13,000,000, for Humanitarian Assistance, authorized for use in the purpose of providing transportation for humanitarian relief supplies to foreign countries."

—Page 414, line 12, strike out "and"; line 14, strike out the period and insert in lieu thereof "; and"; and after line 14, insert the following:

"(3) with respect to each project or other activity for which such funds remain unexpended, the justification for such funds not having been expended.

By Mr. ROTH:

—Page 427, after line 7, insert the following:

**"SEC. 6310. REPORTS BY THE INSPECTOR GENERAL REGARDING UNEXPENDED BALANCES.**

"(a) COMMENTS ON SECTION 6301(e) REPORTS.—As soon as possible after the submission to the Congress each year of the information regarding unexpended balances required by section 6301(e), the Inspector General for the administering agency for title I shall submit to the appropriate congressional committees—

"(1) the Inspector General's recommendations for reducing the amount of such unexpended balances; and

"(2) such comments as the Inspector General considers appropriate with regard to the justifications provided pursuant to paragraph (3) of that section.

'(c) COMMENTS ON SECTION 7304(b) REPORTS.—As soon as possible after submission of a report pursuant to section 7304(b), the Inspector General for the administering agency for title I shall submit to the appropriate congressional committees such comments as the Inspector General considers appropriate with regard to the determination described in that report.

—Page 454, after line 19, insert the following:

**"SEC. 7304. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.**

"(a) REQUIREMENT TO DEOBLIGATE.—Except as provided in subsection (b) and section 6105, at the beginning of each fiscal year the

President shall deobligate, and return to the Treasury, any funds that, as of the end of the preceding fiscal year, have been obligated for a period of more than 3 years for development assistance, economic support assistance, assistance from the Development Fund for Africa, or assistance under chapter 2 of title V (relating to the Multilateral Assistance Initiative for the Philippines), but have not been expended.

"(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a) if the President determines, and reports to the appropriate congressional committees, that—

"(1) the funds are being used for a construction project that requires more than 3 years to complete; or

"(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.

—Page 645, after line 15, insert the following:

**SEC. 911. BUY-AMERICAN REQUIREMENT FOR BASE RIGHTS ASSISTANCE FOR THE PHILIPPINES.**

(a) IN GENERAL.—Except as provided in subsection (b), foreign military financing assistance provided to the Philippines in accordance with an agreement granting the United States access to military bases in the Philippines may not be used for the procurement of any defense articles that are not of United States origin.

(b) WAIVER.—The President may waive the prohibition in subsection (a) with respect to the procurement of defense articles that are not of United States origin if he provides a justification for such foreign procurement to the appropriate congressional committees.

By Mr. SMITH of Florida:

—Page 555, after line 9, insert the following:

(e) CONGRESSIONAL REVIEW OF SHIPMENTS.—If the President submits a report under subsection (d), the President shall notify the appropriate congressional committees, in accordance with the procedures applicable to reprogramming notifications under section 6304 of the Foreign Assistance Act of 1961, at least 15 days before any defense articles are shipped to Lebanon, or any defense services are delivered to Lebanon, pursuant to such report.

By Mr. SMITH of New Jersey:

—Page 42, strike out line 18 and all that follows through line 15 on page 43 (section 1205) and insert in lieu thereof the following:

(d) RESTRICTION ON POPULATION ASSISTANCE.—Funds for development assistance, economic support assistance, or assistance from the Development Fund for Africa that are used for population planning activities may not be made available to any organization or program which (as determined by the President) supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

Redesignate section 1206 as section 1205.

—Page 43, strike out line 16 through 23 (section 1206) and insert in lieu thereof the following:

**"SEC. 1206. RESTRICTION ON POPULATION ASSISTANCE.**

"Funds for development assistance, economic support assistance, or assistance from the Development Fund for Africa that are used for population planning activities may not be made available to any foreign nongovernmental organization which performs or actively promotes abortion as a method of family planning.

—Page 42, strike out line 18 and all that follows through line 23 on page 43 (sections 1205 and 1206) and insert in lieu thereof the following:

"(d) RESTRICTIONS ON POPULATION ASSISTANCE.—Funds for development assistance, economic support assistance, or assistance from the Development Fund for Africa that are used for population planning activities may not be made available—

"(1) to any organization or program which (as determined by the President) supports, or participates in the management of, a program of coercive abortion or involuntary sterilization, or

"(2) to any foreign nongovernmental organization which performs or actively promotes abortion as a method of family planning.

By Mr. SOLARZ:

—At an appropriate place in the bill insert the following:

**SEC. . POLICY TOWARD THE FUTURE OF TAIWAN.**

(a) FINDINGS.—The Congress finds that—

(1) although peace has prevailed in the Taiwan Strait for the past decade, on June 4, 1989, the Government of the People's Republic of China showed its willingness to use force against the Chinese people who were demonstrating peacefully for democracy; and

(2) in the Taiwan Relations Act, the United States made clear that its decision to enter into diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means—

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the future of Taiwan should be settled peacefully, free from coercion, and in a manner acceptable to the people of Taiwan; and

(2) good relations between the United States and the People's Republic of China depend upon the Chinese authorities' willingness to refrain from the use or the threat of force in resolving Taiwan's future.

By Mr. SOLOMON:

—Page 379, after line 13:

Insert the following new sentence: "Grants may not be made under this subsection to any organization which has an ongoing functional relationship and shared personnel with the South African Communist Party."

—Page 644, lines 4 and 5:

Delete "IRAN, IRAQ, LIBYA, PAKISTAN, AND SYRIA." and insert in lieu thereof "TERRORIST STATES."

—Page 644, lines 21 and 22:

Delete "Iran, Iraq, Libya, Pakistan, or Syria" and insert in lieu thereof "countries listed pursuant to Section 6(j) of the Export Administration Act of 1979".

—Page 645, lines 5 and 6:

Delete "Iran, Iraq, Libya, Pakistan, or Syria" and insert in lieu thereof "countries listed pursuant to Section 6(j) of the Export Administration Act of 1979".

—Page 645, after line 15:

Insert the following new section:

**"SEC. 911. MEMBERSHIP OF THE REPUBLIC OF KOREA IN THE UNITED NATIONS.**

(a) FINDINGS.—The Congress finds that—

(1) the Republic of Korea has applied for admission as a member state of the United Nations;

(2) the goals of the United Nations, which include the peaceful resolution of conflicts, will be enhanced if the Republic of Korea is admitted as a member state;

(3) the United States has a special interest in supporting the Republic of Korea, a faithful and valued ally, in this endeavor, owing to the fact that more than 50,000 Americans died in the defense of the Republic of Korea's liberty and independence during the Korean conflict of 1950 to 1953; and

(4) the issue of peace on the Korean peninsula has a particular relevance to the United Nations because a United Nations Command is still in place to assist in the defense of the Republic of Korea against aggression.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should actively support the application of the Republic of Korea for admission as a member state of the United Nations."

—Page 645, after line 15:

Insert the following new section:

**"SEC. 911. TAIWAN'S MEMBERSHIP IN GATT.**

(a) FINDINGS.—The Congress finds that—

(1) Taiwan is a rapidly industrializing society that has become one of the most important commercial powers in the global economy;

(2) Taiwan is the thirteenth largest trading entity in the world, possesses the world's second largest reserve of foreign exchange, and is the United States' fifth largest trading partner;

(3) Taiwan has substantially liberalized its trading regime in recent years and has expressed an active interest in playing an even more cooperative role in the global economy;

(4) On January 1, 1990, Taiwan applied for membership in the General Agreement on Tariffs and Trade (GATT);

(5) By applying for GATT membership as a separate customs union, 'The Customs Territory of Taiwan, Penghu, Kinmen and Matsu,' Traiwan deliberately sought to avoid controversy over the question of political sovereignty; and

(6) The purposes of GATT, to regulate and strengthen a free system of international trade, will be enhanced if Taiwan is admitted as a member.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should actively support the application of 'The Customs Territory of Taiwan, Penghu, Kinmen and Matsu' for membership in GATT."

By Mr. TAYLOR of Mississippi:

—On page 129, line 6, insert the following:

(6) The Department of Defense shall make available to the Regional Equipment Center of Pennsylvania and appropriate State agencies excess non-lethal vehicles and construction equipment for a period of 30 days prior to transfer to any eligible country.

(A) construction equipment referred to in (6) shall include tractors, scrapers, loaders, graders, bulldozers, trucks, generators and compressors.

By Mr. TORRICELLI:

—Page 43, after line 23, insert the following:

**"SEC. 1207. APPROPRIATE TECHNOLOGY INTERNATIONAL.**

"(a) ELIGIBILITY AS A PVO.—Appropriate Technology International qualifies along with any cooperative development organization for development assistance funds made available for United States private voluntary organizations.

"(b) ADDITIONAL FUNDING.—In addition to the $3,000,000 made available to Appropriate Technology International under its cooperative agreement with the Agency for International Development, $2,000,000 of the funds made available for development assistance for fiscal year 1992 shall be provided to Appropriate Technology International to enable it to emphasize large-scale replication of successful projects and partnerships with major development and financial institutions.

—Page 63, line 14, after "and" insert the following: "that, as of the time of the cash transfer under this chapter,".

—Page 64, line 6, strike out "and" and insert in lieu thereof "or"; and line 18, strike out "(a)" and insert in lieu thereof "(b)".

—Page 566, strike out line 18 and all that follows through line 14 of page 568 (section 817) and insert in lieu thereof the following:

**SEC. 817. UNITED STATES POLICY REGARDING KUWAIT.**

(a) FINDINGS.—The Congress finds that—

(1) on August 2, 1990, Iraq committed an act of unprovoked aggression by invading the independent Emirate of Kuwait;

(2) from August 2, 1990, until February 27, 1991, the Iraqi army illegally occupied Kuwait, and purposely wrought enormous damage and devastation upon Kuwait's infrastructure, natural and cultural resources, and religious institutions;

(3) during the Iraqi occupation of Kuwait, there were widespread, confirmed reports of human rights abuses committed in an arbitrary manner by Iraqi soliders against Kuwaiti citizens, including numerous instances of torture, rape, and murder;

(4) as a result of the shameless pillaging and plundering of their country and the commitment of condemnable human rights abuses against their citizens, there is a justifiable desire by the Government of Kuwait and by the Kuwaiti people to identify and punish those individuals still residing in Kuwait who collaborated with the Iraqi occupation;

(5) due in part to the horrific nature of the crimes committed against them, there have been reports of individual acts of vengeance by Kuwaiti citizens against alleged collaborators with the Iraqi occupation without proper regard for due process of law;

(6) the Government of Kuwait has made a commitment to open trials, the presence of international observers, and the presence of legal counsel for defendants;

(7) the Government of Kuwait has promised to hold free and fair parliamentary elections by October 1992; and

(8) as a result of the Iraqi invasion and occupation of Kuwait, Kuwait's armed forces have been decimated and must be rebuilt to provide for continued sovereignty.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should support the efforts of the Government of Kuwait to take proper measures to prosecute, fairly and in accordance with due process of law, those individuals who broke Kuwaiti laws and were parties to criminal actions by Iraqi soldiers during the Iraqi occupation of Kuwait;

(2) the Government of Kuwait should take proper measures to prevent individual acts of retribution against alleged collaborators with the Iraqi occupation and ensure that all defendants are guaranteed fair trials and due process of law;

(3) the Government of Kuwait should support the establishment of democratic institutions and ensure that the October 1992 date established for free and fair parliamentary elections is observed; and

(4) the United States should be certain that, in overseeing the rebuilding of the armed forces of Kuwait, it provides for Kuwaiti security but adheres to the principles of Middle East arms control and balance as provided in the Administration's policy, and ensures that such rebuilding is consistent with other United States foreign policy obligations and objectives.

By Mr. TRAFICANT:

—At the end of the bill (page 721, after line 16), insert the following:

**SEC. 1109. REDUCTION IN AUTHORIZATIONS.**

Each authorization of appropriations provided in this Act (other than the authorization for international narcotics control assistance) is hereby reduced by 5 percent.

—At the end of the bill (page 721, after line 16), insert the following:

**SEC. 1109. REDUCTION IN AUTHORIZATIONS.**

Each authorization of appropriations provided in this Act (other than the authorization for international narcotics control assistance) is hereby reduced by 10 percent.

—At the end of the bill (page 721, after line 16), add the following:

**SEC. 1109. REDUCTION IN AUTHORIZATIONS.**

Each authorization of appropriations provided in this Act (other than the authorization for international narcotics control assistance) is hereby reduced by 1 percent.

—At the end of the bill (page 721, after line 16), insert the following:

**SEC. 1109. REDUCTION IN AUTHORIZATIONS.**

Each authorization of appropriations provided in this Act (other than the authorization for international narcotics control assistance) is hereby reduced by 2 percent.

—At the end of the bill (page 721, after line 16), add the following:

**SEC. 1109. GAO STUDY OF IMPACT OF REDIRECTING FOREIGN ASSISTANCE FUNDS TO DOMESTIC PROGRAMS.**

(a) REQUIREMENT FOR STUDY.—The Comptroller General of the United States shall conduct a study—

(1) of whether reducing the foreign assistance budget by $3,000,000,000 each fiscal year in order to provide additional funds for programs to assist the domestic economy would significantly harm United States interests abroad; and

(2) on the extent to which such a redirection of funds would help contribute to resolution of America's domestic problems.

(b) REPORT TO CONGRESS.—The Comptroller General shall report the results of the study conducted pursuant to subsection (a) to the Congress within 1 year after the date of enactment of this Act.

—At the end of the bill (page 721, after line 16), insert the following:

**SEC. 1109. REDUCTION IN FOREIGN ASSISTANCE BUDGET IN ORDER TO FUND CERTAIN DOMESTIC PROGRAMS.**

It is the sense of the Congress that—

(1) the foreign assistance budget should be reduced by $3,000,000,000 each fiscal year; and

(2) that amount should be used as follows:

(A) $2,700,000,000 should be used to finance revenue sharing programs for state and local governments.

(B) $280,000,000 should be used for programs to provide housing for low-income persons.

(C) $20,000,000 should be used to assist the economic recovery of Bridgeport, Connecticut.

—Page 460, strike out line 21 and all that follows through line 17 on page 461 and insert in lieu thereof the following:

**"SEC. 7402. PROCUREMENT.**

"(a) LIMITATIONS ON PROCUREMENT OUTSIDE THE UNITED STATES.—Funds made available for assistance under this Act may be used for procurement outside the United States only if—

"(1) the funds are used for the procurement of commodities or services, or defense articles or defense services, produced in the country in which the assistance is to be provided, except that this paragraph only applies if procurement in that country would cost less than procurement from the United States; or

"(2) the President determines that the provision of such assistance requires commodities or services, or defense articles or defense services, of a type that are not produced in, and available for purchase from, the United States or the country in which the assistance is to be provided.

—Page 461, line 18, strike out "(c)" and insert in lieu thereof "(d)".

—Page 411, after line 14, insert the following:

**"SEC. 6207. VIOLATION OF TERMS OF ASSISTANCE.**

"(a) TERMINATION OF ASSISTANCE FOR SUBSTANTIAL VIOLATIONS.—Assistance and deliveries of assistance under this Act to any recipient of assistance shall be terminated as hereinafter provided if such recipient uses any assistance provided under this act in substantial violation (either in terms of amounts or in terms of the gravity of the consequences regardless of the amounts involved) of any agreement pursuant to which that assistance was furnished by using (without the consent of the United States) such assistance for a purpose not authorized under such agreement.

"(b) ACTIONS REQUIRED FOR TERMINATION.—Assistance and deliveries of assistance shall be terminated pursuant to subsection (a) if—

"(1) the President so determines and states in writing to the Congress, or

"(2) the Congress so determines by joint resolution.

"(c) REPORTS TO CONGRESS.—The President shall report to the Congress promptly upon the receipt of information that a violation described in subsection (a) may have occurred.

"(d) PERIOD OF TERMINATION.—Assistance shall remain terminated in accordance with subsection (a) until such time as—

"(1) the President determines that the violation has ceased; and

"(2) the recipient concerned has given assurances satisfactory to the President that such violation will not recur.

—Page 411, after line 14, insert the following:

**"SEC. 6207. COUNTRIES ENGAGING IN UNFAIR TRADE PRACTICES.**

"(a) TERMINATION OF ASSISTANCE.—Assistance and deliveries of assistance under this Act to a country shall be terminated as hereinafter provided if that country engages in unfair trade practices with respect to the United States.

"(b) ACTIONS REQUIRED FOR TERMINATION.—Assistance and deliveries of assistance shall be terminated pursuant to subsection (a) if—

"(1) the President so determines and states in writing to the Congress, or

"(2) the Congress so determines by joint resolution.

"(c) REPORTS TO CONGRESS.—The President shall report to the Congress promptly upon the receipt of information that a country may have engaged in unfair trade practices with respect to the United States.

"(d) PERIOD OF TERMINATION.—Assistance to a country shall remain terminated in accordance with subsection (a) until such time as—

"(1) the President determines that the country has ceased its unfair trade practices with respect to the United States; and

"(2) the country has given assurances satisfactory to the President that such practices will not recur.

By Mr. VOLKMER:

—Page 568, after line 14, insert the following:

**SEC. 818. PROHIBITION ON CERTAIN ASSISTANCE FOR JORDAN.**

Foreign military financing assistance may not be provided for Jordan for fiscal year 1992 or 1993 under the Foreign Assistance Act of 1961.

—On page 127 SEC. 2207. Authorizations of Appropriations, line 1, strike "$4,411,444,000" and replace with "$4,386,444,000". On line 2 strike "$4,840,000,000" and replace with "$4,815,0900,000".

By Mr. WILSON:

—In Title IX, on page 657, after line 25, insert the following new section:

"Sec. 927. INDIA.

"No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device."

By Mr. WISE:

—Page 645, after line 15, insert the following:

**SEC. 911. ECONOMIC COOPERATION WITH JAPAN.**

(a) FINDINGS.—The Congress finds that—

(1) an interdependent relationship exists among the economies of the United States, Japan, and other world nations;

(2) the United States and Japan are the two world leaders in terms of both gross national product and in providing financial assistance to developing nations;

(3) cooperation between the United States and Japan continues to grow in the areas of trade, investment, finance, diplomacy, and defense;

(4) in the growing economic competition between the United States and Japan, tensions arise that threaten the natural ties between the two nations; and

(5) the United States and Japan both have significant scientific research and technological skills which can benefit each other and the world.

(b) CONGRESSIONAL STATEMENT.—It is the sense of the Congress that the Secretary of State should initiate discussions with the Government of Japan to increase scientific research, medical technology, infrastructure development, agriculture, telecommunications, environmental protection, and other areas beneficial to the United States and Japan as well as other nations in order to improve the quality of life worldwide and foster cooperation between the United States and Japan.

By Mr. WOLPE:

—Page 43, after line 23, insert the following:

**"SEC. 1207. APPROPRIATE TECHNOLOGY INTERNATIONAL.**

"(a) ELIGIBILITY AS A PVO.—Appropriate Technology International qualifies along with any cooperative development organization for development assistance funds made available for United States private voluntary organizations.

"(b) ADDITIONAL FUNDING.—In addition to the $3,000,000 made available to Appropriate Technology International under its cooperative agreement with the Agency for International Development, $2,000,000 of the funds made available for development assistance for fiscal year 1992 shall be provided to Appropriate Technology International to enable it to emphasize large-scale replication of successful projects and partnerships with major development and financial institutions.