HOUSE OF REPRESENTATIVES—*Wednesday, October 2, 1991*

The House met at 10 a.m.

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

Your boundless love, O God, is sufficient for every person and allows us to welcome each day as a gift of grace. As we prepare to give attention to the concerns that crowd about, we also remember those with any special need—those who face critical decisions concerning the future, those who are ill and who need Your healing presence, those who wish direction and purpose in the essentials of life. May Your tender mercy, O God, that is with us at all the moments of life, be with us and those we love, and with all Your creation, now and evermore. 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. The Chair will recognize the gentleman from Colorado [Mr. ALLARD] to lead us in the Pledge of Allegiance.

Mr. ALLARD led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.J. Res. 305. Joint resolution to designate the month of October 1991, as "Country Music Month."

The message also announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 533. An act to establish the Department of the Environment, provide for a Bureau of Environmental Statistics and a Presidential Commission on Improving Environmental Protection, and for other purposes;

S.J. Res. 131. Joint resolution designating October 1991 as "National Down Syndrome Awareness Month;" and

S.J. Res. 208. Joint resolution to designate October 15, 1991, as "Up With People Day."

RECOMMENDATION OF MEMBERS TO JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

The SPEAKER. Pursuant to the provisions of section 101(b) of Public Laws 99-500 and 99-591, the Chair recommends the following Members to the James Madison Memorial Fellowship Foundation on the part of the House: Mr. SISISKY of Virginia and Mr. ALLARD of Colorado.

REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER. Pursuant to the provisions of section 491 of the Higher Education Act, as amended by section 407 of Public Law 99-498, the Chair reappoints on the part of the House the following Member to the Advisory Committee on Student Financial Assistance: Mr. Joseph L. McCormick of Austin, TX.

APPOINTMENT OF MEMBER TO ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER laid before the House the following communication from Hon. BOB MICHEL, the Republican leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 27, 1991.

Hon. THOMAS S. FOLEY,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Sec. 2702(a)(1)(B)(ii) of 44 U.S.C., I hereby appoint the following as a member of the Advisory Committee on the Records of Congress: John J. Kornacki, Ph.D., Executive Director, The Dirksen Congressional Center, Pekin, Illinois.

Sincerely,

BOB MICHEL,
Republican Leader.

MODIFICATIONS IN APPOINTMENT OF CONFEREES ON H.R. 2100, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993

The SPEAKER. The Chair wishes to make the following modifications on the bill (H.R. 2100) to authorize appropriations for fiscal years 1992 and 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pursuant to the authority granted on September 16, 1991, the Chair announces the following modifications in appointment of conferees on H.R. 2100, Department of Defense authorization:

The panel from the Committee on Energy and Commerce is also appointed for consideration of section 817 of the House bill, and section 826 of the Senate amendment. Delete section 3134 of the Senate amendment from the appointment.

The panel from the Committee on Foreign Affairs is also appointed for consideration of section 904 of the Senate amendment.

The panel from the Committee on the Judiciary is also appointed for consideration of section 3131(e)(5) of the Senate amendment.

The panel from the Committee on Public Works and Transportation is also appointed for consideration of section 2801(g) of the Senate amendment.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 804 and 807 of the Senate amendment, and modifications committed to conference: Mr. CARPER, Mr. LAFALCE, Ms. OAKAR, and Messrs. VENTO, KANJORSKI, RIDGE, PAXON, and HANCOCK.

The Clerk will notify the Senate of the modifications in the appointment of conferees.

NEW MEANING FOR THE WORD "CYNICISM"

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

Mr. FROST. Mr. Speaker, yesterday George Bush gave new meaning to the word "cynicism."

The same day his administration was leading the charge against extending unemployment benefits to American workers he was taking part in a thinly veiled campaign photo op on education paid for by American tax dollars.

What is going on here? Does this President think he can do and say anything, no matter how outrageous, and that no one is paying attention.

Today's Washington Post details how the U.S. Department of Education used taxpayer dollars to pay a private television production firm to orchestrate his little chat with American schoolchildren.

Forget that this President has no educational program. He has to use Government funds to hire outside help to stage a television production to

make him look good for the next campaign. Are we to believe that the White House and the Department of Education do not have enough press aides already on the Government payroll to handle the President's television photo ops.

Maybe some of these Government employees should be fired since they obviously are not needed. Then the President might be more sympathetic to unemployment benefits.

TIME TO CLEAR THE AIR

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

Mr. BOEHNER. Mr. Speaker, are we so arrogant with power and privilege that we place ourselves above public scrutiny?

This body is known for its propensity to investigate—investigate any question of ethical or fiduciary propriety in any governmental agencies—investigate anything remotely resembling scandal in the private sector.

Rightly or wrongly, this body loves to launch an investigation.

So why not investigate the improprieties of the House bank? Are we so fearful of the bright lights of inquiry that we cloak ourselves in secrecy, attempting to protect ourselves with words of assurance?

Mr. Speaker, only you and the Sergeant at Arms know what those records show.

If we fail to judge ourselves as we judge others, can we ever again be taken seriously? Do we not condemn ourselves to being the brunt of every coffee shop joke—the topic of every talk show host? Mr. Speaker, release the full GAO report. Clear the air of the rumors that now swirl around this body.

PRESIDENT SHOULD ADDRESS DOMESTIC NEEDS

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

Mr. NAGLE. Mr. Speaker, last Friday night President Bush recognized that the world has changed by announcing a bold and historic reduction in nuclear arms.

I applaud the President's action and earnestly believe history will remember that moment as one of his finest moments.

How ironic—and sad—it is then, Mr. Speaker, that he is so unable to show the same kind of vision—heck, I think we would settle for even a little of his attention at this point—for domestic issues here at home.

This is not nitpicking, Mr. Speaker.

In the international arena, the President displays boldness, vision, and action. Here at home, he displays timidity, shortsightedness, and inaction.

How can the President who saw things so clearly Friday night, be the same President who cannot see real unemployment reaching record heights; that we are losing 9,000 jobs a month under his economic policies; or that 400,000 people a month are exhausting their unemployment benefits and need an extension of those benefits—benefits, I might add, they not only earned, but paid for?

America deserves better than half a President.

I urge President Bush to join Congress in the effort to address America's urgent domestic needs. Signing the unemployment compensation bill would be an excellent place to start.

A CALL FOR RELEASE OF NAMES IN GAO REPORT

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

Mr. KLUG. Mr. Speaker, a New York Times editorial this morning said it well. The headline read "The Bouncing Bank Clean-Up Lags."

Last weekend I made the fatal mistake of shopping with my 3-year-old son to buy him a book and attempting to write a check for the purchase. The clerk looked at me with a snigger and said, "This isn't one of those rubber ones, is it, Scott?"

Every one of us has one of those stories from back home these days.

But the important issue is not the bounced checks for dry cleaning or for pizza or for a little kid's book. What we need to disclose are the 24 Members identified in the GAO report who regularly bounce checks of $1,000 or more every month for 6 months. The fact is the practice could have gone on for years, but the General Accounting Office only looked at 6 months. So in baseball terms, the offenders hit 1,000 percent, 6 for 6.

All of us are guilty of mistakes, but only two dozen of us are apparently guilty of blatantly abusing the public trust.

If the Speaker does not want to release all the names because most of the charges facing Members in the House are trivial, then at the very least identify those two dozen Members who at the very least should face an Ethics Committee probe.

APPOINTMENT OF CONFEREES ON H.R. 707, COMMODITY FUTURES IMPROVEMENTS ACT OF 1991

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 707) to amend the Commodity Exchange Act to improve the regulation of futures and options traded under rules and regulations of the Commodity Futures Trading Commission; to establish registration standards for all exchange floor traders; to restrict practices which may lead to the abuse of outside customers of the marketplace; to reinforce development of exchange audit trails to better enable the detection and prevention of such practices; to establish higher standards for service on governing boards and disciplinary committees of self-regulatory organizations; to enhance the international regulation of futures trading; to regularize the process of authorizing appropriations for the Commodity Futures Trading Commission; and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none and appoints the following conferees and, without objection, reserves the right to appoint additional conferees:

From the Committee on Agriculture, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. DE LA GARZA, ENGLISH, STAGGERS, STALLINGS, NAGLE, SARPALIUS, JOHNSON of South Dakota, HUCKABY, GLICKMAN, PENNY, and ESPY, Ms. LONG, and Messrs. STENHOLM, TALLON, COLEMAN of Missouri, SMITH of Oregon, GUNDERSON, COMBEST, ALLARD, BARRETT, NUSSLE, BOEHNER, and ROBERTS.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of section 263 and title III of the Senate amendment, and modifications committed to conference: Messrs. GONZALEZ, ANNUNZIO, NEAL of North Carolina, HUBBARD, and LAFALCE, Ms. OAKAR, Messrs. WYLIE, LEACH, and MCCOLLUM, and Mrs. ROUKEMA.

As additional conferees from the Committee on Energy and Commerce, for consideration of section 263 and title III of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, MARKEY, SCHEUER, SYNAR, ECKART, SLATTERY, LENT, RINALDO, MOORHEAD, and RITTER.

There was no objection.

CIA WIRETAPS OF MEMBERS OF CONGRESS

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

Mr. TORRICELLI. Mr. Speaker, it goes to the very fabric of our democratic institutions. It would undermine the ability of the people's representatives to objectively and fairly conduct the Nation's business. The question or allegations of whether the Central Intelligence Agency used the wiretaps of Members of Congress to intimidate them and undermine their judgment in

the conduct of the Nation's foreign policy.

We are reminded, Mr. Speaker, of the recurring need to maintain control of the intelligence agencies of this country and the vigilance that is needed to protect the independence of this institution. The repercussions are enormous.

The question of undermining or compromising the judgment of Members of Congress by using wiretaps. Mr. Speaker, the silence of protests since these allegations arose only a week ago has been deafening.

RUBBERGATE SCANDAL

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

Mr. NUSSLE. Mr. Speaker, from time to time we call upon colleagues in this House to be in touch with people back home, to understand what is going on in our districts. Yet we have the Rubbergate scandal that is going on right now with regard to the House Bank, and we ask ourselves, are we in touch with the folks back home?

Let me give my colleagues an example. A bank in Dubuque reported this week that 90 percent of its accountholders have never bounced a check and that of the members that have bounced a check, they only bounce it less than once a year. Is that being responsive? Is that being a mirror image of the people we represent?

I think not. I do believe that there are Members who have abused this privilege, and I believe that there are Members that have, through accounting errors and bookkeeping errors, possibly overlooked some problems. Those Members should not be held accountable, but the Members that have been bouncing checks in a systematic scheme should be held accountable.

The only way to discover that, Mr. Speaker, is to release the names of the Members that have been doing this.

POULTRY CENTER OF EXCELLENCE

(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, the administration, at a cost of $4 million, has established a Poultry Center of Excellence.

What is a Poultry Center of Excellence? Does one have to be a dead turkey to get in? Does one have to lay a record number of eggs? Does one have to be a Member of Congress who bounced a check, or is it sort of like a hall of fame for all our feathered friends who sacrificed their lives for our low-cholesterol diets?

Listen, Mr. Speaker, 9 million Americans unemployed, 37 million Americans without health insurance, savings and loan belly up, people worried about their next meal, and this administration is spending $4 million for a high-technology university for dead chickens.

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I think that says it all. I think it is time for the Democrats to bring our own foul play into focus.

SMALL BUSINESS EXPORTING MEANS JOBS FOR AMERICANS

(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, contributions by small businesses to our economy and to job creation are well documented. And support for small business exporting efforts will produce much needed jobs for our Nation's unemployed.

In 1982 Congress established a program to set aside some of the Export-Import Bank funds for small business export assistance. However, the Eximbank has apparently failed to comply with either the letter or the spirit of this law.

Initially the Eximbank told me that 24 percent of their portfolio is directed toward small businesses. But closer scrutiny revealed that the Eximbank is counting big business loan assistance in that number, claiming that the resulting subcontracts helped small business.

The intent of the set-aside program is not to have assistance trickle down from big business. It is to directly assist the small businesses with their exporting opportunities. I will make this point through clarifying legislation, if necessary, to force the Eximbank to comply with the spirit of the law as well as the letter of the law.

America needs growth. We need job creation as well as growth. We cannot look to the big Fortune 500 companies for it either. Small business is the answer to our current economic problems, and so, my colleagues, as you consider the flood of regulation, mandates, and budget busting legislation that affects small business, try to remember it is easy to say that you are all for small business, but it is how you vote that counts.

WAGERING ON THE ATLANTA BRAVES TO WIN THE PENNANT

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

Mr. JONES of Georgia. Mr. Speaker, this may appear to some of my cynical colleagues as just a prop, a cheap gimmick, a visual aid to enhance my remarks. But in Atlanta these days this is necessary apparel, for as America knows, the never-say-die Atlanta Braves are doing the tomahawk chop, and the race between the good guys and the Dodgers is what baseball is all about.

So today I am wagering my colleague, Congressman MEL LEVINE of Los Angeles, a bushel of the finest Georgia pecans against a crate of California citrus that the Dodgers are going to be blue, blue, blue when we get through.

So take that, Tommy Lasorda, take that, Darrell Strawberry, take that, MEL LEVINE.

OUTRAGE AT PRESIDENT'S DECISION TO PROVIDE NEW MILITARY AID TO JORDAN

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

Mr. GREEN of New York. Mr. Speaker, I rise to express alarm and outrage at the President's recent decision to provide $20 million in new military aid to Jordan.

I have learned that in late March, just over a month after formal hostilities ceased between the Allied Coalition and Iraq, the administration began providing renewed military aid to Jordan, drawing on unused fiscal year 1989 and 1990 funds. Previously, all United States aid to Jordan had been frozen because Jordan had allied itself with Saddam Hussein during the war, defied the economic embargo of Iraq that the United Nations had forged, and may have even provided the Iraqis with weapons.

Despite all that, today, in addition to an estimated $25 million in pipeline aid, the administration is seeking yet more funds to support Jordan's military. This, in addition to $31 million in economic assistance released to Jordan since the war's end.

When questioned for reasons behind the latest obligation of military funds, Pentagon and State Department officials said that we are providing a carrot to the Jordanians to participate in the peace talks. A Presidential determination of September 16, 1991, certifies that military assistance to Jordan is "beneficial to the peace process" and "in the national interest of the United States." The President had to employ the national interest waiver provided under current law because he was not able to certify that Jordan is adhering to the United Nations trade embargo on Iraq. Most notably, Jordan is importing oil from Iraq in exchange for retirement of debt owed by Iraq to Jordan.

Meanwhile, the administration decries any additional support for Israel, our reliable Mideast ally of many decades, which has requested that the United States guarantee loans to help

with the resettlement of Jewish refugees from the Soviet Union, Ethiopia, and Eastern Europe.

What price has Israel paid for her friendship to the United States? When asked by the United States to assume a low profile after Saddam Hussein invaded Kuwait, Israel complied. When asked by the United States not to launch a preemptive strike against Iraq, Israel assented. And then, during the war, when attacked night after night by Scud missiles, and asked by the United States not to retaliate or respond, Israel consented, despite the violation this meant to longstanding Israeli defense policy.

Then, in March, with the war over and refugees continuing to flow by the thousands to Israel, the United States requested that the Israelis delay their loan guarantee request until September. Again, Israel said OK.

But, when September came, the President once again admonished Israel to wait. Wait, without assurances of future support from the administration. Just wait.

And much of the country, influenced by the President, wondered, "So why not wait?"

Until recently, Jews waited behind an iron curtain. Now, with a window open, they deserve freedom. The issue is clear—the rescue of an oppressed and endangered people from the Soviet Union, which the United States has demanded and orchestrated for two decades, cannot be delayed, and should clearly not be linked to the political vagaries of the Middle East.

The Soviet Union is in dissolution. The winter is bound to be desperate and full of want for most of its citizens. The Jewish community there, having lived for decades in institutionalized anti-Semitism, should not have to make the wretched choice we are asking of them. If they leave the Soviet Union for Israel, they face possible unemployment and homelessness because Israel alone cannot absorb the hundreds of thousands of Jews seeking refuge. But if they stay in the Soviet Union, they face certain anti-Semitism and religious persecution.

It is outrageous that the United States has chosen to help Jordan's military, while rebuking the Israelis for their humanitarian request.

What price has Jordan paid for its alliance with the dictator Saddam Hussein?

The administration cannot have it both ways. The President will have to make his case far better than he has so far if he wants support for his lopsided and dangerous Middle East policy.

PAID LEAVE FOR PARENTS TO ATTEND PARENT-TEACHER CONFERENCES

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

Mr. MINETA. Mr. Speaker, today many working parents do not know what their children are learning in school because it is difficult for them to attend vital parent-teacher conferences.

But the Congress can help, Mr. Speaker.

Today, I have introduced a bipartisan resolution to urge employers—in the Government and private sector alike—to allow workers to take paid leave to attend conferences with their kids' teachers.

My resolution would not mandate any new employee benefits, but it would demonstrate the commitment of the Congress to improving our competitiveness by bettering schooling for all Americans.

Mr. Speaker, I ask my colleagues to join me and Mr. HORTON of New York; Mr. AUCOIN of Oregon, and Mr. FUSTER of Puerto Rico as cosponsors of this important statement about education in America.

STOP THE SPENDING BINGE

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

Mr. GOSS. Mr. Speaker, I would like to wish my colleagues a happy fiscal new year—but I don't think there's much to celebrate because the mood is anything but festive. Last year, we made a New Year's resolution—known to some as the Budget Deficit Reduction Act—that was supposed to ring in a new era of fiscal restraint. But there's no champagne flowing as we embark on fiscal year 1992 and reflect on what was accomplished in 1991. The only thing flowing around here is red ink.

The 1991 budget deficit was frightening—somewhere in the neighborhood of $200 billion. Add to that the largest tax increase in history—a grand total of $163 billion—and some might think we had our problems solved. But budget math doesn't work that way, and this New Year's Day we're nursing a monumental deficit hangover of more than $350 billion. A few facts: Every 24 hours we pile a billion new dollars onto our existing $3.6 trillion total debt. Interest payments on that debt are fast becoming our largest single expenditure at about $80 million a day.

Mr. Speaker, this is not just a groggy New Year's morning after one night of excess. The American people feel like they have been hit over the head with a ton of bricks—and they are waiting for this Congress to sober up. Stop the spending binge.

H.R. 1414—PASSIVE LOSS CORRECTION

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

Mr. LIPINSKI. Mr. Speaker, I rise today to express my support for H.R. 1414, the passive loss correction bill. I am 1 of over 300 cosponsors of this legislation because I believe that we must do all we can to get our economy back on track.

Last year, Mr. Speaker, America's banks wrote off 7.6 billion dollars' worth of property loans and classified $45 billion as problem loans. And the Resolution Trust Corporation has recently asked for an additional $80 billion to pay for the already outrageous bill left by the S&L scandal.

H.R. 1414 will help to keep many of these troubled properties in private hands and keep the growing Federal burden from becoming even more unmanageable. It will allow rental property operators to hold on to their properties and reduce the growing number of foreclosures and limited failures which are crippling our financial institutions.

I encourage my colleagues to join me in supporting this important legislation and hope that it will come before us for a vote before the year is out.

RESPECTING OUR COLLEAGUES

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

Ms. MOLINARI. Mr. Speaker, yesterday a Republican colleague came to this well and took myself and Congressman TOM CAMPBELL politically to task and publicly to task for our prochoice position on abortion. Clearly this issue is an emotional issue. This issue is an overwhelmingly important issue, and sensitivity and thoughtfulness must surround all of our discussions on this issue.

To single out one or two Members of Congress helps no one and hurts this cause. And to refer to me in this well as "Suzie," and Congressman CAMPBELL as "Tommy," I believe demeans this institution and every one of us who serves here.

Mr. Speaker, I truly respect every one of my colleagues who is prolife, their opinions, and their commitment. Congressman DORNAN, I believe I deserve the same.

A SPECIAL TRIBUTE TO WESTERN SAMOA'S RUGBY TEAM

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

Mr. FALEOMAVAEGA. Mr. Speaker, it is most unfortunate that our na-

tional media will not share with all America, a world event that takes place every year around this time in England—this, of course, is the world championship playoffs among the world's top 15 rugby teams. And I want to share with my colleagues and our country—the fact that even America is represented in this prestigious rugby tournament. Our national rugby team, the Eagles, will be among the top 15 teams all vying for the World Cup, and we should all wish them well.

Mr. Speaker, I also want to share with my colleagues another unique feature of this year's World Rugby Tournament competition. And that is, for the first time ever, a Pacific Island nation, the independent State of Western Samoa will also be sending its national rugby team called Manu o Samoa, to compete in this year's world event.

Mr. Speaker, this is quite an accomplishment for such a small island nation of 170,000 predominantly of the Polynesian-Samoan population. The sport of rugby is one of the favorite games played in Samoa, and it seems that finally rugby has become of age in Samoa and I suspect this island nation will be sending a national team every year to England in the years to come.

Mr. Speaker, I want to pay a special tribute to His Highness Tuiatua Tupua Tamasese who has always been a patron and leader of Western Samoa's rugby union over the years. Also, to Mr. Allen Grey and to Mr. George Meredith, who are with the union's leadership organization. I also want to commend Western Samoa's Prime Minister, the Honorable Tofilau Eti Alesana, for extending to me a personal invitation to attend this historical first game that Manu o Samoa will be playing next week, October 6, against one of the great rugby teams of the world—the national rugby team from Wales.

Again, Mr. Speaker, it is sad that our national television networks will not be sharing with the rest of America—the sport of rugby, one of the most popular in the world.

Mr. Speaker, I also want to commend three other national rugby teams from the Pacific region that will also be participating in this year's world competitions—the teams from the Republic of Fiji, Australia, and currently the world champions, New Zealand's national rugby team—the "All Blacks."

NORTH CAROLINA 2000

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

Mr. BALLENGER. Mr. Speaker, last week, Gov. Jim Martin announced that North Carolina had adopted a plan to make education a priority in every community in the State. North Carolina 2000, based on America 2000 proposed by the President, focuses local efforts to achieve national education goals.

According to these goals, by the year 2000, North Carolina will have all children starting school ready to learn; the high school graduation rate will increase to at least 90 percent; students will demonstrate skill in vital subjects from English to geography; students will be the first in the world in math and science; every adult will be literate; and all schools will be drug and violence free.

During the August recess, I met with coalitions of business leaders, educators, parents, and others to discuss America 2000 and ways to make this far-reaching plan a reality in my district. I am pleased to report that many, many folks are excited about America 2000 and the promise it holds for educational opportunities. Hopefully in the near future, I will be on the floor announcing America 2000 communities in my district.

I look forward to working with the President and the Governor to make sure that these goals are implemented.

GIVE AMERICAN MIDDLE CLASS A FAIR SHAKE: SUPPORT H.R. 1414

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

Mr. JOHNSON of South Dakota. Mr. Speaker, among the hundreds of bills that beg our attention, we need to move quickly to pass proposals that enhance economic growth and give the American middle class a fair shake.

One such proposal that falls into that category is H.R. 1414—to bring fairness to property investors.

I am a cosponsor of this legislation and have strongly supported its passage. Unfortunately, we have not had an opportunity to vote or even to debate this bill at this time.

Enactment of this bill would help reverse the sharp decline in the real estate market and send an important message to investors that Congress supports tax policies that nurture legitimate investment. Enactment of this bill would also make a difference to the American taxpayers who are saddled with bailing out the S&L's. Soon, the House will be asked once again to provide additional funding for the RTC.

In my opinion, some of the best relief the House could offer the RTC is passage of H.R. 1414. Properties now in the RTC's hands would move more easily to private hands, and troubled properties now in private hands would be less likely to wind up in the Government's lap.

This bill would bring good results for the country. The only problem seems to be getting good results from Congress. We should move forward expeditiously.

REPAIRING TAX-REFORM DAMAGE

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

Mr. ROTH. Mr. Speaker, I want to join this morning the people who have come to the well of the House and have asked that we take up the bill, H.R. 1414.

This is an important piece of legislation. After all, every single recovery that we have had since the end of the Second World War has always been spearheaded by real estate, and if we address 1414 and take this up, it would really give a shot in the arm and a boost to the real estate industry.

H.R. 1414 is budget neutral. It is designed to put an end to the passive-loss rules which were intended to abolish real estate shelters, but, as we know, the effect of it was that it chilled the real estate investment and plunged the industry into a downturn.

Under the present passive-loss rules, real estate investors are taxed on gross income, not on net income. So let us all join in working to make the real estate sector the locomotive of our economy again, the real estate sector that leads us in the powerful recovery and productive jobs for all of our people.

I urge the Speaker to bring up H.R. 1414 for a vote as soon as possible.

START SPENDING PEACE DIVIDEND ON OUR CHILDREN

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

Mrs. SCHROEDER. Mr. Speaker, here we are at the beginning of the new fiscal year, and I think the one thing we can say is that the way we could capture this year is the red ink is rising.

But that is not the only deficit this country has to deal with. There is the twin deficit of the attention-deficit disorder the President seems to have when it comes to domestic issues. Even he admits that we have had a very, very serious change in the world, thank goodness for the better, since we put the budget together, and he has made this very historic, historic speech saying we are going to cut back the number of weapons and so forth out there.

He is also saying no peace dividend, and that we cannot start cutting back defense measures to lower this deficit and start attacking some of the domestic issues that desperately need to be dealt with.

I think in this fiscal year, every decision should be based on whether we are getting ready to compete with the Europeans, the Canadians, and the Japanese for the highly paid, highly skilled, highly educated jobs, or whether we are dropping out of that competition

and just going to pick up whatever we can.

If we want to compete with them, we are on the wrong track. We need the President to overcome his attention deficit disorder, and we need to look at this budget that was put together in an entirely different time. There should be a peace dividend, and we should start spending it on our children, their education, and get ready for the 21st century and position ourselves where we want to be.

THE CRIME BILL

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

Mr. MICHEL. Mr. Speaker, last Sunday the Washington Post ran a front page story on the influence of gangs in the murder capital of the world, Washington, DC, and last week, the Committee on the Judiciary reported out a crime bill that the media barely mentioned, and I think maybe for good reason: The bill was so inadequate in responding to the violent reality of crime that it did not deserve coverage.

The vast gap between what is happening on the mean streets of the cities and what is not happening in the sheltered Halls of Congress is a sad commentary on the majority's leadership.

The Democrats' crime bill does not contain habeas corpus reform, a revised exclusionary rule, nor more effective death penalty procedures. It is not the tough crime bill that the President sent to the House earlier this session. It is not even close.

If this weak crime bill passes unchanged, the President should veto it, and the House should sustain that veto.

The American people do not need bold declarations. They need bold action to battle crime.

AMERICAN PUBLIC CAN DO WITHOUT THE LUXURY TAX

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

Mr. TAUZIN. Mr. Speaker, yesterday we began the second fiscal year of the luxury tax enacted last year as part of the budget agreement that was supposed to finally get the deficit under control.

Well, surprise, surprise, the fiscal year we just ended contains the biggest deficit in America's history.

It is no small wonder when you consider what the luxury tax is contributing to it.

CNN recently reported that the Federal Government will cost out $5 for every $1 we collect in luxury tax revenues. As every day passes, more working people lose their jobs, and revenue losses mount.

Let us not make another mistake by keeping a bad law on the books any longer.

Mr. Speaker, every industry covered by the tax has been hurt. The boat and airplane industries and the retailing industry have laid off nearly 20,000 workers. These are working Americans, craftsmen, mechanics, salespeople. The automobile industry has laid off 7,500 workers since the imposition of the tax. These are working Americans. They were working Americans, parts personnel, secretaries, body repair folks.

When the rich choose not to buy the so-called luxury items, it is the American workers, not the well-to-do, who feel the pain. Federal and State treasuries suffer as well through reduced income tax payments, sales tax receipts, and cash payments such as unemployment compensation benefits to the thousands of workers losing their jobs.

Mr. Speaker, the luxury tax is a tax that Americans can hardly afford any longer.

□ 1040

TYING SECRETARY KEMP'S HANDS AT HUD

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

Mr. STEARNS. Mr. Speaker, yesterday the distinguished Secretary of Housing and Urban Development, Jack Kemp, appeared at a hearing of the Housing Subcommittee of the Committee on Banking, Finance and Urban Affairs. He discussed his efforts to reorganize the Department to prevent any reoccurrence of the mismanagement of the past. The entire subcommittee has welcomed Jack Kemp's cooperative spirit and aggressive approach to fulfilling his mission; however, a large roadblock has been thrown in his way.

The VA-HUD appropriations conference report has slashed Mr. Kemp's executive staff of specialists by almost 40 percent. This at the same time the Secretary is fighting to clean up the troubled institution he inherited and bring innovative programs, such as HOPE and HOME to provide direct assistance to needy Americans. If anyone can oversee the successful stabilization of HUD and move forward progressive housing programs, it is Jack Kemp.

The conference report appropriates $150 million new dollars in special purpose housing grants; in other words, pork. At the same time, it foolishly cuts staff critical to HUD's revitalization. If Congress is serious about solving our Nation's housing problems, it should work with Secretary Kemp, not tie his hands as he fights to bring American families better homes.

THE SOURCES OF AMERICA'S WORLD POWER

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

Ms. PELOSI. Mr. Speaker, as a world power, the United States has promoted democracy and peace among nations. There is no question that our Nation has achieved this in the past, while maintaining a domestic agenda. At question, Mr. Speaker, is our ability today to retain our role as a force for international cooperation and domestic reforms, when the American President pursues a policy of domestic neglect.

Executive negligence, an obstruction of a domestic agenda in education and employment opportunity, in health care and real crime prevention, undermines the foundation of our own democracy.

The difference between President Bush and us is that we Democrats believe that the true source of America's world power and the strength of our democratic system is a healthy, secure work force, and an educated electorate.

We must work for a policy which recognizes that strength. I believe that is what we were sent here to do.

BILLIONS IN FOREIGN AID TO BAIL OUT FOREIGN BANKS

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

Mr. DUNCAN. Mr. Speaker, today the House will pass overwhelmingly a foreign aid authorization bill. This will be done in spite of the fact that the great majority of Americans do not want to keep sending billions of dollars more overseas.

Included in this bill will be a $12 billion increase in the United States contribution to the International Monetary Fund, primarily for loans to the Soviet Union.

B.J. Cutler, foreign affairs columnist for the Scripps Howard Newspaper chain, wrote a few days ago:

> The plan, which won't be spelled out to the public, goes like this: for "humanitarian reasons" the Soviet people must be aided. So the International Monetary Fund and the World Bank will make massive loans to Moscow. But most of the money will be recycled to repay banks in London, Paris, Frankfurt, Tokyo, et cetera.

He then added:

> To be blunt, the scheme consists of shifting the cost of bankers' blunders to American and foreign taxpayers, which they wouldn't tolerate if they knew about it.

Americans do not want to see anyone starve, but they do not want to pay billions of dollars to bail out big banks in Japan and Germany and other places.

Pat Buchanan wrote last week:

> Some day an American Congress will say to the IMF and World Bank, "We are not

guaranteeing any higher loan levels than present." On that day, the game will be over. One Third World nation after another will default. The IMF and World Bank will come to the U.S. Treasury for payment. The Treasury will have to borrow to pay, and pile that borrowing on top of the U.S. national debt. And our children will work decades to pay it off.

Mr. Speaker, this is not the time to give $12 billion more to the IMF. This is a very bad investment for the American taxpayers.

THE TELEVISION THING

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

Mr. SCHUMER. Mr. Speaker, we have a hot new show coming to us from the studios at 1600 Pennsylvania Avenue. It's called Homefront. Lacking the vision thing, Mr. Speaker, the President has turned to the television thing. Episode one found him in the Grand Canyon to talk about clean air to a bank of network cameras. In reality, his administration's rules are dismantling the clean air bill.

Episode two found him in Miami to talk about crime to a bank of network cameras. The crime bill he sent us will not put a single extra cop on the street or ban one assault weapon.

In episode three, he spoke about education at a Washington, DC, school with the private cameras recording the events—public cameras and reporters were not allowed in the room—and they were probably making a dub for Roger Ailes.

Mr. Speaker, even the children are not buying this agenda of photo opportunities. "I'm sure we'll never see this in a campaign ad," said a 13-year-old at the school yesterday.

Can we blame her for being skeptical?

Mr. Speaker, it is time the President stepped out of the cynical glare of the television lights and matched his symbol with substance.

DEPARTMENT OF THE ENVIRONMENT

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

Mr. BOEHLERT. Mr. Speaker and my colleagues, the Department of the Environment is within our grasp. Yesterday by unanimous consent, the Senate passed a Department bill that strengthens the environmental functions of Government. It is a bill that the President can sign.

My congratulations to Senator GLENN and Senator ROTH for putting together S. 533 and passing it with overwhelming support, a true bipartisan effort. We are at our best in this institution when we work together for worthy causes, and enhancing the quality of our environment is a most worthy cause.

The House can do the same. On July 31, 1991, I introduced legislation that also creates a Department of the Environment and has earned the endorsement of both the administration and environmentalists, Republicans and Democrats alike, Members who give a high priority to environmental issues.

After the President called for a new Department in January 1989, efforts to pass legislation failed because of partisan political differences. Let us put them aside.

Our bill is a consensus bill, a bipartisan effort took months to put together in deliberations with the administration and environmental groups, particularly the Sierra Club. We have got everyone agreeing that if we really want a bill and we want a Cabinet-level post for the environmental chief, this is the opportunity.

Mr. Speaker, the window of opportunity is there. Let us climb through it.

REPUBLICANS CAN RUN, BUT CANNOT HIDE BEHIND TRIVIALITY

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

Mr. APPLEGATE. Mr. Speaker, we are taking up too much time on this check bouncing issue. We know that it is serious and things have to be righted. The Speaker of the House got up out here and came up with a formula that allows that this is not going to happen again, and the Republicans know it; but they want to take the spotlight off a badly declining economy which they are going to have to run on next year.

We are losing 10,000 jobs a month in this country. We have 37 million people who do not have any health insurance. Industries and businesses are moving out of the country, or they are going bankrupt. We are on the verge of a banking scandal following the savings and loan. Millions of our unemployed are running out of unemployment compensation, and we have a President who just does not give a damn about it.

Well, I am going to say this. You can run, but you cannot hide behind triviality. You had better start taking care of the people now or they are going to take care of you next year.

WOMEN IN APPRENTICESHIPS AND NONTRADITIONAL OCCUPATIONS

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

Mrs. MORELLA. Mr. Speaker, American businesses, now and for the remainder of the 20th century, will face a dramatically different labor market than the one to which they have become accustomed. Two in every three new entrants to the work force are now women. To meet labor needs, these women must work in all occupational areas, including apprenticeships and nontraditional occupations.

Today, I am introducing a bill to assist business in meeting the challenge of Workforce 2000 by preparing employers to successfully recruit, train, and retain women in apprenticeships and nontraditional occupations. Presently only 4 percent of the female labor force works in nontraditional occupations, which are significantly higher paying than traditionally female occupations.

I ask my colleagues to join me in assisting business to prepare for Workforce 2000 and in improving the economic self-sufficiency of women.

□ 1050

WE HAVE DEFENDED EUROPE FOR 50 YEARS; IT IS TIME TO DEFEND OUR PEOPLE HERE AT HOME

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

Mr. GEJDENSON. Mr. Speaker, as this country's economic crisis continues, the administration tries to divert our attention; 20 out of the last 24 years, we have had Republican administrations, each one of them getting tougher and tougher on crime. Yet our city streets and in our rural communities crime continues to spiral. Maybe if we spent a little time giving people a job and a home and an education, we could stop making speeches about crime, because we would get at the root causes of it.

This country subsidizes the defense of West Germany and Western Europe from the newly freed Baltic States and the disintegrating Soviet Union.

The cost to the American taxpayers is $140 billion. Let us take some of those dollars that are supposed to defend us and put them in our cities, put some police on the streets to make the city streets safe for mothers and children and for people who go to work every day. Take some of those dollars and bring up the standard of education. Meetings and conferences on education in now over a decade of Republican administrations has not improved our educational system.

Let us take some of those dollars and let people who have worked all their lives and who are unemployed, give them those extended benefits and let us make sure that when the Senate passes parental leave we join the Germans, the French, the Belgians, the Scandinavian countries and the rest of the civilized world with some parental leave of our own in this country.

Mr. President, we have defended Europe for 50 years; it is time to defend our people here at home.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TORRICELLI). The Chair will remind Members that, in addressing the House, they should address their remarks to the Chair and not to persons outside of the House.

AIDING AND ABETTING THE COMMUNISTS IN NICARAGUA

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

Mr. DOOLITTLE. Mr. Speaker, recent press reports indicate that some Members of Congress or their aides may have been in league with the Communist regime in Nicaragua to thwart the policies of the U.S. Government. These reports are based upon conversations taped by United States intelligence agencies, which monitored activities of the Nicaraguan Sandinista government.

This type of conduct would appear to violate the Logan Act and should be fully investigated.

As Samuel Francis has observed in a recent Washington Times column, "This is something that is neither politics nor diplomacy. It used to be called treason."

Mr. Speaker, I call upon the administration to make available to the Congress or to the appropriate investigative agencies the information gathered by the intelligence agencies in order that the appropriate investigation may be commenced.

NATIONAL ENERGY EFFICIENT LIGHTING EDUCATION ACT OF 1991

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

Mr. VALENTINE. Mr. Speaker, as Congress struggles over the creation of a national energy strategy, we must not neglect the role that energy efficiency education can play. Although we have increased our efforts to promote conservation and recycling, educational efforts have often lagged far behind.

Last month, DAVID PRICE and I introduced H.R. 3285, the National Energy Efficient Lighting Education Act of 1991.

H.R. 3285 will establish 10 regional lighting centers to provide educational information, workshop, and displays about energy efficient lighting. In addition, this bill will create a partnership between the lighting centers and educational institutions to establish lighting engineering and technical programs and curricula emphasizing energy efficiency.

Energy efficiency education can and should play an important role in national conservation programs: energy used to generate electricity accounts for 36 percent of the energy used in this country, and lighting equipment accounts for 18 percent of all electric power generation.

The centers established by this bill will expand markets for energy efficient products and educate both the lighting industry and the public about lighting efficiency.

Real opportunities for gains in conservative exist, and I believe it is time we take advantage of them. I invite my colleagues to join me in support of this legislation.

CONGRESS SHOULD PASS A MORE COMPREHENSIVE CRIME BILL

(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, in a few days we are going to consider a crime bill on the floor of the House. Unfortunately, the Democrats in the House Judiciary Committee have gutted the President's crime bill in the process of producing one that we will see out here.

I hope that my colleagues will have the opportunity, when the Committee on Rules is finished, to vote on some very key amendments that will restore the basic thrust of the President's bill because surely that is what needs to be done. We came very close to having that in the last Congress. This body passed most of those key provisions, but the conference with the Senate, in the last 3 days, it did not work, it did not happen.

We need a tough habeas corpus provision that ends the opportunity for those on death row to continue to delay and to delay the carrying out of their sentences. But the bill out of the Committee on the Judiciary, the Democrats did not do that. We need to have a change in the exclusionary rule, to let evidence in in cases where there is no search warrant but where the police acted in a reasonably objective fashion to comply with the Constitution. We need to let that evidence in. The courts in two circuits in this country have already said that they will establish that standard on their own. But we need to legislatively put it in in a uniform fashion and change that exclusively rule.

And we do not need the kind of thing that is in this bill coming out of the Committee on the Judiciary that would bottle up the death penalties throughout the States by using some kind of a race statistics data to say, "If you have certain statistics in your particular court circuit, you are not going to be able to have the carrying out of the death penalty." That is an absurd thing. Race has no part of being a part of any sentencing process. We need to look at all of those, and we need to look at the death penalty procedures that also are not in conformity with the President's wishes.

Let us change the bill on the floor and send a good product over to the other body as we did in the last Congress.

I urge my colleagues to do that.

MILES DAVIS, A RARE AND VALUABLE NATIONAL TREASURE

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

Mr. CONYERS. Mr. Speaker, on behalf of those Members who joined me in the designation of jazz as a rare and valuable national American treasure, House Concurrent Resolution 57 in another Congress, to celebrate the life and musical contribution of the late Miles Davis, one of the greatest jazz trumpet players of all time.

Mr. Speaker, it was 45 years ago that as a teenager he came to New York, joined with the late great Charlie Parker and, on a 78 record, the old kind, he recorded an immortal tune called "Now is the Time."

His enormous talent brought him right to the top and immediately moved him to the front ranks of jazz artists. Then he moved to other vistas; cool jazz, then to hard bop, and later on to fusion.

Mr. Speaker, he gave millions of Americans their most pleasant musical moments and we now realize that Miles Davis, himself, was a rare and valuable national American treasure because he, like jazz itself, served as a unifying force bridging cultural, ethnic, and age differences in a very diverse society.

Miles Davis, this Congress remembers you and will hold a special order to celebrate your life and work next Wednesday on October 10, 1991.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 194

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of House Resolution 194.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1992

Mr. TRAXLER. Mr. Speaker, I call up the conference report on the bill (H.R. 2519) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1992, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 27, 1991, at page 24609).

The SPEAKER pro tempore. The gentleman from Michigan [Mr. TRAXLER] will be recognized for 30 minutes, and the gentleman from New York [Mr. GREEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. TRAXLER].

□ 1100

Mr. TRAXLER. Mr. Speaker and Members of the House, we bring to you today the conference report on the fiscal year 1992 VA, HUD, and independent agencies appropriations bill. This bill includes funding for the Department of Veterans Affairs, the Department of Housing and Urban Development and 22 independent agencies, totaling approximately $81 billion. It is the largest domestic discretionary appropriation bill of the several which will be considered from the Committee on Appropriations.

However, Mr. Speaker, before we proceed to discuss this bill, I would like to pay special thanks and honor to those who have been involved in its preparation and the difficulties that we have had over these last 8 months in bringing it to fruition and presenting it to our colleagues in its final form—in this conference report.

Mr. Speaker and Members, we would not be here but for the efforts and the contributions of the ranking Republican member, the gentleman from New York [Mr. GREEN]. He is a very talented and dedicated Member of this body who knows the subject matter of this bill as none other does, and I call it a very high honor and a distinct privilege to have the opportunity to be associated with him and to work with him to bring this product to our colleagues for their consideration.

Mr. Speaker and Members, I must also say that no other subcommittee chairman has the good fortune that I do in having a subcommittee that has as many members who are as concerned and dedicated to the agencies under the jurisdiction of this subcommittee, and to the people, and to this Nation as a whole, as the members of this subcommittee, and they include the gentleman from Ohio [Mr. STOKES], the gentleman from West Virginia [Mr. MOLLOHAN], the gentleman from Texas [Mr. CHAPMAN], the gentleman from Massachusetts [Mr. ATKINS], the gentlewoman from Ohio [Ms. KAPTUR], the gentleman from Pennsylvania [Mr. COUGHLIN], the gentleman from California [Mr. LOWERY], all very significant contributors to this process in presenting this conference report for our colleagues' consideration.

I might also add that none of this would be possible without the efforts of a dedicated and highly professional staff that serves this subcommittee, the full Committee on Appropriations, and the Members of this body and the Nation as a whole. That includes Dick Malow, who is the committee clerk, been there for some 19 or 20 years; Mr. Paul Thomson, staff assistant to the committee; Michelle Burkett, staff assistant; and Marissa Smith, a detailee from the Department of Veterans Affairs. All of these people make possible the technical aspects of this bill and its formal presentation to this body. There is Mr. Jeff Lawrence on the staff of the gentleman from New York [Mr. GREEN] and Bill Gilmartin on my staff who make their personal contributions as well.

So, Mr. Speaker, we bring to you, as a group, these recommendations, and, like in past years, it is a very, very difficult bill to do. There are tough issues involved, and basically it is a small pot of money, a size 9 shoe with a 12 foot to fit into it. It is not done with any ease or simplicity. Each year when we come before the House with this bill we suggest it was one of the most difficult years, and certainly 1992 is no exception. I can say without any hesitation whatsoever that this has been the most difficult of years.

Obviously, not everyone within the agencies or within this House, nor outside interests, are pleased with every aspect of this product, and yet we must tell our colleagues in all candor that it is the very best we could do under trying financial circumstances. The reason everyone is not going to be happy is because we do have a budget crisis, and yet even in times of limited resources we all know that there are essential services that must be performed by this central government, the Federal Government of the United States of America.

There may be those who argue that we ought to repeal government. But government provides essential services that are necessary for the public welfare and for the public good, and, if we, as a nation, are going to continue to stand tall in the hall of nations of the highest technological order, then we must make certain expenditures to preserve this Nation's physical and human infrastructure, and this is one of those bills that does exactly that, ranging all the way from veterans health issues, to issues concerning the public environment, concerning NASA, a very high tech agency, housing for millions of people, and questions involving the National Science Foundation and putting out almost $2 billion in research grants to stimulate the minds of America's research scientists.

So, all in all, it is a significant contribution to the future and the well-being of millions of Americans, and there is literally no one in this Nation that is not touched by this bill in some fashion and to some degree.

We do not have, unfortunately, unlimited domestic discretionary moneys to fund all of the programs at the levels that most of us would like to see. There were hard choices made in this bill. We did categorize, and we did prioritize, and that is always a painful process, and someone is going to be dissatisfied. It means that we had to make cuts and reductions. They are very painful to me, to other members of this committee, and I am certain to the agencies involved. But we believe on balance, and that is what is critical here, that for the most part we have spread the agony. There is no agency that has precedent over another agency. Each of them in a sense is a subcommittee child, and we love each and every one of them and treat them as a parent ought to, with appropriate discretion and equal affection.

I must say that we have proposed a bill which involves using nearly $3 billion in creative scorekeeping. Now this $3 billion in the scorekeeping will not be available to this subcommittee next year under the current budget practices.

Now what does that mean? Well, it means, unless the fire walls come down between domestic expenditures, defense and foreign aid, so that the Committee on the Budget and the Committee on Appropriations can reach across and treat the Federal budget as a unified one and to move moneys appropriately from one function to another, we are going to be in deep trouble in this subcommittee next year. Our 1993 money allocation will not be able to sustain, and let me emphasize this, and no one disagrees with this; we will not be able to sustain the program levels for next year that we are establishing this year under current budget practices.

I recognize it is hard to get anyone interested in 1993. As my colleagues know, we all behave like Wall Street. We are only interested in this quarter's bottom line. But somehow or another this Nation has to rethink that concept of instant gratification. That is what a child does. Surely, as rational adults we can foresee the future and predict what will occur tomorrow based upon our conduct and actions today.

Now unless, as I said, these walls around defense and foreign aid are breached, and of course the Director of OMB has said that he intends to do that when it is to his advantage, following the election of next year, should he be here. I say to my colleagues that we, as a Congress, having a responsibility for providing domestic tranquillity and the welfare of the people of this Nation, must consider that ourselves in next year's budget negotiations. Next year is certainly going to be tighter than 1992.

Let us take a look at some of the details.

We are providing a total of $13,513,000,000 for the veterans' medical care. Now that represents nearly a 10 percent increase above 1991. But medical costs are increasing by at least that rate, and that is the healthiest increase in funding for the VA medical care in many years, and each of my colleagues can take great pride in that fact. But before we get excited, remember we still have a ways to go in terms of staying abreast of the need for adequate funding of veterans medical care because we have been funding the VA medical care system at roughly a 7-percent increase over the last 10 years. On the other hand, as I said, medical care costs have gone up at a somewhat higher rate, so we are going to have to play some kind of catch up here.

While we may be keeping our head above the water, we do not have enough critical staff throughout the VA hospital system in my judgment. I want to say at this point that no Appropriations Subcommittee chairman has had a finer or better relationship than what I have had with the chairman of the authorizing committee, the gentleman from Mississippi [Mr. MONTGOMERY], and it is through his knowledge, and his interests and his commitment to America's veterans that our subcommittee has been able to do the things that we have done, and for his counsel, and his direction and leadership I want to express my personal appreciation and that of the subcommittee's as well.

□ 1110

Now, in housing I believe we have done an incredible job. The total appropriation for the Department of Housing and Urban Development is $23,809 million. That compares with about $23,617 million provided in 1991.

Now, get this. Within that total, we have provided $1,500 million for the newly authorized program called HOME. I must say, in all candor, that is probably a little more money than what I would have personally liked to have seen. This is a new program. I might have preferred a slower startup than what you see here. But the authorizing committees felt that this was an appropriate number. The Senate took the lead on this. We work in a collegial fashion, of course. The gentleman from Texas [Mr. GONZALEZ] and others on his committee felt strongly in terms of this issue, and we are pleased to have honored their requests.

We are going to watch how this program gets underway, and we are going to make some adjustments accordingly in the year ahead.

Incidentally, of keen interest to many Members, we have waived the local matching requirement at the request of the authorizers and at the insistence of the Senate. That is waived for only 1 year. It is the understanding that it will be revisited next year.

I might add we are providing $361 million for the Secretary's program HOPE. There is a $10 million increase above the level provided in the House bill for HOPE I.

I must say that there is no stronger advocate for the issues that he believes in and no more talented individual, no one who is as committed to pursuing the administration policy on housing, than Secretary Kemp. I count him as a personal friend. He is a former Member of this body and in addition was a member of the Committee on Appropriations.

We are also at the same time looking at the need for an increase of $1,200 million for contract renewals—a problem that was dumped in our laps at the last minute by the Department of Housing and Urban Development. They underestimated the number of section 8 contracts that will come up for renewal during fiscal year 1992.

Unless we provide this money, and we did not know about it, of course, until the Senate was going to markup, unless we provide this money, you literally could have people thrown out in the streets. We certainly do not want that.

Now, what about NASA? The latest report from the Augustine Commission to Admiral Truly, the Administrator of NASA, strongly suggests that NASA not continue to overload its plate of projects and programs.

Briefly, from the letter, there was one sentence in my mind that stuck out:

> The adoption of the content of one space program and the budget of another would be the greatest disservice of all, to this agency.

The problem is that is exactly where we are at. The budget request for NASA was $15,721 million. This bill appropriates $13,320 million, a reduction of $1,400 million.

In regard to NASA, let me say the distinguished gentleman from California [Mr. BROWN] has been a friend and an ally of this subcommittee, and has brought to our attention the needs of the agency. We have had a close working relationship with the gentleman and the Committee on Science, Space, and Technology. For that, I am very appreciative.

It does not take a genius to understand that the budget request for NASA was based on funding x number of programs at Y levels. But with a $1.4 billion reduction, and, get this, if you are going to fund the space station consistent with the direction that this House gave to the subcommittees in its amendments of early last summer, then some programs for NASA have to be eliminated or reduced or stretched out. Yes; I said eliminated.

We have attempted to do that. We are fitting again a size 12 foot into a size 9 shoe.

We have taken the NASA contribution to the national aerospace plane fundamentally to zero. We put in $5 million, in a sense to keep their oar in the program, a substantial part of which is funded through the defense budget.

We have canceled the flight telerobotic servicer. That was a favorite, I might add, of the subcommittee. We have terminated the Lifesat Program. We have recommended the cancellation of one of the advanced turbo pumps for the space shuttle main engine. We provided no funds for the space infrared telescope facility, which, by the way, was the highest single recommendation of the National Academy's Astronomy Committee for projects to be funded in the 1990's—a very painful decision, but a new start.

Let me repeat: We have not provided a nickel for SIRTF, even though it has the highest priority. We cut space shuttle operations by $330 million. We are not proud of that at all.

We have delayed the advanced x ray astrophysics facility for more than a year. That was one of my favorite projects.

We have salvaged the CRAF and CASSINI missions, but with a 1-year delay. We have cut the operations of installations funding under NASA's salaries and expense account by $175 million.

Mr. Speaker, I have to say it was very discouraging to sit in our conference and witness how desperately our friends in the aerospace community lobbied individual members to keep every one of these programs online, and that was their very right, even if they were going to be funded at totally inadequate levels, which would create for the subcommittee an impossible situation next year, in view of what we anticipate will be our allocation of money for the subcommittee.

Mr. Speaker, I hope I can bring some reality to this problem soon. If we are going to fund the space station NASA proposes to build as directed by the House and by the other body, given our future budget outlook, we are not going to fund a great deal else in some other programs.

In the environmental area I sincerely wish we could have done better. The totals for the EPA include an increase of $100 million in the agency's operating programs, and a total increase of about

$450 million when the Superfund and construction grant programs are included.

For the National Science Foundation we are providing an increase of 11 percent in the basic research account, and 13 percent in the education and human resources account, which is essential if we want our K–12 children to take an interest in math and sciences in this Nation.

Mr. Speaker, that is a summary of the 1992 bill. It was tough, but we did the best we could under these circumstances.

Mr. Speaker, I would like to correct a printing error in the statement of the managers on H.R. 2519, the 1992 VA, HUD, and Independent Agencies Appropriations Act.

On page 24612 of the CONGRESSIONAL RECORD dated September 27, 1991, under amendment No. 35, a special purpose grant provides $575,000 for emergency construction of water lines in Auburn, MA, to address presently irreversible hazardous contamination of the sole source of water for certain sections of the town. The grant is for the town of Auburn, not Ashburn as printed in the RECORD. There is no Ashburn in Massachusetts.

Mr. Speaker, I have discussed this matter with the minority and they agree that the grant is intended for Auburn, MA. Further, I understand that the Senate concurs that this was a printing error and will so note when the conference report is before that body.

Mr. Speaker, the motion that I will offer on amendment No. 146 incorporates a minor technical change to accommodate the Congressional Budget Office and the Budget Committees in connection with the scoring of this bill. With this adjustment, the language conforms to the existing budget agreement scoring rules and the VA-HUD-Independent Agencies appropriations bill meets all budget authority and outlay ceilings.

Mr. Speaker, the motion that I will offer on amendment No. 156 incorporates a minor, technical change to accommodate the House Science and Technology Committee in connection with setting aside transfer authority among National Science Foundation appropriation accounts.

The conference agreement repealed the transfer authority which has been carried in the legislative bill for some years. We took this action because of the very sensitive nature of funding for the entire Foundation—and particularly the Antarctic programs. In short, we do not want to leave open-ended transfer authority on the books in 1992.

The technical change we have made in the language sets aside the transfer authority only for the duration of fiscal year 1992.

Next year, when the Foundation is reauthorized, we'll be happy to work with the Science Committee on this overall issue.

Mr. Speaker, at this point I would include a table on the conference agreement.

H.R. 2519 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1992

	FY 1991 Enacted	FY 1992 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I						
DEPARTMENT OF VETERANS AFFAIRS						
Veterans Benefits Administration						
Compensation and pensions	16,397,135,000	15,841,620,000	15,841,620,000	15,841,620,000	15,841,620,000	-555,515,000
Readjustment benefits	752,500,000	635,400,000	635,400,000	635,400,000	635,400,000	-117,100,000
Veterans insurance and indemnities	15,410,000	25,740,000	25,740,000	25,740,000	25,740,000	+10,330,000
Loan guaranty revolving fund	670,200,000	.....	.....	.....	.....	-670,200,000
Guaranty and indemnity fund	80,800,000	.....	.....	.....	.....	-80,800,000
Guaranty and indemnity program account (indefinite)	.....	367,709,000	367,709,000	367,709,000	367,709,000	+367,709,000
Administrative expenses	.....	39,689,000	39,689,000	39,689,000	39,689,000	+39,689,000
Loan guaranty program account (indefinite)	.....	128,920,000	128,920,000	128,920,000	128,920,000	+128,920,000
Administrative expenses	.....	85,870,000	85,870,000	85,870,000	85,870,000	+85,870,000
Direct loan program account (indefinite)	.....	9,000	9,000	9,000	9,000	+9,000
(Limitation on direct loans)	.....	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(+1,000,000)
Administrative expenses	.....	1,368,000	1,368,000	1,368,000	1,368,000	+1,368,000
Education loan fund program account	.....	8,000	8,000	8,000	8,000	+8,000
(Limitation on direct loans)	.....	(21,000)	(21,000)	(21,000)	(21,000)	(+21,000)
Administrative expenses	.....	307,000	307,000	307,000	307,000	+307,000
Vocational rehabilitation loans program account	.....	105,000	105,000	105,000	105,000	+105,000
(Limitation on direct loans)	.....	(1,688,000)	(1,688,000)	(1,688,000)	(1,688,000)	(+1,688,000)
Administrative expenses	.....	936,000	936,000	936,000	936,000	+936,000
Direct loan revolving fund (limitation on direct loans)	(1,000,000)	.....	.....	.....	.....	(-1,000,000)
Total, Veterans Benefits Administration	17,916,045,000	17,127,681,000	17,127,681,000	17,127,681,000	17,127,681,000	-788,364,000
Veterans Health Administration						
Medical care	12,335,490,000	13,287,096,000	13,495,096,000	13,527,920,000	13,512,920,000	+1,177,430,000
Medical equipment	.....	.....	90,000,000	90,000,000	90,000,000	+90,000,000
Copayment savings	.....	.....	-90,000,000	-90,000,000	-90,000,000	-90,000,000
Medical and prosthetic research	216,795,000	216,795,000	226,795,000	227,000,000	227,000,000	+10,205,000
Health professional scholarship program	10,113,000	10,113,000	10,113,000	10,113,000	10,113,000	.....
Medical administration and miscellaneous operating expenses	41,434,000	40,479,000	40,479,000	40,479,000	40,479,000	-955,000
Grants to the Republic of the Philippines	484,000	500,000	500,000	500,000	500,000	+16,000
Total, Veterans Health Administration	12,604,316,000	13,554,983,000	13,772,983,000	13,806,012,000	13,791,012,000	+1,186,696,000
Departmental Administration						
General operating expenses	860,969,000	790,159,000	787,159,000	805,159,000	796,000,000	-64,969,000
National Cemetary System	53,545,000	57,045,000	67,045,000	67,045,000	67,045,000	+13,500,000
Desert Shield/Desert Storm incremental costs	.....	.....	(14,100,000)	(14,100,000)	(14,100,000)	(+14,100,000)
Office of Inspector General	24,859,000	29,959,000	28,000,000	29,959,000	29,959,000	+5,100,000
Construction, major projects	580,000,000	450,000,000	522,000,000	309,850,000	414,250,000	-165,750,000
Construction, minor projects	130,640,000	195,701,000	189,701,000	190,701,000	190,701,000	+60,061,000
(Limitation on administrative expenses)	(44,420,000)	(46,176,000)	(45,176,000)	(41,176,000)	(41,176,000)	(-3,244,000)
Parking garage revolving fund	28,900,000	8,536,000	19,200,000	8,536,000	19,200,000	-9,700,000
Grants for construction of State extended care facilities	70,000,000	85,000,000	85,000,000	85,000,000	85,000,000	+15,000,000
Grants for the construction of State veterans cemetaries	3,946,000	5,104,000	5,104,000	5,104,000	5,104,000	+1,158,000
Total, Departmental Administration	1,752,859,000	1,621,504,000	1,703,209,000	1,501,354,000	1,607,259,000	-145,600,000
Total, title I, Department of Veterans Affairs:						
New budget (obligational) authority	32,273,220,000	32,304,168,000	32,603,873,000	32,435,047,000	32,525,952,000	+252,732,000
(Limitation on direct loans)	(1,000,000)	(2,709,000)	(2,709,000)	(2,709,000)	(2,709,000)	(+1,709,000)
(Limitation on administrative expenses)	(44,420,000)	(46,176,000)	(45,176,000)	(41,176,000)	(41,176,000)	(-3,244,000)
TITLE II						
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
Housing Programs						
Homeownership and opportunity for people everywhere grants (HOPE grants)	.....	865,400,000	361,000,000	215,400,000	136,000,000	+136,000,000
(By transfer)	.....	.....	.....	(225,000,000)	(225,000,000)	(+225,000,000)
HOME investment partnerships program	.....	1,000,000,000	500,000,000	2,000,000,000	1,500,000,000	+1,500,000,000
Annual contributions for assisted housing	9,525,000,000	9,065,790,000	9,985,790,000	7,917,000,000	8,070,201,000	-1,454,799,000
Rescission of assisted housing deobligations (budget authority, indefinite)	-535,190,000	-227,000,000	-227,000,000	-227,000,000	-167,000,000	+368,190,000
Total, annual contributions for assisted housing (net)	8,989,810,000	8,838,790,000	9,758,790,000	7,690,000,000	7,903,201,000	-1,086,609,000
Assistance for the renewal of expiring sec. 8 subsidy contracts	7,890,800,400	7,024,589,000	7,024,589,000	7,024,589,000	7,355,128,000	-535,672,400
Rental rehabilitation grants	70,000,000	.....	.....	.....	.....	-70,000,000
Rental housing assistance:						
Rescission of budget authority, indefinite	-46,000,000	-52,641,000	-52,641,000	-52,641,000	-52,641,000	-6,641,000
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-2,393,000)	(-2,393,000)	(-2,393,000)	(-2,393,000)	(-393,000)

H.R. 2519 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1992

	FY 1991 Enacted	FY 1992 Estimate	House	Senate	Conference	Conference compared with enacted
Rent supplement program:						
Rescission of budget authority, indefinite	.....	-53,856,000	-53,856,000	-53,856,000	-53,856,000	-53,856,000
(Limitation on annual contract authority, indefinite)	.....	(-2,448,000)	(-2,448,000)	(-2,448,000)	(-2,448,000)	(-2,448,000)
Housing assistance for the elderly and persons with disabilities..	.....	152,810,000	.....	.....	.....	.....
Congregate services	9,500,000	.....	9,500,000	26,000,000	17,700,000	+8,200,000
Payments for operation of low-income housing projects	2,175,000,000	2,155,844,000	2,188,844,000	2,500,000,000	2,450,000,000	+275,000,000
Housing counseling assistance	8,000,000	3,700,000	8,350,000	3,700,000	6,025,000	-1,975,000
Flexible subsidy fund	.....	203,413,000	52,413,000	50,000,000	50,000,000	+50,000,000
Federal Housing Administration Fund	317,366,000	.....	.....	.....	.....	-317,366,000
(Limitation on guaranteed loans)	(75,000,000,000)	.....	.....	.....	.....	(-75,000,000,000)
Temporary mortgage assistance payments (limitation on direct loans)	(151,125,000)	.....	.....	.....	.....	(-151,125,000)
FHA - Mutual mortgage insurance program account:						
(Limitation on guaranteed loans)	.....	(53,592,815,000)	(60,000,000,000)	(60,000,000,000)	(60,000,000,000)	(+60,000,000,000)
Administrative expenses	.....	255,645,000	255,645,000	255,645,000	255,645,000	+255,645,000
Offsetting receipts	.....	-255,645,000	-255,645,000	-255,645,000	-255,645,000	-255,645,000
FHA - General and special risk program account:						
(Limitation on guaranteed loans)	.....	(8,651,901,000)	(8,651,901,000)	(8,651,901,000)	(8,651,901,000)	(+8,651,901,000)
Administrative expenses	.....	189,000,000	189,000,000	189,000,000	189,000,000	+189,000,000
Program costs	.....	54,911,000	54,911,000	54,911,000	54,911,000	+54,911,000
Total, Federal Housing Administration Fund	317,366,000	243,911,000	243,911,000	243,911,000	243,911,000	-73,455,000
Nonprofit sponsor assistance (limitation on direct loans)	(1,100,000)	.....	.....	.....	.....	(-1,100,000)
Drug elimination grants for low-income housing	150,000,000	165,000,000	165,000,000	165,000,000	165,000,000	+15,000,000
Government National Mortgage Association						
Guarantees of mortgage-backed securities loan guarantee program account:						
(Limitation on guaranteed loans)	(80,000,000,000)	(74,769,293,000)	(74,769,293,000)	(74,769,293,000)	(74,769,293,000)	(-5,230,707,000)
Administrative expenses	.....	6,595,000	6,595,000	6,595,000	6,595,000	+6,595,000
Offsetting receipts	.....	-279,700,000	-279,700,000	-279,700,000	-279,700,000	-279,700,000
Total, Housing Programs (net)	19,564,476,400	18,408,455,000	19,071,795,000	17,323,598,000	17,811,363,000	-1,753,113,400
Homeless Assistance						
Emergency shelter grants program	73,164,000	71,000,000	71,000,000	73,164,000	73,164,000	.....
Transitional and supportive housing demonstration program	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000	.....
Supplemental assistance for facilities to assist the homeless	11,263,000	57,000,000	57,000,000	11,263,000	11,263,000	.....
Section 8 moderate rehabilitation, single room occupancy	105,000,000	.....	55,000,000	105,000,000	105,000,000	.....
Shelter plus care:						
Section 8 moderate rehabilitation, single room occupancy	.....	53,333,000	50,000,000	73,333,000	73,333,000	+73,333,000
Section 202 rental assistance	.....	37,200,000	37,200,000	37,200,000	37,200,000	+37,200,000
Homeless rental housing assistance program	.....	167,200,000	116,000,000	.....	.....	.....
Total, Homeless Assistance	339,427,000	535,733,000	536,200,000	449,960,000	449,960,000	+110,533,000
Community Planning and Development						
Community development grants	3,200,000,000	2,920,000,000	3,265,000,000	3,400,000,000	3,400,000,000	+200,000,000
(Limitation on guaranteed loans)	(140,000,000)	.....	(140,000,000)	(140,000,000)	(140,000,000)	.....
Urban homesteading	13,000,000	.....	.....	.....	.....	-13,000,000
Total, Community Planning and Development	3,213,000,000	2,920,000,000	3,265,000,000	3,400,000,000	3,400,000,000	+187,000,000
Policy Development and Research						
Research and technology	28,500,000	35,000,000	29,500,000	25,000,000	25,000,000	-3,500,000
Fair Housing and Equal Opportunity						
Fair housing activities	12,410,000	13,000,000	13,000,000	13,000,000	13,000,000	+590,000
Management and Administration						
Salaries and expenses (multiple accounts)	429,500,000	444,453,000	438,453,000	444,453,000	438,453,000	+8,953,000
(By transfer, limitation on FHA corporate funds)	(396,000,000)	(435,000,000)	(435,000,000)	(435,000,000)	(435,000,000)	(+39,000,000)
Office of Inspector General	29,283,000	35,020,000	34,000,000	35,020,000	35,020,000	+5,737,000
(By transfer, limitation on FHA corporate funds)	(10,000,000)	(9,645,000)	(9,645,000)	(9,645,000)	(9,645,000)	(-355,000)
Total, title II, Department of Housing & Urban Development:						
New budget (obligational) authority (net)	23,616,596,400	24,257,061,000	24,248,948,000	23,906,431,000	23,808,796,000	+192,199,600
Appropriations	(24,197,786,400)	(24,590,558,000)	(24,582,445,000)	(24,239,928,000)	(24,082,293,000)	(-115,493,400)
Rescissions	(-581,190,000)	(-333,497,000)	(-333,497,000)	(-333,497,000)	(-273,497,000)	(+307,693,000)
(By transfer)	.....	.....	.....	(225,000,000)	(225,000,000)	(+225,000,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-4,841,000)	(-4,841,000)	(-4,841,000)	(-4,841,000)	(-2,841,000)
(Limitation on direct loans)	(152,225,000)	.....	.....	.....	.....	(-152,225,000)
(Limitation on guaranteed loans)	(155,140,000,000)	(137,014,009,000)	(143,561,194,000)	(143,561,194,000)	(143,561,194,000)	(-11,578,806,000)
(Limitation on corporate funds to be expended)	(406,000,000)	(444,645,000)	(444,645,000)	(444,645,000)	(444,645,000)	(+38,645,000)

H.R. 2519 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1992

	FY 1991 Enacted	FY 1992 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE III						
INDEPENDENT AGENCIES						
American Battle Monuments Commission						
Salaries and expenses	15,900,000	18,440,000	18,440,000	18,440,000	18,440,000	+2,540,000
Commission on National and Community Service						
Salaries and expenses	2,000,000	.....	.....	2,000,000	2,000,000	.....
Program activities	55,000,000	.....	.....	73,000,000	73,000,000	+18,000,000
Total, Commission on National and Community Service	57,000,000	.....	.....	75,000,000	75,000,000	+18,000,000
Chemical Safety and Hazard Investigation Board						
Salaries and expenses	.....	5,000,000	.....	.....	.....	.....
Consumer Product Safety Commission						
Salaries and expenses	37,109,000	39,200,000	40,200,000	39,200,000	40,200,000	+3,091,000
Court of Veterans Appeals						
Salaries and expenses	7,481,000	9,133,000	9,133,000	9,133,000	9,133,000	+1,652,000
Department of Defense - Civil						
Cemeterial Expenses, Army						
Salaries and expenses	12,236,000	12,587,000	12,587,000	12,587,000	12,587,000	+351,000
Environmental Protection Agency						
Salaries and expenses	974,700,000	1,090,000,000	1,084,000,000	1,029,000,000	1,040,500,000	+65,800,000
Office of Inspector General	37,000,000	41,200,000	39,661,000	41,200,000	41,200,000	+4,200,000
Research and development	254,900,000	313,000,000	333,875,000	313,000,000	323,000,000	+68,100,000
Abatement, control, and compliance	1,006,525,000	1,019,500,000	1,133,625,000	1,142,500,000	1,133,625,000	+127,100,000
Buildings and facilities	40,000,000	13,000,000	39,700,000	18,000,000	39,300,000	-700,000
Subtotal, operating programs	2,313,125,000	2,476,700,000	2,630,861,000	2,543,700,000	2,577,625,000	+264,500,000
Hazardous substance superfund	1,616,228,000	1,750,000,000	1,630,000,000	1,616,228,000	1,616,228,000	.....
(Limitation on administrative expenses)	(233,000,000)	.....	(260,000,000)	(180,000,000)	(240,000,000)	(+7,000,000)
Leaking underground storage tank trust fund	65,000,000	85,000,000	85,000,000	75,000,000	75,000,000	+10,000,000
(Limitation on administrative expenses)	(6,000,000)	.....	(6,400,000)	(6,400,000)	(6,400,000)	(+400,000)
Construction grants	2,100,000,000	1,900,000,000	2,195,000,000	2,400,000,000	2,400,000,000	+300,000,000
Total, Environmental Protection Agency	6,094,353,000	6,211,700,000	6,540,861,000	6,634,928,000	6,668,853,000	+574,500,000
Executive Office of the President						
Council on Environmental Quality and Office of Environmental Quality	1,873,000	2,560,000	2,560,000	2,560,000	2,560,000	+687,000
National Space Council	1,363,000	1,491,000	1,491,000	1,491,000	1,491,000	+128,000
Office of Science and Technology Policy	3,560,000	3,880,000	3,880,000	9,410,000	6,010,000	+2,450,000
The Points of Light Foundation	5,000,000	7,500,000	.....	7,500,000	5,000,000	.....
Total, Executive Office of the President	11,796,000	15,431,000	7,931,000	20,961,000	15,061,000	+3,265,000
Federal Emergency Management Agency						
Disaster relief	.....	274,459,000	184,459,000	184,459,000	184,459,000	+184,459,000
Disaster assistance direct loan program account	.....	541,000	541,000	541,000	541,000	+541,000
(Limitation on direct loans)	.....	(6,000,000)	(6,000,000)	(6,000,000)	(6,000,000)	(+6,000,000)
Salaries and expenses	143,000,000	166,363,000	165,113,000	163,113,000	163,113,000	+20,113,000
Office of Inspector General	3,351,000	5,144,000	3,600,000	5,144,000	5,144,000	+1,793,000
Emergency management planning and assistance	282,624,000	277,827,000	277,827,000	285,827,000	285,827,000	+3,203,000
Emergency food and shelter program	134,000,000	100,000,000	134,000,000	134,000,000	134,000,000	.....
Total, Federal Emergency Management Agency	562,975,000	824,334,000	765,540,000	773,084,000	773,084,000	+210,109,000
General Services Administration						
Consumer Information Center	1,540,000	1,944,000	1,944,000	1,944,000	1,944,000	+404,000
(Limitation on administrative expenses)	(2,172,000)	(2,285,000)	(2,285,000)	(2,285,000)	(2,285,000)	(+113,000)
Department of Health and Human Services						
Office of Consumer Affairs	1,964,000	2,103,000	2,103,000	2,103,000	2,103,000	+139,000
Interagency Council on the Homeless						
Salaries and expenses	1,083,000	1,300,000	1,083,000	1,083,000	1,083,000	.....

H.R. 2519 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1992

	FY 1991 Enacted	FY 1992 Estimate	House	Senate	Conference	Conference compared with enacted
National Aeronautics and Space Administration						
Research and development	6,023,600,000	7,198,500,000	6,023,600,000	6,549,000,000	6,413,800,000	+390,200,000
Space flight, control and data communications	6,334,132,000	5,608,300,000	5,157,075,000	4,907,000,000	5,157,075,000	-1,177,057,000
Portion applied to debt reduction	-1,209,732,000	-32,675,000	-32,675,000	-32,675,000	-32,675,000	+1,177,057,000
Construction of facilities	497,900,000	480,300,000	497,900,000	525,000,000	525,000,000	+27,100,000
Research and program management	2,211,900,000	2,452,300,000	2,211,900,000	2,342,300,000	2,242,300,000	+30,400,000
Office of Inspector General	10,500,000	14,600,000	10,500,000	14,600,000	14,600,000	+4,100,000
Total, National Aeronautics and Space Administration	13,868,300,000	15,721,325,000	13,868,300,000	14,305,225,000	14,320,100,000	+451,800,000
National Credit Union Administration						
Central liquidity facility:						
(Limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	.....
(Limitation on administrative expenses, corporate funds)	(893,000)	(964,000)	(964,000)	(964,000)	(964,000)	(+71,000)
National Commission on Financial Institution Reform, Recovery, and Enforcement						
Salaries and expenses	.....	.....	.....	1,000,000	1,000,000	+1,000,000
National Commission on Native American, Alaska Native, and Native Hawaiian Housing						
Salaries and expenses	.....	.....	.....	500,000	500,000	+500,000
National Institute of Building Sciences						
Payment to the National Institute of Building Sciences	.....	.....	250,000	.....	.....	.....
National Science Foundation						
Research and related activities	1,694,200,000	1,963,500,000	1,960,500,000	1,926,000,000	1,879,000,000	+184,800,000
Academic research facilities	20,478,000	.....	20,000,000	.....	.....	-20,478,000
Academic research instrumentation	.....	50,000,000	.....	.....	.....	.....
Academic research facilities and instrumentation	.....	.....	.....	46,000,000	33,000,000	+33,000,000
United States Antarctic research activities	100,000,000	118,000,000	118,000,000	78,000,000	78,000,000	-22,000,000
United States Antarctic logistical support activities	75,000,000	75,000,000	75,000,000	10,000,000	10,000,000	-65,000,000
Education and human resources activities	322,350,000	390,000,000	435,000,000	465,000,000	465,000,000	+142,650,000
Salaries and expenses	101,000,000	122,000,000	109,000,000	117,000,000	109,000,000	+8,000,000
Office of Inspector General	3,000,000	3,500,000	3,300,000	3,500,000	3,500,000	+500,000
Total, National Science Foundation	2,316,028,000	2,722,000,000	2,720,800,000	2,645,500,000	2,577,500,000	+261,472,000
Neighborhood Reinvestment Corporation						
Payment to the Neighborhood Reinvestment Corporation	25,554,000	26,900,000	26,900,000	36,900,000	31,900,000	+6,346,000
Selective Service System						
Salaries and expenses	26,635,000	27,480,000	27,480,000	27,480,000	27,480,000	+845,000
Total, title III, Independent Agencies:						
New budget (obligational) authority (net)	23,039,954,000	25,638,877,000	24,043,552,000	24,605,068,000	24,575,968,000	+1,536,014,000
(Limitation on administrative expenses)	(241,172,000)	(2,285,000)	(268,685,000)	(188,685,000)	(248,685,000)	(+7,513,000)
(Limitation on direct loans)	(600,000,000)	(606,000,000)	(606,000,000)	(606,000,000)	(606,000,000)	(+6,000,000)
(Limitation on corporate funds to be expended)	(893,000)	(964,000)	(964,000)	(964,000)	(964,000)	(+71,000)
TITLE IV						
CORPORATIONS						
Federal Deposit Insurance Corporation:						
FSLIC Resolution Fund	22,000,000,000	3,419,000,000	15,899,000,000	15,867,000,000	15,867,000,000	-6,133,000,000
Portion applied to liquidation of authority to borrow	-22,000,000,000	-3,419,000,000	-15,899,000,000	-15,867,000,000	-15,867,000,000	+6,133,000,000
Resolution Trust Corporation: Office of Inspector General	10,785,000	30,328,000	30,328,000	30,328,000	30,328,000	+19,543,000
Total, title IV, Corporations	10,785,000	30,328,000	30,328,000	30,328,000	30,328,000	+19,543,000
Grand total:						
New budget (obligational) authority (net)	78,940,555,400	82,230,434,000	80,926,701,000	80,976,874,000	80,941,044,000	+2,000,488,600
Appropriations	101,521,745,400	(85,982,931,000)	(97,159,198,000)	(97,177,371,000)	(97,081,541,000)	(-4,440,204,400)
Rescissions	(-581,190,000)	(-333,497,000)	(-333,497,000)	(-333,497,000)	(-273,497,000)	(+307,693,000)
(By transfer)	.....	.....	.....	(225,000,000)	(225,000,000)	(+225,000,000)
(Limitation on administrative expenses)	(285,592,000)	(48,461,000)	(313,861,000)	(229,861,000)	(289,861,000)	(+4,269,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-4,841,000)	(-4,841,000)	(-4,841,000)	(-4,841,000)	(-2,841,000)
(Limitation on direct loans)	(753,225,000)	(608,709,000)	(608,709,000)	(608,709,000)	(608,709,000)	(-144,516,000)
(Limitation on guaranteed loans)	(155,140,000,000)	(137,014,009,000)	(143,561,194,000)	(143,561,194,000)	(143,561,194,000)	(-11,578,806,000)
(Limitation on corporate funds to be expended)	(406,893,000)	(445,609,000)	(445,609,000)	(445,609,000)	(445,609,000)	(+38,716,000)

Mr. GREEN of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will not cover the whole gamut of the bill, which has been so ably done by the distinguished chairman of our subcommittee, but rather address certain issues that I think may be of particular interest to Members.

First, I have to say at the outset that I discussed this bill as recently as last night with the Director of the Office of Management and Budget, and there still is no administration decision on this bill. So I cannot assure Members that the bill will in fact be signed in its present form, nor am I suggesting that it will not be signed. That simply remains an open question at this moment.

As the chairman indicated, and this is the second point I wish to address, the bill involves very significant scoring issues of which the House should be aware. Perhaps the largest of those is the issue relating to the section 202 program for nonprofit sponsorship of housing for the elderly.

As Members may remember, in a recent housing bill we voted to change that from a loan program to a grant program. In the past we have provided an appropriation for loans for the housing, and then we provided a further appropriation under the section 8 program. That section 8 funding largely enabled the nonprofit sponsors to pay back the loans which we had given them under the 202 program.

An issue arose under the credit reform legislation that we passed as part of last year's budget agreement as to whether if we now recapture the 202 loan funds and the associated section 8 funds and convert the program into a grant program as to projects previously funded, we would be able to get the full amount of the recaptured loan program allocated to us for budget purposes. The argument turned on the fact that starting with fiscal year 1992, loan programs are being scored quite differently from the way they have been through fiscal year 1991.

□ 1120

At least tentatively, OMB has accepted the idea that we can get the full amount of the recaptured loan authority despite the new credit rules, and that provides us with roughly $1.75 billion for this bill. As the distinguished chairman of the subcommittee has pointed out, that and other accounting devices in this bill are not going to be available to us next year, and I think we all should understand that we may have to be a leaner bill on some of these problems next year than we have been this year.

There are a number of other issues which simply remain unresolved at this point.

One is a question of whether some money for the Antarctic program is properly attributable to the defense account as opposed to the domestic discretionary account. The bill also does not provide for over $700 million that the Federal Emergency Management Agency needs to pay sums due with respect to past disasters. I think it is safe to say that there remains a disagreement between the Democratic leadership of the Committee on Appropriations and the Office of Management and Budget as to whether that funding qualifies as emergency funding. While on its face, of course, anything related to disasters would appear to be an emergency and fit in the emergency category under the budget agreement. The administration takes the position that that $700 million gap exists because in the past the Congress funded FEMA at lower levels than the administration had requested for this account. The administration therefore takes the position that while the disasters are acts of God, the underfunding of that account was an act of men and therefore does not qualify under the budget agreement as an emergency.

As I said, that remains to be resolved. So there are a lot of loose ends here, and everyone should understand that those loose ends are here when they come to vote on this bill.

I think it is important to point out to my House colleagues that on the two issues where they spoke contrary to the judgment of the Appropriations Subcommittee and the full Committee on Appropriations, their views have been respected. The space station is funded and not just at the House-passed $1.9 billion, but at the higher Senate figure, which the administration supported. So we have very gracefully accepted the mandate that we got from the House to move ahead with the space station.

I shall have more to say in a minute about what the consequences are, however, of that mandate.

The other area where the full House reversed our subcommittee was on the question of funding for the HOPE I program. On that, though we did not go to the full Senate level, we did go to $10 million above the House level. So again, I think the House should recognize that we have fully responded to the instruction we got from the full House and went into the conference fully trying to achieve all of the goals that the House had asked of us.

I now come to the part of the bill that leaves me very unhappy, and that is the consequence for NASA of the funding for the space station. Let me say that in the conference I proposed a $65 million reduction from the Senate level in the space station, which would have left us roughly half way between the House and the Senate levels, in order to try to ease, not totally to solve, but to ease some of the pain in the science and environmental programs that I am about to discuss.

However, a majority of the conference disagreed with my judgment that we could prudently take that $65 million from the station program, and I certainly understand their thinking.

They are rightly aware of the past history at NASA of cost overruns in major programs. They see the budget difficulties that lie ahead of us and, under those circumstances, they thought it was imprudent to start new programs or to accelerate other programs. I certainly respect their feelings on that matter, despite my regrets at where that leads us in the science programs and other important programs at NASA.

Let us see the price that we are paying for the space station, because I think everyone in this House ought to understand just what we did back a couple of months ago when we voted to continue the space station program. Let me start with the national aerospace plane program. That program is seen by many, including me, as very important for the future of America's lead in the aviation field.

In essence, NASA is almost totally out of that program. We did put in $5 million, as the chairman noted, essentially to keep NASA's franchise. But if this program is going to move ahead, it is going to move ahead with Defense Department dollars, not NASA dollars. Everyone should understand that.

The infrared telescope, which most of the astronomical community considers their highest priority for a new start at NASA, was not started. And when it will be started, if it ever will be started, I cannot say.

The orbiting solar/laboratory was not started, and I think it is highly unlikely that we will see that anywhere in the immediate future. If it is any solace to those interested in that mission, I am told by an astronomer who has played a major role in the planning for it that he and others have been approached by the Japanese with a suggestion that they turn the program over to the Japanese and launch on a Japanese vehicle. So at least the science may get done, though if so it will be the Japanese rather than Americans who will be leading the effort.

The advanced x-ray telescope has been put off at least for a year, although there is funding in here to keep the program alive. That postponement occurs despite the fact that the tests on the mirror have turned out to be excellent, and it is clear that from a technological point of view this program could be done and done very successfully.

Mission to planet Earth, which is vitally important to us from an environmental point of view, will be delayed a year. And the synthetic aperture radar, which most involved in mission to planet Earth think is a critical element of it, was not given a start.

The flight telerobotic servicer, which some of us had hoped would lead to sig-

nificant improvements in the country's telerobotics capacity, has been terminated. The Lifesat Program, an important life sciences program, has been terminated. CRAF and CASSINI have been delayed.

Finally, there are significant cuts in the shuttle program, and I fear that we may one day pay very heavily for not providing spare parts and for the cut in shuttle operations. Those are the realities of life. This House has spoken and the Senate has spoken on the space station. In the conference, we faithfully followed the charge that we received from the House. I have outlined the consequences.

One other program we were not able to fund was the Shelter Plus Care Program in the housing field. Again, we simply ran out of money at the end of the conference and that is a program which outlays somewhat more rapidly than some of the other housing programs. In the end, we were not able to start it.

Through its concept of putting more social services into housing for those who are in need of services, that program could yield some very important results, and I hope that we shall be able to move ahead with it at some future point.

But the reality is, there is only so much money in the till and the till is now empty with what we have in this bill.

That is the bill that we bring to my colleagues. It is not the bill that I should have liked to bring, but it is the bill that we were asked to bring by Members' votes last spring.

I certainly must urge my colleagues under the circumstances to move the bill forward by passing this conference report.

Let me conclude by expressing my thanks to the distinguished chairman of the subcommittee for his leadership in this very, very difficult year for the subcommittee. Without his good cheer and his great grasp of all of these very complex programs and, most important of all, the courtesy that he has shown not just to me as ranking minority member but all the members of the subcommittee, I do not think we could have reached this point today.

He did follow faithfully what our colleagues asked him to do here in this House and I now urge my colleagues to support him in this report that he brings back from the conference and to pass the conference report, so that we can get these programs moving rapidly.

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

□ 1130

Mr. TRAXLER. Mr. Speaker, I am pleased to yield such time as he may consume to the chairman of the full committee, the dean of the House and a dear friend and my mentor, the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I want to commend the gentleman from Michigan [Mr. TRAXLER] and my other colleagues on the VA-HUD subcommittee for the fine work done in reaching this conference agreement.

In view of the financial situation facing the Nation, this is a good agreement and is consistent with the actions of the conference committee.

This is a very important bill. It provides funds to meet the needs of our veterans, for housing, for the National Science Foundation, and the National Aeronautics and Space Administration.

Mr. Speaker, if we are to retain our position in the world, it is more important than ever to continue making research investments that will provide direct, and indirect, benefits to the Nation and to maintain a sound economy.

Mr. Speaker, the bill includes funds for the advanced solid rocket motor program needed to increase the amount of thrust and improve the safety of new rocket motors. These new motors are needed for use in our space program for the shuttle program, and for the heavy lift-expendable launch vehicles. Facilities to produce this advanced motor needed for improved safety, and to provide additional thrust, are located at Yellow Creek, MI.

Mr. Speaker, this is an excellent agreement and represents the good hard work of the members of this subcommittee, and I urge that it be adopted.

Mr. GREEN of New York. Mr. Speaker, I yield such time as he may consume to the distringuished ranking minority member of the full Appropriations Committee, the gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Speaker, I thank my friend for yielding time to me.

Mr. Speaker, I am pleased to rise in support of this conference report making appropriations for the Department of Housing and Urban Development, veterans, NASA, EPA, the National Science Foundation, and so many other agencies. It is a good work product, and I want to congratulate the distinguished gentleman from Michigan [Mr. TRAXLER], the chairman of the subcommittee, for the work that he has done. And I want to express my deep gratitude to the ranking member, the gentleman from New York [Mr. GREEN]. Together they, with the members of their subcommittee, have worked on what is undeniably one of the most difficult bills that the members are forced to face each year. There are so many areas of dispute in this bill by the nature of it, and so many subjects of great interest and complexity, that by definition one could make a career in any one title of this bill. So they have done an enormous job in getting a bill that the members have signed off on and bringing it to the floor, and I am very pleased to stand and recommend to the House that we pass it.

At the outset, I do need to reference back to the statement that my friend from New York, Mr. GREEN, made about the FEMA funding that is in controversy back and forth around the Capitol at the moment. There is a $700 million shortfall in FEMA funding for the disaster program.

There was a requested supplemental in fiscal year 1991 which has not as yet been addressed. The consequence of that is that we have set the stage for, what my friend from New York referred to as, acts of God that are going to have to be paid for somewhere down the road. But by failing to come to grips with it in fiscal year 1991, we are moving it over into fiscal year 1992, and it is going to be much more difficult to get the necessary funding to cover the needs in areas of the country where there have been disasters. We are going to have a hard time working that out.

I want to express my appreciation to both my friends, Chairman TRAXLER and BILL GREEN, again, not just for working through the problems of the space station, but also the housing sections which were also in controversy. I want to personally thank them for working out the language that had been inserted that was offensive to the Secretary, and my friend, BOB TRAXLER, for increasing the level of funding that was needed to try to get this program off and running.

There is, as has been evidenced by the gentlemen who preceded me, some difference in the cost estimates from OMB and CBO—affectionately referred to around here as the bean counters—about how this bill ought to be scored. The bean counters at this point, apparently, although we do not know definitively, might have some differences of opinion. It is a minor and technical matter, and in my judgment, can be taken care of as we move forward, but there is that difference, and it may cause us at some point to revisit the bill. I hope it will not, and I do not think there is any real justification for any Member to be concerned about this bill, which in my view is a fine work product that the gentlemen on the committee have worked hard on to bring to us. And I urge its adoption.

This conference report is of special significance and importance, because it addresses a diverse array of essential programs and services of direct value and benefit to virtually all Americans. Programs funded in this conference report make it possible for this Nation's veterans, who have contributed so much to defend our freedom and our country, to receive pension benefit payments, health and medical care, and housing assistance.

FHA loan guarantees, home ownership opportunities for middle-income families, and rental assistance for the elderly, disabled, and poor, including programs to help alleviate homeless-

ness, are all part of this conference report. Other necessary, and important, HUD assistance is made available to help States and local communities maintain and restore community development needs and public facility infrastructure.

One of our country's highest priorities, and greatest concerns, is to maintain and aggressively attack air, water, and other forms of pollution problems. The funds provided for the Environmental Protection Agency make it possible for our Government, working in cooperation with States and localities, to make the environment safe and clean.

We have always been a Nation of explorers and our space and science activities, carried out by NASA, represent the hope of the future and even a visionary way for solving many of our environmental problems here on earth today. These NASA exploration and space science efforts are investments in the future and are maintained, but limited by cost considerations in the conference report.

The conference report also provides money to help people who are hurt by natural disasters through the response of the Federal Emergency Management Agency. In total there are 27 separate departments and agencies which receive funding and support in this conference report. Many of these independent agencies perform vital consumer-protection functions and protect the public by regulations of the banking system.

To say that this conference report, which we are now considering, is of the utmost importance to the stability and welfare of the Nation, is an understatement. All of these programs and services, of course, are expensive to maintain especially in this era of scarce Federal resources. The total amount of new budget authority, which is made available for fiscal year 1992 by the conference report, is almost $81 billion which is about $3 billion more than last year.

Mr. Speaker, we are all very fortunate and owe a debt of gratitude to the subcommittee chairman, BOB TRAXLER, and to our ranking Republican, BILL GREEN, two of the very best and brightest of our leaders and managers who are responsible for directing this important bill in the House. This year once again, Chairman TRAXLER and Representative GREEN have worked another miracle in steering this very difficult legislation through rocky and dangerous waters to a safe harbor. Both of these fine gentlemen, my good friends and colleagues in arms on the Appropriations Committee, have managed this year's VA, HUD, and Independent Agencies appropriations bill and final conference agreements with great skill, intelligence, and fairness. And along with our hall of fame and distinguished chairman of the whole committee, Mr. WHITTEN deserves the respect and appreciation of every Member of this House.

Because most of the important and relevant details contained in the conference report have been described in a comprehensive and useful manner by our talented chairman, Congressman TRAXLER, and Congressman GREEN, I will take advantage of this opportunity to comment very briefly on several specific and important issues of concern to me.

First, I am very concerned that the FEMA emergency disaster relief fund has not been adequately funded. This fund, which provides urgent and emergency relief and assistance to victims of declared national disasters, has been seriously underfunded and is now depleted. To date, FEMA needs close to $700 million to pay for claims in 35 States which have experienced declared natural disasters. Regrettably the conference report only provides $184.459 million for fiscal year 1992 disaster relief. The President's fiscal year 1992 budget asked Congress to fund this account for $274.459 million. In addition the committee has also unfortunately rejected the President's fiscal year 1991 supplemental request submitted in June for $693 million, which could have avoided this crisis. Mr. Speaker, it is my great hope that we will very shortly work in a cooperative and less partisan manner to resolve this dispute and make urgent funds quickly available to FEMA.

I am both disappointed and concerned that we were not able to respond more positively to the requests received from our good friend and former House colleague, HUD Secretary Jack Kemp. Secretary Kemp has worked tirelessly to revitalize HUD and he firmly believes that the HOPE program is a key element for a better housing policy. The House only approved $151 million for HOPE I public housing homeownership assistance, due to the good efforts made by a number of Members on the floor, including Congressman JIM KOLBE. I was also successful in getting the conferees to agree to accept $161 million, which is quite disappointing to me and Secretary Kemp. I urge my colleagues on the committee to work with Secretary Kemp to increase funding for the HOPE program, which shows great promise in next year's bill.

On a more positive note, Mr. Speaker, I am very pleased that the conference agreement provides for an increase in veterans medical and health care funding and for medical and prosthetic research. Overall VA funding for health care will be increased to $13.791 billion for fiscal year 1991, which is over $1 billion more than was appropriated in fiscal year 1991.

I am very supportive of the HOME investment partnerships program which was authorized as a new program by the National Affordable Housing Act last year. HOME offers choice and flexibility to States and local communities for delivering housing assistance, and will be especially beneficial to Pennsylvania and counties and cities located in my district as well as the entire country. I am pleased that the conference agreement approves $1.5 billion for HOME.

I strongly support the increase provided for the highly successful Community Development Block Program administered by HUD. Fully $3.4 billion is recommended for CDBG, an increase of $480 million above 1991. HUD funds have been increased for the section 202 elderly and disabled capital grant program to support a highly needed, and worthwhile, increase for 11,250 new housing units. And almost $450 million more aid is made available for homeless assistance under the McKinney Act programs for an increase of $111 million above last year's level.

Mr. Speaker, in my mind there is no mission which is more urgent, or vital, than that which has been charged to the Environmental Protection Agency. And I am pleased that the conference agreement recognizes the urgency of our commitment for maintaining a clean and safe environment. An increase of $574 million above fiscal year 1991 is recommended to support EPA programs at a level of $6.669 billion. I am however, opposed to that part of the conference report which reduces EPA salaries and expenses $50 million below the President's budget request.

I am satisfied that the conference report, despite our very tight budget allocations and constraints, preserves our continued support to maintain space science and space exploration activities carried out by NASA. These programs offer our best hope and opportunity for the future in helping us to solve many of most perplexing environmental and scientific challenges. I am especially gratified that space station Freedom is fully funded at the President's request for $2,028,900,000 in fiscal year 1991. And space research and development, while reduced below the budget request, still receives $6.413 billion, closer to the higher House level.

It is clear to me that NASA can, and should, carefully select priorities and seek diligently to achieve better cost efficiencies in 1993 and beyond.

I am happy to advise that President Bush's voluntary support program, which has been so successful known as The Points of Light Foundation, has been funded in the conference agreement for $5 million.

In conclusion, Mr. Speaker, and my friends and colleagues in the House, in this time of scarce Federal dollars we are all forced to make very difficult choices and set priorities among worthy and competing objectives, and this creates a situation where it is not possible to provide for everyone's wants. I

believe that under the circumstances the VA, HUD, and Independent Agencies conference report we are considering is very fair, and balanced, and strongly recommend its approval.

Mr. TRAXLER. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology, the authorizing committee.

Mr. BROWN. Mr. Speaker, may I express my deep appreciation to my dear friend, the gentleman from Michigan [Mr. TRAXLER] for yielding this time because I known how pressed he is for time, and I know he is giving me the time only because I promised him that I was going to support the bill, and I reiterate that.

Mr. Speaker, I want to take this opportunity to comment on the matters under the jurisdiction of the Committee on Science, Space, and Technology that are funded in H.R. 2519. First, I want to commend the gentleman from Michigan [Mr. TRAXLER] and the gentleman from New York [Mr. GREEN] and all of the other conferees for their hard work on this bill. Indeed, there can be no doubt that some very difficult choices had to be made within the confines of the budget agreement.

The conference report addresses many of the same issues the authorizing committee has dealt with over the past year, and for the most part, the funding decisions are reasonable. There is one disturbing aspect of the process however that I must call to the attention of my colleagues since it threatens to undermine any good work that we manage to do. That relates to the practice of adding unauthorized, unrequested earmarks for personal interest items.

This, of course, is in many ways a time-honored tradition of this body and could be overlooked if it were not for the severe budgetary environment that we have had to operate within this year and for the foreseeable future. This year, the budget reductions that Congress has had to make has made it entirely inappropriate to indulge in the earmarking that we are being asked to approve.

Mr. Speaker, I will include as a part of my statement a full list of these projects. I want to take a few moments to cite a few examples and explain why I believe this practice has simply gone too far.

In the NASA area, I am certain that my colleagues recall the debate earlier this year over the space station. That debate was, in many ways, a historic one. We were asked to make a major decision on whether we could afford to continue the space station when so many other programs were in dire need of funding. These included space science programs, housing programs, environmental programs, and veterans programs. We voted to continue the station and there can be no doubt that many of these other meritorious programs have not received the funding they needed.

Yet the conference report contains over $100 million in projects that were never requested by the administration, never authorized, and never discussed on the floor. We were never given the choice between the station and these projects. These appear in the NASA portion of the budget but some can scarcely even be called space projects.

The conferees generously set aside over $40 million for a vast variety of brick and mortar projects in West Virginia. These include $22.5 million in funding for a National Technology Transfer Center in Morgantown, WV. The proponent envisions that persons inquiring about technological advances that are taking place through Government projects must write to West Virginia for the answer. It includes $7.5 million in continued funding for the Wheeling, WV; Jesuit College. I do not believe anyone in Congress or in NASA knows what this will be used for.

It includes continued funding for a consortium of universities and consultants in the Saginaw, MI, area which somehow has emerged as the center for environmental research over the past 3 years. Total funding for this project, called CIESIN, is now over $41 million all awarded without adequate competition and virtually no congressional oversight. NASA itself has little idea where this funding is going.

It includes $20 million for the Christopher Columbus Center for Marine Research in Baltimore. I stress marine research, not space research.

Mr. Speaker, the Congress and the American people have entrusted NASA with managing and carrying out the Nation's space program. This as we know is a challenging task of major proportion. NASA is now struggling to come to grips with its responsibilities within the current budgetary climate. The conferees reduced the NASA budget by over $1.4 billion and the growth in the space program will not even cover inflationary increases. On top of all of this, the conferees have chosen to lay additional distractions on NASA completely unrelated to their purpose.

The conference report terminates a vast variety of NASA scientific projects such as the space infrared telescope, our next great observatory, the orbiting solar observatory that will provide valuable data on the Sun, and the flight telerobotic servicer. These are all projects that scientists have spent decades planning and developing. These are all projects that could have been funded with a little more restraint on the part of the conferees.

Elsewhere in the conference report is funding for the programs of the National Science Foundation [NSF]. The conference agreement is an increase over the NSF funding for fiscal year 1991 of about $260 million, an increase of 11 percent. In these times of budgetary restraint, this increase is welcome and I commend the Appropriations Committee for their effort on behalf of the National Science Foundation and the Nation's science and technology needs.

I note that while the recommended funding level represents an increase, the funding for research at NSF in this agreement is below that passed by either the House or the Senate. This is the only NSF function which is below the funding level approved by one of the Houses and is probably the most critical function at NSF. I will not quibble with this decision, but would like to point the situation out.

A point on which I will quibble is the amendment reported in disagreement with the Senate dealing with funding for the Antarctic Research Program. We anticipate a transfer of $105 million from the Department of Defense [DOD] to the NSF for logistical support activities in Antarctica. The Senate sought to allow the transfer of funds from DOD in its bill and the managers on the part of the House propose to enforce that proposal by striking language in the NSF, authorization which permits limited transfers of funds within NSF, leaving the DOD transfer as the only way to fund the Antarctic Research Program.

I cannot agree to the proposed amendment by the House conference managers. This proposal, while seeming to force the administration to live up to their promise to transfer funding for logistical support, violates a principle which is central to our committee. The House Science, Space, and Technology Committee cannot allow another committee to repeal provisions which have been put into law in one of our authorization bills. We would like to come to an agreement with our friends on the House Appropriations Committee and insure the continuation of the Antarctic Research Program, but we cannot simply allow someone else to amend statutes under our committee's jurisdiction.

I must note with some concern that the conference agreement contains language earmarking $2 million for planning a demonstration for shared super computer use. While I agree with the need for this type of a program, I worry that we are moving dangerously close to earmarking within the NSF funding, a threshold which we have not crossed to date. I will be watching this development carefully in future funding proposals.

Moving to another critical science function funded in this bill, I would like to commend the Appropriations Committee for the funding level recommended for the White House Office of Science and Technology Policy [OSTP]. The conference agreement recommends $6.01 million for OSTP in fis-

cal year 1992, with specific provision of $1.6 million for the Critical Technologies Institute at OSTP. We on the House Science, Space, and Technology Committee feel strongly that this Institute needs to move forward without further delay.

Another function under the jurisdiction of the House Science, Space, and Technology Committee which is funded in this bill is the research and development activity of the Environmental Protection Agency [EPA]. The recommendation contained in the conference agreement would increase the funding for EPA's Office of Research and Development [ORD] by $10 million over fiscal year 1991, to a total of $323 million. While I ordinarily would be supportive of this increase, I must take issue with what this increase represents.

Contained in the EPA ORD funding agreement are nearly $28 million in earmarks. In addition, there are nearly $18 million in directed cuts to existing programs, such as the Environmental Monitoring and Assessment Program. Together, these actions reduce the real funding available for the base programs at ORD. This action begins to compromise the integrity of these programs and reduces the effectiveness of our efforts to move toward a rational, scientifically based regulatory approach. I will be paying close attention to this type of activity and will have more to say about it at a future date.

I must also note that major reductions have been made to the salaries and expenses account at EPA. Almost $50 million has been cut from this account, at a time when EPA is experiencing shortages in a number of scientific skills. EPA cannot recruit and retain skilled toxicologists and other scientists needed for sound regulatory decisions, and this cut will serve to worsen the situation. In addition, EPA's enforcement capability will suffer as well as a number of other vital functions.

Mr. Speaker, this conference report is representative of the problems which we face in Congress today. Inadequate funding available means difficult choices have to be made. The full committee and the subcommittee have made those choices and I appreciate their difficult situation. I hope to work with them to change the ground rules under which they work, terms which were set out in the current budget agreement. I hope to help my friends on the VA, HUD, and Independent Agencies Subcommittee remove the walls between civilian and defense program funding so that these vital programs can be fully funded.

But my colleagues on the committee must also respect my position on the need for prior authorizations, the need to work cooperatively with the committee when our statutory language is a problem, and the need to curb the proliferation of location-specific research projects. I do not want to get into a confrontation with the committee over these issues, but I will not simply sit back and let these actions continue without challenge.

Mr. Speaker, our Founding Fathers envisioned for the Congress one very important power that underlies our entire system of Government—the power to appropriate funds. I cannot help but see this conference report as a sad exercise in the abuse of that power.

My comments today are not made out of anger but sorrow. I will vote for this conference report because it is important to the future of our space program, the National Science Foundation, and environmental research. Yet I sincerely hope that we can find a way to curb this unwarranted appetite for personal projects that has become such a burden.

EARMARKS IN H.R. 2519

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

$950,000 for a reusable capsule landing site in New Mexico.

$28,400,000 for the consortium for International Earth Science Network in Michigan.

$22,500,000 for the National Technology Transfer Center in West Virginia.

$2,000,000 for AdaNet Project in West Virginia.

$7,500,000 for Wheeling Jesuit College in West Virginia.

$750,000 for Delta College learning center in Michigan.

$20,000,000 for the Christopher Columbus Center for Marine Research in Maryland.

$10,000,000 for the West Virginia University Software verification Center.

$10,000,000 for an upgrade of the Poker Flats Alaska Research Range.

ENVIRONMENTAL PROTECTION AGENCY

$3,200,000 for the Center for Environmental Management at Tufts University.

$3,100,000 for the Neural Science Research Equipment for the New York University Center.

$1,000,000 for the Center for Excellence in Polymer Research.

$800,000 for the Adirondack Destruction Assessment Program.

$1,300,000 for a recycling project at Western Michigan University.

$2,000,000 for the Great Lakes National Program office.

$2,000,000 for the Southwest Environmental Research Policy Center.

$90,000 Pollution Abatement Demonstration Program, Hamburg, NY.

$116,000 for the Wetlands Research Project at the University of Nebraska.

□ 1140

Mr. GREEN of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. COUGHLIN], a distinguished member of the subcommittee.

Mr. COUGHLIN. Mr. Speaker, I rise in strong support of the conference report covering the fiscal year 1992 appropriations for the Department of Veterans Affairs, the Department of Housing and Urban Development, and independent agencies—including EPA, NASA, and the NSF.

The pace of the conference committee meeting should not lead anyone to question the difficult hours of work which went into crafting the conference report we bring to the House today. As a conferee, I can attest to the conflicting pressures which were placed on the conferees and take this opportunity to thank personally my chairman, Mr. TRAXLER, and my Republican chairman, Mr. GREEN, for their efforts. Our dedicated subcommittee staff also deserves the appreciation of the House for their untiring work.

I will only take a few minutes to discuss several items in the conference report which the House should adopt today.

The conference report maintains the overall appropriations level passed by the House, $80.9 billion. Hundreds of differences between the House- and Senate-passed legislation had to be resolved and the differences were settled. But many hard choices were made.

For example, space station Freedom is fully funded at the administration's requested fiscal year 1992 level of $2.03 billion which represents an increase over the House appropriation recommendation of $1.9 billion. In order to fund fully the station, however, other programs in NASA which are vital to the future of our Nation's future space presence did not fare as well. This remains an issue of great concern to me and I cannot be optimistic at this time that space science activities will have more success next year in competing for scarce taxpayer dollars.

The conference committee, despite the criticism of some, also succeeded in providing an increase in the House-passed appropriations for the Environmental Protection Agency. The report recommends a funding level for EPA in fiscal year 1992 of more than $6.6 billion—$600 million over last year's appropriation and $400 million over the President's request. It is clearly impossible to spend all that people would like on environmental initiatives, but the House can be proud of the funds we are recommending on the environment throughout the entire bill.

Several key community development and housing programs are also funded in this legislation as my colleagues know. I particularly want to point to the $3.4 billion recommended for community planning and development grants which assist our districts, as well as the $1.5 billion for the HOME Investment Partnerships Program. My office received hundreds of letters urging funds in this range for these programs and I am pleased we succeeded in addressing these needs.

There unfortunately were activities we could not support at levels I would have preferred as I mentioned earlier. I particularly regret we could not recommend more for HOPE grants in fiscal year 1992. HOPE represents a tre-

mendous opportunity for thousands of low-income families to become homeowners. Innovative activities which enable low-income individuals who desire to move out of public housing should be fostered and my support for Federal funding in this area is steadfast. I would also encourage my colleagues on the authorizing side to work as expeditiously as possible to extend programs like HOPE, HOME, and to review other housing initiatives given the funding crunch which inevitably will confront our subcommittee next year.

The conference report we discuss today is the byproduct of months of work by the administration, the House, and the Senate. I commend all the participants in the process and urge the House to adopt the report crafted by our conference committee.

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

Mr. COUGHLIN. I am happy to yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, I appreciate the gentleman's remarks. He is totally correct.

I hope every authorizing chairman is listening to what he says, because we are not going to have enough money. The problem is that each one of the authorizing chairmen thinks that their area of concern is the only one in the entire U.S. budget, and that is not true.

We have to balance the equities, and I think we do it superbly, and I thank the gentleman.

Mr. COUGHLIN. Mr. Speaker, I particularly want to cite two areas where we need guidance in this committee, in the area of the whole space program. We are talking about wholly funding the space station, but at the expense of other very critical scientific programs that we are cutting in this appropriation that we had to because of the vote in the House, take the money from some other place, and we are going to have to have guidance next year as to what we are going to do with these very critical scientific programs which we would like to have funded but which we could not fund because we are fully funding the space station.

Let me also cite the area of the housing programs. We have so many housing programs authorized that for the appropriators it is almost like standing on the top of the stairs and throwing money down the steps. We have all of these authorized programs. There is no attempt to rationalize between the programs. There is no attempt to try and set priorities as to what authorized programs we should be funding.

We are going to face that same problem next year that we face this year in terms of what programs we fund in the housing area.

So I ask my colleagues on the authorizing side to look at these programs, to look at us as we face this problem next year.

I commend the chairman and the Republican Chairman for what they have done.

Mr. TRAXLER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, if the chairman of the subcommittee would allow it, I would like to engage in a colloquy with him.

I would like to clarify a provision in the conference report on the location of a waste disposal site related to the Boston Harbor. As you know, this provision makes it clear that construction of an alternative site for such disposal would be permissible provided it was approved under the appropriate NEPA review process before September 1, 1992.

While I would not ask that the NEPA review process be violated in any way, I do think it would make sense for any review performed under this provision to be conducted as rapidly as would be practicable.

Is it your understanding, Mr. Speaker, that in the event the Governor of Massachusetts locates an alternative site for the landfill or backup landfill, the EPA and other relevant agencies will act promptly in performing the NEPA review so as to minimize the possibility that the September 1, 1992, deadline will be missed?

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

Mr. FRANK of Massachusetts. I am happy to yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, yes, that is my understanding.

Mr. GREEN of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

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

Mr. Speaker, let me say at the outset that there are a number of, I think, very good things in this bill.

I think on the front of the space station, the committee has done what the House asked them to do. I think that is a very positive development.

I think that in the area of Veterans' Administration funding that there is really an attempt to move in the right direction there, and that is certainly something that this Member is very thankful for. I am concerned, however, with some of the language that we have heard on the floor suggesting that there was no room in this budget to do other kinds of priority things, that we had to cut important science efforts, as an example, because we simply did not have budgetary room to do them.

I would suggest that maybe budgetary room could have been found by not funding what I would regard as lower priority projects. For example, there are some areas in this appropriation where the authorizing committees have specifically turned down the money, and yet the appropriators have gone ahead and funded the programs.

There are other areas where the money is specifically items that seemed to have more merit based upon where they are than what they do, and I have a list just in the science area. I did not bother to go into the other areas, because this is the area that I look at. I have a list of $137 million of spending that appears to be in the bill largely because of where it is, and that concerns me, because the national aerospace plane, for example, gets only $5 million of funding in this bill instead of the $70 million that it needed.

If there are $137 million of lower priority projects, I would suggest that maybe the national aerospace plane might have had a higher priority than some of the things that are on the list. You know, for instance, as I go down through it, I find $6 million to construct, equip, and integrate a classroom of the future in West Virginia. You know, the winner is West Virginia. I look down and find another $1.5 million for the same facility in another account. Guess where; in West Virginia. I find $750,000 for planning and design activities at Delta College Learning Center in Michigan. The winner is Michigan. I find $25 million for the consortium of the International Earth Science Network. Again, the winner is Michigan. And then in another account there is another $3.4 million. The winner is Michigan; $9 million for a commercial programs account earmarked for the National Technology Transfer Center, and the winner is West Virginia; $13.5 million to construct, equip, and integrate facilities related to the National Technology Transfer Center. The winner? West Virginia $2 million for AdaNET. The winner? West Virginia. Twenty million dollars for the construction of the Christopher Columbus Center of Marine Research and Exploration, in Baltimore.

This is money coming out of the NASA budget despite the fact that the authorizors specifically turned it down in the NOAA budget last year, and now we are going to create a center for marine research and exploration in NASA accounts. The only thing I can figure is that they call it the Christopher Columbus Center, and maybe we are going to raise the Santa Maria that some guy found the other day and fly it. But I cannot understand why we have to have $20 million in construction money for this center put in the NASA budget.

And $10 million for construction and equipping and integrating an independent software validation and verification project, and the winner is West Virginia; $10 million for the Poker Flat Research Range. The winner? Alaska and $1 million, or $950,000, for a reusable capsule landing site in New Mexico. I do not even know what that does,

and it is very, very strange. For rural enterprises, $625,000. The winner? Oklahoma. And then we get to a series of projects that have not been contained in either the House or the Senate authorizing bills. Now, remember we could not do the national aerospace plane, remember this, we cannot do the advance work on national aerospace plane, but here is one we can do: The advanced liquid dispensing technology evaluation. What is that? That sounds wonderful. That is to supply either Coke or Pepsi to the shuttle and to the space station. We cannot do the national aerospace plane, but we are going to spend taxpayer money to figure out how to put Coke and Pepsi in the shuttle and in the space station.

There is something strange in our set of priorities there; $5 million for a reflight of the Astro 2 mission. This is not a bad idea, but the fact is that it has a Maryland connection to it, which seems to be the main reason why it is there.

□ 1150

There is $20 million for the tropical rainful measuring mission. Again, the winner, Maryland.

There is $4 million for the applied research and climate modeling. It is probably going to yield some pretty good science. Is it the highest priority science? We do not know, but the fact is that it is another Maryland project.

All I am suggesting is that if you are really going to do priorities, some of the priorities here are not exactly what most people would have picked.

Mr. TRAXLER. Mr. Speaker, I yield ½ minute to the distinguished gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I rise in support of the conference report on H.R. 2519, the Departments of Veterans Affairs and Housing and Urban Affairs, and independent agencies appropriations bill for fiscal year 1992.

The bill provides $63.942 billion in discretionary budget authority and $61.711 billion in discretionary outlays. I am pleased to note that the bill is $11 million below the level of discretionary budget authority and $3 million below the discretionary outlays as compared to the 602(b) spending subdivision for this subcommittee.

As chairman of the Budget Committee, I plan to inform the House of the status of all spending legislation, and will be issuing a "Dear Colleague" on how each appropriation measure compares to the 602(b) subdivisions.

I look forward to working with the Appropriations Committee on its other bills.

Mr. Speaker, I include the following material:

COMMITTEE ON THE BUDGET,
Washington, DC, October 1, 1991.

DEAR COLLEAGUE: Attached is a fact sheet on the conference report to accompany H.R. 2519, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill for Fiscal Year 1992. This bill could be considered this week.

This is the fourth regular Fiscal Year 1992 appropriations bill conference report to be considered. The bill is below the 602(b) subdivision.

I hope this information will be helpful to you.

Sincerely,

LEON E. PANETTA,
Chairman.

[Factsheet]

CONFERENCE REPORT TO ACCOMPANY

H.R. 2519, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1992 (H. REPT. 102–226)

The House Appropriations Committee filed the conference report for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations bill for Fiscal Year 1992 on Friday, September 27, 1991. This conference report could be considered at any time.

COMPARISON TO THE 302(b) SUBDIVISION

The conference report provides $63.942 million of discretionary budget authority, $11 million less than the Appropriations subdivision for this subcommittee. The bill is $3 million under the subdivision total for estimated discretionary outlays:[1] A comparison of the bill with the funding subdivisions follows:

COMPARISON TO SPENDING ALLOCATIONS

[In millions of dollars]

	VA/HUD and independent agencies appropriations bill		Appropriations Committee 602(b) subdivision		Bill over (+)/under(−) committee 602(b) subdivision	
	BA	O	BA	O	BA	O
Discretionary	63,942	61,711	63,953	61,714	−11	−3
Mandatory[1]	17,279	21,251	17,279	21,251		
Total	81,221	82,962	81,232	82,965	−11	−3

[1] Conforms to the Budget Resolution estimates for existing law.
Note.—BA—New Budget Authority; O—Estimated Outlays.

The House Appropriations Committee reported the Committee's subdivision of budget authority and outlays in House Report 102–180. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102–69, the conference report to accompany H. Con. Res. 121, Concurrent Resolution on the Budget for Fiscal Year 1992, as adopted by the Congress on May 22, 1991.

The following are the major program highlights for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations conference report for FY 1992, as reported:

PROGRAM HIGHLIGHTS

[In millions of dollars]

	Budget authority	New outlays
Housing and Urban Development:		
HUD salary and expenses (S&E)	438	354
HOPE grants	361	
HOME Investment Partnerships Program	1,500	30

PROGRAM HIGHLIGHTS—Continued

[In millions of dollars]

	Budget authority	New outlays
Assisted housing (excludes $167 million rescission)	7,845	46
Renewal of expiring section 8 contracts	7,355	515
Public housing operating subsidies	2,450	996
Community development block grants	3,400	136
Drug elimination grants for low-income housing	165	1
Emergency shelter grants (homeless)	73	11
Transitional housing (homeless)	150	
Supplemental assistance for facilities (homeless)	11	2
Section 8 SRO MOD-rehabilitation (homeless)	105	
Shelter plus care SRO	73	
Shelter plus care section 202	37	
Federal Housing Administration Insurance Program		(60,000)
Federal Housing Administration General and Special Risk Program		(8,652)
Government National Mortgage Association Loan Program		(74,769)
Environmental Protection Agency:		
EPA research and development	323	113
EPA sewer construction grants	2,400	84
EPA S&E		1,041

PROGRAM HIGHLIGHTS—Continued

[In millions of dollars]

	Budget authority	New outlays
895:		
EPA abatement, control, compliance	1,134	453
Hazardous substance response trust fund (Superfund)	1,616	242
Leaking underground storage tank trust fund	75	19
NASA:		
NASA space flight	5,124	3,548
NASA R&D	6,414	3,377
NASA research and program management	2,242	1,941
Construction of facilities	525	53
Veterans' Administration:		
Veterans' Administration compensation and pensions and burial benefits (mandatory)	15,842	14,511
Veterans medical care	13,513	11,367
Veterans readjustment benefits (mandatory)	635	635
Veterans general operating expenses	863	759
Veterans medical and prosthetic research	227	166
Veterans construction, major projects	414	19
Veterans construction, minor projects	191	79
Veterans Loan Guaranty Program	215	162

[1] The outlay estimate on this page and the budget authority figures on the next page assume that language relating to transfers and reimbursements for NASA space flight is altered to clarify that it is a limitation on, rather than expansion of, any such authority.

PROGRAM HIGHLIGHTS—Continued

[In millions of dollars]

	Budget authority	New outlays
Veterans Guaranty and Indemnity Program	407	145
National Science Foundation (NSF) and other activities	2,578	1,056
FEMA (salary & expense and planning), including defense	449	305
FEMA disaster relief	184	74
Emergency food and shelter (FEMA)	134	129
Commission on National and Community Service	75	13

Mr. GREEN of New York. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. GILLMOR].

Mr. GILLMOR. Mr. Speaker, I rise in support of this conference report. I would like to thank the chairman, the ranking Republican member and members of the subcommittee for bringing us this excellent compromise.

This conference report addresses many of the important needs of this country such as veterans care, environmental protection, cleaner air, emergency assistance for disasters such as earthquakes and floods and funds to develop our future in space.

This bill guarantees housing programs, not only for the poor, elderly, and homeless, but also provides for programs to develop our neighborhoods and cities which are in dire need of our assistance. The committee was particularly sensitive to the needs of my communities and I appreciate their generous support.

They provide $900,000 for facility development in Seneca County of which $700,000 is for library and classroom development at Tiffin University and $200,000 is for library development at Heidelberg College. Also $100,000 will be made available to develop an Old Fort Community Center.

Mr. GREEN of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I just rise to say that I am very perplexed by this particular bill. In some ways it is very good. I think we have made real progress. In some ways there were some decent things done with the space station. There is some modest progress made in terms of housing reform, but it is my understanding, and I am prepared to be corrected if I am wrong here, that in this bill in its current form, Secretary Kemp's ability to hire people who are directly responsible to him and who he is able to use in the legislative shop and elsewhere drops from 28 people to 15.

Now, I just want to say this is a Department which I believe has something like 17,000 employees. If you want to see how the Congress emasculates President Bush and emasculates his Cabinet officers and their ability to get things done, there is something terribly petty about the Appropriations Committee reducing the number of employees that a Secretary of a Department the size of Housing and Urban Development can hire who are able to help him run the Department. If you want to guarantee that the bureaucrats dominate everything, and if you want to guarantee that the bureaucrats worry more about congressional subcommittees than they do about the President and the President's Cabinet officers, this is precisely that kind of extraordinarily petty behavior.

Frankly, my advice to the President would be to set up a system either to veto bills like this and protect his Cabinet officers, or to tell the Congress that next year when the legislative appropriations bill comes up that he is going to veto the legislative appropriations bill, because if Congress is going to micromanage the ability of Cabinet officers to hire personnel to help them manage the Department, then maybe the President ought to start micromanaging the ability of congressional chairmen to manage their committees.

Now, it is a total lack of comity and a total lack of reasonableness to engage in this kind of personnel procedure.

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

Mr. GINGRICH. I am glad to yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, as a general principle, I agree with the gentleman's statements, but let me say in connection with HUD, it is not our intention that we would interfere with the operation of HUD. As I said, the Secretary is a dear friend of the subcommittee, and mine personally; however, he has about 26 senior executive service noncareer personnel. Percentagewise, most other agencies have less than half of what HUD has. We are limiting him to 15, which I realize is a reduction, but it puts him at twice what other agencies have.

Mr. GINGRICH. Mr. Speaker, if the gentleman will permit me for just a second, how many staff would the gentleman guess the Committee on Energy and Commerce has? It is over 100.

Mr. TRAXLER. Well, the congressional staffing has stayed quite constant for about 10 years now, in all honesty, I say to the gentleman.

Mr. GINGRICH. But if you assign someone of Jack Kemp's caliber and you ask him to take over a Department that has a huge scandal, go into the inner cities and help poor people, rethink the bureaucracy, restructure everything, it would seem to me that 28 people for the whole country to help the Secretary of HUD does not sound to most Americans like it is a gigantic surplus of human beings.

Mr. TRAXLER. Well, of course, the gentleman knows these are patronage positions. They are not dedicated career positions.

Mr. GREEN of New York. Mr. Speaker, I yield the balance of our time to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, this past Thursday, a terrible thing happened: The conferees who prepared the report we are now considering, decided to drastically cut NASA's portion of the funding for the National Aerospace Plane Program [NASP], was cut from the amount this body had appropriated, $95 million, to $5 million.

Mr. Speaker, this conference attempt to kill NASP is absolutely indefensible. It is a blow to the future of our aerospace industry and to America's future competitiveness worldwide.

Mr. Speaker, the NASP program has already developed several revolutionary new technologies. Isn't the development of new technologies one of NASA's major missions? The NASP program is leading to major new methods of air breathing transportation and to inexpensive access to space. Is not doing this also part of NASA's charter? Are not these missions the very things that we have been complaining that NASA does not seem to do?

Mr. Speaker, I submit that by reducing NASA's participation in the NASP program this conference is contributing to the agencywide hardening of the arteries so evident in NASA.

Furthermore, Mr. Speaker, the reduction in the NASP budget for NASA contained in this conference report is a decision to give up our lead in hypersonic technology.

Right now, Mr. Speaker, the United States is 5 years ahead of any other nation in this area. Have we now decided to simply give the lead away to the Japanese or to the Europeans?

Mr. Speaker, I will not be voting "aye" for this conference report. I realize that this will in no way affect the passage of this legislation. Nevertheless, given what has been done to the NASP program by this report, I cannot in good conscience support this bill.

□ 1200

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

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I rise in strong support of this legislation, commend the chairman and the ranking member for their hard work on it.

Mr. Speaker, I am particularly pleased about the funds for AIDS housing, HOME initiative, and the work that they did on the prepayment issue.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. TRAXLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Mr. Speaker, in the short time I have available I would like to first thank the chairman of the subcommittee, the gentleman from Michigan [Mr. TRAXLER] for his patience and his wisdom and his accessibility. We know that he is pushed, pulled, and

tugged in all directions. The fact that he is so quick to listen is very, very important to all of us.

Mr. Speaker, in the short time I have remaining, I would like to draw attention to two areas of this conference report for my State and for our Nation.

Mr. Speaker, for Mississippi, the conferees included some money to fund a perinatal center to make sure that we can reduce the high level of infant mortality in an area of the Nation where 22 babies out of every 1,000 will not live to blow out the candle on their very first birthday cake.

This is very important. It is a small amount of money, but the impact on young lives will be huge.

Mr. Speaker, for our Nation, the conference report includes funding for HOPE I, home ownership for people everywhere, a Jack Kemp-inspired program to allow people, residents of public housing, to purchase their own homes.

Again it is a relatively small amount of money, but it is a new attitude toward people of public housing who want to move from dependence into independence.

I thank the gentleman for his accessibility and his willingness, and urge my colleagues to support the conference report.

Mr. TRAXLER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. PRICE], a member of the full committee and a good friend of the subcommittee.

Mr. PRICE. Mr. Speaker, I rise today in support of this legislation. I want to compliment the chairman of this committee, BOB TRAXLER, Mr. GREEN, and the other members of the subcommittee, for once again bringing before us a bill which will help support efforts to house our Nation's citizens, deal effectively with environmental hazards, maintain our Nation's leadership in science, and provide for the veterans that have served so valiantly in armed services. I want to briefly highlight a few key items.

I am particularly pleased that $5 million is provided in this bill to begin design work on a new consolidated facility for the Environmental Protection Agency in North Carolina's Research Triangle Park. Chairman TRAXLER recently visited this facility, taking time to discuss its operations and its needs thoroughly. It was clear from that visit that a new facility is badly needed, since current facilities are overcrowded, inadequate, and in need of repair. A new building will greatly enhance the productivity, efficiency, and effectiveness of EPA research operations.

I also commend the subcommittee for taking a strong stand for EPA's role in conducting global warming and stratospheric ozone depletion mitigation research. Under the bill, EPA is directed to develop a strong research effort to evaluate and demonstrate replacements for ozone depleting compounds, develop and demonstrate biomass utilization technologies, characterize sources that contribute to upper level tropospheric ozone, and develop emission reduction approaches to those pollutants. The research is vital to our Nation's efforts to combat global warming.

In the housing area, I compliment the conferees for providing $1.5 billion for the new HOME Program. Using these funds, local communities can use these resources to develop affordable housing initiatives. These funds will allow cities to more fully utilize a financing technique called soft second mortgages which will greatly expand homeownership opportunities in this country by lowering interest costs and monthly payments for first-time home buyers.

In closing, I want to commend Chairman TRAXLER for his leadership. Facing tough budgetary constraints, he has crafted a bill which does justice to all these vital areas. I urge my colleagues to support this bill.

Mr. TRAXLER. Mr. Speaker, I yield the remaining time, 2 minutes, to the gentleman from New York [Mr. SCHUMER], a member of the Committee on Banking, Finance and Urban Affairs.

Mr. SCHUMER. Mr. Speaker, I thank the chairman not only for yielding the time to me but for his leadership on this issue. Mr. Speaker, both he and the gentleman from New York [Mr. GREEN], I think, have done a superb job, a very tough job of allocating scarce dollars among many important needs.

I would like to focus on one, the Family Unification Program which is in the bill. Mr. Speaker, throughout the cities of this country, when families, intact families, cannot find housing, the courts often order the children into foster care. Here we are in America where we have great problems; we do not have family structure in large parts of our cities and yet when we do there is no housing available and away go the families because of the lack of housing. Courts order these kids into foster care.

The Family Unification Program sets up a priority category so that families that find themselves caught in this bind will receive section 8 certificates so that they can afford an apartment and keep their children. This program keeps and focuses on the most vital resource we have, families, and prevents them from being torn apart simply because we cannot find housing for them.

The conference report also provides a level of funding for the HOME Program, which I think is very, very important. It was authorized by the landmark Cranston-Gonzalez Affordable Housing Act. I want to salute the committee for doing a good job in that area.

Finally, there has been some talk about Secretary Kemp being disappointed about the level of funding for the HOPE Program. The HOPE Program deserves a chance, but I think it has to take a back seat to the HOME Program, which is the meat and potatoes of housing rather than the dressing.

I suggest that HOPE did not suffer because HOME was funded, it suffered because the space station was funded. We felt we should fund the space station. But it also was funded because HOME builds new housing whereas HOPE simply changes the allocation of housing.

That is why HOME took priority.

Mr. Speaker, in conclusion, the committee has done a superb job under very difficult circumstances. Mr. Speaker, I urge support of the bill.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on H.R. 2519 and specifically for the $25 million included in the bill for construction of new veterans health care facilities in Martinez, CA. I also want to commend my colleague, Congressman BOB TRAXLER, for the outstanding job he has done in crafting this bill. As chairman of the House Appropriations Subcommittee on VA, HUD and Independent Agencies, Chairman TRAXLER has been instrumental in guaranteeing that our Nation's veterans, our Nation's housing programs, and our Nation's environmental programs receive the support they need.

Of particular interest to my constituents is the urgency with which the committee has addressed the imminent closure of the VA medical center in Martinez, CA. The Veterans Administration announced in early August that it would close the hospital because the facilities do not meet seismic safety standards. At the same time, the VA also announced that it would build a new hospital to replace the existing Martinez facility as well as construct new outpatient and nursing home care facilities in Martinez and the Sacramento area.

In the wake of this announcement, many veterans in northern California voiced their concerns that these decisions were being made at their expense. However, the conference committee included $25 million in this bill for design, planning, and construction of the new Martinez facilities. This funding is a very important step in demonstrating to northern California veterans that Congress, for one, is serious about ensuring that their health care services are not only maintained at current levels, but actually expanded and improved in the future.

Mr. Speaker, this appropriations bill is a balanced and responsible bill. I want to commend and thank Chairman TRAXLER and the subcommittee staff for their diligence, and particularly for their assistance in addressing the issues surrounding the closure of the VA hospital in Martinez.

Ms. MOLINARI. Mr. Speaker, I rise in support of this conference report. I would like to thank the chairman and the ranking Republican members for bringing us this compromise legislation.

This bill is the largest domestic appropriations bill Congress will consider. Despite lim-

ited resources, the bill's far-reaching legislation addresses many of our Nation's greatest challenges. Caring for our veterans, housing our homeless, and protecting our environment are not easily balanced concerns. Yet, the conferees have done a fine job of establishing a balance among all these important needs.

I especially appreciate the conferees understanding of the special needs of the communities in my district.

In the conference report $250,000 is provided for senior nutrition in the Bay Ridge Community of Brooklyn, NY. We have some wonderful organizations active in Bay Ridge providing essential services to our frail and elderly. The St. John's Nutrition Program and the Bay Ridge Association of Senior Citizens each provide over 500 meals a day both within their centers and on location. Recent budgets at the city and State level have caused dramatic and visible difficulties for these essential programs.

Staten Island University Hospital affords similar senior nutrition programs to senior citizens in Staten Island, NY. The $250,000 will enable the hospital to continue to provide this service.

This legislation also allocates $250,000 for crime prevention programs in Bay Ridge. The 68th and the 62d precincts in New York have wonderful records in working with the community, particularly our senior population. Project Safe, initiated by the 68th precinct has provided free lock checks and lock changes for seniors. They also teach safety and awareness to our seniors. The program was working wonderfully until Project Safe ran out of money. I am hopeful that with this award the 68th and 62d precincts can reinstitute Project Safe programs which will provide an essential service in the face of a recent rash of breakins and muggings against our senior population. These funds for anticrime campaigns along with the $250,000 for crime prevention programs on Staten Island will go a long way to secure the safety for citizens in the communities.

Mr. COLEMAN of Missouri. Mr. Speaker, I am pleased that the House and Senate conferees included language directing the Environmental Protection Agency to provide $7.3 million for the transportation and storage of materials in Byers warehouse in St. Joseph, MO.

Since 1986, EPA has allowed banned dioxin-contaminated chemicals—670,000 pounds of solid and 260,000 gallons of liquid 2,4,5-T/Silvex—to remain in a warehouse located in downtown St. Joseph, MO. My reasons for concern about this issue are obvious; the warehouse is located in downtown St. Joseph—a city with a population of 80,000 that is situated alongside the Missouri River.

I shared my concerns with the House Appropriations Subcommittee, and asked that, in view of the significant health implications to my constituents and the amount of time that has passed with no solutions forthcoming, the committee ensure that EPA has the resources to address this problem as a priority in its fiscal year 1992 budget.

Let me again thank the House and Senate conferees for recognizing the importance of this situation, and for giving EPA the means and the direction to properly resolve this issue.

Mr. STOKES. Mr. Speaker, I rise in strong support of the conference report on H.R. 2519, the VA–HUD and Independent Agencies appropriations for fiscal year 1992. I want to commend my colleague and chair of the subcommittee on which I serve, Congressman BOB TRAXLER, for the outstanding leadership he demonstrated in moving this bill through the Congress. I want to also acknowledge Congressman BILL GREEN, the ranking minority, whose support was crucial in the passage of this bill.

Mr. Speaker, the VA–HUD and independent agencies appropriations bill provides funding for some very vital programs and services that benefit our Nation. This bill finances not only people-oriented initiatives, but it supports the basic technological and research efforts that advance America's competitiveness.

The task for providing adequate resources to all of these important programs was very difficult this year. This was due to the lower than anticipated level of funding allocated for the VA–HUD appropriations. Nonetheless, we overcame these constraints and supported programs that all of the varying sectors of the public urged us to support.

Mr. Speaker, H.R. 2519 funds housing programs for the poor, elderly, and homeless. It also includes considerable resources to initiate the new housing programs established in the National Affordable Housing Act. This bill continues to provide funds for community development in our cities, which nationwide are in dire need of our support.

Programs for our veterans and their families—from those that furnish their medical care to those that provide them with housing loans and educational assistance—are included in H.R. 2519. In addition, NASA and the National Science Foundation—the two agencies whose strategies and programs are the backbone for math and science in this Nation—are addressed in this bill.

Moreover, funds to support efforts to clean up our environment, including lead-based paint abatement; pollution prevention and control; and research to develop new technologies to address these environmental concerns. Our Nation's disaster relief projects are also funded through this measure.

Mr. Speaker, I am pleased to note that several initiatives that I formulated are included in H.R. 2519. There is the grant program to States for the abatement of lead-based paint and dust in privately owned low- and moderate-income housing. Knowing the threat that lead-based paint poses to our Nation, this effort is essential to our eliminating the dangers our citizens face.

H.R. 2519 also includes funding for the National Science Foundation to support a minority summer science program, designed to increase minority participation and representation in the science field through summer science camps. I am also pleased that funding that benefits research and development at some of our Nations minority institutions was provided.

Efforts I have supported to increase minority participation in government contracting is also furthered with the inclusion of language directing the EPA to establish a contractor mentor/protege program for socially and economically disadvantaged businesses. Language requiring that the Resolution Trust Corporation award at least 10 percent of its prime and subcontracts to minority and women-owned businesses was also incorporated.

I am most gratified by the support given to some special projects back in my district in Ohio that provide essential services to Cleveland citizens and the community-at-large. These funds will support community development and various youth activities.

Mr. Speaker, knowing the difficulties encountered since H.R. 2519 was first brought to the floor in June and since it was marked up in the Senate makes this conference report that much more remarkable. The extreme differences about the space station and housing have been fairly and properly dealt with. This bill addresses the concerns of everyone and thus, it deserves our support.

Again, I commend Chairman TRAXLER and my colleagues on the subcommittee for their fine work on this bill, and urge my colleagues to support H.R. 2519.

Ms. PELOSI. Mr. Speaker, I rise today in strong support of the conference report on H.R. 2519, the VA–HUD appropriations bill for fiscal year 1992. I would like to express my thanks to Chairman TRAXLER and ranking member GREEN for their hard work in putting together a reasonable and balanced bill. I would also like to thank the subcommittee members and staff for their willing assistance in addressing issues of concern to the city of San Francisco and to the low-income housing community as I raised them.

I am particularly pleased that the conferees included $4 million for a new housing and detoxification center for homeless people in San Francisco. This program is an important part of Mayor Agnos' comprehensive plan to address homelessness in the city. Its inclusion in this bill is a testimony the mayor's commitment and creativity in addressing homelessness. He personally worked with Chairman TRAXLER and Chairman MIKULSKI on the senate side to convince them of the local utility and national significance of this program.

I am also pleased that the bill appropriates $50 million for the new AIDS Housing Opportunities Program, of which San Francisco will receive approximately $4.1 million. This program, developed by representatives MCDERMOTT, SCHUMER, and me, will help in the provision of needed housing and services to communities and individuals struggling to address the AIDS epidemic. The funds can be used for a variety of programs, including homeless prevention, rehabilitation, and construction of facilities for people with AIDS and HIV infection, and services The use of the funds will be determined at the local level, ensuring that they will have the maximum impact in communities that are particularly hard hit by the epidemic.

The bay area still has unmet housing needs from the Loma Prieta earthquake. The report contains language urging the Secretary of the Department of Housing and Urban Development to release $25 million in discretionary funding for additional earthquake-related rehabilitation and replacement of low-income housing. I hope that the Secretary will follow the committee's direction.

And, the conference report provides $2 million for the San Francisco estuary project. This

money will be instrumental in developing a final plan to address issues like dredging and fresh water diversion to protect the vitality and beauty of San Francisco Bay.

I am pleased that the conferees were able to provide significant levels of funding for a number of high priority national programs which will benefit local communities and low-income individuals, including $1.5 billion for the Home Investment Partnership Program, which will play a significant role in facilitating the development of local affordable housing initiatives. Waiving all State and local matching requirements will help local communities meet serious housing needs.

The bill also provides a total of $10.1 billion for assisted housing programs for low-income families, including $618 million for the preservation of properties threatened by prepayment and the provision of section 8 assistance to tenants displaced from buildings which opt-out of participating in low-income programs.

I am also pleased that this conference report contains $3.4 billion for the community development block grant [CDBG] program, $200 million more than last year, and $480 million, 16 percent, more than the administration's request. CDBG funds play a vital role in meeting local community needs. This increase in funding comes at a critical time of revenue shortfalls for many local communities and will ensure that some vital services are not cut.

While I am grateful that the committee provided 15-year project-based property disposition subsidies in this bill, I am concerned that the limited number of 953 such subsidies may result in hardship for some communities. I hope that HUD will be willing to work with us to identify additional funding for this need.

Again, I would like to commend Chairman TRAXLER and ranking member GREEN for their success in developing a funding bill for fiscal year 1992 which will provide assistance to many people in this country who are struggling to meet their basic needs. I urge my colleagues to support this conference report.

Mr. ATKINS. Mr. Speaker, I rise in strong support of this important legislation which will move us forward in the area of veterans medical care and assisted housing for our most vulnerable segments of the population. I would also like to express my personal thanks to Chairman BOB TRAXLER and the ranking minority member BILL GREEN who worked together in a bipartisan manner to bring the best bill possible to the floor under severe fiscal constraints. I don't think anyone in this body can fully appreciate the difficult decisions that had to be made by Mr. TRAXLER and Mr. GREEN concerning the urgent and diverse needs that our subcommittee faced. With last year's budget agreement restricting domestic discretionary spending and the goal of our subcommittee to fund agencies so that they deliver the services that the American people expect and deserve, this year's conference was very difficult. With the leadership of Chairman TRAXLER and Mr. GREEN the difficult was made possible.

One particular allocation in this bill that I am most proud of is the $50 million in the HUD budget to remove lead paint in federally assisted housing. Fifteen years ago, we learned about the tragedy of lead poisoning through our television set. Who could forget the ad showing a young girl eating paint chips from her tenement apartment window sill? However, recent studies have shown that most lead poisoning comes not from eating paint chips, but from dust that drifts in the air from cracked and peeling paint. Toxic lead exists not only in housing projects, as the television ad implied, but in homes everywhere.

A recent report from the Centers for Disease Control estimates that over 3 million children have unacceptably high levels of lead toxin in their bloodstream. Today, thousands upon thousands of children suffer from serious developmental disabilities and many are afflicted with severe physical ailments.

Children under age 6 are particularly susceptible to lead poisoning as their brains are in a critical stage of development. Symptoms of lead poisoning may include hyperactivity, reduced attention span, and hearing loss. In some cases, permanent brain damage may occur and even death.

Like asbestos removal several years ago, many companies that test, remove, or encapsulate lead paint do not have the expertise to safely alleviate the problem. Often, lead paint removal by disreputable or incompetent firms creates an even more hazardous situation by spewing harmful toxic dust throughout the home. But a new report by the Environmental Protection Agency includes guidelines to safely remove or encapsulate lead paint.

Today, Congress can seize on the EPA report and finally confront the lead paint issue head on. After years of delay and study, this bill sets aside $50 million in the housing budget to begin to eliminate lead paint in federally assisted housing. Contracts will only be awarded to certified lead paint removal companies meaning that the job will be done right. The legislation also creates an office for lead paint within the Department of Housing and Urban Development to coordinate testing and removal activities. The new office will ensure that an industry to safely and effectively remove dangerous lead will grow so that all households will have access to reputable abatement technology.

Lead paint has been called the No. 1 domestic health hazard in America today. Beginning today, with the passage of this legislation, the problem is being solved.

Mr. LOWERY of California. Mr. Speaker, I want to express my support for the conference report on the VA–HUD and independent agencies appropriations bill. In addition, I want to commend Chairman BOB TRAXLER and Congressman BILL GREEN, the ranking minority member, for their management of this legislation and for the fair treatment given to all Members interested in the programs covered by this bill.

As a member of the subcommittee, I participated directly in the formulation of this bill. As my colleagues know, this process was extremely difficult. The budget allocation the subcommittee received for fiscal year 1992 presented Chairman TRAXLER and the members of the subcommittee with very difficult decisions for the many important agencies funded by this appropriations bill.

This was especially true for NASA. Because of budget constraints, the chairman and the subcommittee originally proposed to terminate funding for space station *Freedom*. Chairman TRAXLER made this decision without prejudice and agreed to allow Congressman CHAPMAN and I to offer an amendment to restore the space station funding when the bill came to the full House in June. The House voted to continue the space station program and Chairman TRAXLER and BILL GREEN accepted that decision graciously and then sought to formulate the fairest bill possible in conference with the Senate. I believe they accomplished that goal. While this bill is not perfect, it does provide funding for every major veteran's program, as well as generous funding for most housing programs. While, I would prefer to have provided additional funding for Secretary Kemp's HOPE program for home ownership, the conference committee did increase funding for HOPE I from $151 to $161 million.

This legislation does provide full funding for space station *Freedom* in fiscal year 1992. This will enable the redesigned station program to make real progress over the next year. I believe the station is the key to reaching the next level in manned space exploration. It will move us beyond the fine achievements of the space shuttle program and toward more discoveries in our efforts to explore and better understand our universe and man's place in it.

I share the chairman's concern that funding for NASA programs will be even more difficult over the next few years. We must strike a workable balance between the manned program and important space science research. I look forward to working with the chairman and my colleagues to meet this challenge.

In addition, I want to thank Chairman TRAXLER for his cooperation with my efforts to provide funding for a number of important environmental programs through the Environmental Protection Agency. This bill will provide $49 million to continue development of an international sewage treatment facility on the United States-Mexico border between San Diego and Tijuana. When completed, this facility will end the flow of thousands of gallons of raw sewage now flowing from Tijuana that threaten the health of American citizens and the environment on the southern California coast. The bill before the House today will also provide funds for five coastal cities to upgrade their water and sewage treatment facilities. H.R. 2519 provides $300 million to enable New York, Boston, Seattle, Los Angeles, and San Diego to improve their sewage treatment standards as required by the Clean Water Act. The President requested these funds and the committee has cooperated in the effort to improve the water quality and sewage treatment in our cities.

Mr. Speaker, while I may not agree with every program or spending priority in the conference report, this legislation represents a solid, good-faith effort to forge a compromise that will provide funding for veterans, housing, environmental, and science programs. The bill is under the spending limits required by the 1990 deficit reduction agreement. It funds critical veterans' health programs and the President's top space exploration priority, space station *Freedom*. This bill is not perfect, but given our current spending limitations and the many contrasting priorities represented in the bill, the conference report is a solid, workable compromise.

I support passage of this legislation and urge its approval by the House.

Ms. SNOWE. Mr. Speaker, I rise in support of the conference committee report on H.R. 2519, the fiscal year 1992 HUD–VA, independent agencies appropriations bill. In particular, I want to express my thanks to Subcommittee Chairman TRAXLER and Ranking Minority Member GREEN for the fact that the conference report includes $23.5 million in funding for the National Science Foundation's [NSF] laser interferometer gravitational-wave observatory [LIGO].

The LIGO project will use the detection of gravitational waves to provide us with new and compelling information about the nature of the universe. The funding of this project represents an invaluable opportunity for the 102d Congress to demonstrate its support for the development of physics research that will ensure Americans preeminence in this area well into the 21st century.

I want my colleagues in the House to know that the LIGO project has gone through the peer review process, and has been approved. The National Science Board approved a LIGO prototype that the Brinkman Commission subsequently endorsed. This is proof positive that funding the LIGO project represents good physics research.

Once this initial funding is approved, the National Science Foundation can proceed to select two sites, from a total of 18 proposals, for the LIGO project. When the project becomes operational, the data collected will be available to use in expanding the study of physics throughout all of the United States.

In conclusion, Mr. Speaker, I want to reiterate my thanks to the subcommittee chairman, Mr. TRAXLER, and ranking minority member, Mr. GREEN, for their efforts to include funding of this valuable project in the final version of H.R. 2519.

Funding the LIGO project represents a big step forward in our efforts to ensure that the United States is at the cutting edge of physics research worldwide and I urge my colleagues in the House to join me in support of this conference report.

Mr. WAXMAN. Mr. Speaker, while I support their legislation, I want to make clear for the record my strong opposition to the provision relating to the use of DVA drug prices for purposes of calculating rebates under the Medicaid Program.

This provision will not achieve its intended objective: To protect the VA from price increases imposed by drug companies. It will increase Federal Medicaid costs—according to CBO estimates—by $40 million this fiscal year. It will increase Medicaid costs to the States by about $30 million.

The only winners will be the drug companies, who will continue to be able to raise their prices to the VA with impunity.

This bizarre result comes from a provision which directly amends the Medicaid statute, and therefore is not in the jurisdiction of the Committee on Appropriations. This blatant usurpation of the jurisdictional prerogatives of this committee violates not only the rules of the House, but also the comity between this committee and the Committee on Appropriations.

This provision also breaks an understanding with the States that the Congress reached just 1 year ago. States were told that they would be receiving rebates on all prescription drugs that they purchased through their Medicaid Program. These rebates would enable them to take advantage of the same discount then being enjoyed by DVA and private purchasers. In exchange, the States were prevented from limiting the drug they covered; instead, they were required to cover virtually all of the drugs of manufacturers that agreed to give rebates.

Under the provision being adopted today, States will continue to have to offer all drugs of participating manufacturers, but they will no longer be able to have the benefit of the deep discounts on some of those drugs available to the DVA. The result, as the National Governor's Association makes clear in the following letter, is new and significant cost increases to already hard-pressed State budgets. The NGA's case is particularly compelling since this provision does not protect even the DVA from drug company price increases.

I want to assure my colleagues that my subcommittee is monitoring the implementation of the Medicaid drug rebate provisions very carefully. The reason we have not yet acted is a simple one: We have absolutely no data from the administration on the operation of the program, which was initiated only 9 months ago. Due to lags in reporting of data, the administration tells that we will not get this information until next month.

When we have better information on how the rebate program is working and what the problems are, we will be in a position to come back to the House with an appropriate legislative remedy. At this point, we're simply unable to do that.

I very much regret the precipitous action taken in the legislation before us. Taking the discounts now enjoyed by the VA out of the Medicaid rebate formula will only make matters worse. As soon as we have enough information on which to act, I will be working with my colleagues on the subcommittee to report legislation that corrects the mistake we are making in this bill today.

OCTOBER 2, 1991.

Hon. HENRY A. WAXMAN,
Chairman, Subcommittee on Health and the Environment, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE WAXMAN: I write on behalf of the National Governors' Association to express our opposition to a provision contained in the Veterans' Administration-Department of Housing and Urban Development (VA–HUD) fiscal 1992 appropriation conference bill that will have a significant impact on state Medicaid programs. The provision would deny Medicaid access to discounts pharmaceutical companies offer to the Department of Veterans' Affairs until June 1992. The Congressional Budget Office estimates the combined federal and state Medicaid cost of the provision at $72 million.

As you know, last year Congress enacted legislation, as part of the Omnibus Budget Reconciliation Act 1990 (OBRA 1990), to give state Medicaid programs access to prescription drug discounts that pharmaceutical manufacturers offer to other federal health programs and private health programs and providers, such as hospitals and health maintenance organizations (HMOs). The projected savings ascribed to the OBRA 1990 legislation were used to offset most of the $3 billion in Medicaid expansions also enacted in OBRA 1990.

Any legislative change that diminishes the Medicaid prescription drug savings will cause both state and federal Medicaid budgets to suffer. At a time when Medicaid is the fastest growing portion of state budgets, increasing 19 percent in fiscal 1990 and more than 25 percent this year, states simply cannot assume new significant cost increases.

While the Governors agree it is equally important to enact legislation to protect the Department of Veterans' Affairs drug discounts from unjustifiable increases, the provision contained in the VA–HUD appropriations conference harms Medicaid without helping the DVA. Simply eliminating the DVA from Medicaid rebate calculations will not guarantee that the DVA will regain rebates that existed prior to the enactment of OBRA 1990.

The Governors request your assistance in stopping the enactment of this provision, and urge the Energy and Commerce Subcommittee on Health and the Environment, in concert with the Committee on Veterans' Affairs, to work with the states and the Department of Veterans' Affairs to find a solution to rising prescription drug costs that protects the interests of the DVA and Medicaid.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director.

Mr. STUMP. Mr. Speaker, as ranking minority member of the Veterans' Affairs Committee, I rise in opposition to the conference agreement on H.R. 2519, which makes appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for the independent agencies. My opposition remains essentially the same as it was when I spoke against H.R. 2519 on June 6, 1991.

Though I cannot support the conference agreement, I want it to be clear that I am in no way belittling the efforts of the leadership of the House Appropriations Subcommittee, Chairman BOB TRAXLER and Ranking Minority Member BILL GREEN. The level of appropriations for veterans programs are as much as could be expected, given the size of the subcommittee's allocation. But I believe funding for veterans programs deserves a higher priority and dollar level.

Consequently, the gentleman from New York, JERRY SOLOMON, and I have introduced House Resolution 204 to create a separate subcommittee on veterans affairs. With their own subcommittee, veterans would not have to compete with domestic programs such as housing, science, and environmental protection. Veterans programs are a cost of war and national defense, while the others are not. It is unfair for veterans to be placed in the same allocation of dollars as the space station, toxic dump cleanups and low-income housing, regardless of their merits. Veterans have literally earned their own allocation, so I invite my colleagues to cosponsor the resolution.

Part of my opposition also stems from certain provisions of the conference agreement which seriously encroach on the functions of the Veterans' Affairs Committee as an authorizing committee. We all know that appropriations bills are supposed to have corresponding authorizations, a principle that these days seems to be honored more and more in its breach, rather than in its observance.

Mr. Speaker, the conferees direct the Secretary of Veterans Affairs to submit a plan and

legislation to restructure and reclassify all but the most essential health care personnel positions from title XXXVIII to title V. The conferees adopt a Senate provision and direct establishment of a Geriatric Research and Evaluation Center at the Baltimore VA Medical Center without providing additional dollars. And the conferees direct VA to submit a proposal for a nurse education loan repayment program to aid in recruitment and retention. The House Veterans' Affairs Committee has not authorized any of these, and they clearly require authorization.

Further, the conference agreement adopts a Senate provision and calls for an extremely unwise reduction in appropriations for the VA Office of Facilities. This office runs the VA's vast construction programs. While improvements can always be made arbitrarily cutting $5 million will necessitate the loss of almost 100 employees, a reduction of 16 percent. There is no reason to believe such a step will improve VA's construction operations. To the contrary, VA's construction operations will be degraded.

Finally, Mr. Speaker, this conference agreement still funds excessive public housing subsidies. In fact, the conference agreement would put even less than the House-passed bill did into the new and innovative housing programs that are badly needed to give tenants a stake in their future.

The funding priorities in this conference agreement are mixed up, and all in all, it is not as good as the House-passed bill I voted against last June. I urge my colleagues to oppose the conference agreement on H.R. 2519.

Mr. ERDREICH. Mr. Speaker, I rise today to express my concern for the Federal Emergency Management Agency's budget request and authorization of appropriations for a flood risk directory project in conjunction with the digitization of flood insurance rate maps. The total program costs are expected to be over $45 million over the next 10 years.

The Committee on Banking, Finance and Urban Affairs' Subcommittee on Policy Research and Insurance, which I chair, has jurisdiction and oversight responsibility over the National Flood Insurance Program. The subcommittee has requested meetings with the Federal Insurance Administration on two occasions to discuss the program and the subcommittee's reservations in full detail.

I do not question the appropriateness of the directory as a Federal product, but rather the accuracy of the directories which are based on census data. The directories would only include 50 to 60 percent of all addresses of structures located in special flood hazard areas. Flood risk directories do not provide communities and homeowners with a full accurate listing of addresses in the flood plain. Communities and homeowners should not rely on the limited information provided in these directories to determine whether their structures are located in the flood plain. My fear, Mr. Speaker, is that the flood risk directories may provide communities and homeowners with a false sense of security.

Mr. Speaker, the Subcommittee on Policy Research and Insurance has spent the past 2½ years reviewing the National Flood Insurance Program. I introduced H.R. 1236, the National Flood Insurance, Mitigation, and Erosion Management Act of 1991, last March and the legislation passed the House overwhelmingly in May by a vote of 388 to 18. The legislation addresses the need for continuous map updates and maintenance to determine insurance rates and implement flood hazard reduction activities.

The digitization of flood insurance maps and the creation of a flood risk directory are an important undertaking by the Federal Insurance Administration. The accuracy of the information, however, is the foundation of the insurance and mitigation elements of the program. I raise my concerns for the flood insurance policyholders who are funding the flood risk directory project and for communities and homeowners who may depend on the flood risk directories to determine whether their structures are located in special flood hazard areas.

Mr. KLECZKA. Mr. Speaker, I rise today in support of the fiscal year 1992 VA–HUD conference report. I also rise to thank the members of the Appropriations Committee and my good friend, Chairman TRAXLER, for their hard work in steering this outstanding legislation through the House-Senate conference. Once again, Chairman TRAXLER has shown his leadership in gaining consensus on the controversial issues raised by this legislation.

The VA–HUD conference report provides for a broad cross-section of American life. The legislation funds programs which will benefit our Nation's veterans, protect our environment, continue the Space Program, and further our mission to increase affordable housing opportunities. Despite the constraints imposed by last fall's budget agreement, this legislation gives each of these programs a fair shake.

The conference report shines brightest in its provisions for housing and community development programs. For example, the highly-regarded Community Development Block Grant [CDBG] Program will receive almost $3.4 billion, and the home program will receive $1.5 billion.

The conference report also funds an innovative and much-needed demonstration project for low-income residents in my district. The conference report appropriates $4.2 million authorized by The 1990 Cranston-Gonzalez National Affordable Housing Act for the development, rehabilitation and revitalization of two vacant structures in a minority Milwaukee neighborhood. Two successful, neighborhood-based organizations, the United Community Center and Esperanza Unida, will work with the redevelopment authority of the city of Milwaukee to convert these neglected buildings into sites for housing, social services, and community development. I am proud to have led the effort in the House to gain funding for this crucial project.

Mr. Speaker, this is vital legislation and I applaud Chairman TRAXLER and his subcommittee for their efforts on behalf of America's future.

Mr. FAWELL. Mr. Speaker, I rise to raise an objection to the amendment in technical disagreement, number 35, on the VA–HUD appropriations bill (H.R. 2519, House Report 102–226).

I am strongly opposed to the amendment because it provides $150 million for 133 special purpose grants. The House-passed version contained no such grants. The Senate-passed version contained 58 special purpose grants, none of which was authorized, subject to any sort of congressional hearing, or competitively awarded.

The remaining 75 projects were added in the conference committee. By definition, these grants are not authorized, not subject to any hearing, and not competitively awarded.

To add insult to injury, the funding for these special purpose grants is coming from the account for annual assisted housing. This, to me, is unfathomable. By agreeing to this amendment, we are taking money from low-income housing to fund projects which have never been publicly scrutinized in any fashion. While some of these projects have admittedly laudable purposes, that is no excuse for not obtaining funding through the established appropriations process.

Additionally, many of these projects, which are reducing the amount available to assist low-income housing, have no relation whatsoever to the mission of HUD. Money which would have been used to provide low-income housing assistance will instead be spent for what we must assume are deemed higher priorities by the committee and the conferees. These include $1 million for the rehabilitation of a historic building in Ypsilanti, MI; $505,000 for a performing arts cultural center in North Miami Beach, FL; and $1.5 million for acquisition and renovation of theatre space in New York City.

Prior to the HUD Reform Act of 1989, these special purpose grants were funded under section 107, the Secretary's discretionary fund. When the abuse and mismanagement at HUD under Secretary Pierce's watch came to light, Congress zeroed-out this discretionary fund, thereby supposedly ending the practice of giving special purpose grants.

In his subcommittee's November 1, 1990, report on the HUD Reform Act, my colleagues from the other side of the aisle, TOM LANTOS, clearly stated that housing projects should be awarded on the basis of merit and competition, not power and influence. Quoting from page 8 of the report, Mr. Lantos states:

> There is a need to take politics and discretion out of housing programs. This applies equally to the executive and legislative branches. Just as it was wrong for HUD, under Secretary Pierce, to dole out housing units and grants to former HUD officials and the politically well-connected, and just as it was not right for President Reagan in 1982 to give housing units to New Jersey to influence a Senate race, so too Congress should not earmark funding for housing projects in appropriations bills. This practice by Congress, which circumvents objective criteria, competition, and merit, should be ended.

Unfortunately, the Congress did not heed Mr. LANTOS' wise counsel. The fiscal year 1991 HUD appropriations bill, which was the first since the HUD Reform Act went into effect funded 60 special purpose grants, totaling $53 million, under the section for annual contributions for assisted housing. Rather than ending the abuse, Congress had become the abuser. In what may be classified as "Robin Hood in reverse," Congress robbed the poor to pay off the powerful.

This year, the heist is even larger. The number of projects has more than doubled—from

60 to 133—and the amount of money has nearly tripled—from $53 million to $150 million. The $150 million spent on this year's special purpose grants could have funded 5,000 housing vouchers and certificates.

Earlier this year, I introduced the Spending Priorities Reform Act—H.R. 2643. This bill seeks to rescind the unobligated balances for 325 fiscal year 1991 projects, totaling over $1 billion at the time, which received funding in violation of the budget process. Among the projects included in the measure were the 60 special purpose grants in last year's HUD appropriations bill. Next year I plan to introduce a similar rescission package and you can be sure I will include the money for the 133 special purpose grants funded this week.

In a letter to the conferees, Secretary Kemp made clear his great displeasure with the special projects:

> The administration strongly objects to many provisions in both the House and Senate bills allocating funds directly to specific recipients and projects without competition. The Department believes that scarce HUD resources should be allocated through open and fair competition, consistent with the HUD Reform Act.

In this time of budget crisis, Congress must prioritize the needs of the Nation and adhere to a rigorous process of public scrutiny to ensure that our limited resources are doing the most good. The practice of awarding projects on the basis of power and influence should no longer be tolerated and I will continue to fight such abuses.

Mr. BROWN. Mr. Speaker, may I express my deep appreciation to my dear friend, Mr. TRAXLER, for yielding this time because I know how pressed he is for time, and I know he is giving me the time only because I promised him that I was going to support the bill, and I reiterate that.

I want to take this opportunity to comment on a few of the matters under the jurisdiction of the Committee on Science, Space, and Technology. I want to commend the gentleman from Michigan and the gentleman from New York and all the conferees for the work that they did on this bill. Indeed, there can be no doubt they made some very difficult choices as they had to within the confines of the budget agreement.

The conference report addresses many of the issues that authorizing committee has dealt with over the past year, and for the most part the funding decisions are reasonable. There is one disturbing aspect of the process, however, that I must call to the attention of my colleagues since it threatens to undermine any good work that we manage to do. This relates to the practice of adding unauthorized, unrequested earmarks for personal interest items. This, of course, is a time-honored tradition of this body and could be overlooked if it were not for the severe budgetary environment that we have had to operate under this year and will for the foreseeable future. This year, the budget reductions that Congress has had to make has made it entirely inappropriate to indulge in the earmarking that we are being asked to approve.

Mr. Speaker, I am not going to go into a diatribe about this. I am bringing it up because I think we have a serious problem with regard to the relationship between the authorizing and appropriations committees, and we'll deal with this at a later point. In part, it's our responsibility on the authorizing committee that this has developed. The NASA bill, for example, has just been approved last week in the Senate. The appropriations bill will go to the President before the authorizing bill and the appropriators are under no constraints to be bound by that bill. In my opinion—as a chairman of an authorizing committee—that's intolerable but it's our fault not the Appropriation Committee's fault. We must seek ways in which to resolve that problem. I also understand full well how the members of the Appropriations Committee carry on in the great tradition of Winston Churchill who said, "I did not come to the primeministership of Britain to preside over the extinction of the British empire." The members of the Appropriations Committee, did not become members to preside over the diminution of Federal funds to their districts, and they continue in that great statesmanlike tradition to make sure they get as much as possible of these funds. And I admire that, but in the interest of equity and comity I think we are going to have to find some way to readjust the balance.

In the NASA area, the conference report contains over $100 million in projects that were never requested by the administration, never authorized, and never discussed on this floor. We were never given the choice between the space station, for example, and these projects. These appear in the NASA portion of the budget but some can scarcely even be called space projects. I will itemize these in more detail in the extension of my remarks, Mr. Speaker, and I will not belabor them here.

Mr. Speaker, the Congress and the American people have entrusted NASA with managing and carrying out the Space Program. This is a challenging task and NASA is now struggling to come to grips with this responsibility within the current budgetary climate. The conferees reduced the NASA budget by over $1.4 billion and the growth in the Space Program will not even cover inflationary increases. On top of all of this, the conferees have chosen to lay additional distractions on NASA completely unrelated to their purpose. I appreciated the remarks that Mr. GREEN made about his efforts to bring the station funding back to some intermediate level between the House and the Senate and to use those additional funds for space science. I want to make it absolutely clear that I supported the action that we took earlier in funding the space station on the assumption and in the hope that creative ways would be found to fund space science down the road in the Senate, with the cooperation of the administration. That has not happened to the degree that I would like or anywhere close. I want to make it absolutely clear that I will not sacrifice space science for the space station if we are unable to resolve this conflict. I hope and believe that Mr. GREEN and Mr. TRAXLER both appreciate the fact that my deepest commitment in the Space Program is to the science base, not to the hardware base. I think we need a properly balanced program, however, and I will seek to achieve that every way that I possibly can.

Elsewhere in the conference report is funding for the programs of the National Science Foundation. This is a substantial increase over the current fiscal year, the increase is welcome, and I commend the committee for their efforts on behalf of the National Science Foundation.

This gentleman regrets that his time has expired. He had many more very important words and will put them in the RECORD.

The SPEAKER pro tempore (Mr. TORRICELLI). All time has expired.

Mr. TRAXLER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The SPEAKER pro tempore. Evidentily, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 390, nays 30, not voting 12, as follows:

[Roll No. 286]

YEAS—390

Abercrombie	Chandler	Fazio
Ackerman	Chapman	Feighan
Alexander	Clay	Fields
Allard	Clement	Fish
Anderson	Clinger	Flake
Andrews (ME)	Coble	Foglietta
Andrews (NJ)	Coleman (MO)	Ford (MI)
Andrews (TX)	Coleman (TX)	Frank (MA)
Annunzio	Collins (IL)	Franks (CT)
Anthony	Collins (MI)	Frost
Applegate	Combest	Gallegly
Aspin	Condit	Gallo
Atkins	Conyers	Gaydos
AuCoin	Cooper	Gejdenson
Bacchus	Costello	Gekas
Baker	Coughlin	Gephardt
Ballenger	Cox (IL)	Geren
Barnard	Coyne	Gibbons
Barrett	Cramer	Gilchrest
Barton	Cunningham	Gillmor
Bateman	Darden	Gilman
Bennett	Davis	Gingrich
Bentley	de la Garza	Glickman
Bereuter	DeFazio	Gonzalez
Berman	DeLauro	Goodling
Bevill	Dellums	Gordon
Bilbray	Derrick	Goss
Bilirakis	Dickinson	Gradison
Bliley	Dicks	Grandy
Boehlert	Dingell	Green
Boehner	Dixon	Guarini
Bonior	Donnelly	Gunderson
Borski	Dooley	Hall (OH)
Boucher	Doolittle	Hall (TX)
Boxer	Dorgan (ND)	Hamilton
Brewster	Dornan (CA)	Hammerschmidt
Brooks	Downey	Hansen
Broomfield	Durbin	Harris
Browder	Dwyer	Hastert
Brown	Dymally	Hatcher
Bruce	Early	Hayes (IL)
Bryant	Eckart	Hayes (LA)
Bunning	Edwards (CA)	Hefley
Bustamante	Edwards (TX)	Hefner
Byron	Emerson	Henry
Callahan	Engel	Herger
Camp	English	Hertel
Campbell (CA)	Erdreich	Hoagland
Campbell (CO)	Espy	Hobson
Cardin	Evans	Hochbrueckner
Carper	Ewing	Horn
Carr	Fascell	Horton

Houghton
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
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)
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Oxley
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Riggs
Rinaldo
Ritter
Roberts
Roe
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
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
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—30

Archer
Armey
Bellenson
Burton
Cox (CA)
Crane
Dannemeyer
DeLay
Dreier
Duncan
Fawell
Hancock
Hughes
Jacobs
Kyl
Luken
McEwen
Moorhead
Murphy
Obey
Orton
Packard
Pallone
Pease
Penny
Petri
Roemer
Rohrabacher
Sensenbrenner
Stump

NOT VOTING—12

Edwards (OK)
Ford (TN)
Holloway
Hopkins
Kaptur
LaRocco
Mrazek
Neal (NC)
Ridge
Santorum
Slaughter (VA)
Waters

□ 1226

Mrs. COLLINS of Illinois, Mr. BEREUTER, and Mr. DORNAN of California changed their vote from "nay" to "yea."

Mr. LUKEN changed his vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LAROCCO. Mr. Speaker, during the vote on H.R. 2519, I was unavoidably detained and unable to record my vote. Had I been present, I would have voted "aye."

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 4: Page 7, line 11, strike out "$375,000,000" and insert: "$389,550,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$413,360,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 5: Page 7, line 18, after "activities" insert: ": *Provided further*, That of the funds made available under this heading, not to exceed $6,000,000 shall be available for transfer to the Medical Administration and Miscellaneous Operating Expenses Appropriation for quality assurance functions".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment, insert the following: "$3,000,000".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 6: Page 7, line 18, after "activities" insert:" : *Provided further*, That of the funds made available under this heading, $700,000 shall be made available for a rural mobile clinic in the State of Vermont".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 9: Page 9, line 5, strike out "$854,204,000" and insert: "$805,159,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$796,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

□ 1230

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 10: Page 9, line 18, after "amended" insert: ": *Provided further*, That the funds appropriated in the preceding proviso shall be available only after submission to the Congress of a formal budget request by the President that designates said amount as an emergency requirement as defined in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 14: Page 11, line 24, after "standpoint" insert: ": *Provided further*, That $100,000 of the funds made available under this heading shall be for the purchase of land adjacent to the Veterans Medical Center, Beckley, West Virginia".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 20: Page 15, after line 12, insert:

Notwithstanding the funding limitations contained in section 346 of Public Law 100-322 (May 20, 1988), appropriations available to the Department of Veterans Affairs for fiscal year 1992 for National Cemetery System shall be available for the operation and maintenance of the National Memorial Cemetery of Arizona (formerly the Arizona Veterans Memorial Cemetery).

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 20, and concur therein with an amendment, as follows:

In lieu of the matter proposed in said amendment, insert the following:

Notwithstanding the funding limitations contained in section 346 of Public Law 100-322 (May 20, 1988), appropriations available to the Department of Veterans Affairs for fiscal year 1992 for the National Cemetery System shall be available for the operation and maintenance of the National Memorial Cemetery of Arizona (formerly the Arizona Veterans Memorial Cemetery): *Provided*, That the provisions of this paragraph regarding the National Memorial Cemetery of Arizona shall be effective until (a) enactment into law of legislation concerning funding for the National Memorial Cemetery of Arizona or (b) November 30, 1991, whichever first occurs.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will desigante the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 21: Page 15, after line 12, insert:

The Secretary of the Department of Veterans Affairs is hereby required to comply with regulations to be issued by the Department of Health and Human Services pursuant to the Clinical Laboratory Improvement Amendments of 1988.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I demand that the question be divided.

The SPEAKER pro tempore. The question will be divided.

The question is, Will the House recede from its disagreement to the amendment of the Senate numbered 21.

The House receded from its disagreement to the amendment of the Senate numbered 21.

PREFERENTIAL MOTION OFFERED BY MR. MONTGOMERY

Mr. MONTGOMERY. Mr. Speaker, I offer a preferential motion.

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

The Clerk read as follows:

Mr. MONTGOMERY moves that the House concur in the amendment of the Senate numbered 21 with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SEC. 101. (a) REGULATIONS FOR STANDARDS OF PERFORMANCE IN DEPARTMENT OF VETERANS AFFAIRS LABORATORIES.—(1) Within the 120-day period beginning on the date on which the Secretary of Health and Human Services promulgates final regulations to implement the standards required by section 353 of the Public Health Service Act (42 U.S.C. 263a), the Secretary of Veterans Affairs, in accordance with the Secretary's authority under title 38, United States Code, shall prescribe regulations to assure consistent performance by medical facility laboratories under the jurisdiction of the Secretary of valid and reliable laboratory examinations and other procedures. Such regulations shall be prescribed in consultation with the Secretary of Health and Human Services and shall establish standards in accordance with the requirements of section 353(f) of the Public Service Act.

(2) Such regulations—

(A) may include appropriate provisions respecting waivers described in section 353(d) of such Act and accreditations described in section 353(e) of such Act; and

(B) shall include appropriated provisions respecting compliance with such requirements.

(b) REPORT.—Within the 180-day period beginning on the date on which the Secretary of Veterans Affairs prescribes the regulations required by subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on those regulations.

(c) DEFINITION.—As used in this section, the term "medical facility laboratories" means facilities for the biological, microbiological, serological, chemical, immunohematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body for the purpose of providing information for the diagnosis, prevention, or treatment of any disease or impairment of, or the assessment of the health of, human beings.

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. TRAXLER] will be recognized for 30 minutes, and the gentleman from New York [Mr. GREEN] will be recognized for 30 minutes.

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent that the distinguished gentleman from Mississippi [Mr. MONTGOMERY] be allocated 30 minutes, and the other 30 minutes be equally divided between myself and the distinguished gentleman from New York [Mr. GREEN].

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, this motion is very simple. The provision contained in the Senate bill regarding the regulation of VA laboratories is legislation that is in our appropriations bill.

As we all know, it is common practice in the Senate to include legislative provisions in appropriations acts. I would ordinarily object to that. However, the motion that I am offering is identical to the language that passed the House on June 25, 1991, in section 304 of H.R. 2280. That bill is on the Senate Calendar and is awaiting further Senate action.

Mr. Speaker, as chairman of the committee with responsibility for authorizing the activities of the Department of Veterans Affairs, I have examined the need for quality standards for the Department's clinical laboratories. This amendment requires the VA to establish standards for clinical laboratories that are consistent with standards which the Secretary of Health and Human Services, Dr. Sullivan, will prescribe for private laboratories.

Mr. Speaker, the problem is the Secretary has not issued any type of regulations pertaining to laboratories and the HHS does not have any laboratories.

We have discussed this language with the Committee on Energy and Commerce and the gentleman from Michigan [Mr. DINGELL], and they agree with our approach to this subject.

This amendment makes VA responsible for assuring the quality of laboratory services it performs. If we start handing over the responsibilities to other departments, it could result in services to veterans being reduced, and that is the last thing we need to do.

Mr. Speaker, the VA operates 172 hospitals and 339 outpatient clinics. It has always operated its laboratories at the highest standards. There has been no criticism of its activities in that area.

Mr. Speaker, I might add that this amendment we are proposing was added on on the Senate side, as our House managers will explain themselves here.

We have no intention of allowing the Secretary of another department to determine whether the standards to be applied in VA laboratories have been met. That responsibility should rest with the Secretary of Veterans Affairs.

Mr. Speaker, as I said earlier, HHS has no laboratories of their own. We have no problem with the law itself to regulate private and small laboratories.

When the House considered this provision on June 25, there was no opposition to the agreement that had been worked out before our committee and with the Committee on Energy and Commerce.

Mr. Speaker, I urge Members to support this amendment. All of the veterans organizations in this country strongly oppose the Senate appropriation provision.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Speaker, I thank the gentleman for yielding. I would like to commend the distinguished chairman of the Committee on Veterans' Affairs for offering this amendment. He has stated that the VA needs to be held to the highest standards possible, and I think we do that. However, we should not place VA laboratories under the control of another Federal agency.

Mr. Speaker, I urge Members to support the previously passed provision in H.R. 2280 by voting for the Montgomery amendment.

Mr. MONTGOMERY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding.

Let me just say, as the former ranking Republican on the Committee on Veterans' Affairs, that I want to concur in the statement of the gentleman from Mississippi [Mr. MONTGOMERY] and the statement of the gentleman from Arizona [Mr. STUMP]. As one of the major sponsors, along with these gentlemen, of the bill which created the Department of Veterans Affairs, this is the very reason we did it, to keep the other agencies out of the hair of the Veterans' Administration.

Mr. Speaker, we want to hold the Veterans' Administration responsible. They do a good job. These Members and I have concentrated on this for years.

Mr. Speaker, I certainly hope that the House supports the motion of the gentleman from Mississippi [Mr. MONTGOMERY] in this effort. I commend the gentleman for it.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for his comments.

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

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

Mr. Speaker, certainly no one regrets this issue coming before this body more than I do. The relationship that I have had with the authorizing Committee on Veterans' Affairs has been, I think, one of the most enjoyable in my congressional career.

Mr. Speaker, to the gentleman from Mississippi [Mr. MONTGOMERY] and the gentleman from Arizona [Mr. STUMP], I have the highest personal regard. There are no two Members in this body that are more committed to America's veterans and the promotion of their cause than these two fine gentlemen.

Mr. Speaker, I want to bring before Members what the position of the Senate is. In a sense, when we are in conference and are talking about what the House wants and they talk about what the other body wants, it is not without reason. Oftentimes one is moved out of considerations, often unrelated to the specific issue in front of us.

One of the things that sometimes motivates us in a minor way on the House side in conference on these appropriations bills is that we are sometimes driven by budget matters—budget considerations on outlays. We are under constraints to get the job done within the moneys available to us. I can tell Members that there is a little known provision in the summit agreement that sort of moved us along to resolve matters of difference between the House and Senate in the conference, and we did not perhaps argue as long as we should have on some issues.

□ 1240

Of course, this is one of those issues of great importance to my authorizing friends and to me as well.

There was created, not by me, but by the Committee on Appropriations and by the authorizers in the summit agreement of last fall, a special set-aside of money to accommodate scorekeeping differences between OMB and CBO. And in this bill alone, there is a total of some $400 million that must, as the bill is presently constructed, make use of that special set-aside.

I must say, what we are looking at is a race, a race between myself and my other subcommittee chairmen on appropriations to that special set-side. And we were highly motivated to proceed as rapidly as possible and as expeditiously as possible because the special set-aside is not sufficient to cover all of the differences in the appropriations bills. So please understand that this was in the back of my mind.

The Senate felt very, very strongly on the issue. I think the gentleman from Mississippi [Mr. MONTGOMERY] very adequately said it for us, and I certainly do not disagree with his definition.

The bill provides that the Department of Veterans Affairs is required to comply with regulations to be issued by the Department of Health and Human Services pursuant to the Clinical Laboratory Improvement Amendments of 1988. Those regulations, I am told, will be out very soon. That will bring all of America's—if this amendment as proposed by the Senate is concurred in—that will bring all of America's laboratories, whether it is a hospital laboratory or the clinical laboratory in one's hometown, and the VA laboratories under the same standards.

For some people in the health care field, that is an important issue. It happens that the Members on the Senate side that sit on the Committee on Appropriations were involved in the writing of the clinical laboratory improvement amendments bill, and so they have a personal commitment here to bring everybody under that umbrella bill.

On the other hand, the history of the VA is that it stands outside of these general provisions that relate to, shall we say, the civilian hospitals. And rightfully so, my chairman on the Committee on Veterans' Affairs has insisted that this be the case. I advanced those arguments in the course of the conference.

I must say that the Senate felt very strongly on this. I told them how strongly the authorizing committee on the House side felt on this issue, and I feel very much like a person who is sort of caught in the center, who wants

to support my House colleagues and at the same time wants to get the conference report done so we can utilize the special set-aside, among other reasons, and to complete action on this bill which is important to all Members. And all Members want to do the same thing.

What I am saying to my colleagues is that we came down in the conference on the side of what the Senate was recommending. I cannot say that that was absolutely right. What I can say is that we have presented the issues for Members' consideration and we want the matter as expeditiously resolved as possible.

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

Mr. TRAXLER. Mr. Speaker, I want to say to the gentleman from New York [Mr. SOLOMON] that in my association with him over these years and, of course, he was on the authorizing committee—the Committee on Veterans' Affairs—and he left that for another position, a very demanding one, I might add.

Even though he is no longer on the committee, there is no more loyal a supporter of the authorizing committee than the gentleman from New York [Mr. SOLOMON] is. Certainly his heart has always remained there.

I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, that is awfully nice of the gentleman. I do appreciate his remarks. Serving in that new capacity, as the ranking Republican on the Committee on Rules, my heart is still there looking out for helping the gentleman, and my good friend, the gentleman from New York, BILL GREEN, for the tremendous job they do for the veterans.

I just cannot tell them how much I appreciate it personally. I also know the spot that they, and other members of the subcommittee and our full Committee on Appropriations, are put in because they do have to compromise.

We discussed this in the debate on the unemployment insurance yesterday. We all have to bend a little. And so we know that they were put in that position. And that is why I think the gentleman from Mississippi [Mr. MONTGOMERY], knowing how vital this is, and the gentleman from Arizona [Mr. STUMP] and others, really would like to stick to our point.

The gentleman cannot renege on his agreement; probably putting all this pot together, he is right. Maybe he has to make that concession. But the House does not.

I just want the gentleman to know, it is no slap on his face if we oppose him on this issue, because we know the spot he is put in.

As a matter of fact, I would like to put in a plug for one of my bills because it is this very problem of the 602(b) allocation that lumps the Department of Veterans Affairs—the second largest department in Government—lumps them in with HUD, and EPA, and FAA, and all of the other AAA's, or whatever they are. And that is what is wrong.

My colleagues know, and I know, that the veterans ought to have their own subcommittee, so that we do not fight with these other agencies for that share of that pot. We ought to be fighting for the agencies within the Veterans Department for their fair share. Someday, down the line, I would like to sit down and discuss this with the gentleman and maybe we will not have this same problem. In the meantime, let us not necessarily cave in to some of the pompous Members of that other body that just want to get their way all the time.

I take my hat off to both gentleman.

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

Mr. TRAXLER. I yield to the gentleman from Arizona.

Mr. STUMP. Mr. Speaker, I thank the gentleman for yielding to me. I just want him to know that we appreciate his kind words. It has been a pleasure to work with him on veterans' issues in the past. This is really not a spending issue. This is an authorization issue, and we on the authorizing committee should be able to settle this.

I thank the gentleman and commend him for this work.

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

Mr. GREEN of New York. Mr. Speaker, I yield myself such time as I may consume.

As I think the members of the Committee on Veterans' Affairs can understand, as the manager on the minority side of this conference report, I find myself in a very difficult position.

The Senate has used the conference in a way which is disadvantageous to the Committee on Veterans' Affairs, and I understand that.

I also have to say, however, that on this issue the Senate was quite adamant. I have not a lot of hope that, if this motion is passed, we are going to have this issue instantly resolved, because I think the Senate feels just as strongly as do the members of the Committee on Veterans' Affairs on their side of this issue.

What I want to address is not the issue, which really—as the gentleman pointed out—is not truly an appropriations issue, but the consequences of delay.

The gentleman from Michigan, my good friend, pointed out one consequence of the delay. And that is the possibility that as the wheel turns, we shall lose some of the 602(b) authority that we now have and everyone will be worse off, including the veterans. That is one very real risk.

I should like to point out that there are other problems from delay also. One of those deals with the new housing programs. Our colleagues on the Committee on Banking, Finance and Urban Affairs are naturally very interested in seeing their new housing programs go into effect.

The effect of any extensive delay, if this becomes a matter of intransigence on the Senate side and the House side, will therefore mean that we shall be operating under a continuing resolution under which the new housing programs will have to start at the much lower levels in the House bill.

I think everyone on my side of the aisle ought to understand that the administration in general, and our former colleague, Secretary Kemp, are very eager to get on with those new programs. The Secretary regretted that they were not included in the supplemental, and the effect of delaying getting this bill to the President means that we are going to start the new programs not with a bang but a whimper.

Similarly, on the space station. As everyone knows, that is not my favorite program. But the House voted to go ahead with the space station.

□ 1250

And we agreed to go ahead at the higher level that was in the Senate bill.

If we are caught in a long delay, we go back to the lower of the levels in the House bill and the Senate bill as part of the continuing resolution, and I have to tell Members that is devastating not just to the space station—which will get some interim reduction in funding—but because of the way the space station amendment was crafted by the space station sponsors here in the House, it really has a very negative impact on the whole NASA operation, which certainly does not need any grief at this point.

So I do urge my colleagues to consider the consequences of delay as they decide whether to go back to the Senate on this one, where our chairman tried very, very hard to get the Senate to recede and was not able to do so. I ask all of my colleagues simply to consider the costs of delay, in terms of other programs, if we now get in a deadlock with the Senate on what is admittedly an important issue. But there are other important issues that this bill also addresses and that should be addressed promptly.

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

Mr. MONTGOMERY. Mr. Speaker, I have only one other speaker and then we can move to other amendments.

Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. HARRIS], who is a member of our Veterans' Affairs Committee.

Mr. HARRIS. Mr. Speaker, I thank the chairman for yielding time to me. I am very fortunate to serve on the Veterans' Affairs Committee with our

chairman, the gentleman from Mississippi [Mr. MONTGOMERY], and am also privileged to serve on the Energy and Commerce Committee with Chairman DINGELL.

Before I make my remarks, I would like to, at this point, personally thank BOB TRAXLER and BILL GREEN for the fine job that they have done on this conference report. I know that they worked long and hard.

But back in June the House made a very strong statement on this particular point, and then we passed H.R. 2280, as I recall on a voice vote. And it was a bill that had some very carefully crafted compromises, not only between our Committee on Veterans' Affairs but also the Committee on Energy and Commerce, and Chairman DINGELL had written a letter to the committee stating his position. I would like to share a portion of it because it goes to the heart of the agreement.

It says:

It also recognizes the desirability of vesting the Secretary of Veterans Affairs with authority for applying those requirements to veterans' laboratories by requiring the Secretary to prescribe regulations in accordance with the requirements of Section 353(f) and to establish appropriate compliance measures.

And this is what the House passed, and as I said, it was a very strong statement.

I do not have to tell my colleagues about the problems of in-fighting between different agencies. They can imagine the problems that we would have if we start putting the operation of the Department of Veterans Affairs under the Department of Health and Human Services. I just do not think that it is a good situation. It sets a bad precedent, and I encourage my colleagues to support this preferential motion of Chairman MONTGOMERY.

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

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

Mr. Speaker, I would like to say that we have had a wonderful relationship, and we will continue to have that, between our committee and the Subcommittee on Appropriations. Mr. Speaker, it is really like a good marriage. We are having a little spat right now, and of course we know we are right.

On this issue I might also say that the veterans did not cause this delay. It was the Senate Appropriations Committee by inserting this authorization amendment.

I am concerned that we do not want to delay this legislation. I never really have quite understood the scoring that they are talking about today, but I think it would be very, very unfair if the Senate and some Members over there would see fit to delay a question, such as this, which means so much to the veterans and is not that burning an issue.

Let me say that I understand what is being said here today and I appreciate the gentleman's remarks outlining the Senate's position. But as the gentleman knows, and I am speaking of the gentleman from Michigan [Mr. TRAXLER], that position contained in the appropriations bill did not come through the authorization committees of the Senate. They never saw this language. But as I said, the authorization committees in the House, both the Veterans' Affairs Committee and the Energy and Commerce Committee, as pointed out by the gentleman from Alabama [Mr. HARRIS], have stated their position, and that position is reflected in the amendment which I am offering at this time.

I urge my colleague to support the amendment.

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

Mr. TRAXLER. Mr. Speaker, I yield myself such time as I may consume to say that I want to express my appreciation to the distinguished gentleman from Mississippi. He has explained the issue well.

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

The SPEAKER pro tempore (Mr. TORRICELLI). The question is, Will the House concur in Senate amendment No. 21 with an amendment?

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 390, nays 24, not voting 18, as follows:

[Roll No. 287]

YEAS—390

Abercrombie
Ackerman
Alexander
Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Billey
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Clay
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Grandy
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
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
Kasich
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
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
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Studds
Stump
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thornton

Torres	Vucanovich	Wise
Torricelli	Walker	Wolf
Towns	Walsh	Wolpe
Traficant	Washington	Wyden
Unsoeld	Weber	Wylie
Upton	Weldon	Yatron
Valentine	Wheat	Young (AK)
Vander Jagt	Whitten	Young (FL)
Vento	Williams	Zeliff
Volkmer	Wilson	Zimmer

NAYS—24

Atkins	Lehman (FL)	Stokes
Beilenson	Lightfoot	Thomas (WY)
Carr	McDermott	Traxler
Chapman	Mfume	Visclosky
Early	Panetta	Waters
Gradison	Sabo	Waxman
Green	Scheuer	Weiss
Kennedy	Skaggs	Yates

NOT VOTING—18

Chandler	Kaptur	Pursell
Clement	Kolbe	Ridge
Ford (TN)	Levine (CA)	Santorum
Hatcher	Mrazek	Slaughter (VA)
Holloway	Neal (NC)	Smith (IA)
Hopkins	Petri	Sundquist

□ 1318

Messrs. VISCLOSKY, CARR, STOKES, WAXMAN, and LEHMAN of Florida changed their vote from "yea" to "nay."

Mr. DINGELL changed his vote from "nay" to "yea."

So the House concurred in the amendment of the Senate numbered 21 with an amendment.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. TORRICELLI). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 25: Page 16, line 3, strike out "$100,000,000" and insert: "$130,000,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$95,000,000".

The SPEAKER pro tempore (Mr. TORRICELLI). The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

□ 1320

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 26: Page 16, line 8, strike out "$100,000,000" and insert: "$125,000,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$95,000,000".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent that the Senate amendments numbered 28, 29, 30, 34, 49, 53, 71, 73, 74, 75, 76, 78, 80, 81, 85, 89, 92, 98, 106, 123, 124, 139, 142, 147, 148, 153, 159, and 173 be considered en bloc and printed in the RECORD.

Mr. Speaker, these are noncontroversial, and I have discussed these amendments with the distinguished gentleman from New York [Mr. GREEN].

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

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. I did not catch all those numbers. Amendments numbered 35 and 131 were not included?

Mr. TRAXLER. Mr. Speaker, if the gentleman will yield, the gentleman is correct.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The texts of the amendments enumerated in the foregoing unanimous-consent request are as follows:

Senate amendment No. 28: Page 16, line 12, after "expended" insert: ": *Provided further*, That, notwithstanding any other provision of law, a mutual housing association shall qualify as an applicant under the HOPE for Homeownership of Multifamily Units Program".

Senate amendment No. 29: Page 16, line 12 after "expended" insert; ": *Provided further*, That in selecting eligible families to acquire vacant units under the HOPE for Homeownership of Single Family Homes Program, the recipient shall give a first preference to otherwise qualified eligible families who reside in public or Indian housing".

Senate amendment No. 30: Page 16, line 12, after "expended" insert; ": *Provided further*, That of the amounts made available by this paragraph, $225,000,000 shall be derived by transfer from amounts made available for nonincremental use under the heading "Annual contributions for assisted housing" in fiscal year 1991 and prior years which remains unreserved at the end of fiscal year 1991".

Senate amendment No. 34: Page 17, line 8, after "'"$250,000"'" insert; ": *Provided*, That the Secretary shall not, as a condition of assisting a participating jurisdiction under such Act using amounts provided herein for fiscal year 1992 only, require any contributions by or in behalf of a participating jurisdiction, notwithstanding section 220 of such Act".

Senate amendment No. 49: Page 31, line 21, strike out "$3,265,000,000" and insert: "$3,400,000,000".

Senate amendment No. 53: Page 32, line 19, after "note)" insert; ": *Provided further*, That $2,000,000 shall be made available from the foregoing $3,400,000,000 to carry out a neighborhood development demonstration under section 915 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625)".

Senate amendment No. 71: Page 43, after line 13, insert:

The Secretary shall cancel the indebtedness of the Sale Creek Utility District in Soddy Daisy, Tennessee, relating to public facilities loan (Project No. TN 40-PFL0071) issued May 1, 1962. The Sale Creek Utility District in Soddy Daisy is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any other fees and charges payable in connection with such loan.

Senate amendment No. 73: Page 43, after line 13, insert:

Notwithstanding any other provision of law, housing assistance payments in the amount of $896,000 made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1990 (Public Law 101-144), for project-based assistance under the section 8 existing housing certificate program (42 U.S.C. 1437f) for the Ganado Acres project, shall be for a term beginning on December 1, 1989.

Senate amendment No. 74: Page 43, after line 13, insert:

Hereafter, notwithstanding any other provision of State or Federal law, regulation or other requirement, any public housing agency or Indian housing authority that purchases any line of insurance from a nonprofit insurance entity, owned and controlled by public housing agencies or Indian housing authorities, and approved by the Secretary, may purchase such insurance without regard to competitive procurement.

Senate amendment no. 75: Page 43, after line 13, insert:

Hereafter, the Secretary shall establish standards as set forth herein, by regulation, adopted after notice and comment rulemaking pursuant to the Administrative Procedures Act, which will become effective not later than one year from the effective date of this Act.

Senate amendment No. 76: Page 43, after line 13, insert:

Hereafter, in establishing standards for approval of such nonprofit insurance entities, the Secretary shall be assured that such entities have sufficient surplus capital to meet reasonably expected losses, reliable accounting systems, sound actuarial projections, and employees experienced in the insurance industry. The Secretary shall not place restrictions on the investment of funds of any such entity that is regulated by the insurance department of any State that describes the types of investments insurance companies licensed in such State may make. With regard to such entities that are not so regulated, the Secretary shall establish investment guidelines that are comparable to State law regulating the investments of insurance companies.

Senate amendment No. 78, Page 43, after line 13, insert:

During fiscal year 1992, notwithstanding any other provision of law, average employment in the headquarter's offices of the Department of Housing and Urban Development shall not exceed (1) 71 staff years for the Immediate Office of the Secretary/Under Secretary, (2) 13 staff years for the Deputy Under Secretary for Field Coordination, (3) 19 staff years for the Office of Public Affairs, (4) 28 staff years for the Office of Legislation and Congressional Relations, (5) 1,068 staff years for the Assistant Secretary for Housing—Federal Housing Commissioner, of which 25 staff years shall be for data management reform and preservation activities only, (6) 207 staff years for the Assistant Secretary for Public and Indian Housing, (7) 275 staff years for the Assistant Secretary for Community Planning and Development, (8) 137 staff years for the Assistant Secretary for Policy Development and Research, (9) 170 staff years for the Assistant Secretary for Fair Housing and Equal Opportunity, and (10) 219 staff years for the Office of General Counsel of which not more than 13 staff years shall be for the Immediate Office of General Counsel: *Provided*, That no funds may be used from amounts provided in this or any other Act for details of employees from any organization in the Department of Housing and Urban Development to any organization included under the budget activity "Departmental Management".

Senate amendment No. 80: Page 43, after line 13, insert:

Section 606(c) of the Housing and Community Development Act of 1987 (12 U.S.C. 1715l note) is amended by adding at the end thereof the following new sentence: "The Secretary may apply this 25 percent requirement to all the homes under Nehemiah housing opportunity program or to a phase (approved under subsection (b)) consisting of at least 16 homes.".

Senate amendment No. 81: Page 43, after line 13, insert:

For purposes of the United States Housing Act of 1937, members of the Pascua Yaqui tribe who reside in Guadalupe, Arizona, shall be considered (without fiscal year limitation) as residing on an Indian reservation or other Indian area.

Senate amendment No. 85: Page 45, after line 2, insert:

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

SALARIES AND EXPENSES

For use in establishing and paying the salaries and expenses of the Commission on National and Community Service under subtitle G of title I of the National and Community Service Act of 1990 (Public Law 101-610), $2,000,000, to remain available until September 30, 1993.

PROGRAMS AND ACTIVITIES

For use in carrying out the programs, activities and initiatives under subtitles B through F of title I of the National and Community Service Act of 1990 (Public Law 101-610), $73,000,000, to remain available until September 30, 1993.

Senate amendment No. 89: Page 47, line 8, after "established" insert: ": *Provided further*, That $500,000 of the amount provided under this heading for the Immediate Office of the Administrator shall not become available until the Administrator provides to the Committees on Appropriations the Agency's Strategic Plan".

Senate amendment No. 92: Page 48, line 1, after "development" insert: "; and construction, alteration, repair, rehabilitation and renovation of facilities, not to exceed $75,000 per project".

Senate amendment No. 98: Page 49, line 20, after "sites" insert: ": *Provided further*, That of amounts previously appropriated under this heading, $6,000,000 shall be available as a grant to the Christopher Columbus Center Development, Inc. for planning and design of the Christopher Columbus Center of Marine Research and Exploration in Baltimore, Maryland".

Senate amendment No. 106: Page 51, line 17, strike out "$2,195,000,000" and insert: "$2,400,000,000".

Senate amendment No. 123: Page 54, after line 7, insert:

LEAD ABATEMENT TRAINING AND CERTIFICATION

Not later than twelve months after the date of enactment of this Act, the Administrator of EPA shall, in consultation with the Secretary of Labor, the Secretary of Housing and Urban Development and the Secretary of Health and Human Services (acting through the Director for the National Institute for Occupational Safety and Health) promulgate final regulations governing lead-based paint abatement activities to ensure that individuals engaged in such activities are properly trained; that training programs are accredited; that contractors engaged in such activities are certified; and that laboratories engaged in testing for substances that may contain lead-based paint are certified.

TRAINING GRANTS

Grants for training and education of workers who are or may directly be engaged in lead-based paint abatement activities shall be administered by the Environmental Protection Agency. Such grants shall be awarded to non-profit organizations engaged in lead-based paint abatement activities with demonstrated experience in implementing and operating worker health and safety lead-based paint abatement training and education programs and with a demonstrated ability to reach and involve in lead-based paint training programs target populations of workers who are or will be directly engaged in lead-based paint abatement activities. Grants shall be awarded only to those organizations which fund at least 30 percent of their lead-based paint abatement training programs from non-Federal sources, excluding in-kind contributions.

DEFINITION

For purposes of the immediately preceding two paragraphs, lead-based paint abatement activities means activities engaged in by workers, supervisors, contractors, inspectors, and planners who are engaged in the removal, disposal, handling, inspection, and transportation of lead-based paint and materials containing lead-based paint from public and private dwellings, public and commercial buildings, bridges, and other structures or superstructures where lead-based paint presents or may present an unreasonable risk to health or the environment.

Senate amendment No. 124: Page 54, after line 7, insert:

The Administrator shall maintain a facility within the Environmental Protection Agency to conduct biological testing of pesticides.

Senate amendment No. 139: Page 63 line 2, after "activities" insert:[66] ": *Provided further*, That of the funds appropriated under this heading, $6,000,000 shall be available to continue the construction, equipping, and integration of a Classroom of the Future on the campus of Wheeling Jesuit College; $3,400,000 shall be available for planning and design for facilities in support of the Consortium for International Earth Science Information Networks (CIESIN); $10,000,000 shall be available to West Virginia University for an independent software validation and verification facility; $10,000,000 for construction and equipping a new space dynamics lab at Utah State University; $13,500,000 shall be available for construction of integrated facilities to support for National Technology Transfer Center; and $20,000,000 shall be available for construction and outfitting of the Christopher Columbus Center of Marine Research and Exploration".

Senate amendment No. 142; Page 64, line 7, after "Act" insert: "with respect to any fiscal year."

Senate amendment No. 147; Page 65, after line 9, insert:

NATIONAL COMMISSION ON FINANCIAL INSTITUTION REFORM, RECOVERY, AND ENFORCEMENT

SALARIES AND EXPENSES

To carry out the provisions of subtitle F, title XXV, of the Crime Control Act of 1990, $1,000,000 to remain available until expended.

Senate amendment No. 148: Page 65, after line 9, insert:

NATIONAL COMMISSION ON AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN HOUSING

SALARIES AND EXPENSES

For necessary expenses of the National Commission on American Indian, Alaska Native, and Native Hawaiian Housing, in carrying out their functions under title VI of the Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235, 103 Stat. 1987, 2052) $500,000, to remain available until expended.

Senate amendment No. 153: Page 67, line 19, after "appropriation" insert ": *Provided further*, That no funds in this account shall be used for the purchase of aircraft other than ones transferred from other Federal agencies."

Senate amendment No. 159: Page 69, line 13, after "year" insert "*Provided further*, That section 14(a)(3) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1873(a)(3)), is amended by striking the words "and when less than."

Senate amendment No. 173: Page 81, after line 6, insert:

SEC. 525. GENERAL ACCOUNTING OFFICE STUDY OF THE FEDERAL HOUSING ADMINISTRATION'S MUTUAL MORTGAGE INSURANCE FUND.—The General Accounting Office shall prepare and submit to Congress no later than April 1, 1992, a study of the actuarial soundness of the Federal Housing Administration's single family mortgage insurance program and the solvency of the Mutual Mortgage Insurance Fund. The study, using existing studies (including the study entitled "An Actuarial Review of the Federal Housing Administration's Mutual Mortgage Insurance Fund") and employing the latest reliable data available, shall analyze the actuarial soundness of the Mutual Mortgage Insurance Fund and the ability of the Mutual Mortgage Insurance Fund to meet the capital ratio targets established in the Omnibus Budget Reconciliation Act of 1990 under various economic and policy scenarios. Factors considered in the analysis shall include, but shall not be limited to, the following:

(1) The actuarial performance of all cohorts of loans insured by the Mutual Mortgage Insurance Fund, including all available post-1985 books of business. Specifically, the overall default rates and claims (loss) experience of these loans should be considered.

(2) The effect of the Mortgagor Equity rule issued by the Department of Housing and Urban Development, which limits the

amount of closing costs that can be financed with a Federal Housing Administration mortgage to 57 percent of the total amount of allowable closing costs, on the actuarial status of the Mutual Mortgage Insurance Fund, default rates of Federal Housing Administration borrowers, the relative impact on purchasers of homes at various price levels, and the ability of potential Federal Housing Administration borrowers to purchase homes.

(3) The effect of underwriting changes made by the Federal Housing Administration since 1986.

(4) The effect of the increase in the insurable maximum mortgage amount that was made permanent in the National Affordable Housing Act and the effect of further increasing the maximum mortgage amount.

(5) The impact of a policy to allow "streamlined refinancings" whereby the borrower would not be required to pay an annual premium.

(6) The Federal Housing Administration's accounting method for deferring and amortizing the Mutual Mortgage Insurance Fund single-family one-time premium revenue.

(7) The valuation of delinquent loans for loan loss reserve accounting purposes.

(8) The impact of various assumptions regarding the rate of real home price appreciation and mortgage interest rates.

(9) The effect of various economic conditions, including favorable, moderate, and adverse conditions, on the ability of the Mutual Mortgage Insurance Fund to build adequate capital levels.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendments of the Senate numbered 28, 29, 30, 34, 49, 53, 71, 73, 74, 75, 76, 78, 80, 81, 85, 89, 92, 98, 106, 123, 124, 139, 142, 147, 148, 153, 159, and 173 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 35: Page 17, strike out all after line 9 over to and including line 2, on page 23, and insert:

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

For assistance under the United States Housing Act of 1937, as amended ("the Act" herein) (42 U.S.C. 1437), not otherwise provided for, $7,917,000,000, to remain available until expended: *Provided*, That to be transferred to and merged with the foregoing amounts, there shall be $1,764,747,195, consisting of $216,200,000 of budget authority previously made available for vouchers and certificates under section 8(o) and section 8(b) of the Act (42 U.S.C. 1437f(b)(o)) which remains unreserved at the end of fiscal year 1991; $348,547,195 of budget authority previously made available under this head for nonincremental purposes which remains unreserved at the end of fiscal year 1991; and $1,200,000,000 of recaptured section 8 funds resulting from the conversion of projects previously reserved under section 202 of the Housing Act of 1959, as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act, to the new capital grants program: *Provided further*, That, from the foregoing total of $9,681,747,195, $243,396,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeownership opportunity program under section 202 of the Act (42 U.S.C. 1437bb); $573,982,500 shall be for the development or acquisition cost of public housing, including $15,719,158 for a demolition/disposition demonstration program in St. Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625); $3,000,000,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 1437l), including funds for the comprehensive testing, abatement, and risk assessment of lead, of which $25,000,000 shall be for the risk assessment of lead and $5,000,000 shall be for technical assistance and training under section 20 of the Act (42 U.S.C. 1437r): *Provided*, That notwithstanding the 20 per centum limitation under section 5(j)(2) of the Act, of the $3,000,000,000 made available for modernization of existing public housing, $200,000,000 shall be awarded competitively for construction or major reconstruction of obsolete public housing projects, other than for Indian families, and $7,437,600 shall be for a demolition/disposition demonstration program in St. Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625): *Provided further*, That of the $9,681,747,195 total under this head, $883,750,000 shall be for the section 8 existing housing certificate program (42 U.S.C. 1437f), including $50,000,000 for a Foster Child Care demonstration program involving ten States, and $12,840,790 for a demolition/disposition demonstration program in St. Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625); $777,500,000 shall be for the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o)); $1,320,042,895 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended, including $70,000,000 which shall be for rental adjustments resulting from the application of an annual adjustment factor in accordance with section 801 of the Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235), and such amendments to section 8 contracts, other than amendments to contracts for projects developed under section 202 of the Housing Act of 1959, as amended, and other than amendments for rental adjustments resulting from the application of an annual adjustment factor in accordance with section 801 of the Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235), shall be for no more than three years; $718,462,000 shall be for assistance for State or local units of government, tenant and nonprofit organizations to purchase projects where owners have indicated an intent to prepay mortgages and for assistance to be used as an incentive to prevent prepayment or for vouchers to aid eligible tenants adversely affected by mortgage prepayment, as authorized in the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and of the $718,462,000 made available for such assistance, up to $50,000,000 shall be for use by nonprofit organizations, pursuant to section 212 of the Emergency Low Income Housing Preservation Act of 1987, as amended by the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and for tenant and community-based nonprofit education, training and capacity building and the development of State and local preservation strategies; $166,900,000 shall be for loan management: *Provided*, That any amounts of budget authority provided herein that are used for loan management activities under section 8(b)(1) (42 U.S.C. 1437f(B)(1)) shall be obligated for a contract term that is no more than five years; and $88,883,800 shall be for section 8 assistance for property disposition: *Provided further*, That those portions of the fees for the costs incurred in administering incremental units assisted in the certificate and housing voucher programs under sections 8(b) and 8(o), respectively, shall be established or increased in accordance with the authorization for such fees in section 8(q) of the Act: *Provided further*, That up to $227,000,000 of amounts of budget authority (and contract authority) reserved or obligated for the development or acquisition costs of public housing (including public housing for Indian families), for modernization of existing public housing projects (including such projects for Indian families), and, except as hereinafter provided, for programs under section 8 of the Act (42 U.S.C. 1437f), which are recaptured during fiscal year 1992, shall be rescinded: *Provided further*, That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628, 102 Stat. 3224, 3268) shall not be rescinded, or in the case of cash, shall not be remitted to the Treasury, and such amounts of budget authority or cash shall be used by State housing finance agencies in accordance with such section: *Provided further*, That of the $9,681,747,195 total, $50,000,000 shall be for housing opportunities for persons with AIDS under title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625) and $75,000,000 shall be for grants to States and units of general local government for the abatement of significant lead-based paint and lead dust hazards in low- and moderate-income owner-occupied units and low-income privately-owned rental units: *Provided further*, That such grant funds shall be available only for projects conducted by contractors certified and workers trained through a federally- or State-accredited program: *Provided further*, That, to be eligible for such grants, States and units of general local government must demonstrate the capability to identify significant-hazard housing units, to oversee the safe and effective conduct of the abatement, and to assure the future availability of abated units to low- and moderate-income persons; and $4,200,000 shall be for the housing demonstration under section 304(e)(1) of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625): *Provided further*, That of the $54,250,000 earmarked in Public Law 101-507 for special purpose grants (104 Stat. 1351, 1357), $667,000 made available for the city of Chicago to assist the Ashland II Redevelopment Project shall instead be made available for the city of Chicago to assist the Marshway Project: *Provided further*, That notwithstanding the language preceding the first proviso of this paragraph, $72,800,000 shall be used for special purpose grants in accordance with the terms and conditions specified for such grants in the Senate Appropriations Committee report on 1992 appropriations for the Departments of Veterans Affairs and Housing and Urban Development (S. Rept. 102-107) including $500,000 for the city of Kansas City, Kansas to operate a social service center.

Of the $9,681,747,195 total under this head, $573,200,000 shall be for capital advances for housing for the elderly as authorized by section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625); $480,000,000 shall be for the project rental assistance for supportive housing for the elderly under such section 202(c)(2) of the Housing Act of 1959; $248,700,000 shall be for amendments to rental assistance contracts for projects for the elderly that receive capital advances or projects reserved under section 202 as it existed before enactment of the Cranston-Gonzalez national Affordable Housing Act; and $16,250,000 shall be for service coordinators pursuant to section 202(g) of the Housing Act of 1959, as amended by section 808 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625).

Of the $9,681,747,195 total under this head, $111,200,000 shall be for capital advances for housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625); $108,280,000 shall be for project rental assistance for persons with disabilities under section 811(b)(2) of the Cranston-Gonzalez National Affordable Housing Act; $23,300,000 shall be for amendments to rental assistance contracts for projects for the handicapped that receive capital advances, including projects previously reserved under section 202 of the Housing Act of 1959 as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act.

In 1992 and thereafter, the amount of assistance payments made with funds provided under this head for vouchers and certificates under section 8(o) and section 8(b) of the Act (42 U.S.C. 1437f(b)(o)) may be adjusted annually if necessary to assure continued affordability: *Provided*, That the aggregate amount of such adjustment may not exceed the amount of any excess of contributions provided for in the contract over the amount of assistance payments actually paid.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 35, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

(INCLUDING RESCISSION OF FUNDS)

For assistance under the United States Housing Act of 1937, as amended ("the Act" herein) (42 U.S.C. 1437), not otherwise provided for, $8,070,201,000, to remain available until expended: *Provided*, That to be added to and merged with the foregoing amounts, there shall be $2,287,000,000, consisting of $537,000,000 of budget authority previously made available under this head for nonincremental purposes which remains unreserved at the end of fiscal year 1991; and $1,750,000,000 of section 8 funds arising from the conversion to the new capital advance program of projects previously reserved under section 202 of the Housing Act of 1959 as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act: *Provided further*, That, from the foregoing total of $10,357,201,000, $227,170,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeownership opportunity program under section 202 of the Act (42 U.S.C. 1437bb); $573,983,000 shall be for the development or acquisition cost of public housing, including $15,719,158 for a demolition/disposition demonstration program in Saint Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and, notwithstanding the 20 per centum limitation under section 5(j)(2) of the Act, of the $573,983,000 for the development or acquisition of public housing, $200,000,000 shall be awarded competitively for construction or major reconstruction of obsolete public housing projects, other than for Indian families: *Provided further*, That of the $10,357,201,000 total under this head, $2,800,975,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 14371), including funds for the comprehensive testing, abatement, and risk assessment of lead, of which $25,000,000 shall be for the risk assessment of lead and $5,000,000 shall be for technical assistance and training under section 20 of the Act (42 U.S.C. 1437r), and $7,437,600 shall be for a demolition/disposition demonstration program in Saint Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625): *Provided further*, That of the $10,357,201,000 total under this head, $915,750,000 shall be for the section 8 existing housing certificate program (42 U.S.C. 1437f), including $50,000,000 for a Foster Child Care demonstration program involving 11 States, $12,840,790 for a demolition/disposition demonstration program in Saint Louis, Missouri, pursuant to section 513 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and $20,000,000 for a demonstration involving five cities with populations exceeding 400,000 in metropolitan areas with populations exceeding 1,500,000 under which the Secretary shall carry out metropolitan-wide programs, designed to assist families with children to move out of areas with high concentrations of persons living in poverty, through contracts with nonprofit organizations and through annual contributions contracts with public housing agencies for administration of housing assistance payments contracts: *Provided further*, That of the $10,357,201,000 total provided under this head, $794,167,000 shall be for the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o)); $2,300,000,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended, including $70,000,000 which shall be for rental adjustments resulting from the application of an annual adjustment factor in accordance with section 801 of the Department of Housing and Urban Development Reform Act of 1989 (P.L. 101-235); $618,462,000 shall be for assistance for State or local units of government, tenant and nonprofit organizations to purchase projects where owners have indicated an intent to prepay mortgages and for assistance to be used as an incentive to prevent prepayment or for vouchers to aid eligible tenants adversely affected by mortgage prepayment, as authorized in the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and of the $618,462,000 made available for such assistance, up to $25,000,000 shall be for use by nonprofit organizations, pursuant to of the Emergency Low Income Housing Preservation Act of 1987, as amended by the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and for tenant and community-based nonprofit education, training and capacity building and the development of State and local preservation strategies; $88,884,0000 shall be for section 8 assistance for property disposition; and $257,000,000 shall be for loan management: *Provided further*, That any amounts of budget authority provided herein that are used for loan management activities under section 8(b)(1) (42 U.S.C. 1437f(b)(1)) shall be obligated for a contract term that is no more than five years: *Provided further*, That those portions of the fees for the costs incurred in administering incremental units assisted in the certificate and housing voucher programs under sections 8(b) and 8(o), respectively, shall be established or increased in accordance with the authorization for such fees in section 8(q) of the Act: *Provided further*, That up to $167,000,000 of amounts of budget authority (and contract authority) reserved or obligated for the development or acquisition costs of public housing (including public housing for Indian families), for modernization of existing public housing projects (including such projects for Indian families), and, except as herein provided, for programs under section 8 of the Act (42 U.S.C. 1437f), which are recaptured during fiscal year 1992, shall be rescinded: *Provided further*, That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628, 102 Stat. 3224, 3268) shall not be rescinded, or in the case of cash, shall not be remitted to the Treasury, and such amounts of budget authority or cash shall be used by State housing finance agencies in accordance with such section: *Provided further*, That of the $10,357,201,000 total, $50,000,000 shall be for housing opportunities for persons with AIDS under Title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625) and $50,000,000 shall be for grants to States and units of general local government for the abatement of significant lead-based paint and lead dust hazards in low- and moderate-income owner-occupied units and low-income privately-owned rental units: *Provided further*, That such grant funds shall be available only for projects conducted by contractors certified and workers trained through a federally- or State-accredited program: *Provided further*, That, to be eligible for such grants, States and units of general local government must demonstrate the capability to identify significant-hazard housing units, to oversee the safe and effective conduct of the abatement, and to assure the future availability of abated units to low- and moderate-income persons; and $4,200,000 shall be for the housing demonstration under section 304(e)(1) of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625): *Provided further*, That of the $54,250,000 earmarked in Public Law 101-507 for special purpose grants (104 Stat. 1351, 1357), $667,000 made available for the city of Chicago to assist the Ashland II Redevelopment Project shall instead be made available for the city of Chicago to assist the Marshway Project: *Provided further*, That notwithstanding the language preceding the first proviso of this paragraph, $150,000,000 shall be used for special purpose grants in accordance with the terms and conditions specified for such grants in the committee of conference report and statement of managers (H. Rept. 102-226 accompanying this H.R. 2519, including $500,000 for the city of Kansas City, Kansas to operate a social service center.

Of the $10,357,210,000 total under this head, $538,808,000 shall be for capital advances for housing for the elderly as authorized by section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act (P.L. 101-625); $451,200,000 shall be for project rental assistance for supportive housing for the elderly under such section 202(c)(2) of the Housing Act of 1959; $148,700,000 shall be for amendments to rental assistance contracts for projects for the elderly that receive capital advances or projects reserved under section 202 as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act; and $16,250,000 shall be for service coordinators pursuant to section 202(g) of the Housing Act of 1959, as amended by section 808 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625): *Provided*, That to the extent that the funding provided herein for rental assistance contracts for the elderly that receive capital advances is insufficient to match the units provided through capital advances, funds deemed excess in other section 8 programs may be added to and merged with the rental assistance funding to ensure that sufficient rental assistance units are available.

Of the $10,357,201,000 total under this head, $102,860,000 shall be for capital advances for housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (P.L. 101-625); $100,159,000 shall be for project rental assistance for persons with disabilities under section 811(b)(2) of the Cranston-Gonzalez National Affordable Housing Act; and $23,300,000 shall be for amendments to rental assistance contracts for projects for the handicapped that receive capital advances, including projects previously reserved under section 202 of the Housing Act of 1959 as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act.

The Secretary of Housing and Urban Development shall make a commitment and provide capital advance assistance under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act, or section 811 of such Act if the project is for persons with disabilities, for any project for which there is a loan reservation under section 202 of the Housing Act of 1959 as it existed before enactment of the Cranston-Gonzalez National Affordable Housing Act, if the loan has not been executed and recorded, and if the project is making satisfactory progress under 24 CFR section 885.230: *Provided*, That the Secretary shall not make such commitments and provide such capital advance assistance before January 1, 1992: *Provided further*, That the Secretary shall have the discretion until April 1, 1992 not to terminate a project and not to convert a project to capital advance assistance: *Provided further*, That upon converting a project to capital advance assistance, the loan reservation for such project shall be terminated: *Provided further*, That a project not making satisfactory progress under 24 CFR section 885.230 shall not have its loan reservation terminated before January 1, 1992, and the Secretary shall ensure that the processing of all projects through loan execution and recordation or the making of the capital advance is expedited, and that no project being so processed shall have the order in which it is processed arbitrarily changed: *Provided further*, That an owner of a project that is converted pursuant to this paragraph shall be permitted voluntarily to provide funds for capital costs in addition to the capital advance, from debt or other non-Federal sources.

With respect to each project that has a loan reservation terminated pursuant to the immediately foregoing paragraph, the Secretary of Housing and Urban Development shall convert each funding reservation that was made under section 8 of the United States Housing Act of 1937 or section 202(h) of the Housing Act of 1959, before enactment of the Cranston-Gonzalez National Affordable Housing Act, to a commitment for project rental assistance under such section 202 as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act or section 811 of the Act.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BURTON of Indiana. Mr. Speaker, I am opposed to this motion, and I ask for 20 minutes of the time.

The SPEAKER pro tempore. Is the gentleman from New York [Mr. GREEN] in favor of or opposed to the motion?

Mr. GREEN of New York. Mr. Speaker, I am in favor of the motion.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. TRAXLER] will be recognized for 20 minutes, the gentleman from New York [Mr. GREEN] will be recognized for 20 minutes, and the gentleman from Indiana [Mr. BURTON] will be recognized for 20 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I know some of my colleagues have seen this poster before. It is a picture of a hog eating the Capitol dome. I will not belabor the point.

I would like for all of you to take a close look at it because that is the purpose of my statement here today.

A couple of years ago this House eliminated the slush fund commonly known as the Secretary's discretionary fund from HUD, which amounted to about $70 million.

This amendment I am talking about right now, amendment No. 35, has 133, count them, 133 pork barrel projects. Now, some of these projects that are in this amendment are very worthy projects. But I submit that we should set priorities on our spending and that many of these projects can and should be paid for by the States involved or by the local communities involved.

Mr. Speaker, I would just like to give you a sampling of some of these projects that are among these 133, most of which I consider to be pork: $1.5 million for a municipal center in Bloomfield, NM; $200,000 for the National Association of the Southern Poor; $4.4 million for the city of Portland, OR, to establish a northeast Portland revolving fund to be used for urban economic development; $500,000 for the Newark public library to develop literacy training in reading rooms at 5 public housing developments in Newark, NJ; $900,000 for the renovation of an abandoned building to convert into an economic development and training center at Elkins, WV; $1 million to rehabilitate the Pease Auditorium, a historic building in Ypsilanti, MI; $2.9 million for demolition and park construction in Tampa, FL; $2 million for construction of a multiuse facility which will aid in the revitalization effort in Buffalo, NY; $1 million for a parking garage in Ashland, KY; $150,000 for a new Government Center in Warren, RI; and so on and so on.

That is 133 of these projects.

Mr. Speaker, the deficit this year, which was projected to be under $200 billion because we raised the people's taxes in this country by $137 billion last year to get control of our deficit, is not going to be under $200 billion, it is going to be more like $400 billion, the largest in U.S. history.

Mr. Speaker, 10 years ago, 11 years ago, in 1980, we had a $1 trillion-plus national debt. Do you know what the national debt is now? Four trillion dollars. It has gone up four times in 10 years. All of the debt that we incurred as a nation in the first 200 years-plus of our existence was $1 trillion. In the next 10 years, it has gone up 400 percent to $4 trillion.

This year, instead of the deficit going down, it is going to be double what they estimated.

Many of my colleagues, when they raised everybody's taxes by $137 billion last year, and it is going to be $400 billion, and that is one-tenth of the total of the national debt in 1 year, spending is out of control. My colleagues, I hope you will pay attention, spending is out of control.

□ 1330

In addition, this is a slush fund for pork barrel projects, this amendment; 133 pork barrel projects.

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

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, does my distinguished colleague, the gentleman from Indiana [Mr. BURTON], support the B-2 bomber? And the SDI?

Mr. BURTON of Indiana. Yes, I do.

Mr. TRAXLER. Could I hear it again?

Mr. BURTON of Indiana. Yes, I do.

Well, I am not going to get into a defensive posture on this issue, but let me tell my colleagues that defense as a proportion of the budget is about 20 percent and going down. That is way down from where it was when John F. Kennedy was President, when it was 50 percent of total spending.

The biggest problem we have is pork being put in, and the Defense Department has to set priorities on spending, and defense spending is going down, but the fact of the matter is every single Congressman here at one time or another seems to have some project

they think is extremely important that the Federal Government ought to pay for. We had a $1 million bike path not too long ago that we put in the transportation bill. If the State of Michigan wants that $1 million bike path, that is great, but the people of Indiana and the people of California should not pay for it, nor should they pay for most of the projects in this bill.

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

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, would the gentleman from Indiana [Mr. BURTON] refresh my memory? did the gentleman, a few months ago in this well, support $150 million for the Punjab, a foreign country?

Mr. BURTON of Indiana. $115 million for the Punjab?

Mr. TRAXLER. $150 million for the Punjab.

Mr. BURTON of Indiana. No, I do not recall ever voting for $150 million for the Punjab.

Mr. TRAXLER. I thank the gentleman from Indiana [Mr. BURTON] for the answer.

Mr. BURTON of Indiana. I do not know where the gentleman from Michigan [Mr. TRAXLER] is getting his information, but that is not correct.

But let me just say this: The deficit this year is going to be approaching one-tenth of the total national debt, which is $4 trillion. Ten years ago it was $1 trillion, and the pork barrel projects that are in almost every appropriations bill have to be dealt with. I think we need a line item veto with a two-thirds majority necessary to override any line item veto in order to get control of this spending.

We have an institutional problem. Three hundred eighty-five Members of this House asked for 3,000 projects from one subcommittee, one subcommittee of the Committee on Appropriations. Three hundred eighty-five Members asked for 3,000 projects, special projects, from one subcommittee of the Committee on Appropriations last year. That is one of the major reasons that we have this deficit spending out of control.

So, I would just like to say to my colleagues that this amendment should be defeated. Unfortunately the way it is worded we cannot do much about it today. We cannot do much about it because it is in report language. But I think every one of my colleagues ought to be aware that in conference committee we just put in 133 projects, most of which are pork, which are not prioritized and which are taking this country down the road to financial and fiscal ruin.

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Will my colleague, the gentleman from Indiana [Mr. BURTON] refresh my memory? I believe it was in June of this year when the foreign aid authorization bill came up, and, if I am not mistaken, and we are researching it at this moment, the gentleman asked for about $150 million to help out the Punjabs in India.

Mr. BURTON of Indiana. No.

Mr. TAYLOR of Mississippi. What is the difference between helping those folks with taxpayers' dollars and trying to help the people who elected us, and who pay our salaries, and who pay to run this great Nation?

Mr. BURTON of Indiana. May I reclaim my time?

First of all, the gentleman from Mississippi [Mr. TAYLOR] needs to get his facts straight, and the facts are these:

I asked for a cut in developmental aid to the country of India because of human rights in the Punjab, and they are not called Punjabis. They are called Sikhs. So, I did not ask for $150 million for the Punjab. The gentleman is in error.

Mr. TAYLOR of Mississippi. What did the gentleman ask for?

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

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

Mr. Speaker, I think what we should do is consider this appropriation a human rights appropriation. It is an appropriation for the human rights of Americans, and what we are doing in these amendments is building America's infrastructure.

Now there are people who disagree with that. They would rather spend money overseas on foreigners. They would rather spend money on a B-2 bomber, which most of us understand to be a worthless expenditure and without any necessity. But that is military pork. The gentleman from Indiana [Mr. BURTON] thinks this is pork.

We contend that every penny here stays in America, No. 1; No. 2: It benefits America, and No. 3: This is exactly in my judgment, at this time, the things that we ought to be doing, investing in our country and its people.

Now let me tell my colleagues there is no one, no one, that has a greater concern over the deficit than I. The difference between what the previous speaker was making in his point is that he would not spend on this country and its people. He would spend overseas, and he would spend in the military.

We do not have an enemy anymore, folks, and what we do have is a recession, and most Americans believe that there is a depression coming.

Now this is an important vote, and we do not get many of them like this. It is important because it sends a clear signal that this Congress; we understand where America is and what it needs. It is a prioritizing of Federal expenditures, of Federal dollars. Let me ask my colleagues what is more important than building this Nation, physically and in our human infrastructure? We should be doing health, we should be doing education, and we should be doing this kind of an infrastructure. Our major overseas competitors emphasize that. That is how they succeed. What do we do? We pay for the defense of those countries that allows them to build their nations, and we better get to doing it, or we are going to be worse than second rate.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TRAXLER. I am delighted to yield to the distinguished gentleman from Indiana, the supporter of the B-2.

Mr. BURTON of Indiana. Will the gentleman yield?

Mr. TRAXLER. Of course. I just said I am delighted to yield to my good friend and supporter of the B-2.

Mr. BURTON of Indiana. Yes, sir. I appreciate that.

Mr. TRAXLER. And of course he says that is not pork.

Mr. BURTON of Indiana. I appreciate that.

Mr. TRAXLER. Yes.

Mr. BURTON of Indiana. Does the gentleman from Michigan [Mr. TRAXLER] believe that the people of his State ought to pay for things such as $1 million for a bicycle path in Michigan?

Mr. TRAXLER. The people that I represent have a concern over the future of America and believe that the Federal Government ought to direct its money into those programs that are going to build our people and our Nation.

Mr. BURTON of Indiana. Such as a million dollars for a bicycle path in Michigan?

Mr. TRAXLER. It is a heck of a lot better than sending money to Punjab, India.

Mr. BURTON of Indiana. There was no money sent to Punjab, India. Where is the gentleman getting that?

Mr. TRAXLER. Mr. Speaker, we are going to come back to that issue in a few minutes. I think we can help the gentleman.

Mr. BURTON of Indiana. I hope the gentleman from Michigan [Mr. TRAXLER] will.

Mr. TRAXLER. Yes, we certainly will, but I might add from my constituency that it is a heck of a lot better than the B-2 which costs $750 million a copy and will run out to almost $100 billion. Now that is not small change, and I say to the gentleman, "That's a waste."

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Speaker, did I understand the gentleman from Michigan [Mr. TRAXLER] correctly just a moment ago when he said that we do not have any enemies anymore? I thought he said that in his statement.

Mr. TRAXLER. I am sorry, I could not hear the gentleman.

Mr. BURTON of Indiana. Mr. Speaker, the gentleman from Michigan indicated in his statement a few moments ago that we need to cut back dramatically in the military because we do not have any enemies anymore. In fact, I am almost sure that is a direct quote.

Mr. TRAXLER. I know this will come as a surprise to the gentleman from Indiana [Mr. BURTON], but the cold war is over.

Mr. BURTON of Indiana. Well, that clarifies it a little bit. We still have enemies like Saddam Hussein, and Mu'ammar Qadhafi and others who might cause problems in the world, or we might need some kind of a defense.

Mr. TRAXLER. I know in the gentleman's imagination these people cause a threat to 250 million Americans, one of the largest economic nations in the world; I am sure in his mind to justify the continuing waste in the military that he would forever find an enemy.

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

Mr. GREEN of New York. Mr. Speaker, I yield myself such time as I may consume only for the purpose of pointing out that this conference report being considered today is $1,289,390,000 below the administration's budget request for this Appropriations Subcommittee so that we know we have a very real deficit problem in this country. It is certainly not this appropriations bill that is causing it.

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

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, year in and year out the liberals in this body continue to make defense the whipping boy, and one can always find a weapons system with which they can take issue. I remember the gentleman, I believe, was one of those who was pointing out a few years ago that the M-1 tank was a white elephant. The M-1 tank turned out to be——

Mr. TRAXLER. No, the gentleman would not want to make a misstatement; would he?

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. TRAXLER] for rebuttal.

Mr. TRAXLER. Yes, please, for the truth.

Mr. BURTON of Indiana. I believe the gentleman opposed that at the time, but I could be incorrect. But most or many of the people on the gentleman's side opposed the M-1 tank saying that the M-1 tank was a white elephant, it had to use too much gasoline, petrol, and there were all kinds of problems with it. Well, during Desert Storm the M-1 tank was one of the most effective weapons we had in our arsenal.

Now they beat on the defense of this Nation year in and year out, but we have to have a defense, and it is up to Dick Cheney, and the President of the United States and the experts, not the people who sit over here and speculate—the experts to decide which of the defense programs are best for this Nation.

□ 1340

They are making dramatic cuts in defense and dramatic cuts in personnel. The defense budget is going to be less than 20 percent of all total spending in the not-too-distant future, but they use defense as a whipping boy to mask their insatiable desire for pork barrel spending. There are 133 pork barrel projects in this amendment. Some of them are laudable projects, but they can be paid for by the local community or by the State. The Federal Government should not be paying for all the programs every Congressman comes up with for his district, and that is what happens.

There is an institutional problem that we have here, and that institutional problem is, if you want something for your district and you go along with the appropriations process and with the Appropriations Committee, you can get it done. There are 385 Members of this body who asked for 3,000 projects from 1 subcommittee, and when we propose amendments to try to cut spending, cut out a pork barrel project, when the Members come through the door, they ask what the vote is all about, I say that this will save $700 million on the aircraft carrier, U.S.S. *Kennedy*, or somebody will say it saves a million dollars on a bike path in Michigan, and somebody on the Appropriations Committee is standing right next to me saying, "We really need your vote against this. Don't you have a project that you want?"

The implication is, "If you don't go along, you don't get along" and "If you don't get along, you don't go along," and vice versa. The fact of the matter is that we have a $400 billion deficit staring us in the face right now, and that is a terrible legacy we are leaving our children.

The national debt has increased from $1 trillion to $4 trillion in the last 10 years. We are spending 18 to 20 percent of all the money the taxpayers pay in interest. That is taking away from important programs like housing and the underprivileged and education when we pay a bigger and bigger percentage of our total budget on interest, and that deficit we are creating, increasing every year, increasing the debt because of the deficit each year is taking a bigger chunk out of the tax dollars that can go for education and these projects, and we are mortgaging the future of the children of this Nation.

The gentleman nods his head, and he knows it, but we go right on hell bent for leather spending this money, coming up with pork barrel project after pork barrel project in every single appropriation bill that comes down the pike. Something has to be done about it.

I know I am not going to prevail on this amendment. I know I am going to lose, but the people of this country and the Members of this body need to know what is going on, and that is that spending is out of control, and adding more pork to these spending bills is not the solution. The solution is to get control of spending, and there is only one way to do that. That is for us to start prioritizing spending and cutting out projects that are not absolutely necessary.

I think the institutional problem we have with the appropriations process I am talking about can only be solved with a line-item veto, and I would commend to my colleagues that at some point in the future we ought to pass something like that so we can get control of this process.

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

Mr. TRAXLER. Mr. Speaker, may I inquire as to how much time I have left?

The SPEAKER pro tempore (Mr. TORRICELLI). The gentleman from Michigan [Mr. TRAXLER] yielded his time back to the Chair. The gentleman had 16 minutes remaining, and he yielded his time back.

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent that my balance of time be restored.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. TRAXLER] that he be allowed to reclaim his time despite the fact that it was yielded back to the Chair?

There was no objection.

Mr. TRAXLER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from North Carolina [Mr. HEFNER], chairman of a subcommittee of the Committee on Appropriations.

Mr. HEFNER. Mr. Speaker, this is a very interesting debate. I did not know we were discussing defense. I am a strong supporter of national defense. I am chairman of the Subcommittee on Military Construction.

I do not know how many Members of this House come before our committee to ask for so-called pork barrel projects, but to me a Member who represents a district is obligated to get whatever largesse he can because his taxpayers pay into the Federal Government. They have paid for the deficit we are putting on our children, so if you get a project that helps your community or your State, then to me that is not pork. Pork is something that somebody else gets. If he gets it for you, it is a good, worthwhile project, and I know of many, many projects in this bill that are very, very good.

Let me raise a couple of points. The gentleman is exactly right. Spending is

a big problem, and the deficit is a big problem. Let me mention a couple of things, since we are talking about defense and foreign affairs and this type of thing. The President just went blithely ahead and said to Egypt, "Hey, we will forgive $7 billion." That is quite a little bundle. And also he said to some other people that we are going to lift restrictions and they can just ship their textiles and things in, which takes jobs from my particular district. And he said to the Turkish people, "Hey, we are going to lift restrictions. You can ship stuff in."

We also have fast track with Mexico, which is going to take some jobs from our people. We may need a little pork before this thing is all over.

There are some good projects in all these appropriation bills, and I would remind the gentleman of one other thing. Every subcommittee chairman has an allocation. He knows what he can spend, and I am not surprised that Members come to the Appropriations Committee and request projects. There are good projects. There are an awful lot of jobs made from these so-called pork barrel projects.

The gentleman talked about spending. The President just recently forgave some $2 billion of loans that were outstanding to countries all around the world. So we add the $7 billion we are forgiving for Egypt, the $7 billion loan and the $2 billion loan where they can get in under the fiscal year and where they can go and apply for some more money that we will help pay for, and we are talking about $10 billion that is gone like that, that does not buy one thing for one American citizen in this country. So to call these projects pork barrel is absolutely totally ridiculous.

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

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

Mr. CUNNINGHAM. Mr. Speaker, I thank my colleague for yielding.

When you talk about pork barrel and giving up $7 billion for Egypt and Turkey, one of the things in Desert Storm that saved lives was our ability to use our allies, and that is Turkey and Egypt. That saved lives. When you are talking about pork, we are talking about national interests. With your pork barrel projects, you are talking about local interests, and there is a big difference.

Mr. HEFNER. Mr. Speaker, I will reclaim my time.

I am glad the gentleman brought that up. I went to Saudi Arabia when the conflict came about. The Egyptians came and signed on with us, and they voted with us. That was the extent of the contribution from the Egyptian Government. They got $7 billion for voting with us and sending a few troops who never actually participated.

As far as the Turkish Government goes, we gave them concessions we do not even know about at this particular time. If you want to go on even further, if you want to raise this issue, back when we had the Persian Gulf and we were keeping the Persian Gulf open so the oil could flow through, if you remember, we were not even able to fuel our ships at the Saudi ports or the Kuwaiti ports. So if you want to talk about what is in the national interest, there are a lot of things involved here.

I am talking about doing things for the American people. I do not know about the gentleman's district. His people may not appreciate his getting projects for his district, and I say to the gentleman, if you do not want projects for your district, do not request projects for your district and we will not award them to your district if you do not want them, because we do not force people to take on any projects they do not want.

Mr. GREEN of New York. Mr. Speaker, I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

□ 1350

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just have a couple of questions. As I understand it, we are on amendment 35. Amendment 35 contains 133 projects.

Can anyone tell me how much these projects will cost in total? What is the total cost of these projects in this amendment?

Mr. GREEN of New York. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from New York.

Mr. GREEN of New York. Mr. Speaker, I am advised it is in the area of $150 million.

Mr. WALKER. One hundred fifty million dollars. I thank the gentleman. The only point that I want to make is that we do exact costs from society when we do these projects.

Mr. Speaker, it is fine for people to talk about the money going into their districts. I see, for instance, $50,000 going for a feasibility study on the creation of a business park in Wildwood, NJ. I spend time around Wildwood, NJ in the summertime. It is where I go to the beach. It is not necessarily a case where we could not find some other kind of money, rather than $50,000 from the taxpayers, to do a feasibility study. In fact, the tourists bring a lot of money into Wildwood, NJ, every summer.

Mr. Speaker, let me just suggest that there are costs that come out of this. If we are going to spend $150 million, that means that we are going to kill a total of about 5,000 jobs with that $150 million. Let me tell you how I get to that.

Each family in this country gets about $35,000 a year in income. If you take $150 million, that means that all of the family income of all of those 5,000 families is going to go to just pay the cost of this amendment.

Now, it is true some people will say there are jobs created here as well. I hope there are at least 5,000, because the fact is that we are killing 5,000 jobs somewhere on the premise that some of this is going to make it up.

That is the problem in this Congress. With our tax policies, with our spending policies, with our deficit policies, and all the rest of it, what we do day after day is kill off American jobs.

The gentleman from Michigan [Mr. TRAXLER] was quite eloquent a moment ago about the recession and the problems that people are facing out in the country. Yes, the reason why we have a recession and the reason why there are problems in the country is because there are not enough people working. We have to provide unemployment benefits because people are jobless.

What we need are more jobs, and the problem is that Congress is not in the job of creating business these days; it is in the job of killing business.

This one amendment will kill 5,000 jobs of American families. This one amendment is going to kill off jobs, and that is a shame. I think that we had better have a pretty good accounting for how many jobs might be created for the jobs that will surely be killed because this amendment is in this bill.

Mr. Speaker, I am not certain how much longer we can go down the road of creating deficits and killing jobs.

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

Mr. Speaker, I am a Member of this body that believes that now is the time to do a public works bill for America. What we need to be doing is precisely the things I recommended earlier on. This country ought to be looking after its own, and this country ought to be building those public facilities that are necessary to support a strong and viable nation.

Mr. Speaker, I urge people to visit our economic competitors. I would like you to go to Germany. I would like you to see their public buildings. I would like you to see their parks. I would like you to see the infrastructure that they support there, including their education and their health care systems.

They believe, as the Japanese do, that in order to be strong economically, you must be strong in health and education and the things that physically support a country: Good roads, good railroad systems, and good transport with airlines. They believe in public facilities and buildings. They have wonderful museums. They have grand, grand zoos.

We are spending our money, let me tell you, to defend them, to defend them while our infrastructure, human and physical, is deteriorating before our very eyes.

People oppose these kinds of public purpose projects, where people will be

put to work and will work in them after they are done. I must confess, I do not know if there are 5,000 or 20,000 jobs that will be created here, but I believe that is what our Nation is about and what we ought to do. I believe this with all of my heart and fervor that I can muster. If the Nation would disagree with me on that, I would not change, because in my heart of hearts, I know it is right.

Mr. Speaker, I oppose this recommendation. I urge us to get on with building America.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just rise to say in closing that the previous speaker, my good friend and gentleman from Michigan [Mr. TRAXLER], just made a case for public service jobs, the Government paying for jobs rather than the private sector, more Government largesse being spent to create jobs. The gentleman said that we should be looking after our own.

Well, I would submit to the gentleman, if you talk to most American taxpayers, they would think that it would be in their interest not to have their taxes go up any more. Last year, we had the second largest tax increase in history when we had the budget summit agreement, $137 billion taken out of the pockets of taxpayers.

That was supposed to reduce the deficit. The deficit has more than doubled, because that tax increase was one of the major factors in putting us into a recession and creating more unemployment. For each 1 percent of unemployment, it cost the taxpayers $42 billion.

So we have exacerbated the economic problems of this country by raising taxes last year. We should be looking after our own, and our own are the people who pay taxes in this country, not taking from somebody to give to somebody else when we do not have to.

Mr. Speaker, I think this is where we diverge. I think the more liberal Members of this body believe we ought to take from one segment of society to create jobs and give to others, where on this side of this aisle the more conservative Members believe we ought to stimulate the private sector to create jobs through free enterprise and not more Government regulation and control.

Let us get back to the case at point. The case at point now is we have got 133 pork barrel projects in this one amendment that is going to cost $150 million. We have got a $400 billion deficit and a $4 trillion national debt, which has quadrupled in just 10 years.

The legacy we are leaving our children is a very poor one, because they are going to have to pay these bills. They are going to have to pay the interest on the debt, which is about 18 to 20 percent a year now and going up.

We must get control of our appetite for spending. It should start here, and it should start now.

In addition to that, if we cannot get control of our appetite for spending, it is imperative that we give somebody some way to constrain these bodies, the House and the Senate. I would suggest the President needs and this country deserves a line item veto so we do not have all these pork barrel projects going through here lickety split, week after week.

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

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

Mr. Speaker, obviously for some people the glass is half full; for others it is half empty. Previous speakers in opposition to what the committee has done in designating this money for America have supported projects in the military budget wholeheartedly. In fact, I think it would be rare, we would be hard pressed to find one military expenditure they have opposed.

Mr. Speaker, let me give an illustration of waste. If the gentleman wants to talk about $150 million a year, remember that the B–1 bomber, that was the father of the B–2, the B–1 cost us billions and billions of dollars. Where was it during the gulf war, this new marvel of technology? Billions and billions of dollars? Where was it? Sitting on the ground. It was sitting on the ground, because it could not fly. It is unsafe.

The gentleman from Indiana [MR. BURTON] never raised an issue on that point. He is not disturbed by it. He does not get excited about it. Indeed, it is fair to say there are many in this body who never saw a defense dollar that they did not think ought to be doubled.

But when those of us who put domestic concerns and the people of America ahead of foreign concerns and being the policeman of the world and setting up pork barrel projects in the defense bill, when we rise to do something on health and education, on physical infrastructure, they say that is waste.

□ 1400

I say to them "Shame, shame on you for attempting to mislead the American public as to what your true intentions and purposes are. How can you possibly relegate this Nation to second rate in health, education, public facilities, and buildings? Why do you want to do that? Why do you place constantly overseas interests and foreigners ahead of the American public?"

I do not understand it and neither does the American public. And there will be a day of reckoning. I can assure my colleagues.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Boy, can you demagog an issue?

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

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, will the gentleman tell me, did he or did he not support the B–1?

Mr. BURTON of Indiana. Mr. Speaker, I did. I did.

Mr. TRAXLER. Mr. Speaker, if the gentleman will continue to yield, has he ever met a weapons system he did not love?

Mr. BURTON of Indiana. Mr. Speaker, I have.

Let me just end up that the issue at hand here is not the defense of this Nation, even though we are cutting the defense budget dramatically right now. The issue at hand is 133 projects in this amendment that are going to cost the taxpayers $150 billion, many of whom, most of whom could be taken care of at the State or local level and should be. These are pork-barrel projects, and the pork is getting out of control in this body. That is the problem.

The deficit is $400 billion. The gentleman has to realize that we are spending way more than we take in. We have to prioritize spending. So he can demagog this issue all he wants to on defense and everything else. The fact remains: pork, pork, pork, pork.

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

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

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

Again, beauty is in the eyes of the beholder. Let the gentleman and I be very clear about where we are on this. In his world, in his definition there can never be enough money for projects that most of us, many of us, consider to be an utter and total waste of taxpayer dollars. I will tell my colleagues the B–1 was a classic illustration. It could not get off the ground. Hundreds of billions of dollars squandered. Was anybody down in that well from the gentleman's side denouncing that? Not at all.

Did the gentleman ask where was the B–1 in the gulf war? Not at all. Does he believe that was a worthwhile expenditure of public funds? Absolutely.

Mr. Speaker, to the average American, it was pork, military, corporate pork. We do not like it, and I am going to tell my colleagues, if we want a strong Nation, build it on its people, not on weapons systems that do not work or, in the alternative, are unnecessary.

I urge my colleagues to support this Nation and its people and to support this subcommittee.

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

The SPEAKER pro tempore (Mr. TORRICELLI). All time having been yielded back, the Chair will remind the Members that the question is whether to support the motion offered by the

gentleman from Michigan [Mr. TRAXLER] that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment. An affirmative vote would support that position; a negative vote would oppose it.

The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 36: Page 23, strike out lines 5 to 16, and insert:

For assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) not otherwise provided for, for use in connection with expiring section 8 subsidy contracts, $7,024,589,000, to remain available until expended: *Provided*, That funds provided under this paragraph may not be obligated for a contract term that is less than five years: *Provided further*, That the Secretary may maintain consolidated accounting data for funds disbursed at the Public Housing Agency or Indian Housing Authority or project level for subsidy assistance regardless of the source of the disbursement so as to minimize the administrative burden of multiple accounts.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

For assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) not otherwise provided for, for use in connection with expiring section 8 subsidy contracts, $7,355,128,000, to remain available until expended: *Provided*, That funds provided under this paragraph may not be obligated for a contract term that is less than five years: *Provided further*, That the Secretary may maintain consolidated accounting data for funds disbursed at the Public Housing Agency or Indian Housing Authority or project level for subsidy assistance regardless of the source of the disbursement so as to minimize the administrative burden of multiple accounts.

Further, for the forgoing purposes, $850,000,000, to become available for obligation on October 1, 1992, and to remain available for obligation until expended.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 37: Page 23, line 16, after "accounts" insert ": *Provided further*, That, for those projects in the State of Maine, the owners of which have converted their section 23 leased housing contracts (former section 23 of the Act, as added by section 103(a), Housing and Urban Development Act of 1965, Public Law 89-117, 79 Stat. 451, 455) to section 8, the subsidy provided for five-year project-based certificates (42 U.S.C. 1437f(b)).".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

For those projects in the State of Maine, the owners of which have converted their section 23 leased housing contracts (former section 23 of the Act, as amended by section 103(a), Housing and Urban Development Act of 1965, Public Law 89-117, 79 Stat. 451, 455) to section 8, the subsidy provided shall be for a five-year extension of such projects' current housing assistance payments contracts.

Mr. GREEN of New York (during the reading) Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 40: Page 24, line 22, after "$2,188,844,000" insert": *Provided*, That of the funds provided under this heading, $344,156,000 shall not become available for obligation until September 20, 1992".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: ": *Provided*, That of the funds provided under this heading, $294,156,000 shall not become available for obligation until September 20, 1992".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 58: Page 35, line 2, after "Administration" insert: ": *Provided*, That there shall be established, in the Office of the Secretary, an Office of Lead Based Paint Abatement and Poisoning Prevention to be headed by a career Senior Executive Service employee who shall be responsible for all lead-based paint abatement and poisoning prevention activities (including, but not limited to, research, abatement, training regulations and policy development): *Provided further*, That such office shall be allocated a staffing level of 20 staff years: *Provided further*, That a qualified industrial hygienist shall be designated for each Department of Housing and Urban Development field office administering assisted housing programs to oversee and coordinate lead paint abatement and poisoning prevention activities of that office: *Provided further*, That such appointments are to occur within 12 months of enactment of this Act for any office that serves any of the 25 largest public housing agencies and within 18 months for all other field offices of the Department".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: ": *Provided*, That there shall be established, in the Office of the Secretary, an Office of Lead Based Paint Abatement and Poisoning Prevention to be headed by a career Senior Executive Service employee who shall be responsible for all lead-based paint abatement and poisoning prevention activities (including, but not limited to, research, abatement, training regulations and policy development): *Provided further*, That such office shall be allocated a staffing level of 20 staff years".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [MR. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 67: Page 38, strike out all after line 21, over to and including line 7 on page 39.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 67, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

Notwithstanding any other provision of law or other requirement, the city of Vallejo, California, is authorized to retain any land disposition proceeds or urban renewal grant funds that remain after the financial close-out of the Marina Vista Urban Renewal Project, and to use such funds in accordance with the requirements of the community development block grant program specified in title I of the Housing and Community Development Act of 1974. The city of Vallejo shall retain such funds in a lump sum and shall be entitled to retain and use, in accordance with this paragraph, all past and future earnings from such funds, including any interest.

Notwithstanding any provision of law or other requirement, the Urban Renewal Authority of the City of Oklahoma City, in the State of Oklahoma, is authorized to retain any land disposition proceeds and other income from the financially closed-out Central Business District Number 1A Urban Renewal Project (OKLA. R-30) and John F. Kennedy Urban Renewal Project (OKLA. R-35) in accordance with the Close-out Agreements executed pursuant to 24 CFR 570.804(b)(5) October 16, 1979, and concurred in by the Secretary which agreements obligated such proceeds to completion of project activities in consideration for the reduction of an approved categorical settlement grant in satisfaction of the repayment requirements of 24 CFR 570.486. The Urban Renewal Authority of the City of Oklahoma City shall retain such proceeds and other income in a lump sum and shall be entitled to retain and use, subject only to the provisions of 24 CFR 570.504(b)(5), such past and future proceeds, including any interest, for the completion of such project activities.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [MR. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 70: Page 42, strike out all after line 10, over to and including line 13 on page 43.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 70, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended by adding at the end the following new subsection:

"(p) With respect to amounts available for obligation on or after October 1, 1991, the criteria established under section 213(d)(5)(B) of the Housing and Community Development Act of 1974 for any competition for assistance for new construction, acquisition, or acquisition and rehabilitation of public housing shall give preference to applications for housing to be located in a local market area that has an inadequate supply of housing available for use by very low-income families. The Secretary shall establish criteria for determining that the housing supply of a local market area is inadequate, which shall require—

(1)(A) information regarding housing market conditions showing that the supply of rental housing affordable by very low-income families is inadequate, taking into account vacancy rates in such housing and other market indicators; and

"(B) evidence that significant numbers of families in the local market area holding certificates and vouchers under section 8 are experiencing significant difficulty in leasing housing meeting program and family-size requirements; or

"(2) evidence that the proposed development would provide increased housing opportunities for minorities or address special housing needs.".

Section 14(k)(5)(A) of the Housing Act of 1937, as amended, is hereby amended as follows: by striking in the first sentence thereof the word "initial"; in subsection (i) thereof by substituting the phrase "for each of the preceding three fiscal years" for the phrase "for each of fiscal years of 1989, 1990 and 1991"; adding a new subsection (iii) which provides: "(iii) In determining whether an agency is 'troubled with respect to the modernization program', the Department shall consider only the agency's ability to carry out that program effectively based upon the agency's capacity to accomplish the physical work: (a) with decent quality; (b) in a timely manner; (c) under competent contract administration; and (d) with adequate budget controls. No other criteria shall be applied in the determination."

Section 14(k)(5)(E) of said Act is repealed.

No appropriated funds may be used to implement the rule proposed in 56 Federal Register 45814, September 6, 1991 relating to "Low-income Public and Indian Housing—Vacancy Rule" or any revision thereof or any other rule related or similar thereto.

Section 6(j)(1) of the Housing Act of 1937, 42 U.S.C. 1437 d(j)(1), [section 502(a) of the National Affordable Housing Act] is amended as follows:

(1) by adding at the end of subparagraph (H) the following language: "which shall not exceed the seven factors in the statute, plus an additional five"; and

(2) by adding as subparagraph (I) the following:

(I) "The Secretary shall: (1) administer the system of evaluating public housing agencies flexibly to ensure that such agencies are not penalized as result of circumstances beyond their control; (2) reflect in the weights assigned to the various indicators the differences in the difficulty of managing individual projects that results from their physical condition and their neighborhood environment; and (3) determine a public housing agency's status as "troubled with respect to the program under section 14" based upon factors solely related to its ability to carry out that program.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 72: Page 43, after line 13, insert:

The Secretary of Housing and Urban Development shall transfer title to the repossessed property known as the Roosevelt Homes Project (No. 074-84006) located in Davenport, Iowa, to a nonprofit organization selected by the city of Davenport. Such property shall be used only for the provision of an integrated program of shelter and social services to the homeless, or for other nonprofit uses, for a period of not less than 20 years following the date of the transfer. Use of the transferred property before the expiration of the 20-year period following the date of the transfer for any purpose other than those described herein shall cause title to revert back to the Secretary of Housing and Urban Development.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 72, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

The Secretary of Housing and Urban Development shall transfer title to the repossessed property known as the Roosevelt Homes Project (No. 074-84006) located in Davenport, Iowa, to a nonprofit organization. Such property shall be used only for the provision of an integrated program of shelter and social services to the homeless, or for other nonprofit uses, for a period of not less than 20 years following the date of the transfer. Use of the transferred property before the expiration of the 20-year period following the date of the transfer for any purpose other than those described herein shall cause title to revert back to the Secretary of Housing and Urban Development. The nonprofit organization selected by the Department shall have the right to use or not use the section 8 certificates attached to the property.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 77: (77)Page 43, after line 13, insert:

Hereafter, the Secretary shall not approve additional nonprofit insurance entities until such standards have become final, nor shall the Secretary revoke the approval of any nonprofit insurance entity previously approved by the Department unless for cause and after a due process hearing.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 77, and concur therein with an amendment, as follows:

At the end of the matter inserted by said amendment, insert the following:

Hereafter, until the Department of Housing and Urban Development has adopted regulations specifying the nature and quality of insurance covering the potential personal injury liability exposure of public housing authorities and Indian housing authorities (and their contractors, including architectural and engineering services) as a result of testing and abatement of lead-based paint in federally subsidized public and Indian housing units, said authorities shall be permitted to purchase insurance for such risk, as an allowable expense against amounts available for capital improvements (modernization): *Provided*, That such insurance is competitively selected and that coverage provided under such policies, as certified by the authority, provides reasonable coverage for the risk of liability exposure, taking into consideration the potential liability concerns inherent in the testing and abatement of lead-based paint, and the managerial and quality assurance responsibilities associated with the conduct of such activities.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 79: Page 43, after line 13, insert:

The Secretary shall establish competitive procedures for the disbursement of the amounts made available under this Act for a scientifically-based risk assessment of lead in public and Indian housing. Such procedures shall not require that applications for financial assistance for the risk assessment of lead be made in connection with the provision of other assistance under section 14 of the United States Housing Act of 1937.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 79, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

Section 14(a) of the Housing Act of 1937, as amended (42 U.S.C. 14371(a)), is amended by:

(1) striking "and" at the end of clause "(1)";

(2) adding clauses (3), (4), and (5) as follows:

"(3) to assess the risks of lead-based paint poisoning through the use of professional risk assessments that include dust and soil sampling and laboratory analysis in all projects constructed before 1980 that are, or will be, occupied by families;

"(4) to take effective interim measures to reduce and contain the risks of lead-based paint poisoning recommended in such professional risk assessments;

"(5) the costs of testing, interim containment, professional risk assessments and abatement of lead are eligible modernization expenses. The costs of professional risk assessment are eligible modernization expenses whether or not they are incurred in connection with insurance and costs for such assessments that were incurred or disbursed in fiscal year 1991 from other accounts shall be paid or reimbursed from modernization funds in fiscal year 1992."

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agree to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 95: Page 49, line 6, after "6949)" insert ": *Provided further*, That of the amount provided under this heading, up to $1,000,000 shall be available for the Chemical Safety and Hazard Investigation Board, as authorized by the Clean Air Act Amendments of 1990".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 95, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following: ": *Provided further*, That of the amount provided under this heading, up to $1,000,000 shall be available for the Chemical Safety and Hazard Investigation Board, as authorized by the Clean Air Act Amendments of 1990 and up to the sum of $17,000,000 shall be for subsidizing loans under the Asbestos School Hazard Abatement Act, and $2,400,000 shall be for administrative expenses to carry out the loan and grant program".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 107: Page 51, line 18, strike out "$1,783,500,000" and insert: "$2,383,500,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 107, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$1,948,500,000".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 111: Page 51, strike out all after line 23 over to and including "indicated" in line 2 on page 52.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of

the Senate numbered 111, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: "$340,000,000 shall be for making grants under title II of the Federal Water Pollution Control Act, as amended, to the appropriate instrumentality for the purpose of constructing secondary sewage treatment facilities to serve the following localities, and in the amounts indicated:"

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 112: Page 52, lines 2 and 3, strike out "Boston, Massachusetts, $100,000,000;".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 112, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: "Back River Wastewater Treatment Plant, Maryland, $40,000,000; Boston, Masachusetts, $100,000,000;".

Mr. GREEN OF New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 119: Page 52, line 16, strike out all after "Flows" over to and including "ments" in line 19 on page 53.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 119, and concur therein with an amendment, as follows:

In lieu of the matter striken by said amendment, insert the following: ": *Provided further*, That the U.S. Environmental Protection Agency shall not prohibit the Massachusetts Water Resources Authority (MWRA) from utilizing the most appropriate technology for the treatment, disposal, and or beneficial re-use of sludge, unsold fertilizer pellets, and grit and screenings outside the Commonwealth of Massachusetts through lease, contract, or by other legal means. The EPA may require sufficient backup capacity for the disposal or treatment of sludge in the Commonwealth through ownership, lease, contract, or by other legal means. The MWRA shall not be required to construct a backup landful or facility if other alternatives approved through EPA NEPA review of MWRA long-term residuals management, are or become available through ownership, lease, contract, or other legal means prior to September 1, 1992, and as long as such alternatives remain available. Any facility or technology used by the MWRA shall meet all applicable federal and state environmental requirements. Any facility or technology must be on-line when a contract between the MWRA and NEFCO, which is responsible for the marketing and disposal of sludge, expires in 1995".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 121: Page 53, strike out all after line 20 over to and including line 7 on page 54, and insert:

During fiscal year 1992, notwithstanding any other provision of law, average employment in the headquarter's offices of the Environmental Protection Agency shall not exceed: (1) 72 workyears for the Immediate Office of the Administrator, (2) 50 workyears for the Office of Congressional and Legislative Affairs, (3) 77 workyears for the Office of Communications and Public Affairs, (4) 187 workyears for the Office of General Counsel, (5) 32 workyears for the Office of Federal Activities, (6) 259 workyears for the Office of Policy, Planning, and Evaluation, and (7) 1,386 workyears for the Office of Administration and Resources Management.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 121, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

During fiscal year 1992, notwithstanding any other provision of law, average employment in the headquarter's offices of the Environmental Protection Agency shall not exceed: (1) 51 workyears for the Immediate Office of the Administrator, (2) 45 workyears for the Office of Congressional and Legislative Affairs, (3) 77 workyears for the Office of Communications and Public Affairs, (4) 187 workyears for the Office of General Counsel, (5) 61 workyears for the Office of International Activities, (6) 32 workyears for the Office of Federal Activities, (7) 259 workyears for the Office of Policy, Planning, and Evaluation, and (8) 1,386 workyears for the Office of Administration and Resources Management.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 122: Page 54, after line 7, insert:

The Administrator of the Environmental Protection Agency shall move, within sixty days of enactment of this Act, the pollution prevention activities and workyears associated with the Office of Pollution Prevention from the Office of Policy, Planning, and Evaluation to the Office of the Administrator.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 122, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

The Administrator shall establish, within 60 days of enactment of this Act, a new staff of 5 workyears within the Immediate Office of the Administrator, which shall be responsible for guiding, directing, and mediating all policy activities associated with Pollution Prevention. The Pollution Prevention Policy Council shall be chaired by the Deputy Administrator.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 131: Page 57, line 15, after "$277,827,000", insert:[1] ", notwithstanding section 201 of Public Law 100-707, including $1,155,000 to install new sirens in Kansas with a twenty-five percent local match in towns under 5,000 and a fifty percent local match in towns over 5,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 131, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 133: Page 60, line 5, after "$2,103,000" insert ": *Provided*, That the appropriations, revenues, and collections deposited into the fund shall be available for necessary expenses of United States Office of Consumer Affairs activities in the aggregate amount of $3,203,000. Administrative expenses of the United States Office of Consumer Affairs in fiscal year 1992 shall not exceed $1,100,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1992 in excess of $3,203,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 133, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following ": *Provided*, That notwithstanding any other provision of law, that Office may accept and deposit to this account, during fiscal year 1992, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and education materials; may expend up to $1,100,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purposes to the extent authorized in subsequent appropriation Acts".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 146: Page 65, after line 9 insert:

During fiscal year 1992, notwithstanding any other provision of law, average employment in the headquarter's offices of the National Aeronautics and Space Administration shall not exceed: (1) 50 staff years for the Office of the Administrator; (2) 201 staff years for the Headquarters Operations; (3) 50 staff years for the Office of Commercial Programs; (4) 42 staff years for the Office of General Counsel; (5) 195 staff years for Agency Management; (6) 82 staff years for the Office of External Relations; (7) 33 staff years for the Office of Legislative Affairs; (8) 259 staff years for the Office of Space Science and Applications; (9) 160 staff years for the Office of Aeronautics, Explorations, and Space Technology; (10) 272 staff years for the Office of Space Flight, including Level I activity for the Space Station; (11) 62 staff years for the Office of Space Operations: *Provided*, That no funds may be used from amounts provided in this or any other Act for details of employees from any organization in the National Aeronautics and Space Administration to any organization included under the budget activity "Research and Program Management".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 146, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

During fiscal year 1992, notwithstanding any other provision of law, average employment in the headquarter's offices of the National Aeronautics and Space Administration shall not exceed: (1) 51 staff years for the Office of the Administrator; (2) 117 staff years for the Office of the Comptroller; (3) 56 staff years for the Office of Commercial Programs; (4) 191 staff years for the Office of Headquarters Operations; (5) 30 staff years for the Office of Equal Opportunity Programs; (6) 43 staff years for the Office of the General Counsel; (7) 132 staff years for the Office of Procurement; (8) 4 staff years for the Office of Small and Disadvantaged Business Utilization; (9) 33 staff years for the Office of Legislative Affairs; (10) 520 staff years for the Office of Space Flight, including Level I and Level II Activities for the Space Station; (11) 210 staff years for the Office of Management; (12) 62 staff years for the Office of Space Operations; (13) 64 staff years for the Office of Public Affairs; (14) 183 staff years for the Office of Safety and Mission Quality; (15) 172 staff years for the Office of Aeronautics, Exploration and Technology; (16) 288 staff years for the Office of Space Science and Applications; and (17) 77 staff years for the Office of External Relations: *Provided*, That the Administrator may reorganize these offices and reallocate the staff years among these offices as long as the aggregate number of staff years at NASA Headquarters does not exceed 2,220 staff years: *Provided further*, That no funds may be used from amounts provided in this or any other Act for details of employees from any organization in the National Aeronautics and Space Administration to any organization included under the budget activity "Research and Program Management," except those details which involve developmental or critical staffing assignments: *Provided further*, That, of the amount provided for "Research and Program Management," up to $675,722,000 may be transferred to "Research and Development" and "Space Flight, Control and Data Communications," and of this amount such sums as may be necessary are provided for the lease, hire, maintenance and operation of mission management aircraft: *Provided further*, That the funds made available in the preceding proviso may only be used for the purpose of operations of facilities: *Provided further*, That, notwithstanding any provision of this or any other Act, not to exceed an additional $100,000,000 may be transferred or otherwise made available, using existing or future authority, to the National Aeronautics and Space Administration in fiscal year 1992 from any funds appropriated to the Department of Defense and such funds may only be provided to the "Space flight, control and data communications" appropriation: *Provided further*, That the limitation in the immediately preceding proviso shall not apply to funds transferred or otherwise made available under existing reimbursement arrangements.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 150: Page 66, line 9, strike out "$1,960,500,000" and insert: "$1,926,000,000".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 150, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$1,879,000,000".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 151: Page 66, strike out all after line 20, over to and including line 3 on page 67, and insert:

ACADEMIC RESEARCH FACILITIES AND INSTRUMENTATION

For necessary expenses in carrying out an academic research facilities and instrumentation program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $46,000,000, to remain available until September 30, 1993.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 151, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

ACADEMIC RESEARCH FACILITIES AND INSTRUMENTATION

For necessary expenses in carrying out an academic research facilities and instrumentation program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $33,000,000, to remain available until September 30, 1993.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

□ 1410

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 156: Page 68, line 9, after "appropriation" insert: ": *Provided further*, That up to $9,000,000 may be transferred to and merged with funds made available under 'United States Antarctic Research Activities'."

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 156, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: ": *Provided further*, That up to $9,000,000 may be transferred to and merged with funds made available under 'United States Antarctic Research Activities': *Provided further*, That notwithstanding section 104 of the National Science Foundation Authorization Act of 1988 (Public Law 100–570), no funds appropriated to the National Science Foundation under this Act may be transferred among appropriations accounts."

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 162: Page 69, line 24, after "$26,900,000" insert: ": *Provided*, That of the new budget authority provided herein, $10,000,000 shall be for the purpose of providing local neighborhood revitalization organizations revolving homeownership lending capital, and equity capital for affordable lower-income rental and mutual housing association projects, to remain available until September 30, 1996: *Provided further*, That the $10,000,000 shall be available for obligation to Neighborhood Reinvestment Corporation in quarterly payments of $625,000 beginning with September 1 of fiscal year 1992".

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 162, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

": *Provided*, That of the new budget authority provided herein, $5,000,000 shall be for the purpose of providing local neighborhood revitalization organizations revolving homeownership lending capital, and equity capital for affordable lower-income rental and mutual housing association projects, to remain available until September 30, 1994: *Provided further*, That the $5,000,000 shall be available for obligation to Neighborhood Reinvestment Corporation in quarterly payments of $625,000 beginning with September 1 of fiscal year 1992".

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 164: Page 72, after line 5, insert:

The Office of Inspector General of the Resolution Trust Corporation shall review by September 30, 1993, each of the agreements described in section 21A(b)(11)(B) of the Federal Home Loan Bank Act and determine whether there is any legal basis sufficient for rescission of the agreement, including but not limited to, fraud, misrepresentation, failure to disclose a material fact, failure to perform under the terms of the agreement, improprieties in the bidding process, failure to comply with any law, rule or regulation regarding the validity of the agreement, or any other legal basis sufficient for rescission of the agreement. After such review has been completed, and based upon the information available to the Inspector General, the Inspector General shall certify its findings to the Resolution Trust Corporation and to the Congress.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 164, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

The Office of Inspector General of the Resolution Trust Corporation shall review by September 30, 1993, each of the agreements described in section 21(A)(b)(11)(B) of the Federal Home Loan Bank Act and determine whether there is any legal basis sufficient for a rescission of the agreement, including but not limited to, fraud, misrepresentation, failure to disclose a material fact, failure to perform under the terms of the agreement, improprieties in the bidding process, failure to comply with any law, rule or regulation regarding the validity of the agreement, or any other legal basis sufficient for rescission of the agreement. After such review has been completed, and based upon the information available to the Inspector General, the Inspector General shall certify its findings to the Resolution Trust Corporation and to the Congress: *Provided*, That any agreement which has been renegotiated and certified pursuant to section 518(b) of this Act may be excluded from further review under this provision based upon a review by the Inspector General of the appropriate evidence, and a determination that the government has achieved significant and substantial savings as a result of the renegotiation: *Provided further*, That the Inspector General report the basis for the exclusion in writing to Congress prior to any exclusion of further review under this provision.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 168: Page 81, after line 6, insert:

SEC. 520. Notwithstanding any other provision of law—

(a) prices for drugs and biologicals paid by the Department of Veterans Affairs and prices for drugs and biologicals on contracts administered by the Department of Veterans Affairs, shall not be used to calculate Medicaid rebates paid by drug and biological manufacturers; and

(b) the Secretary of Veterans Affairs shall attempt to negotiate new contracts, or renegotiate current contracts, for drugs and biologicals, including those contracts for drugs and biologicals utilized or administered by the Department of Veterans Affairs which are listed in Federal Supply Classification (FSC) Group 65 of the Federal Supply Schedule, with the view toward achieving a price comparable to, or lower than, the price charged the Department of Veterans Affairs by the manufacturer on September 1, 1990, increased by the fiscal year 1991 medical consumer price index, as determined by the Secretary; and

(c) the Secretary shall provide a report by June 30, 1992, to the House and Senate Veterans' Affairs Committees, the House and Senate Appropriations Committees, the House Energy and Commerce Committee and the Senate Finance Committee, on the percentage of price increase to the Department from September 1, 1990, to a date 60 days prior to the date of the report, for each drug and biological listed in FSC Group 65.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 168, and concur therein with an amendment, as follows:

At the end of the matter proposed by said amendment, insert the following:

(d) The provisions of this section shall be effective until (1) enactment into law of legislation concerning the price of drugs and biologicals paid by the Department of Veterans Affairs or (2) June 30, 1992, whichever first occurs.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 172: Page 81, after line 6, insert:

SEC. 524. Notwithstanding any provision of this Act, none of the funds appropriated or otherwise made available by the Act or by any other act may be used to move Federal Housing and Urban Development offices from downtown Jacksonville, Florida, (as defined by the Downtown Development Authority of Jacksonville) or to finance the operation of Federal Housing and Urban Development offices in any area of Jacksonville, Florida, other than the downtown area (as defined by the Downtown Development Authority of Jacksonville).

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate Numbered 172, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 521. Notwithstanding any provision of this Act, none of the funds appropriated or otherwise made available by this Act or by any other Act may be used to move Federal Housing and Urban Development offices from downtown Jacksonville, Florida, (as defined by the Downtown Development Authority of Jacksonville) or to finance the operation of such Federal Housing and Urban Development offices in any area of Florida other than the downtown area of Jacksonville, Florida (as defined by the Downtown Development Authority of Jacksonville).

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 174: Page 81, after line 6, insert:

SEC. 526. ESTABLISHMENT OF REGIONAL OFFICE.—The Administrator of the Environmental Protection Agency shall establish within the Environmental Protection Agency an eleventh region, which will be comprised solely of the State of Alaska, and a regional office located therein.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 174, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 526. ESTABLISHMENT OF REGIONAL OFFICE.—The President may establish within the Environmental Protection Agency an eleventh region, which will be comprised solely of the State of Alaska, and a regional office located therein.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 175:

SEC. 527. EXTENSION OF PERIOD APPLICABLE TO SINGLE FAMILY HOUSING.—(a) IN GENERAL.—Section 21A(c)(2)(B) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(2)(B)) is amended by striking "3-month" each place it appears and inserting "5-month".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to eligible single family properties acquired by the Resolution Trust Corporation on or after the date of enactment of this Act.

MOTION OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. TRAXLER moves that the House recede from its disagreement to the amendment of the Senate numbered 175, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 527. EXTENSION OF PERIOD APPLICABLE TO SINGLE FAMILY HOUSING.—(a) IN GENERAL.—Section 21A(c)(2)(B) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(2)(B)) is amended by striking "3-month" each place it appears and inserting "3-month and one week".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to eligible single family properties acquired by the Resolution Trust Corporation on or after the date of enactment of this Act.

Mr. GREEN of New York (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Michigan [Mr. TRAXLER].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 2519 as well as the Senate amendments reported in disagreement, and that I may include tables, charts, and other extraneous material.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3039, DEFENSE PRODUCTION ACT AMENDMENTS OF 1991

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 231 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 231

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. 3039) to reauthorize the Defense Production Act of 1950, 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 Committee on Banking, Finance and Urban Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Banking, Finance and Urban Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered by title instead of by section, and each title shall be considered as having been read. In lieu of the amendments recommended by the Committee on Armed Services now printed in the bill, it shall be in order to consider amendments en bloc printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Gonzalez of Texas or his designee. 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 to the bill or to the committee amendment in the nature of a substitute. 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. After passage of H.R. 3039, it shall be in order to take from the Speaker's table the bill S. 347 and to consider said bill in the bill in the House. It shall then be in order to move to strike out after all the enacting clause of said Senate bill and to insert in lieu thereof the provisions of H.R. 3039 as passed by the House. It shall then be in order to move that the House insist on its amendment to S. 347 and request a conference with the Senate thereon.

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

Mr. BEILENSON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], 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. Speaker, House Resolution 231 is the rule providing for consideration of H.R. 3039, the Defense Production Act Amendments of 1991.

This is an open rule providing 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs.

The rule makes in order the Banking Committee amendment in the nature of a substitute now printed in the bill as an original bill for purpose of amendment. That substitute will be considered by title, instead of by section, and each title will be considered as having been read.

In addition, the rule provides that, in lieu of amendments reported by the Armed Services Committee when it considered H.R. 3039, it will be in order to consider amendments en bloc, printed in the report to accompany the rule, if offered by Representative GONZALEZ or his designee. The en bloc amendment reflects compromises on provisions negotiated by several committees. The rule also provides one motion to recommit with or without instructions.

Finally, Mr. Speaker, the rule makes it in order to take S. 347, the Senate version of the Defense Production Act reauthorization, from the Speaker's table and consider it in the House; to move to strike all after the enacting clause; and to substitute the text of the House-passed H.R. 3039.

Further, it will be in order to move to insist on the House amendment and request a conference with the Senate on this legislation.

Mr. Speaker, H.R. 3039 extends the Defense Production Act of 1950 for 3 years. The primary purpose of the act is to ensure that the United States maintains an industrial capacity sufficient to manufacture and supply products which are essential for our Nation's defense. The act enables the Government to mandate that commercial companies give priority to Government for weapons and military equipment.

Mr. Speaker, to repeat, House Resolution 231 is an open rule. I urge the adoption of the resolution so that we may proceed to the consideration of H.R. 3039.

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

Mr. Speaker, I rise in support of House Resolution 231 which provides for the consideration of H.R. 3039, the Defense Production Act Amendments of 1991.

As the gentleman from California has just said, this is an open rule and I urge its adoption.

I also want to congratulate the chairman of the full Committee on Banking, Finance and Urban Affairs, the gentleman from Texas [Mr. GONZALEZ]; and the ranking minority member, the gentleman from Ohio [Mr. WYLIE]; as well as the chairman of the Economic Stabilization Subcommittee, the gentleman from Delaware [Mr. CARPER]; and our ranking member, the gentleman from Pennsylvania [Mr. RIDGE], for their outstanding work in bringing this legislation to the floor.

Previous efforts to reauthorize the Defense Production Act have been stymied by major controversies involving attempts to remake the legislation into an industrial policy program. Although a clean 3-year reauthorization would be preferable, H.R. 3039 is about as close as we can get to that, and that is a credit to the leadership of the gentleman from Texas [Mr. GONZALEZ], the gentleman from Ohio [Mr. WYLIE], the gentleman from Delaware [Mr. CARPER], and the gentleman from Pennsylvania [Mr. RIDGE].

Mr. Speaker, I want to stress how important it is that we move to reauthorize the Defense Production Act. It is the Government's primary source of authority for maintaining our defense industrial mobilization during a crisis.

□ 1420

The DPA gives the Departments of Defense and Commerce, FEMA, and others the authority for mobilization responsibility such as keeping production on schedule and monitoring industrial resources.

It is estimated that the Department of Defense utilizes the authority of the Defense Production Act about 350 times a year during peacetime. Congress allowed that authority to lapse during a 10-month period during Operation Desert Shield and Desert Storm. Although the President was able to utilize other constitutional powers to meet our mobilization needs, that process could have been much more difficult had the crisis been more serious.

Mr. Speaker, the Defense Production Act helps to ensure that our Armed Forces are well-equipped and well-prepared during a time of crisis. For this reason, I urge adoption of both House Resolution 231 and H.R. 3039.

Mr. Speaker, I am including for the RECORD a copy of the statement of administration policy in this matter.

STATEMENT OF ADMINISTRATION POLICY

The Administration opposes H.R. 3039 and urges the House to enact a simple extension of the existing authorities of the Defense Production Act of 1950 (DPA) until September 30, 1994, in lieu of H.R. 3039.

Specifically, the Administration opposes the following provisions of H.R. 3039:

Section 111, which would include the Secretary of Commerce and the Administrator of the Small Business Administration in determining which contractor may receive loans, loan guarantees, and purchase agreements for defense contracts. The Secretary of Defense can best determine which contractors should receive such assistance.

Section 122, which would establish a cap of $400 million for the Defense Production Act Fund. The $400 million cap is excessive; a $250 million cap has long been recognized as sufficient.

Section 123, which would statutorily establish a policy concerning "offset" arrangements in military exports. (U.S. exporters may enter into reciprocal agreements to purchase certain goods and services from or provide other services for the country purchasing U.S. military goods and services, thereby "offsetting" the cost of the original export.) The section would also mandate specific diplomatic initiatives to reduce the effects of offsets. These requirements would inadvisably restrict Federal policy and interfere with the President's exercise of his constitutional authority to conduct foreign affairs.

Section 124, which would require (1) U.S. industry to report immediately offset agreements with foreign entities and (2) the Secretary of Commerce, rather than the President, to prepare an annual offset report for Congress. Section 124 would also require the Secretary to disclose alternative findings or recommendations, made within the government, on offsets. The real-time reporting by U.S. industry would be burdensome and unnecessary. A statutory requirement to disclose internal Executive branch findings and recommendations would infringe upon the President's constitutional authority to maintain the confidentiality of Executive branch deliberations.

Section 126, which would require the utilization of certain materials in existing and future weapon systems. This requirement may require the redesign of, or lowered specifications for, existing or future weapon systems to accommodate these materials. This would raise the costs and lower the performance of the weapon systems or make weapon systems procurement and support more vulnerable to particular suppliers.

Section 134, which would require the establishment and maintenance of a defense industrial base information system. Such an information system would be an enormous undertaking and impose a considerable reporting burden on the government and the companies involved.

Section 163, which would require a report on the review of the foreign acquisition of U.S. companies involved in critical technologies that would be burdensome and of questionable value.

Sections 201 and 202, which would require the Department of Defense to consider providing full reimbursement of defense contractors' independent research and development/bid and proposal costs. Such reimbursement would unnecessarily increase Defense Department contract costs by up to $1 billion annually by 1996.

Section 211, which would amend the Code of Federal Regulations to specify the circumstances under which a contractor may be suspended or debarred. Such an amendment would duplicate existing procedures and would result in a misplaced emphasis on violations rather than contractor responsibilities.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF THE HOUSE IN SUPPORT OF DEMOCRACY IN HAITI

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 235) expressing the sense of the House of Representatives in support of democracy in Haiti, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object. I do so to afford our chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], the opportunity to explain this resolution.

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

Mr. BROOMFIELD. Further reserving the right to object, I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this resolution expresses the sense of outrage of this House at the Haitian Army's ouster of President Jean-Bertrand Aristide.

The resolution supports the policy of the United States as expressed by President Bush that we support fully the restoration of the democratically elected Government of President Aristide. It also backs the decision announced by the State Department that all aid to the Haitian Government be cut off. The resolution commends the Organization of American States for its prompt condemnation of the Haitian coup; calls on the Haitian military to respect the rights of its people; and finally calls on the international community to take all appropriate action to restore democratic government in Haiti.

Mr. Speaker, in a few hours the Foreign Ministers of the OAS will convene here in Washington to hear President Aristide. The OAS in June of this year adopted new policies for reacting to military coups. Its reaction to this coup is the first test of the new policy agreed to by the nations of this hemisphere. I am convinced that the OAS can play a critical role in bringing this seizure of power to an end. Speaking with one voice, the OAS membership will bring significant diplomatic pressure to bear on Haiti's junta.

Mr. Speaker, earlier this week we saluted the 2,500th anniversary of the birth of democracy in ancient Athens. Today we speak out in defense of a beleaguered people not far from our own shores. The principles of democracy have survived and flourished after 25 centuries. The day will come when we can say that they have come once and for all to Haiti.

Mr. Speaker, this action is prompted now because the OAS itself goes into session in just a short time. We felt it would be extremely important to reflect officially the position of the Congress of the United States, and that is what this resolution does.

Mr. Speaker, I would be delighted to change places with the chairman of the Subcommittee on the Western Hemisphere so that he could express himself on this resolution, and I think we ought to take time for him to make a statement on the matter.

I thank the gentleman from Michigan, the ranking Republican, for giving me the opportunity to explain this matter.

The SPEAKER pro tempore (Mr. TORRICELLI). If the distinguished gentleman from Michigan would permit the Chair, the Chair wants to thank the distinguished chairman. He has so well made the case in the Chair's stead while he is in the chair, and he thanks the gentleman.

Does the gentleman from Michigan [Mr. BROOMFIELD] continue to insist upon his reservation of objection?

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I would like to make a short statement.

Mr. Speaker, it is a sad day for our hemisphere. At a time when democracy is moving forward throughout the world, the dark cloud of tyranny has once again descended upon Haiti. I commend Chairman FASCELL for his leadership in bringing this issue promptly before the House of Representatives.

Last Sunday night, elements of the Haitian military overthrew the democratically elected President Aristide. Many were killed and hundreds were wounded. Haiti has now joined Cuba as one of the last outposts of dictatorship in the Americas.

It is important for the Congress to speak out against this military coup in the strongest possible terms. The Bush administration has also responded forcefully and has suspended all American assistance.

Just last week, President Aristide spoke at the United Nations about the

new horizons of democracy for a country that has suffered so much for so long. Unfortunately, the U.N. Security Council has refused to take up the coup in Haiti, despite the fact that the election of President Aristide was judged free and fair by an official U.N. delegation.

The response to the coup in Haiti is also an important test for the Organization of American States and its recently created mechanism to respond to antidemocratic actions in the hemisphere. The OAS did not react well to Noriega's 1989 rejection of democracy in Panama. It now has a chance to express concrete support for the restoration of constitutional government in Haiti.

I congratulate President Aristide for his continuing courage and commitment to democracy. I also urge my colleagues to support this resolution and join in the international chorus of opposition to this illegal action in Haiti.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Missouri [Mr. EMERSON

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to commend the Committee on Foreign Affairs on the prompt movement on this issue. I think it is most appropriate that you are bringing this resolution before us and that we are acting as we are.

The gentleman from Ohio [Mr. HALL], chairman of the Select Committee on Hunger, and the gentleman from Missouri [Mr. WHEAT], and I, as the ranking Republican on the Hunger Committee, went as the congressional delegation following the democratic elections in Haiti. We went there this spring and spent a great deal of time with President Aristide, members of the Chamber of Deputies, one member of which came to visit me yesterday, and we were very impressed with the tremendous stride that was being made there pro-democracy.

To see this reversion to doing things the old way down there is very disheartening, and the Haitians, President Aristide, need all of the moral support that we can give them at this time.

I want to commend the distinguished chairman and ranking member for their leadership in moving this issue so promptly to the House. It is important we speak as we do today.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I yield to the gentleman from California [Mr. LAGOMARSINO], the ranking member on our Subcommittee on the Western Hemisphere.

Mr. LAGOMARSINO. Mr. Speaker, as an original cosponsor of this resolution condemning the overthrow of the democratically elected President of Haiti, I wish to commend the chairman of the Foreign Affairs Committee, DANTE FASCELL; ranking member BROOMFIELD; and Western Hemisphere Chairman TORRICELLI for their leadership in expediting consideration of this resolution. It is imperative this body go on the record immediately to condemn in the strongest possible terms the military coup which has deprived the Haitian people of their democratic government and their President, Jean Bertrand Aristide.

I also wish to commend the Bush administration for its prompt action in terminating all assistance to Haiti until democratic government is restored. Other nations who have cut off aid to Haiti, like France and Canada, deserve our praise for their support for restoring democracy to Haiti.

As affirmed by this resolution, the Organization of American States merits our commendation for taking before it today the ouster of President Aristide under the newly established mechanism to respond promptly to an interruption of a legitimately elected government.

The Haitian people, against great odds, had finally succeeded in securing for themselves a democratic government and the promise of protection of human rights and the prospects for more equitable economic development. They have had that promise brutally taken from them by a military force that ignores the will of the people and tramples on the spirit of democracy.

In the outrage that accompanies the Haitian military's defiance of justice, I want to make a special commendation in expressing to the Bush administration and our Ambassador Al Adams in Haiti the tremendous gratitude of the Congress in making clear to the leaders of the coup the necessity of sparing the life of President Aristide.

As we condemn the actions of the Haitian military, we must also give notice that we will join the OAS and other nations of the world in seeking the prompt and complete return of democratic government to Haiti.

I urge my colleagues to give their unanimous approval to the resolution.

□ 1430

Mr. BROOMFIELD. Mr. Speaker, under my reservation, finally I would like to thank the gentleman from Texas [Mr. GONZALEZ], the chairman of the Committee on Banking, Finance and Urban Affairs, for letting the gentleman from Florida [Mr. FASCELL] and I to move this bill so expeditiously.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. DYMALLY. Reserving the right to object, Mr. Speaker, and I shall not obviously object.

First, Mr. Speaker, I want to commend the chairman of the Committee on Foreign Affairs and the minority leader, the gentleman from Michigan [Mr. BROOMFIELD] for the expeditious manner in which they have brought this very important resolution to the House.

Freedom-loving people all over the world are shocked and outraged at the behavior of the military junta in Haiti. Just at a time when we were beginning to say that we have democratic governments in the Western Hemisphere—and certainly in the Caribbean—unprovoked, the military junta has again overthrown a democratic government.

I believe that the President was correct in taking this swift action and he must be commended for that.

I hope that the Organization of American States will proceed with some form of sanctions against this regime. It may be necessary to call upon the U.N. peacekeeping forces to protect the democratic rights of the people and to restore the President back to his rightful position.

Mr. Speaker, I join with my colleagues in condemning the junta and wishing very deeply that we could restore democratic government there by taking President Aristide back to Haiti to continue his democratic rule.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. WEISS. Further reserving the right to object, Mr. Speaker, and of course I, too, will not object.

I simply want to take this occasion to express my commendation and appreciation to our distinguished chairman, the gentleman from Florida [Mr. FASCELL] and to the distinguished minority leader of the committee, the gentleman from Michigan [Mr. BROOMFIELD], for their very quick and prompt action in bringing this resolution forward.

I also want to express my appreciation to President Bush and the Bush administration and Ambassador Adams, who from the very beginning reacted positively, expressing America's concern about the shunting aside and the overthrow of a hard-fought, hard-earned democracy, by the people of Haiti.

At a time in the world's history when peoples after peoples are overthrowing the yokes of oppression, for the military junta in Haiti not to be watching and learning from that, but instead to be reverting to the age-old brutality which has kept the people of Haiti in the worst kind of conditions in this hemisphere and perhaps in the world of any people is just really incredible and unbelievable.

I certainly urge the Organization of American States to take heed of the international reaction to this and do everything within their power to restore democracy to Haiti. That is the only real remedy to what has taken place.

Mr. GILMAN. Mr. Speaker, I rise to express my strong support for House Resolution 235, and I commend the distinguished chairman of our Foreign Affairs Committee, the gentleman from Florida [Mr. FASCELL], as well as our distinguished ranking Republican member, the gentleman from Michigan [Mr. BROOMFIELD], for their outstanding and expeditious consideration and support of this measure.

The people of Haiti have long suffered under the brutal and arbitrary rule of dictatorship. In 1986, the Haitian people demonstrated incredible courage when they ousted then-President-for-life Claude Duvalier. In 1987 an overwhelming majority of Haitians declared themselves in support of democratic rule by approving a constitution, which established a legal framework for the election of a civilian government.

In 1987, the presidential election was canceled due to widespread violence in Haiti on the day of the election. On December 16, 1990, in a free and fair election Jean-Bertrain Aristide was elected president, by almost 70 percent of the vote

Mr. Speaker, with the democratization of Eastern Europe before us, I was willing to believe the way of the dictator was almost over—but on September 30, 1991, elements of the Armed Forces launched an attack against President Aristide and the people of Haiti, forcing the President to leave Haiti with the Haitian Government in the hands of a military junta.

I believe we must make it unequivocally clear that the United States supports President Aristide and his democratically elected government. Accordingly, I urge the President to cease all security assistance to the Haitian Government, until democracy is restored. We must also urge the OAS, as well as the international community at large to do everything possible to restore democracy to Haiti and respect for the human rights of its people. This measure makes the U.S. Congress' position clear on this matter and I strongly urge its adoption.

Mr. YATRON. Mr. Speaker, I rise in strong support of the resolution by the gentleman from Florida. I want to commend Chairman FASCELL for his outstanding and unsurpassed leadership over the years in promoting democracy and respect for human rights in Haiti. Let me also commend Mr. BROOMFIELD, Mr. TORRICELLI, Mr. LAGOMARSINO, and Mr. BEREUTER, for all their efforts in facilitating the consideration of this resolution.

This is an extremely timely and important resolution. It condemns the coup in Haiti, and calls for the restoration of the democratically elected government. It further urges that all United States assistance to Haiti remain suspended until democratic government is restored. It demands that the Haitian military respect human rights and calls on the international community and the OAS to work for the return of democracy in Haiti.

The Haitian people have long suffered under brutal and undemocratic regimes. Last year, a freely elected government ushered in a new era of promise and hope in Haiti. It is imperative that the coup constitute only a temporary setback, and that the United States do whatever it can to work toward the restoration of the elected government.

This resolution sends a powerful message not only to the Haitian military leaders, but also to the people of Haiti. The United States will continue to oppose oppression and military dictatorships and help the people of Haiti in their struggle for democracy, human rights, economic prosperity, and rule of law.

I urge my colleagues to support this measure.

Mr. COX of Illinois. Mr. Speaker, I rise today to speak in support of House Resolution 235, which addresses the recent tragedy in Haiti. I commend my colleagues on the Foreign Affairs Committee for their action, and am pleased to join as an original cosponsor to this resolution.

The morning papers brought us more news from Haiti—news of a continued coup characterized by patrolling military troops and random machinegun fire—news of young democracy in distress.

Last December, the citizens of Haiti cast their votes in the first free and fair election of their country's history. Jean-Bertrand Aristide became Haiti's first popularly elected leader. A history marred by poverty and political violence gave way to the hope and promise of democracy.

Today, less than a year later, President Aristide has been forced to flee the country, members of his government have been jailed, and more than 100 civilians have died. The hopes of democracy have been diminished by fears of violence and terror, fears all too familiar to the people of Haiti.

Today's resolution calls for a response from the United States and the international community to the illegal and intolerable actions of the coup leaders. We must make it clear that the consequences of these actions will be severe. We must work to ensure the restoration of democracy.

I urge the adoption of this important resolution.

Mr. WEISS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 235

Whereas the people of Haiti have long suffered under the brutal and arbitrary rule of dictatorship rather than the democratic rule of law;

Whereas in 1986 Haitians from all sectors of society showed great courage in joining together to oust President-For-Life Jean Claude Duvalier;

Whereas an overwhelming majority of Haitians have declared themselves in support of democratic rule by approving a constitution in 1987 establishing a legal framework for the election of a civilian government;

Whereas the 1987 presidential election was cancelled due to widespread violence on the day of election;

Whereas the Haitian people participated in a second, internationally supervised election on December 16, 1990, and elected President Jean-Bertrand Aristide by almost 70 percent of the vote in an election that was recognized by international observations as free, fair, and open;

Whereas elements of the military on September 30, 1991, launched an armed attack against President Aristide and the people of Haiti; and

Whereas President Aristide was forced to leave Haiti and a military junta has seized power: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the President should make clear that the United States supports the restoration of the democratically elected government of President Aristide;

(2) all United States assistance to the Haitian Government, economic and military, should remain suspended until democratic government is restored;

(3) the Haitian military should respect the human rights of the Haitian people;

(4) the Organization of American States should be commended for vigorously condemning the coup and for its Santiago commitment of June 1991 creating a new automatic mechanism to respond to the interruption of legitimate elected government; and

(5) the international community, particularly the Organization of American States, should take all appropriate action to restore democratic government in Haiti.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1991

The SPEAKER pro tempore. Pursuant to House Resolution 231 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. 3039.

□ 1435

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. 3039) to reauthorize the Defense Production Act of 1950, and for other purposes, with Mr. MURTHA in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Delaware [Mr. CARPER] will be recognized for 30 minutes, and the gentleman from New York [Mr. PAXON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Delaware [Mr. CARPER].

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

Mr. Chairman, it seems there are now three things we can depend on in life—death, taxes, and the need to extend the Defense Production Act. Legislation dealing with the Defense Production Act has become a common feature of our floor calendar, and with this bill,

we hope to put an end to those appearances—at least for the next 3 years.

Mr. Chairman and my colleagues, H.R. 3039 is the product of efforts over the past two Congresses to craft substantive reforms to the Defense Production Act. The original act—passed in 1950—was a reaction to concerns during the Korean war that this Nation's industrial capacity was unable to meet military needs, either in times of conflict or peace. The resulting act provided the means to ensure that the industrial capacity to meet defense needs could be developed and to ensure that defense contracts—in times of need—would take precedence over any commercial contracts a particular producer might have. The most important features of the current act are: First, the authority to prioritize defense contracts where the need exists; second, the mandate to provide financial assistance through loan and purchase guarantees to promote defense productive capacity, third, the ability to mobilize executive reserves from U.S. industry to assist the Nation in emergencies, and fourth, the responsibility—under the so-called Exon-Florio provisions—to review proposed foreign takeovers, mergers and acquisitions of domestic firms that could adversely affect the national security.

This legislation before us today has a long history. It is a reflection of a bill which passed the House last year, went to conference with the other body, was agreed to by House-Senate negotiators, and passed the House again—only to be delayed in the other body until the 101st Congress had expired. At one time or another, a number of House committees have been involved in the evolution of this bill, including the Banking, Energy and Commerce, Armed Services, Government Operations, the Judiciary, and Ways and Means Committees. If I have forgotten anyone, my sincerest apologies. The implication is that this bill reflects the interests and efforts of many Members and committees of the House, and is a better bill for those contributions. In fact, at the appropriate time, I will offer an en bloc amendment making changes to improve the bill as suggested by many of those committees.

H.R. 3039 will begin to move the Defense Production Act into the modern, post cold-war era. Ironically, as our military posture is reduced, our need to maintain a vibrant defense production base which can respond quickly and effectively to potential conflicts will increase. To assist in meeting that challenge, this legislation makes several improvements to the act.

First, the bill would require the Secretary of Defense to identify critical components of weapon systems, to identify their suppliers, and to determine where vulnerabilities in the supply of those components exist—for example, sources located in unstable foreign countries, or sole sources in this country. When those vulnerabilities are identified, the bill requires that a reliable source be found or created. Furthermore, the bill requires the development of an information base capable of highlighting foreign sources and production vulnerabilities to assist in meeting the mandate to rectify identified weaknesses in the production base.

To assist in the development of domestic production capability, H.R. 3039 would increase the authorization of title III assistance programs to $200 million per year. These funds can be used to provide loans and purchase guarantees necessary to support expanded production capability for critical materials and other items.

The bill would also modify language in title III to enhance the ability of title III assistance programs to encourage the development of dual-use industrial resources and technology items which might be useful in both the defense and commercial sectors. By allowing this civil-military integration, the bill would improve U.S. competitiveness by permitting a more efficient use of domestic industrial resources.

H.R. 3039 also states congressional policy that the Federal Government not be in the business of promoting the use of offset arrangements on export sales of military goods to foreign nations. And the bill requires the Commerce Department to prepare annual reports analyzing the impact of offset agreements on the U.S. defense industrial base.

And finally, H.R. 3039 establishes a congressional commission to review whether agency policies are consistent with our goal of maintaining a strong domestic production base, and to recommend to Congress what changes need to be made.

Mr. Chairman, with the assistance of many of our colleagues in the House and administration officials, we have been able to craft a sound bill to reauthorize and amend the Defense Production Act. I would particularly like to thank chairman GONZALEZ and his staff for their tremendous support in getting this legislation to the floor. Thanks also to Mr. WYLIE, ranking member of the Banking Committee for his assistance and constructive additions to the bill. And a special thanks to my colleagues and ranking member of the Economic Stabilization Subcommittee, Mr. RIDGE, whose leadership in the subcommittee and strong support for a competitive domestic production base are much appreciated. And to Ms. OAKAR, my predecessor on the subcommittee, many thanks for doing the hard part in paving the way for this bill.

Mr. Chairman, I commend this bill to the House and urge its adoption.

□ 1440

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

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

Mr. Chairman, this act is the principal statute for the development and maintenance of a defense industrial base capable of producing goods and services necessary for the national defense. This bill is the result of efforts going all the way back to the 100th Congress to reauthorize and update the act. I think this year we will succeed in passing the bill. The bill is solidly bipartisan, and I compliment Mr. CARPER and his aide, Mr. Tulou, for handling the bill in a commonsense, no nonsense manner.

Mr. Chairman, title I amendments will rectify many concerns about production base vulnerabilities, erosion of the production base, and the growing reliance on foreign producers. The bill requires the President to identify critical components, determine where vulnerabilities exist in the supply system, and rectify those vulnerabilities either by domestic sourcing or switching to a more reliable foreign producer. While previous versions of this legislation unecessarily restricted procurement of critical components to domestic producers only, this bill recognizes that allies and other countries are efficient and reliable producers, and should be allowed to help maintain our first-rate military capability.

This bill also increases the authorization of title III assistance programs to $200 million per year, funds that will provide loans and purchase guarantees needed to support expanded production capability for critical components. The bill modifies language to encourage the production of material that will have both military and civilian uses, ending wherever possible the artificial separation of use. The bill also emphasizes that this assistance be used for material that will remain economically viable long after the assistance has expired. It is our intent that scarce Federal resources be used as wisely as possible.

Our colleagues on the Armed Services Committee expressed reservations about parts of the bill that were in their jurisdiction. I am told now that their most pressing concerns have been negotiated in a satisfactory manner.

The administration has published a statement opposing the bill. Some of their concerns have also been addressed in the leadership amendment. I understand that the administration would like a clean DPA reauthorization; I must say, though, that the bill before us now is quite clean compared to last year's product—it really has come a long way. We have listened to the administration during the process and addressed their most fundamental points. The differences remaining are disagreements between honorable persons, and are not related to budgetary concerns.

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

Mr. CARPER. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the full committee, the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I thank the chairman for yielding to me, and I rise briefly in support of this bill and fundamentally to point out three things.

First, the Defense Production Act was born in 1950 as a result of the Korean war and the Committee on Banking, Finance and Urban Affairs has exercised its jurisdiction very diligently throughout the years, the fundamental purpose being that there should be in our country a defense base to foment, encourage and stimulate those productions of materials that our defense efforts would necessitate.

The main, the important thing about this bill I can summarize by saying, one, the full committee approved it unanimously, so to speak, on July 30 of this year. The only difficulties that have stemmed in getting a permanent or semipermanent amendment to this act since the last Congress was the fact that the Senate appended nongermane amendments. I believe there was some reference to that made by the distinguished minority member of the subcommittee.

The other thing is that there is no budgetary impact from this bill. It is a pay-as-you-go. There is no budgetary impact at all. It is within the budget limitations and agreements.

The fact is that this would extend the act, and it represents a very, very diligent and careful, able leadership of the subcommittee chairman, the gentleman from Delaware [Mr. CARPER], and the ranking minority member of the subcommittee, the gentleman from Pennsylvania [Mr. RIDGE].

Mr. Chairman, I want to compliment them. It is certainly worthy of our support, my colleagues, and I urge that support.

Mr. Chairman, I want to finish by saying that I am very proud of the work of the subcommittee in this respect.

Mr. CARPER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, I very much appreciate the opportunity to speak to this legislation. Of course, I have no problem with the reauthorization. I simply take the time to indicate that although I will not be offering an amendment today, the Economic Conversion Act, that is, the Defense Economic Adjustment Act of 1991 is still pending and it is still alive and is under active consideration, and we will in fact be pursuing it.

Mr. Chairman, it is essential, I think, that at a time when the budget of the defense industry is being cut, the Defense Department is being cut back, and tens of thousands, if not hundreds of thousands of Americans who were persuaded, induced to work for the defense sector are being thrown out of work, that in fact the Federal Government undertake to make their plight bearable by providing them an opportunity to continue to use their talents and skills and facilities of the plants in which they worked and to continue to contribute to the rebuilding of America. That is really what the Defense Economic Adjustment Act that I have authored—and we have a great many cosponsors at this point—seeks to do.

Mr. Chairman, it is the second half to this piece of legislation, although it will, of necessity, have to be offered separately. But I think it is high time; there are places in my home State of New York, in Connecticut, Missouri, California, where huge areas are being hurt because of the layoffs. I just think that it is improper for the Congress and the administration not to take note of that.

Mr. CARPER. I thank the gentleman from New York for his comments.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Chairman I rise in support of H.R. 3039, the Defense Production Act Amendments of 1991.

Mr. Chairman, this bill contains matters which also fall under the jurisdiction of the Committee on Energy and Commerce. These include a change to the so-called Exon-Florio amendment to the Defense Production Act having to do with reviews to determine the national security impact of foreign takeovers of American firms. In addition, this bill establishes an offset policy for the United States and requires the Secretary of Commerce to do an annual report on the impact of offset requirements imposed on American manufacturers that sell defense systems to foreign governments.

I want to add my support for the way the bill addresses these issues. Offsets, such as requirements that American manufacturers license their technology to foreign firms in order to sell defense systems abroad, can undermine the competitiveness of U.S. firms. By identifying the extent to which this practice is occurring, the bill will help our Government oppose this practice where it is inappropriate.

I also support the report the bill requires to be submitted to the Congress every 4 years under the authority of the Exon-Florio amendment. This report requires Treasury to identify coordinated strategies of foreign countries or companies to gain control of U.S. firms or industries that are involved in research, development or production of critical technologies for which the United States is a leading producer.

For example, it is no secret that Japanese firms have targeted the American electronics industry for heavy investment. In just the last 3 years since the Exon-Florio amendment was enacted, more than 80 American firms that provide equipment and materials for the semiconductor industry have been brought by foreign firms; more than 60 of these were bought by Japanese companies.

The dangers of foreign control of our country's leading technologies are becoming more and more obvious. Last week, the General Accounting Office issued a report in which they identified a large number of American companies that claim foreign suppliers have intentionally withheld state-of-the-art technology, putting these American companies at a serious competitive disadvantage compared to their foreign counterparts.

Mr. Chairman, I believe the bill we are considering will help thwart foreign efforts to dominate American high technology and American industry. I commend my colleagues on the Banking Committee for the work they have done. I look forward to working with them in the future on legislation to ensure that careful consideration under Exon-Florio is given to all foreign acquisitions involving critical American technologies.

□ 1450

Mr. CARPER. Mr. Chairman, I thank the gentlewoman from Illinois [Mrs. COLLINS] for her remarks. Let me just say, as she suggested, the Committee on Energy and Commerce has a keen interest in her subcommittee, and a particularly keen interest in some of the provisions she has just discussed, particularly as they related to the acquisition by foreign firms of American companies as it may relate to our national security, and we appreciate very much the chance of work with her in the context of this bill.

Mrs. COLLINS of Illinois. Mr. Chairman, let me thank the gentleman from Delaware specifically for the support he has given toward the full working cooperation that we have had together on this, and again we are deeply grateful for it.

Mr. CARPER. I suggest we do it again in 3 years from now. I am not sure we will both be here.

Mrs. COLLINS of Illinois. Let us hope so.

Mr. CARPER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MAVROULES] with whom we have worked diligently to try to address these concerns.

Mr. MAVROULES. Mr. Chairman, I thank the gentleman from Delaware [Mr. CARPER], and I will be very, very brief.

There were about four or five areas of disagreement. We were able to work it out with the Committee on Banking, Finance and Urban Affairs. I do want

to take this opportunity to commend and thank the chairman, the gentleman from Texas [Mr. GONZALEZ], the gentleman from Delaware [Mr. CARPER], and also the gentleman from Minnesota [Mr. VENTO] who cooperated right before the ballgame on Monday evening. We were able to work out an agreement.

Just very briefly, the five areas that we had a concern, that being the Committee on Armed Services, dealt with the best value methodology, the federally funded research and development centers, the offset policies, the FAR amendments and the defense management review. I am delighted to report that we have reached agreement with the Committee on Banking, Finance and Urban Affairs. In my prepared statement, Mr. Chairman, I am a little critical with regard to the turf that I am trying to protect for the Committee on Armed Services, but we will submit that for the RECORD.

I do want to make my position very clear, however, on probably one of the amendments that might be offered, and I think I can speak for the Committee on Armed Services, and I am sure my colleague, the gentleman from South Carolina [Mr. SPENCE], will support me, that, if indeed the gentleman from North Dakota [Mr. DORGAN] were to offer the second amendment requiring that in the industrial base policy commission created by the bill's study the extent to which the geographical dispersement with defense industrial base, and so on, and so on, and so on; if that is offered, then I would stand in opposition to that at the proper time.

Let me thank the Committee on Banking, Finance and Urban Affairs for a job well done. I thank them for their cooperation, and hopefully we can get on with our work.

Mr. Chairman, I rise representing the Committee on Armed Services and in support of an amendment to the bill reported by the Committee on Armed Services. The amendment would amend several sections of the bill as reported by the Banking Committee.

Mr. Chairman, earlier this year the House Committee on Armed Services sought sequential referral of the Defense Production Act. We received sequential referral on Friday, September 20. But we were only given until the next Wednesday to act on this legislation. That's 5 days—2 of which were weekend days.

This forced the committee to deal with the bill very quickly—too quickly. We had no time for hearings or subcommittee consideration. We moved straight to the full committee.

At the same time we opened negotiations with the Banking Committee. Mr. Chairman, personally I find about a dozen provisions of the Banking Committee bill objectionable. I whittled that down to the five most objectionable segments and took those to the Banking Committee. My colleagues on the Armed Services Committee gave me unanimous support in this approach. I am happy to report that the Armed Services Committee and the Banking Committee were able to work this out amicably. The Banking Committee has agreed to changes in all five provisions. The amendment before you frames that agreement. With these changes, I will be able to support the bill in conference.

This process has left some ill feelings among members of the House Armed Services Committee and I feel obligated to air them.

The first problem is the 5-day limit on sequential referral. It is simply inadequate to deal properly with any intricate piece of legislation, and to keep Members fully informed, and to give them a real opportunity for full participation. This time pressure was aggravated by the fact that the 5-day window fell in the middle of our annual conference with the Senate on the National Defense Authorization Act, the fatest piece of legislation to come before this body on an annual basis. There was no need for this rush. The Banking Committee argued that a short period of sequential referral was warranted by the fact that the Defense Production Act was about to expire September 30, at the end of the fiscal year. Mr. Chairman, the DPA expired last year on October 20, in the middle of Operation Desert Shield. We saw Desert Shield and Desert Storm to a successful conclusion without any Defense Production Act on the books. The President invoked section 18 of the Military Selective Service Act of 1940 in order to require private business firms to deliver needed supplies for Desert Storm. The DPA was not renewed until August 17 of this year—more than 6 months after the fighting in the Persian Gulf ended. There was no pressing need to act before September 30 of this year—and indeed we are not acting before September 30.

Now let me turn to the bill itself. The Defense Production Act was first enacted in 1950 at the start of the Korean conflict. The Government had the power to order businesses to turn their production over to the military. As I just mentioned, that was contained in the 1940 Selective Service Act. But that left businesses with a potential problem. Let's say a steel firm diverted all its steel plate to the Army under orders. Another manufacturing firm with a contract to receive that steel could sue the steel firm for nonfulfillment of the contract. The DPA was written by the Banking Committee to protect firms from such suits during the Korean war.

The Committee on Armed Services never had any dispute over that. Such an issue is appropriately within the bounds of the Banking Committee—although I suppose the Energy and Commerce Committee could lay claim to part of that turf.

In recent years, however, the Banking Committee has progressively extended the Defense Production Act into other policy realms. Chiefly, the bill has been used as a vehicle for buy American legislation. Last year, however, the Banking Committee moved even further and sought to enter the realm of defense industrial base issues—an area the Committee on Armed Services has been involved with for decades. At that point, the Committee on Armed Services objected. This led directly to the decision last month to refer the DPA sequentially to the Committee on Armed Services for the first time in its 41-year history. This year's DPA amendments involve buy America issues, defense industrial base issues and even defense contracting laws and regulations.

There are several provisions of the Banking Committee bill with which the Committee on Armed Services has major problems. They fall roughly into two categories—one process and the other substance. Let me summarize them without listing each and every individual point. A description and explanation of each point in contention will be found in the report of the Armed Services Committee on this bill.

First, with regard to process, there are provisions that amount to an outright raid on the jurisdiction of the Armed Services Committee. For example, there is a provision that relates to the use of so-called offsets in foreign military sales. A few years ago, the Defense Authorization Act directed the President to formulate offset policies within some guidelines laid out in the law. The Committee on Armed Services has been following those policies and has been satisfied to date. The Banking Committee bill would codify the existing policies. There's no change in the policy, but the policy would become part of the Defense Production Act—thus deftly shifting jurisdiction away from the Armed Services Committee and into the Banking Committee since any change to those policies would require an amendment to the Defense Production Act.

The second problem relates to substance. While the bill would make no substantive change in offset policies, it does change long-established practices in other areas. For example, take the Competition in Contracting Act, known as CICA. That act emerged in 1984 from the work of several committees. The lead committee was Government Operations. Armed Services and Small Business and others participated in the process—and have participated in the updates and refinements passed since then. One provision of CICA provides that the concept of best value should be the key element in contracting. The Banking Committee was not involved in these deliberations for the simple reason that acquisition policy does not fall within its jurisdiction. Suddenly, this year a bill emerges from Banking that specifies a particular methodology for calculating best value. This methodology is new. And this methodology conflicts with CICA as drafted and reviewed by several other committees over the last decade. Mr. Chairman, the Armed Services Committee does not agree with these proposed changes and opposes them.

Mr. Chairman, that outlines the problems the Committee on Armed Services finds with this bill and the way it has been referred to us. They are major complaints. Needless to say, the Armed Services Committee now plans to watch the progress of the Defense Production Act each year with a hawkeye. I certainly hope that this dispute over referral time, over jurisdiction, and over the substance of legislation will not be repeated.

Certainly, I am happy to report that once we went to the Banking Committee last week, we received a fair hearing. As I mentioned, given the time, we reduced our list of objections from a dozen to five key provisions. The Banking Committee understood our concerns and listened to our complaints. I would like to

thank Chairman GONZALEZ, as well as TOM CARPER, the chairman of the subcommittee, and the members and staff of the Banking Committee for dealing expeditiously with the concerns of the Armed Services Committee and being generous with their time. For example, BRUCE VENTO and I worked out some compromise language on the last provision just before Monday night's football game. The short referral period put the Banking Committee under the gun as well, but they responded speedily and courteously. They have agreed to the amendments proposed by the Committee on Armed Services. I am happy that we can now put this tiff to bed and that we can come before the House with a unified and agreed position of the two committees, which I urge the House to support.

Mr. CARPER. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, there are a couple of sections of the bill to which I am offering amendments. The first amendment deals with the language in the bill in title I, section 108, where the President shall give preference to small businesses for contractors and subcontractors under the bill. I think that is very good language. I commend the committee.

My first amendment would modify that a bit, however, and it would say in addition to that that the President shall also give preference to those small business contractors and subcontractors in areas of high unemployment and continuing economic decline. So, the President would have that right and option if he would prefer to give preference to those companies located in those high-unemployment and high-impacted areas where they have continued to see unemployment figures for years.

The second one deals with the new defense procurement fund, and it simply states that any employee or individual involved in the oversight of that fund would be subject to disclosure of personal finances consistent with financial disclosure laws for every other Federal employee. In addition to that, it goes also a step further, that an employee having oversight, or management, or responsibility of that fund would also have to certify each year that they have no conflict of interest with that particular assignment, and, if there is a situation that is perceived to be a conflict, that they give details of that subject according to Federal conflict of interest laws.

Mr. Chairman, I am glad to have the support of the chairman of the Committee on Banking, Finance and Urban Affairs, and I would hope that the committees would find favor with those two amendments.

The last amendment is simply a buy-American amendment insofar as it reminds everybody that we do have a Buy-American Act of 1933 and that this bill is subject to such Act, except for one other thing it has: a fraudulent labeling provision to it which states that, if anybody has a contract subject to the buy-American law that has been in existence, and if they are going to put "Made in America" on it, it should be made in America or they can lose their production rights as a contractor under this particular bill.

Mr. Chairman, these amendments are not earth shaking. I think they are reasonable policies of, not only procurement, but the granting of contracts to those areas that have faced this unemployment, and the President can give them preference. And let me say this: Those high-unemployment areas will be defined by the Secretary of Labor consistent with past formulas and definitions that have been made in the Congress.

So, with that I appreciate and would appreciate my colleagues' support. I appreciate this time, and I am hoping that the Defense Subcommittee will also find favor with the amendments.

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

Mr. Chairman, we have examined the amendments, and we are pleased to accept the amendments, all three offered by the gentleman from Ohio [Mr. TRAFICANT].

Mr. CARPER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LEVINE] for a colloquy.

Mr. LEVINE of California. Mr. Chairman, I thank the gentleman from Delaware [Mr. CARPER], my friend, for yielding. I would like to congratulate my colleagues and friends, the gentlemen from Delaware [Mr. CARPER], and the gentleman from Pennsylvania [Mr. RIDGE] who is not here at the moment, but who has played such a key role in the crafting of this legislation, for their efforts in putting together an outstanding piece of legislation. The Defense Production Act is one of the linchpins in our national security system. As we all saw in the gulf war, with military technology becoming ever more sophisticated, we must have confidence in our domestic production capacity and industrial based strength. This preparedness can save many precious American lives and did so in the gulf.

Mr. Chairman, a few months ago I introduce legislation to strengthen the Exon-Florio provisions of the Defense Production Act which are a key part of protecting our industrial base.

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While today's Defense Production Act will not be the vehicle for any broader changes to Exon-Florio, I would urge the House to take this issue up soon. Our economic and national security is too often threatened by foreign takeovers of American firms critical to our future.

I have, however, discussed with the gentleman from Delaware [Mr. CARPER] the possibility of working in conference on this act to carve out a small loan program, perhaps in the neighborhood of some $10 million, to give temporary assistance to companies whose foreign acquisition has been blocked by CFIUS, or to provide purchasing incentives to other U.S. firms to maintain U.S. ownership.

Such loans were endorsed, as the gentleman knows, by a prestigious panel of policy, finance, and manufacturing experts in a June 1990 Defense Science Board report. In their eyes, and in mine, helping to maintain the economic viability and U.S. ownership of firms which have a clear national security value is a logical extension of the $200 million loan program for domestic production capacity already authorized in today's bill.

I want to thank the gentleman from Delaware [Mr. CARPER] for his efforts on today's legislation, and I look forward to working with him and the gentleman from Pennsylvania [Mr. RIDGE] on the development of this important loan initiative.

Mr. CARPER. Mr. Chairman, if the gentleman will yield, let me just say to my friend, the gentleman from California [Mr. LEVINE] that I think he has put his finger on an issue that is important and that is germane to the legislation. Although we are not considering an amendment that relates to it at this time, once we do get to the conference with the Senate, which I hope will begin as early as next week, we will be fully willing to set down, at least on our side, and find out fully what the gentleman has in mind, and we will try to do our best to work with him and to address his concerns.

Mr. LEVINE of California. Mr. Chairman, I look forward to working with the gentleman from Delaware on it, I appreciate his leadership, and I thank him for his help.

Mr. VENTO. Mr. Chairman, I rise in support of H.R. 3039, the Defense Production Act Amendments of 1991. I want to commend the chairman of the Banking Subcommittee on Economic Stabilization, Mr. CARPER, and his staff and subcommittee chairman NICK MAVROULES and his good staff for their hard work in moving this legislation forward in spite of the numerous jurisdictional claims over the past weeks which threatened to further delay the consideration of this important legislation.

H.R. 3039 reauthorizes the Defense Production Act for 3 years and amends the act to strengthen domestic defense production capabilities and to upgrade information on the Nation's defense production base. The bill also requires the President to identify critical components of weapon systems to determine where any vulnerabilities in the supply of these components exists H.R. 3039 also requires the development of an information base which will highlight foreign sources and production vulnerabilities to assist us in strengthening the domestic defense production base.

The bill increases the authorization for title III assistance programs to $200 million per

year over each of the next 3 years to assist in the development of domestic production capabilities. While I applaud this additional assistance, I'm sure that my colleagues would agree that we should be doing more to prevent the further erosion and loss of our defense industrial base so that we don't have to spend money making up for what we have lost. Offsets in military sales have contributed, in my view and many others, to the erosion and loss of our defense industrial base.

Section 123 of the bill includes an important declaration of offset policy by the Congress. This provision, which is identical to the offset policy was required of the administration by virtue of law, President Bush of April 16, 1990, states that "certain offsets for military exports are economically inefficient and market distorting." Because of this fact, the policy declares that "no agency of the U.S. Government shall encourage, enter directly into, or commit U.S. firms to any offset arrangement in connection with the sale of defense goods or services to foreign governments."

It has been established in recent years that while some offset agreements work to the advantage of the prime contractors, those same agreements often work to the disadvantage of the all important subcontractors who see that work go to foreign countries rather than to American business and American workers. Section 123 expresses Congress' preference that agencies of the U.S. Government should not be directly involved in promoting offset agreements with foreign governments.

On some rare occasion, if there is a legitimate national security interest at stake which must be addressed through direct Federal involvement in an offset arrangement, the bill provides for an exception to the policy based upon the recommendation of the National Security Council.

Mr. Chairman, I am also concerned about offsets in military sales because these agreements hasten technology transfers from the United States to foreign nations, including some of our staunchest competitors in the international marketplace. The FSX deal between the United States and Japan was a prime example of the United States Government actively promoting a coproduction arrangement which provided the Japanese with important access to United States aerospace technology involving resins and composites. Such technology transfers may hasten the day when Japan not only builds jet fighters to compete with the products of Grumman and General Dynamics, but also commercial air transports to compete against the products manufactured by Boeing and McDonnell-Douglas.

By legislating congressional policy on offsets as this legislation does, Congress reinforces the President's stated policy and also assures itself a role in future modifications of offset policy.

I hope that my colleagues will join me in supporting this important legislation.

Mr. HOAGLAND. Mr. Chairman, I urge my colleagues to support this extension of Defense Production Act authority for another 3 years. This law is the primary tool for promoting the development and availability of strategic materials and technologies, the stockpiling of key goods not necessarily available from domestic suppliers, and ensuring supplies by giving the military primary access to strategic goods during times of national emergency.

The Defense Production Act contains what are known as the Exon-Florio provisions which give the President the authority to review the national security implications of proposed foreign acquisitions, mergers, and takeovers of U.S. companies, and if necessary, stop the merger or takeover. I believe that the national security review process is too important to be allowed to lapse periodically. It creates confusion in the business community, if they feel an acquisition may be retroactively reviewed and potentially undone. Allowing the takeover provisions to expire leaves the business community questioning what the rules are.

During the Banking Committee markup of H.R. 3039 this past July, I successfully offered an amendment exempting from termination the so-called Exon-Florio provisions, which are in section 721 of the Defense Production Act. The following week the House passed H.R. 991, the short term DPA extension, which contained an identical amendment that had been offered by the subcommittee chairman, TOM CARPER, exempting Exon-Florio from termination. I am pleased that the committee has recognized the need for a permanent extension in both bills.

I want to commend Congressmen CARPER and RIDGE for their efforts to preserve and extend this important law. As stated before, I would like to commend our senior Senator from Nebraska, Mr. EXON, for having the leadership and foresight to have drafted and had enacted the original Exon-Florio provisions.

Ms. OAKAR. Mr. Chairman, I rise in strong support of the Banking Committee's bill (H.R. 3039), to extend and revise the Defense Production Act [DPA].

The record should reflect that the gentleman from Delaware [Mr. CARPER] has done a very able job in crafting the pending bill and in reconciling the interests of the various committees having an interest in the defense industrial base so that H.R. 3039 can be considered on the floor. Likewise, the record should reflect the active interest of the membership of the Subcommittee on Economic Stabilization and the support and contributions made by the ranking minority Member Mr. RIDGE.

LEGISLATIVE HISTORY

As the House is aware, DPA is familiar terrain. Last year, we passed three extensions of DPA, the subcommittee's 1990 reauthorization bill, the conference report, and two amendatory concurrent resolutions on the bill. As chairman of the subcommittee from 1986 to 1990, I am proud to recall that House consideration last year was a solid bipartisan effort to strengthen the Nation's defense industrial base to support our Armed Forces, which were then in the field in the Middle East. The vote to report the bill from the Banking Committee was 38 to 9 and the vote on passage of H.R. 486 was 295 to 119. The conference report passed by voice vote.

Unfortunately, a small group of Republican Senators and the Defense Department blocked consideration of the conference report on DPA in the Senate on the last night of the 101st Congress.

As a result, the war with Iraq, Operation Desert Storm, was fought while the DPA was not in effect. To attempt to fill the GAP, an Executive order was promulgated that purported to create some of the key authorities of the DPA. It is important to note that information reaching the Subcommittee on Economic Stabilization during the period when DPA had lapsed was that its various authorities were sorely missed.

During peacetime, DPA authorities for priority production, essential research, and management of mobilization are used an average of once every working day. During wartime, these authorities are even more important.

THE PROBLEM CONCEALED BY THE SUCCESS OF DESERT STORM

Mr. Chairman, our judgment about the importance of DPA was confirmed this week by another in the useful series of reports by the Air Force Association on the defense industrial base entitled "Lifeline Adrift." The Air Force Association observes that Desert Storm was fought with a stock of weapons and munitions that had been built up in the context of superpower tensions. However, even with this strong provision, the Air Force Association found that: "thin spots were beginning to appear before—hostilities—ended 2 months later."

Corroborating this condition were press reports that: "On nearly 30 occasions, the Bush administration needed help from foreign governments to get delivery of crucial parts for the war effort"—"U.S. relied on foreign-made parts for weapons," Washington Post, March 25, 1991.

The Air Force Association report further notes that the defense industrial base that produced the materiel for Operation Desert Storm "no longer exists." The September report finds that many defense contractors, particularly subcontractors and suppliers of components are moving from defense production to the more profitable and less adversarial commercial market—report, loc. cit., summary, page i.

The report also tabulates that the six largest defense contractors will, by the end of 1991, have cut back 50,000 workers over the past 5 years, paring down the critical personnel skill base of the defense industrial base.

The report cites many examples of critical components and systems, such as radars, aircraft engines, optical devices, and bearings, that have only 1 or 2 suppliers in this country—report, loc. cit., page 6. If the build-down of the Armed Forces of 25 percent that is projected over the next 5 years proceeds as scheduled, this attrition will be compounded.

The bottom line for the association and the country is that "serious questions exist about how well the defense industrial base—reduced to a level that cannot yet be predicted, its production lines cold, its work force dispersed, and its talents diversified into other pursuits—will be able to mobilize and respond."

The problem of future national security is that it only takes a few willful men, or in several well known cases, one willful man at the head of a government, to ignite a major regional conflict in which the United States or its allies or friends could be embroiled.

I want this House to mark my words. Since 1956, there have been six crisis situations in the Middle East. That is one every six years. Chances are that there will be another crisis in that region or in another region for which the United States must be prepared.

NECESSITY FOR STRONG ACTION ON DPA

Accordingly, this House and the Congress must provide for strong and clear-headed management of the defense industrial base in the years ahead.

I agree with the Air Force Association, that we cannot let our defense capabilities drift with market forces. This country is the anchor of world stability and it has responsibilities that transcend drifting with the market in matters of national security.

For these reasons, I believe we need to assure integration of defense doctrine with defense production; we need to assure the availability of qualified contractors and subcontractors; we must make sure that our worker skill base is maintained and enhanced; we must make sure that research is supported and linked to our outstanding military and civilian needs; and we should develop the very best information systems to help us find production bottlenecks and manage mobilization capabilities.

We must also make provision for adequate energy sources for the defense industrial base in times of emergency. The military gets all the energy it needs under DPA, but there is no comparable provision for civilian facilities that supply the military. It is wise for Congress to address this situation, so industry could be scrambling around at the next crisis, paying the price for not addressing it. In H.R. 486, we included a provision for assessing the prospects of utilizing renewable and alternative sources of fuel to maintain industrial capabilities in times of threat. The amendment by the gentleman from North Dakota [Mr. DORGAN] goes part way toward achieving the result of the Oakar provision that was deleted for the bill, and I favor moving toward achieving the potential of such energy sources. I urge that all of the committees concerned cooperate so that, together, we "provide for the common defense" of this country.

SUMMARY

For all of these reasons, I strongly support the pending bill to reauthorize the Defense Production Act, and urge all of my colleagues to do likewise.

Mr. DORGAN of North Dakota. Mr. Chairman, the purpose of the Defense Production Act Amendments (H.R. 3039) is to undergird and shape the Nation's defense industrial base. The purpose of the amendment I will offer is to advance that same goal by providing additional policy guidance on three goals of the bill itself: First, increasing energy independence; second, dispersing the defense industrial base; and third, improving the reliability of contracting for critical production.

These amendments have been cleared by the Parliamentarian as being germane to the bill and have been accepted by Chairman TOM CARPER, the chairman of the Banking Subcommittee with jurisdiction over the bill. I also understand that the ranking minority member, Mr. RIDGE, has no objections. All three subject areas in each amendment are part of current law and have enjoyed bipartisan and bicameral support. I believe they should be noncontroversial.

Let me also state that all three provisions are permissive. They do not bind the Defense Department or its contractors. The language in each case is that the goal should be met "to the maximum extent possible."

I. INCREASE ENERGY INDEPENDENCE THROUGH CONSERVATION AND RENEWABLE FUELS USE

The recent war in the Persian Gulf again illustrated our overdependence on imported fuels. Our net trade deficit on oil and oil products has increased from $38 billion in 1987 to $55 billion in 1990. In recent years, we have been asleep at the switch and comforted by low energy prices. This has created a false sense of security and devastated our own domestic energy industry.

I simply make the point that the goal of this bill to strengthen energy independence should include conservation measures and the use of renewable fuels such as ethanol. I also believe that expanded use of conservation and renewable fuels should be adopted as part of our overall energy policy—not just as measures in this bill.

Current law already requires the Defense Department to purchase ethanol when available at competitive prices. A pending amendment to the Defense authorization bill from both bodies would also require that DOD increase its purchases of ethanol as the purchasing agent for other Federal agencies and justify exemptions to its own purchase of ethanol. (House section 815 and Senate amendment 961 do this.)

This proposal represents a sound way to save energy and to reduce our dependence on foreign oil. It thereby strengthens our defense industrial base and properly falls within the purview of this bill. Concomitant benefits will also flow to family farmers in the form of increased incomes from the sale of commodities for ethanol production.

II. ENCOURAGE THE DISPERSAL OF THE DEFENSE INDUSTRIAL BASE

The Defense Production Act of 1950 has mandated for over 40 years that our defense production base should be spread out. The act further specifies that procurement of goods and services should also be dispersed.

However, our defense base has become more concentrated—not less. A few areas of the country dominate defense production—despite the law's mandate. Economically depressed rural areas like North Dakota have garnered few benefits from the big defense buildup of the 1980's. I think all depressed areas should be able to benefit from defense production.

Consistent with the bill, my amendment seeks only to recommend how this dispersal should occur. Instead of helping the already prosperous regions, it directs that to the maximum extent possible dispersal should seek to include economically depressed areas. This does not preclude other measures to deal with distressed areas such as technical assistance centers authorized by the Defense authorization bill, although this is a very modest program. It only sets a policy framework for this bill.

My amendment would assist any depressed area, although it points to the obvious ones: cities with high unemployment and poverty rates, rural counties with population and job loss, and Indian reservations with severe health and employment problems. It seems fair to me that the Federal Government has a responsibility to help the areas suffering from the recession or chronic economic problems, rather than to enrich those already prospering.

Again, amendments to the 1986 and 1987 Defense Authorization Act have sought to encourage geographic dispersal. For example, section 963 of Public Law 99–661 required a report on efforts to disperse defense contracts. The same law in section 962 endorsed a memorandum of understanding between DOD and SBA to increase contracts with Indian businesses. Public Law 101–189 also gives special credit for subcontracting with Indian firms on reservations.

I might mention that this makes good sense for the defense base. One of the Indian firms in North Dakota, Turtle Mountain Manufacturing Corp., for example, received an outstanding performance award for its manufacture of water carriers for Desert Storm. A rural firm, Lucas Western, is one of few in the Nation to produce parts which are shipped to another plant for assembly without having to undergo further quality control at the assembly point.

III. AWARD CONTRACTS UNDER DPA TO FIRMS NOT CONVICTED OF FRAUD

This is another commonsense effort to say we should avoid doing business with crooks. Firms with criminal records are not as reliable and dependable as those with ethical business practices. When court actions disrupt management and producton it means that the supply of critical materials can also become uncertain. So my amendment seeks to make this principle our policy under the DPA.

Again, there is a major problem with contract fraud. Many defense firms have been convicted of criminal activity and DOD has seen fit to award some of these firms with new contracts. Unless national security is imperiled, we simply shouldn't do business like that.

As with the other provisions, the language is permissive: "To the maximum extent possible * * *." So there is some flexibility here for DOD and contractors.

Current law already prevents DOD from doing business with individuals convicted of defense fraud. This results from provisions in the Defense Authorization Act for 1986—sections 954 and 932 of Public Law 99–145. Section 932 was later modified in section 941 of Public Law 99–591. The General Accounting Office has confirmed to me that this provision works.

In summary, I urge support for the three provisions in the Dorgan amendment which will help to strengthen our defense preparedness by increasing domestic energy supplies, by dispersing the defense industrial base, and by improving the reliability and performance of defense contractors. Each provision pertains specifically to this bill, although I have shown that there are parallel provisions in other bills. Each part of the amendment spells out a new policy provision, but also allows sufficient flexibility to meet our national defense production needs.

These are commonsense measures that should enjoy unanimous support. I urge the adoption of the Dorgan policy amendment.

Mr. PAXON. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN. Pursuant to the rule, the amendment in the nature of a

substitute recommended by the Committee on Banking, Finance, and Urban Affairs, now printed in the reported bill is considered as an original bill for the purpose of amendment and each title is considered as read.

In lieu of the amendments recommended by the Committee on Armed Services now printed in the reported bill, it shall be in order to consider amendments en bloc printed in House Report 102-230, if offered by the gentleman from Texas [Mr. GONZALEZ] or his designee.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Defense Production Act Amendments of 1991".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO THE DEFENSE PRODUCTION ACT OF 1950

PART A—DECLARATION OF POLICY

Sec. 101. Declaration of policy.

PART B—AMENDMENTS TO TITLE I OF THE DEFENSE PRODUCTION ACT

Sec. 111. Strengthening of domestic capability and assistance for small businesses.

Sec. 112. Limitation on actions without congressional authorization.

PART C—AMENDMENTS TO TITLE III OF THE DEFENSE PRODUCTION ACT

Sec. 121. Expanding the reach of existing authorities under title III.

Sec. 122. Defense Production Act Fund.

Sec. 123. Offset policy.

Sec. 124. Annual report on impact of offsets.

Sec. 125. Civil-military integration.

Sec. 126. Testing, qualification, and incorporation of materials for use for weapon systems and development programs.

PART D—AMENDMENTS TO TITLE VII OF THE DEFENSE PRODUCTION ACT

Sec. 131. Small business.

Sec. 132. Definitions.

Sec. 133. Regulations and orders.

Sec. 134. Information on the defense industrial base.

Sec. 135. Public participation in rulemaking.

PART E—TECHNICAL AMENDMENTS

Sec. 141. Technical correction.

Sec. 142. Investigations; records; reports; subpoenas.

Sec. 143. Employment of personnel.

Sec. 144. Technical correction.

PART F—REPEALERS AND CONFORMING AMENDMENTS

Sec. 151. Synthetic fuel action.

Sec. 152. Repeal of interest payment provisions.

Sec. 153. Joint Committee on Defense Production.

Sec. 154. Persons disqualified for employment.

Sec. 155. Feasibility study on uniform cost accounting standards; report submitted.

Sec. 156. National Commission on Supplies and Shortages.

PART G—REAUTHORIZATION OF SELECTED PROVISIONS

Sec. 161. Authorization of appropriations.

Sec. 162. Extension of program.

Sec. 163. Quadrennial report.

TITLE II—ADDITIONAL PROVISIONS TO IMPROVE INDUSTRIAL PREPAREDNESS

PART A—ENCOURAGING IMPROVEMENT OF THE DEFENSE INDUSTRIAL BASE

Sec. 201. Recognition of modernized production systems and equipment in contract award and administration.

Sec. 202. Sustaining investment.

PART B—MISCELLANEOUS

Sec. 211. Discouraging unfair trade practices.

Sec. 212. Evaluation of domestic defense industrial base policy.

TITLE III—AMENDMENT TO RELATED LAWS

Sec. 301. Energy security.

TITLE IV—EFFECTIVE DATES

Sec. 401. Effective dates.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. CARPER. Mr. Chairman, I do have en bloc amendments that I want to offer at some time so that we will be able to discuss them and vote on them. Is this the appropriate time to make that request?

The CHAIRMAN. This is the appropriate time.

AMENDMENTS EN BLOC OFFERED BY MR. CARPER

Mr. CARPER. Mr. Chairman, pursuant to the rule, I offer amendments en bloc.

The Clerk read as follows:

Amendments en bloc offered by Mr. CARPER: In section 2 of the Defense Production Act of 1950, as proposed to be amended by section 101, strike subsection (d).

In section 107(b)(1) of the Defense Production Act of 1950, as proposed to be amended by section 111—

(1) strike "or authorities' and insert "and authorities"; and

(2) strike "provision of law" and insert "provision of statute".

In section 107(b)(4) of the Defense Production Act of 1950, as proposed to be amended by section 111, insert "similar" after "other". Amend section 123 to read as follows:

SEC. 123. DECLARATION OF OFFSET POLICY.

(a) IN GENERAL.—Recognizing that certain offsets for military exports are economically inefficient and market distorting, and mindful of the need to minimize the adverse effects of offsets in military exports while ensuring that the ability of United States firms to compete for military export sales is not undermined, it is the policy of the Congress that—

(1) no agency of the United States Government shall encourage, enter directly into, or commit United States firms to any offset arrangement in connection with the sale of defense goods or services to foreign governments;

(2) United States Government funds shall not be used to finance offsets in security assistance transactions except in accordance with policies and procedures that were in existence as of September 30, 1991.

(3) nothing in this section shall prevent agencies of the United States Government from fulfilling obligations incurred through international agreements entered into before September 30, 1991; and

(4) the decision whether to engage in offsets, and the responsibility for negotiating and implementing offset arrangements, resides with the companies involved.

(b) PRESIDENTIAL APPROVAL OF EXCEPTIONS.—It is the policy of the Congress that the President may approve an exception to the policy stated by subsection (a) after receiving the recommendation of the National Security Council.

(c) CONSULTATION.—It is the policy of the Congress that the President shall designate the Secretary of Defense, in coordination with the Secretary of State, to lead an interagency team to consult with foreign nations on limiting the adverse effects of offsets in defense procurement. The President shall transmit an annual report on the results of these consultations to the Congress as part of the report required under section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a)).

Amend section 133 to read as follows:

SEC. 133. REGULATIONS AND ORDERS.

Section 704 of the Defense Production Act of 1950 (50 U.S.C. App. 2154) is amended to read as follows:

"SEC. 704. REGULATIONS AND ORDERS.

"(a) IN GENERAL.—Subject to section 709 and subsection (b), the President may prescribe such regulations and issue such orders as the President may determine to be appropriate to carry out the provisions of this Act.

"(b) LIMITATIONS.—The President may not prescribe any regulation, or issue any order, to carry out the provisions of this Act that is inconsistent with or conflicts with the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act.".

Strike section 201.

Strike section 202.

Redesignate section 211 as section 201.

Redesignate section 212 as section 202 and in subsection (b)(3) of this section strike the second sentence.

Strike the headings for parts A and B of title II.

In section 301, strike subsections (a) and (b) and strike "(c) GEOTHERMAL ENERGY PROGRAM.—".

Amend title IV to read as follows:

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

This Act shall take effect on September 30, 1991.

Conform the table of contents in section 1(b).

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

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

There was no objection.

Mr. CARPER. Mr. Chairman, this amendment represents the culmination of many hours work with members and staff of the Energy and Commerce, Armed Services, and Government Operation Committees. It is an amendment which encompasses several suggested improvements in this legislation, and I would would like to thank the members of those three committees and their staff for their cooperation.

Though some of these changes are not really technical in nature, I know

of no controversy with them and know of no opposition. They are the product of considerable negotiations, and represent the shared consensus of the Banking Committee and the other committees involved.

This en bloc amendment would, very briefly, do the following:

First, strike provisions in the declaration of purpose dealing with "best value" procurement and defense-related professional and technical services;

Second, strike sections in the bill which would require amendments to the Federal acquisition regulations and which relate directly to acquisition and procurement policy;

Third, clarify that measures taken by the Secretary of Defense to ensure that the availability of reliable sources of critical weapon system components are similar to measures authorized by the new DPA section 107 created the bill, and that such actions be taken in conjunction with existing authorities in title 10 of the United States Code;

Fourth, drop reporting requirements dealing with projected capacity and potential prospects for the use of alternative and renewable sources of energy for defense mobilization and industrial preparedness;

Fifth, clarify that any regulations developed to carry out the provisions of this act be consistent with the Federal acquisition regulation;

Sixth, strike a provision of the bill which would require that acquisition policies mandated by this act be incorporated as part of the Federal acquisition regulation within 270 days, Given other changes made in this amendment, this provision is no longer necessary; and,

Seventh, modify the offset policy provision of the bill to make it a free-standing statement of congressional policy that the Federal Government should not engage directly in offset arrangement made in connection with sale of defense goods or services to foreign governments.

Mr. Chairman, this is a amendment crafted in cooperation with the various House committees that share an interest in maintaining a strong defense production base. I encourage its adoption.

Mr. SPENCE. Mr. Chairman, I rise in support of the amendments en bloc.

Mr. Chairman, I rise to express the support of the House Armed Services Committee minority for the committee-endorsed amendment being offered by the gentleman from Delaware.

This amendment incorporates the amendments to the Defense production bill that the Armed Services Committee reported out unanimously last week making corrections in a number of important policy areas.

I also would point out that, although this amendment has our support, it only addresses a handful of the items in H.R. 3039 that the Armed Services Committee objects to. We hope that these remaining issues can be revisited in conference and that our concerns in areas of our legitimate jurisdiction can be better accommodated in the future. Both the administration and the Department of Defense have expressed their concern and opposition to certain provisions of H.R. 3039, some of which are addressed by this amendment, but some which are not, and will require another close look down the road.

Mr. Chairman, during general leave I will ask unanimous consent to have the statement of administration policy on H.R. 3039 and a letter from the Department of Defense General Counsel Terrence O'Donnell inserted into the RECORD at the end of my statement outlining the various provisions to which they object.

STATEMENT OF ADMINISTRATION POLICY

The Administration opposes H.R. 3039 and urges the House to enact a simple extension of the existing authorities of the Defense Production Act of 1950 (DPA) until September 30, 1994, in lieu of H.R. 3039.

Specifically, the Administration opposes the following provisions of H.R. 3039:

Section 111, which would include the Secretary of Commerce and the Administrator of the Small Business Administration in determining which contractor may receive loans, loan guarantees, and purchase agreements for defense contracts. The Secretary of Defense can best determine which contractors should receive such assistance.

Section 122, which would establish a cap of $400 million for the Defense Production Act Fund. The $400 million cap is excessive; a $250 million cap has long been recognized as sufficient.

Section 123, which would statutorily establish a policy concerning "offset" arrangements in military exports. (U.S. exporters may enter into reciprocal agreements to purchase certain goods and services from or provide other services for the country purchasing U.S. military goods and services, thereby "offsetting" the cost of the original export.) The section would also mandate specific diplomatic initiatives to reduce the effects of offsets. These requirements would inadvisably restrict Federal policy and interfere with the President's exercise of his constitutional authority to conduct foreign affairs.

Section 124, which would require (1) U.S. industry to report immediately offset agreements with foreign entities and (2) the Secretary of Commerce, rather than the President, to prepare an annual offset report for Congress. Section 124 would also require the Secretary to disclose alternative findings or recommendations, made within the government, on offsets. The real-time reporting by U.S. industry would be burdensome and unnecessary. A statutory requirement to disclose internal Executive branch findings and recommendations would infringe upon the President's constitutional authority to maintain the confidentiality of Executive branch deliberations.

Section 126, which would require the utilization of certain materials in existing and future weapon systems. This requirement may require the redesign of, or lowered specifications for, existing or future weapon systems to accommodate these materials. This would raise the costs and lower the performance of the weapon systems or make weapon systems procurement and support more vulnerable to particular suppliers.

Section 134, which would require the establishment and maintenance of a defense industrial base information system. Such an information system would be an enormous undertaking and impose a considerable reporting burden on the government and the companies involved.

Section 163, which would require a report on the review of the foreign acquisition of U.S. companies involved in critical technologies that would be burdensome and of questionable value.

Sections 201 and 202, which would require the Department of Defense to consider providing full reimbursement of defense contractors' independent research and development/bid and proposal costs. Such reimbursement would unnecessarily increase Defense Department contract costs by up to $1 billion annually by 1996.

Section 211, which would amend the Code of Federal Regulations to specify the circumstances under which a contractor may be suspended or debarred. Such an amendment would duplicate existing procedures and would result in a misplaced emphasis on violations rather than contractor responsibilities.

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, DC, September 25, 1991.

Hon. LES ASPIN,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request to provide our position on H.R. 3039, "Defense Production Act (DPA) Amendments of 1991."

Enclosed is a listing of the objectionable provisions in this bill.

Sincerely,

TERRENCE O'DONNELL.

LISTING OF OBJECTIONABLE PROVISIONS NOW IN H.R. 3039

Section 108, which would include the Secretary of Commerce and the Administrator of the Small Business Administration in determining which contractor may receive loans, loan guarantees, and purchase agreements for defense contracts. The Secretary of Defense can best determine which contractors should receive such assistance.

Section 122, which would establish a cap of $400 million for the Defense Production Act Fund. The $400 million cap is excessive; a $250 million cap has long been recognized as sufficient.

Section 123, which would statutorily establish a policy concerning "offset" arrangements in military exports. (U.S. exporters may enter into reciprocal agreements to purchase certain goods and services from or provide other services for the country purchasing U.S. military goods and services, thereby "offsetting" the cost of the original export.) The section would also mandate specific diplomatic initiatives to reduce the effects of offsets. These requirements would inadvisably restrict Federal policy and interfere with the President's exercise of his constitutional authority to conduct foreign affairs.

Section 124, which would require (1) U.S. industry to report immediately offset agreements with foreign entities and (2) the Secretary of Commerce rather than the President, to prepare an annual offset report for Congress. Section 124 would also require the Secretary to disclose alternative findings or recommendations, made within the government, on offsets. The real-time reporting by U.S. industry would be burdensome and unnecessary. A statutory requirement to dis-

close internal Executive branch findings and recommendations would infringe upon the President's constitutional authority to maintain the confidentiality of Executive branch deliberations.

Section 125, which would require the utilization of certain materials in existing and future weapon systems. This requirement may require the redesign of, or lowered specifications for, existing or future weapon systems to accommodate these materials. This would raise the costs and lower the performance of the weapon systems or make weapons systems procurement and support more vulnerable to particular suppliers.

Section 135, which would require the establishment and maintenance of a defense industrial base information system. Such an information system would be an enormous undertaking an impose a considerable reporting burden on the government and the companies involved.

Section 201 and 202, which would require the Department of Defense to consider providing full reimbursement of defense contractors' independent research and development/bid and proposal costs. Such reimbursement would unnecessarily increase Defense Department contract costs by up to $1 billion annually by 1996.

Section 211, which would amend the Code of Federal Regulations to specify the circumstances under which a contractor may be suspended or debarred. Such an amendment would duplicate existing procedures and would result in a misplaced emphasis on violations rather than contractor responsibilities.

Section 402, which would require a report on the review of the foreign acquisition of U.S. companies involved in critical technologies that would be burdensome and of questionable value.

The CHAIRMAN. The question is on the amendments en block offered by the gentleman from Delaware [Mr. CARPER].

The amendments en bloc were agreed to.

The CHAIRMAN. The Clerk will designate title I.

The text of title I is as follows:

TITLE I—AMENDMENTS TO THE DEFENSE PRODUCTION ACT OF 1950

PART A—DECLARATION OF POLICY

SEC. 101. DECLARATION OF POLICY.

Section 2 of the Defense Production Act of 1950 (50 U.S.C. App. 2062) is amended to read as follows:

"SEC. 2. DECLARATION OF POLICY.

"(a)(1) The vitality of the industrial and technology base of the United States is a foundation of national security. It provides the industrial and technological capabilities employed to meet national defense requirements, in peacetime and in time of national emergency. In peacetime, the health of the industrial and technological base contributes to the technological superiority of our defense equipment, which is a cornerstone of our national security strategy, and the efficiency with which defense equipment is developed and produced. In times of crisis, a healthy industrial base will be able to effectively provide the graduated response needed to effectively meet the demands of the emergency.

"(2) To meet these requirements, this Act affords to the President an array of authorities to shape defense preparedness programs and to take appropriate steps to maintain and enhance the defense industrial and technological base.

"(b)(1) In view of continuing international problems, the Nation's demonstrated reliance on imports of materials and components, and the need for measures to reduce defense production lead times and bottlenecks, and in order to provide for the national defense and national security, our defense mobilization preparedness effort continues to require the development of preparedness programs, domestic defense industrial base improvement measures, as well as provision for a graduated response to any threatening international or military situation, and the expansion of domestic productive capacity beyond the levels needed to meet the civilian demand. Also required is some diversion of certain materials and facilities from civilian use to military and related purposes.

"(2) These activities are needed in order to improve domestic defense industrial base efficiency and responsiveness, to reduce the time required for industrial mobilization in the event of an attack on the United States or to respond to actions occurring outside the United States which could result in the termination or reduction of the availability of strategic and critical materials, including energy, and which could adversely affect national defense preparedness of the United States. In order to ensure national defense preparedness, which is essential to national security, it is also necessary and appropriate to assure the availability of domestic energy supplies for national defense needs.

"(c)(1) In order to ensure productive capacity in the event of an attack on the United States, it is the policy of the Congress to encourage the geographical dispersal of industrial facilities in the United States to discourage the concentration of such productive facilities within limited geographical areas which are vulnerable to attack by an enemy of the United States. To ensure that essential mobilization requirements are met, consideration should also be given to stockpiling strategic materials to the extent that such stockpiling is economical and feasible.

"(2) In the construction of any Government-owned industrial facility, in the rendition of any Government financial assistance for the construction, expansion, or improvement of any industrial facility, and in the production of goods and services, under this or any other Act, each department and agency of the executive branch shall apply, under the coordination of the Federal Emergency Management Agency, when practicable and consistent with existing law and the desirability for maintaining a sound economy, the principle of the geographical dispersal of such facilities in the interest of national defense. However, nothing in this paragraph shall preclude the use of existing industrial facilities.

"(3) To ensure the adequacy of productive capacity and supply, executive agencies and departments responsible for defense acquisition shall continuously assess the capability of the domestic defense industrial base to satisfy peacetime requirements as well as increased mobilization production requirements. Such assessments shall specifically evaluate the availability of adequate production sources, including subcontractors and suppliers, materials, skilled labor, and professional and technical personnel. In this context, every effort should be made to foster cooperation between the defense and commercial sectors for research and development and for acquisition of materials, components, and equipment. In furtherance of this policy and to ensure the capability of the domestic defense industrial base, defense contractors should be allowed full recovery of the costs of independent research and development and the preparation of bids and proposals.

"(4) It is the policy of the Congress that plans and programs to carry out this declaration of policy shall be undertaken with due consideration for promoting efficiency and competition.

"(5) It is also necessary to recognize that—

"(A) the domestic defense industrial base is a component part of the core industrial capacity of the Nation; and

"(B) much of the industrial capacity which is relied upon by the Federal Government for military production and other defense-related purposes is deeply and directly influenced by—

"(i) the overall competitiveness of the United States industrial economy; and

"(ii) the ability of United States industry, in general, to produce internationally competitive products and operate profitably while maintaining adequate research and development to preserve that competitive edge in the future, with respect to military and civilian production.

"(6)(A) The domestic defense industrial base is developing a growing dependency on foreign sources for critical components and materials used in manufacturing and assembling major weapons systems for our national defense.

"(B) This dependence is threatening the capability of many critical industries to respond rapidly to defense production needs in the event of war or other hostilities or diplomatic confrontation.

"(C) The inability of United States industry, especially smaller subcontractors and suppliers, to provide vital parts and components and other materials would impair our ability to sustain our Armed Forces in combat for more than a few months.

"(D) In the event our Armed Forces must face an adversary with a numerical advantage, in the context of a conventional war, it is imperative to preserve and strengthen the industrial and technological capabilities of the United States.

"(d)(1) The domestic defense industrial base includes a significant and dynamic industry that comprises those companies providing mission critical professional and technical services to the Federal Government. In order to preserve the continuing vitality of this industry, it is the policy of the Congress that executive agencies and departments responsible for the acquisition of these services should utilize a streamlined 'best value' procurement methodology that—

"(A) emphasizes technical quality at a reasonable price,

"(B) employs flexibly priced contracts, and

"(C) provides incentives for this industry to achieve optimal levels of creativity and innovation in program performance.

"(2) It is further the policy of the Congress that the trend toward placing increasing levels of defense-related professional and technical services in the public and quasi-public sectors (such as Federal Government laboratories, depots, arsenals, and federally funded research and development centers) be reversed. In the face of limited defense budgets, it is unrealistic to believe that private and public defense sectors both can be sustained at viable levels. It is essential that one healthy, efficient, and technically innovative services sector be maintained. The Congress recognizes that the private commercial sector generates jobs and tax revenues, whereas the public sector consumes tax resources. In order to maintain the productive technological capacity of the United States, it is essential that the executive agencies and departments responsible for the acquisition of professional and technical services place the utmost emphasis on the procurement of such services from the tax-paying private sector and reduce reliance on the public and quasi-public sectors.".

PART B—AMENDMENTS TO TITLE I OF THE DEFENSE PRODUCTION ACT

SEC. 111. STRENGTHENING OF DOMESTIC CAPABILITY AND ASSISTANCE FOR SMALL BUSINESSES.

Title I of the Defense Production Act of 1950 (50 U.S.C. App. 2071, et seq.) is amended by adding at the end the following new sections:

"SEC. 107. STRENGTHENING OF DOMESTIC CAPABILITY.

"(a) IN GENERAL.—The President, acting through the Secretary of Defense, shall identify critical components essential for the execution of the national security strategy of the United States in peacetime and during graduated mobilization, and take appropriate actions to protect against unreliable sources for critical components.

"(b) APPROPRIATE ACTIONS.—For purposes of subsection (a), appropriate action may include—

"(1) restricting solicitation for procurement of a critical component to domestic and reliable foreign sources only or to domestic sources only (pursuant to this section or authorities in section 2304(b)(1)(B) or 2304(c)(3) of title 10, United States Code, or any other applicable provision of law);

"(2) stockpiling critical components;

"(3) developing substitutes for critical components; or

"(4) other appropriate measures.

"(c) IDENTIFICATION OF CRITICAL COMPONENTS.—At a minimum, critical components shall be identified for all items on the CINC Critical Items List. Additionally, the Department of Defense shall take into account those components identified as critical by a National Security Assessment or Presidential determination as a result of a petition filed under section 232 of the Trade Expansion Act of 1962 when identifying critical components.

"SEC. 108. ASSISTANCE FOR SMALL BUSINESSES.

"(a) IN GENERAL.—In providing any assistance authorized for defense contractors and subcontractors under this Act, the President shall provide a strong preference for contractors and subcontractors which are small businesses, as defined by the Administrator of the Small Business Administration.

"(b) MODERNIZATION OF EQUIPMENT.—

"(1) In general.—Funds authorized under title III may be set aside to guarantee the purchase or lease of advance manufacturing equipment, and any related services with respect to any such equipment for purposes of this Act.

"(2) SMALL BUSINESS SUBCONTRACTORS.—In considering applications under paragraph (1), the President shall provide a strong preference for smaller subcontractors that—

"(A) have obtained the recommendation—

"(i) of an agency of the Department of Defense; or

"(ii) pursuant to the efforts of an agency described in clause (i), of the Secretary of Commerce or the Administrator of the Small Business Administration; and

"(B) have arranged to obtain management assistance services in connection with the installation of the advance manufacturing equipment.".

SEC. 112. LIMITATION ON ACTIONS WITHOUT CONGRESSIONAL AUTHORIZATION.

Section 104 of the Defense Production Act of 1950 (50 U.S.C. App. 2074) is amended to read as follows:

"SEC. 104. LIMITATION ON ACTIONS WITHOUT CONGRESSIONAL AUTHORIZATION.

"(a) WAGE OR PRICE CONTROLS.—No provision of this Act shall be interpreted as providing for the imposition of wage or price controls without the prior authorization of such action by a joint resolution of Congress.

"(b) CHEMICAL OR BIOLOGICAL WEAPONS.—No provision of title I of this Act shall be exercised or interpreted to require action or compliance by any private person to assist in any way in the production of or other involvement in chemical or biological warfare capabilities unless authorized by the President.".

PART C—AMENDMENTS TO TITLE III OF THE DEFENSE PRODUCTION ACT

SEC. 121. EXPANDING THE REACH OF EXISTING AUTHORITIES UNDER TITLE III.

(a) GUARANTEE AUTHORITY.—Section 301 of the Defense Production Act of 1950 (50 U.S.C. App. 2091) is amended—

(1) in subsection (a)(1), by striking "to expedite production and deliveries or services under Government contracts for the procurement of materials or the performance of services for the national defense" and inserting "to expedite or expand production and deliveries or services under Government contracts for the procurement of industrial resources or critical technology items essential for the national defense";

(2) by amending subsection (a)(3)(A) to read as follows:

"(A) the guaranteed contract or operation is for industrial resources or a critical technology item which is essential to the national defense;";

(3) in subsection (a)(3)(B)—

(A) by striking "Without" and inserting "without"; and

(B) by striking "the capability for the needed material or service" and inserting "the needed industrial resources or critical technology item";

(4) by amending subsection (a)(3)(D) to read as follows:

"(D) the combination of the United States national defense demand and foreseeable nondefense demand is equal to, or greater than, the output of domestic industrial capability which the President reasonably determines to be available for national defense, including the output to be established through the guarantee.";

(5) in subsection (e)(1)(A), by striking "Except during periods of national emergency declared by the Congress or the President" and inserting "Except as provided in subparagraph (D)";

(6) in subsection (e)(1)(C), by striking "$25,000,000" and inserting "$50,000,000"; and

(7) by adding at the end of subsection (e)(1) the following new subparagraph:

"(D) The requirements of subparagraphs (A), (B), and (C) may be waived—

"(i) during periods of national emergency declared by the Congress or the President, or

"(ii) upon a determination by the President, on a nondelegable basis, that a specific guarantee is necessary to avert an industrial resource or critical technology shortfall that would severely impair national defense capability.".

(b) LOANS TO PRIVATE BUSINESS ENTERPRISES.—Section 302 of the Defense Production Act of 1950 (50 U.S.C. App. 2092) is amended—

(1) in subsection (a), by striking "for the procurement of materials or the performance of services for the national defense" and inserting "for the procurement of industrial resources or a critical technology item for the national defense";

(2) by amending subsection (b)(2)(D) to read as follows:

"(D) the combination of the United States national defense demand and foreseeable nondefense demand is equal to, or greater than, the output of domestic industrial capability which the President reasonably determines to be available for national defense, including the output to be established through the loan.";

(3) in subsection (c)(1), by striking "No such loan may be made under this section, except during periods of national emergency declared by the Congress or the President" and inserting "Except as provided in paragraph (4), no loans may be made under this section";

(4) in subsection (c)(3), by striking "$25,000,000" and inserting "$50,000,000"; and

(5) in subsection (c), by adding at the end the following new paragraph:

"(4) The requirements of paragraphs (1), (2), and (3) of this subsection may be waived during periods of national emergency declared by Congress or the President.".

(c) PURCHASES AND PURCHASE COMMITMENTS.—

(1) Section 303(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)) is amended to read as follows:

"(a)(1) To assist in carrying out the objectives of this Act, the President may make provision—

"(A) for purchases of or commitments to purchase an industrial resource or a critical technology item, for Government use or resale; and

"(B) for the encouragement of exploration, development, and mining of critical and strategic materials, and other materials.

"(2) Purchases for resale under this subsection shall not include that part of the supply of an agricultural commodity which is domestically produced except insofar as such domestically produced supply may be purchased for resale for industrial use or stockpiling.

"(3) No commodity purchased under this subsection shall be sold at less than—

"(A) the established ceiling price for such commodity, except that minerals, metals, and materials shall not be sold at less than the established ceiling price, or the current domestic market price, whichever is lower, or

"(B) if no ceiling price has been established, the higher of—

"(i) the current domestic market price for such commodity; or

"(ii) the minimum sale price established for agricultural commodities owned or controlled by the Commodity Credit Corporation as provided in section 407 of the Agricultural Act of 1949.

"(4) No purchase or commitment to purchase any imported agricultural commodity shall specify a delivery date which is more than one year after the expiration of this section.

"(5) Except as provided in paragraph (7), the President may not execute a contract under this subsection unless the President determines that—

"(A) the industrial resource or critical technology item is essential to the national defense;

"(B) without Presidential action under authority of this section, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource or critical technology item in a timely manner;

"(C) purchases, purchase commitments, or other action pursuant to this section are the most cost-effective, expedient, and practical alternative method for meeting the need; and

"(D) the combination of the United States national defense demand and foreseeable nondefense demand for the industrial resource or critical technology item is equal to, or greater than, the output of domestic industrial capability which the President reasonably determines to be available for national defense, including the output to be established through the purchase, purchase commitment, or other action.

"(6) Except as provided in paragraph (7), the President shall take no action under this section unless the industrial resource shortfall which such action is intended to correct has been identified in the Budget of the United States or amendments thereto, submitted to the Congress and accompanied by a statement from the President demonstrating that the budget submission is in accordance with the provisions of the preceding sentence. Any such action may be taken only after 60 days have elapsed after such industrial resource shortfall has been identified pursuant to the preceding sentence. If the taking of any action or actions under this section to correct an industrial resource shortfall would cause the aggregate outstanding amount of all such actions for such industrial resource shortfall to exceed $50,000,000, any such action or actions may be taken only if specifically authorized by law.

"(7) The requirements of paragraphs (1) through (6) may be waived—

"(A) during periods of national emergency declared by Congress or the President; or

"(B) upon a determination by the President, on a nondelegable basis, that a specific guarantee is necessary to avert an industrial resource or critical technology shortfall that would severely impair national defense capability.".

(2) Section 303(b) of the Defense Production Act of 1950 (50 U.S.C. 2093(b)) is amended by striking "September 30, 1995" and inserting "a date that is not more than 10 years from the date such purchase, purchase commitment, or sale was initially made".

(d) DEVELOPING SUBSTITUTES.—Section 303(g) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(g)) is amended by inserting before the period the following: "and for the production readiness of critical technology products and processes".

SEC. 122. DEFENSE PRODUCTION ACT FUND.

Section 304 of the Defense Production Act of 1950 (50 U.S.C. App. 2094) is amended to read as follows:

"SEC. 304. DEFENSE PRODUCTION ACT FUND.

"(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a separate fund to be known as the Defense Production Act Fund (hereafter in this section referred to as 'the Fund').

"(b) MONEYS IN FUND.—The following moneys shall be credited to the Fund:

"(1) All moneys appropriated after September 30, 1991, for the Fund, as authorized by section 711(c).

"(2) All moneys received after September 30, 1991, on transactions entered into pursuant to section 303.

"(c) USE OF FUND.—The Fund shall be available to carry out the provisions and purposes of this title, subject to the limitations set forth in this Act and in appropriations Acts.

"(d) DURATION OF FUND.—Moneys in the Fund shall remain available until expended.

"(e) FUND BALANCE.—The Fund balance at the close of each fiscal year shall not exceed $400,000,000, excluding any moneys appropriated to the Fund during that fiscal year or obligated funds. If at the close of any fiscal year the Fund balance exceeds such amount, the amount in excess of $400,000,000 shall be paid into the general fund of the Treasury.

"(f) FUND MANAGER.—The Secretary of Defense shall designate a Fund manager. The duties of the Fund manager shall include—

"(1) determining the liability of the Fund in accordance with subsection (g);

"(2) ensuring the visibility and accountability of transactions engaged in through the Fund to the Secretaries of Defense, Treasury, and Commerce, and to the Congress; and

"(3) reporting to Congress each year regarding fund activities during the previous fiscal year.

"(g) LIABILITIES AGAINST FUND.—When any agreement entered into pursuant to this title after December 31, 1991, imposes contingent liabilities upon the United States, such liability shall be considered an obligation against the Fund.".

SEC. 123. OFFSET POLICY.

Section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099) is amended—

(1) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively; and

(2) by adding a new subsection (a) as follows:

"(a) OFFSET POLICY.—

"(1) IN GENERAL.—Recognizing that certain offsets for military exports are economically inefficient and market distorting, and mindful of the need to minimize the adverse effects of offsets in military exports while ensuring that the ability of United States firms to compete for military export sales is not undermined, it shall be the policy of the United States Government that—

"(A) no agency of the United States Government shall encourage, enter directly into, or commit United States firms to any offset arrangement in connection with the sale of defense goods or services to foreign governments;

"(B) United States Government funds shall not be used to finance offsets in security assistance transactions except in accordance with policies and procedures that were in existence as of September 30, 1991;

"(C) nothing in this section shall prevent agencies of the United States Government from fulfilling obligations incurred through international agreements entered into before September 30, 1991; and

"(D) the decision whether to engage in offsets, and the responsibility for negotiating and implementing offset arrangements, resides with the companies involved.

"(2) PRESIDENTIAL APPROVAL OF EXCEPTIONS.—The President may approve an exception to the policy stated by paragraph (1) after receiving the recommendation of the National Security Council.

"(3) CONSULTATION.—The President shall designate the Secretary of Defense, in coordination with the Secretary of State, to lead an interagency team to consult with foreign nations on limiting the adverse effects of offsets in defense procurement. The President shall transmit an annual report on the results of these consultations to the Congress as part of the report required under subsection (b).".

SEC. 124. ANNUAL REPORT ON IMPACT OF OFFSETS.

Section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099) (as amended by section 123 of this Act) is amended—

(1) in subsection (b) (as so redesignated by section 123(1) of this part)

(A) by striking "(b) REPORT REQUIRED.—Not later" and inserting:

"(b) ANNUAL REPORT ON IMPACT OF OFFSETS.—

"(1) REPORT REQUIRED.—Not later";

(B) by striking the second sentence; and

(C) by adding at the end the following new paragraph:

"(2) DUTIES OF THE SECRETARY OF COMMERCE.—The Secretary of Commerce shall—

"(A) prepare the report required by paragraph (1);

"(B) consult with the Secretary of Defense, the Secretary of the Treasury, the Secretary of State, and the United States Trade Representative in connection with the preparation of such report; and

"(C) function as the President's Executive Agent for carrying out the requirements of this section.";

(2) by amending subsection (c) (as so redesignated by section 123(1) of this part) to read as follows:

"(c) INTERAGENCY STUDIES AND RELATED DATA.—

"(1) PURPOSE OF REPORT.—Each report required under subsection (b) shall identify the cumulative effects (indirect as well as direct) of offset agreements on—

"(A) the full range of domestic defense productive capability (with special attention to the firms serving as lower-tier subcontractors or suppliers); and

"(B) the domestic defense technology base as a consequence of the technology transfers associated with such offset agreements.

"(2) USE OF DATA.—Data developed or compiled by any agency while conducting any interagency study or other independent study or analysis shall be made available to the Secretary of Commerce to facilitate the Secretary in executing the Secretary's responsibilities with respect to trade offset and countertrade policy development."; and

(3) by adding at the end the following new subsections:

"(d) NOTICE OF OFFSET AGREEMENTS.—

"(1) IN GENERAL.—If a United States firm enters into a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm and such contract is subject to an offset agreement exceeding $5,000,000 in value, such firm shall furnish to the official designated in the regulations promulgated pursuant to paragraph (2) information concerning such sale.

"(2) REGULATIONS.—The information to be furnished shall be prescribed in regulations promulgated by the Secretary of Commerce. Such regulations shall provide protection from public disclosure for such information, unless public disclosure is subsequently specifically authorized by the firm furnishing the information.

"(e) CONTENTS OF REPORT.—

"(1) IN GENERAL.—Each report under subsection (b) shall include—

"(A) a net assessment of the elements of the industrial base and technology base covered by the report;

"(B) recommendations for appropriate remedial action under the authorities provided by this Act, or other law or regulations;

"(C) a summary of the findings and recommendations of any interagency studies conducted during the reporting period under subsection (c);

"(D) a summary of offset arrangements concluded during the reporting period for which information has been furnished pursuant to subsection (d); and

"(E) a summary and analysis of any bilateral and multilateral negotiations relating to use of offsets completed during the reporting period.

"(2) ALTERNATIVE FINDINGS OR RECOMMENDATIONS.—Each report shall include any alternative findings or recommendations offered by any departmental Secretary, agency head, or the United States Trade Representative to the Secretary of Commerce.

"(f) UTILIZATION OF ANNUAL REPORT IN NEGOTIATIONS.—The findings and recommendations of the reports required by subsection (b) , and any interagency reports and analyses shall be considered by representatives of the United States during bilateral and multilateral negotiations to minimize the adverse effects of offsets.".

SEC. 125. CIVIL-MILITARY INTEGRATION.

Title III of the Defense Production Act of 1950 is amended by adding at the end the following new section:

"SEC. 310. CIVIL-MILITARY INTEGRATION.

"An important purpose of this title is the creation of production capacity that will remain economically viable after guarantees and other assistance provided under this title have expired.".

SEC. 126. TESTING, QUALIFICATION, AND INCORPORATION OF MATERIALS FOR USE FOR WEAPON SYSTEMS AND DEVELOPMENT PROGRAMS.

Title III of the Defense Production Act of 1950 (50 U.S.C. App. 2091 et seq.) is amended by adding at the end the following new section:

"SEC. 311. TESTING, QUALIFICATION, AND INCORPORATION OF MATERIALS FOR USE FOR WEAPON SYSTEMS AND DEVELOPMENT PROGRAMS.

"The President shall, within 12 months after the date of the enactment of the Defense Production Act Amendments of 1950, take those measures necessary to ensure—

"(1) that all materials manufactured with assistance provided under sections 301, 302, or 303 are tested for qualification for use in the production of existing and future weapon systems and existing and future development programs, and

"(2) that all materials manufactured with assistance provided under sections 301, 302, or 303 and qualified under paragraph (1) are used and incorporated into the production of existing and future weapon systems and existing and future development programs.".

PART D—AMENDMENTS TO TITLE VII OF THE DEFENSE PRODUCTION ACT

SEC. 131. SMALL BUSINESS.

Section 701 of the Defense Production Act of 1950 (50 U.S.C. App. 2151) is amended to read as follows:

"SEC. 701. SMALL BUSINESS.

"(a) PARTICIPATION.—Small business concerns, including businesses owned by women and business owned by minorities, shall be given the maximum practicable opportunity to participate as contractors, and subcontractors at various tiers, in all programs to maintain and strengthen the Nation's industrial base and technology base undertaken pursuant to this Act.

"(b) ADMINISTRATION OF ACT.—In administering the programs, implementing regulations, policies, and procedures under this Act, requests, applications, or appeals from small business concerns, including business concerns owned by women and minorities, shall, to the maximum extent practicable, be expeditiously handled.

"(c) ADVISORY COMMITTEE PARTICIPATION.—Representatives of small business concerns, including business concerns owned by women and minorities, shall be afforded the maximum opportunity to participate in such advisory committees as may be established pursuant to the provisions of this Act.

"(d) INFORMATION.—Information about the Act and activities under the Act shall be made available to small business concerns, including business concerns owned by women and minorities.

"(e) ALLOCATIONS UNDER SECTION 101.—Whenever the President makes a determination to exercise any authority to allocate any material pursuant to section 101 of this Act, small business concerns, including business concerns owned by women and minorities, shall be accorded, so far as practicable, a fair share of such material, in proportion to the share received by such business concerns under normal conditions, giving such special consideration as may be possible to new small business concerns, including business concerns owned by women and minorities, or individual firms facing undue hardship.".

SEC. 132. DEFINITIONS.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended to read as follows:

"SEC. 702. DEFINITIONS.

"As used in this Act—

"(1) CRITICAL COMPONENT.—The term 'critical component' includes such components, subsystems, systems, and related special tooling and test equipment essential to the production, repair, maintenance, or operation of weapon systems or other items of military equipment as are identified by the Secretary of Defense as being essential to the execution of the national security strategy of the United States. Additionally, the Secretary shall take into account those components identified as critical by a National Security Assessment or Presidential determination as a result of a petition filed under section 232 of the Trade Expansion Act of 1962 when identifying critical components.

"(2) CRITICAL INDUSTRY FOR NATIONAL SECURITY.—The term 'critical industry for national security' means any industry (or industry sector) identified pursuant to section 2503(6) of title 10, United States Code, and such other industries or industry sectors as may be designated by the President as essential to provide industrial resources required for the execution of the national security strategy of the United States.

"(3) CRITICAL TECHNOLOGY.—The term 'critical technology' includes any technology that is included in 1 or more of the plans submitted pursuant to section 2508 of title 10, United States Code (unless subsequently deleted), or such other emerging or dual use technology as may be designated by the President.

"(4) CRITICAL TECHNOLOGY ITEM.—The term 'critical technology item' shall mean materials directly employing, derived from, or utilizing a critical technology.

"(5) DEFENSE CONTRACTOR.—The term 'defense contractor' means any person who enters into a contract with the United States to furnish materials, industrial resources, or a critical technology, or to perform services for the national defense.

"(6) DOMESTIC DEFENSE INDUSTRIAL BASE.—The term 'domestic defense industrial base' means domestic sources which are providing, or which would be reasonably expected to provide, materials or services to meet national defense requirements during war or national emergency.

"(7) DOMESTIC SOURCE.—The term 'domestic source' means a business entity—

"(A) that performs in the United States or Canada substantially all of the research and development, engineering, manufacturing, and production activities required of such firm under a contract with the United States relating to a critical component or a critical technology item, and

"(B) that procures from entities described in subparagraph (A) substantially all of the components and assemblies required under a contract with the United States relating to a critical component or critical technology item.

"(8) ESSENTIAL WEAPON SYSTEM.—The term 'essential weapon system' shall mean a major weapon system and other items of military equipment identified by the Secretary of Defense as being essential to the execution of the national security strategy of the United States.

"(9) FACILITIES.—The term 'facilities' includes all types of buildings, structures, or other improvements to real property (but excluding farms, churches or other places of worship, and private dwelling houses), and services relating to the use of any such building, structure, or other improvement.

"(10) FOREIGN SOURCE.—The term 'foreign source' means a business entity other than a 'domestic source'.

"(11) INDUSTRIAL RESOURCES.—The term 'industrial resources' means materials, services, processes, or manufacturing equipment (including the processes, technologies, and ancillary services for the use of such equipment) needed to establish or maintain an efficient and modern national defense industrial capacity.

"(12) MATERIALS.—The term 'materials' includes—

"(A) any raw materials (including minerals, metals, and advanced processed materials), commodities, articles, components (including critical components), products, and items of supply; and

"(B) any technical information or services ancillary to the use of any such materials, commodities, articles, components, products, or items.

"(13) NATIONAL DEFENSE.—The term 'national defense' means programs for military and energy production or construction, military assistance to any foreign nation, stockpiling, space, and any directly related activity.

"(14) PERSON.—The term 'person' includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative thereof, or any State or local government or agency thereof.

"(15) SERVICES.—The term 'services' includes any effort that is needed or incidental to—

"(A) the development, production, processing, distribution, delivery, or use of an industrial resource or a critical technology item, or

"(B) the construction of facilities.".

SEC. 133. REGULATIONS AND ORDERS.

Section 704 of the Defense Production Act of 1950 (50 U.S.C. App. 2154) is amended to read as follows:

"SEC. 704. REGULATIONS AND ORDERS.

"Subject to section 709, the President may prescribe such regulations and issue such orders as the President may determine to be appropriate to carry out the provisions of this Act.".

SEC. 134. INFORMATION ON THE DEFENSE INDUSTRIAL BASE.

The Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.) is amended by adding at the end the following new section:

"SEC. 722. DEFENSE INDUSTRIAL BASE INFORMATION SYSTEM.

"(a) ESTABLISHMENT REQUIRED.—

"(1) IN GENERAL.—The President, acting through the Secretary of Defense and the heads of such other Federal agencies as the President may determine to be appropriate, shall provide for the establishment of an information system on the domestic defense industrial base which—

"(A) meets the requirements of this section; and

"(B) includes a systematic continuous procedure to collect and analyze information necessary to evaluate—

"(i) the adequacy of domestic industrial capacity and capability in critical components, technologies, and technology items essential to the national security of the United States;

"(ii) dependence on foreign sources for industrial parts, components, and technologies essential to defense production; and

"(iii) the reliability of foreign source supply of critical components and technologies.

"(2) INCORPORATION OF DINET.—The defense information network (DINET), as established and maintained by the Secretary of Defense on the date of the enactment of the Defense Production Act Amendments of 1991, shall be incorporated into the system established pursuant to paragraph (1).

"(3) USE OF INFORMATION.—Information collected and analyzed under the procedure established pursuant to paragraph (1) shall constitute a basis for making any determination to exercise any authority under this Act and a procedure for using such information shall be integrated into the decisionmaking process with regard to the exercise of any such authority.

"(b) SOURCES OF INFORMATION.—

"(1) FOREIGN DEPENDENCE.—

"(A) SCOPE OF INFORMATION REVIEW.—The procedure established to meet the requirement of subsection (a)(1)(B)(ii) shall address defense production with respect to the operations of prime contractors and at least the first 2 tiers of subcontractors, or when a critical component (as that term is defined by section 702(1)) is identified at a lower tier.

"(B) USE OF EXISTING DATA COLLECTION AND REVIEW CAPABILITIES.—To the extent feasible and appropriate, the President shall build upon existing methods of data collection and analysis and shall integrate information available from intelligence agencies with respect to industrial and technological conditions in foreign countries.

"(C) INITIAL EMPHASIS ON PRIORITY LISTS.—In establishing the procedure referred to in subparagraph (A), the Secretary may place initial emphasis on the production of parts and components relating to priority lists such as the Commanders' in Chief Critical Items List, those components identified as critical by a National Security Assessment or Presidential determination

as a result of a petition filed under section 232 of the Trade Expansion Act of 1962, and the technologies identified as critical in the annual defense critical technologies plan submitted pursuant to section 2508 of title 10, United States Code.

"(2) PRODUCTION BASE ANALYSIS.—

"(A) TOP-TO-BOTTOM REVIEW.—Effective on or after October 1, 1991, the analysis of the production base for any major procurement project which is included in the information system maintained pursuant to subsection (a) shall, in addition to any information and analyses the President may require—

"(i) include a review of all levels of acquisition and production, beginning with any raw material, special alloy, or composite material involved in the production and ending with the completed product;

"(ii) identify each contractor and subcontractor at each level of acquisition and production with respect to such project which represents a potential for delaying or preventing the production and acquisition, including the identity of each contractor or subcontractor whose contract qualifies as a foreign source or sole source contract and any supplier which is a foreign or sole source for any item required in the production, including critical components (as that term is defined by section 702(1)); and

"(iii) include information to permit appropriate management of accelerated or surge production.

"(B) INITIAL REQUIREMENT FOR STUDY OF PRODUCTION BASES FOR NOT MORE THAN 6 MAJOR WEAPON SYSTEMS.—In establishing the information system under subsection (a), the President, acting through the Secretary of Defense, shall require an analysis of the production base for not more than 2 weapons of each military department which are major systems (as defined in section 2302(5) of title 10, United States Code). Each major system study shall include in the analysis a determination of critical components of that system.

"(3) CONSULTATION REGARDING THE CENSUS OF MANUFACTURERS.—

"(A) IN GENERAL.—The Secretary of Commerce, acting through the Bureau of the Census, shall consult with the Secretary of Defense and the Director of the Federal Emergency Management Agency with a view to improving the application of information derived from the Census of Manufacturers to the purposes of this section.

"(B) ISSUES TO BE ADDRESSED.—Such consultations shall address improvements in the level of detail, timeliness, and availability of input and output analyses derived from the Census of Manufacturers necessary to facilitate the purposes of this section.

"(c) STRATEGIC PLAN FOR DEVELOPING COMPREHENSIVE SYSTEM.—

"(1) PLAN REQUIRED.—Not later than December 31, 1992, the President shall provide for the establishment of and report to Congress on a strategic plan for developing a cost-effective, comprehensive information system capable of identifying on a timely, ongoing basis vulnerability in critical components, technologies, and technology items.

"(2) ASSESSMENT OF CERTAIN PROCEDURES.—In establishing plan under paragraph (1), the President shall assess the performance and cost-effectiveness of procedures implemented under subsection (b) and shall seek to build upon such procedures as appropriate.

"(d) CAPABILITIES OF SYSTEM.—

"(1) IN GENERAL.—In connection with the establishment of the information system under subsection (a), the President shall direct the Secretary of Defense, the Secretary of Commerce, and the heads of such other Federal agencies as the President may determine to be appropriate to—

"(A) consult with each other and provide such information, assistance, and cooperation as may be necessary to establish and maintain the information system in a manner which allows the coordinated and efficient entry of information on the domestic defense industrial base into, and the withdrawal, subject to the protection of proprietary data, of information on the domestic defense industrial base from the system on an on-line interactive basis by the Department of Defense;

"(B) assure access to the information on the system, as appropriate, by all participating Federal agencies, including each military department;

"(C) coordinate standards, definitions, and specifications for information on defense production which is collected by the Department of Defense and the military departments so that such information can be used by any Federal agency or department which the President determines to be appropriate; and

"(D) assure that the information in the system is updated, as appropriate, with the active assistance of the private sector.

"(2) TASK FORCE ON MILITARY-CIVILIAN PARTICIPATION.—Upon the establishment of the information system under subsection (a), the President shall convene a task force consisting of the Secretary of Defense, the Secretary of Commerce, the Secretary of each military department, and the heads of such other Federal agencies and departments as the President may determine to be appropriate to establish guidelines and procedures to ensure that all Federal agencies and departments which acquire information with respect to the domestic defense industrial base are fully participating in the system, unless the President determines that all appropriate Federal agencies and departments, including each military department, are voluntarily providing information which is necessary for the system to carry out the purposes of this Act and chapter 148 of title 10, United States Code.

"(e) REPORT ON SUBCONTRACTOR AND SUPPLIER BASE.—

"(1) REPORT REQUIRED.—At the times required under paragraph (4), the President shall issue a report which includes—

"(A) a list of critical components, technologies, and technology items for which there is found to be inadequate domestic industrial capacity or capability; and

"(B) an assessment of those subsectors of the economy of the United States which—

"(i) support production of any component, technology, or technology item listed pursuant to paragraph (1); or

"(ii) have been identified as being critical to the development and production of components required for the production of weapons, weapon systems, and other military equipment essential to the national defense.

"(2) MATTERS TO BE CONSIDERED.—The assessment made under paragraph (1)(B) shall consider—

"(A) the capacity of domestic sources, especially commercial firms, to fulfill peacetime requirements and graduated mobilization requirements for various items of supply and services;

"(B) any trend relating to the capabilities of domestic sources to meet such peacetime and mobilization requirements;

"(C) the extent to which the production or acquisition of various items of military material is dependent on foreign sources; and

"(D) any reason for the decline of the capabilities of selected sectors of the United States economy necessary to meet peacetime and mobilization requirements, including stability of defense requirements, acquisition policies, vertical integration of various segments of the industrial base, superiority of foreign technology and production efficiencies, foreign government support of nondomestic sources, and offset arrangements.

"(3) POLICY RECOMMENDATIONS.—The report may provide specific policy recommendations to correct deficiencies identified in the assessment, which would help to strengthen domestic sources.

"(4) TIME FOR ISSUANCE.—The report required by paragraph (1) shall be issued not later than July 1 of each odd-numbered year which begins after 1991, based upon data from the prior fiscal year and such prior fiscal years as may be appropriate.

"(5) RELEASE OF UNCLASSIFIED REPORT.—The report required by this subsection may be classified. An unclassified version of the report shall be available to the public.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President for purposes of this section not more than $10,000,000, to remain available until expended, of which not more than $3,000,000 shall be available for the purposes of subsection (b)(2).".

SEC. 135. PUBLIC PARTICIPATION IN RULEMAKING.

(a) IN GENERAL.—Section 709 of the Defense Production Act of 1950 (50 U.S.C. 2159) is amended to read as follows:

"SEC. 709. PUBLIC PARTICIPATION IN RULEMAKING.

"(a) EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT.—Any regulation prescribed or order issued under this Act shall not be subject to sections 551 through 559 of title 5, United States Code.

"(b) OPPORTUNITY FOR NOTICE AND COMMENT.—

"(1) IN GENERAL.—Except as provided in subsection (c), any regulation prescribed or order issued under this Act shall be published in the Federal Register and opportunity for public comment shall be provided for not less than 30 days, consistent with the requirements of section 553(b) of title 5, United States Code.

"(2) WAIVER FOR TEMPORARY PROVISIONS.—The requirements of paragraph (1) may be waived, if—

"(A) the officer authorized to prescribe the regulation or issue the order finds that urgent and compelling circumstances make compliance with such requirements impracticable;

"(B) the regulation is prescribed or order is issued on a temporary basis; and

"(C) the publication of such temporary regulation or order is accompanied by the finding made under clause (A) (and a brief statement of the reasons for such finding) and an opportunity for public comment is provided for not less than 30 days of public comment before any regulation or order becomes final.

"(3) All comments received during the public comment period specified pursuant to paragraph (1) or (2) shall be considered and the publication of the final regulation or order shall contain written responses to such comments.

"(c) PUBLIC COMMENT ON PROCUREMENT REGULATIONS.—Any procurement policy, regulation, procedure, or form (including any amendment or modification of any such policy, regulation, procedure, or form) issued under this Act shall be subject to section 22 of the Office of Federal Procurement Policy Act.".

(b) SCOPE OF APPLICATION.—Section 709 of the Defense Production Act of 1950 (50 U.S.C. App. 2159), as amended by subsection (a) of this section, shall not apply to any regulation prescribed or order issued in proposed or final form on or before the date of enactment of this Act.

PART E—TECHNICAL AMENDMENTS

SEC. 141. TECHNICAL CORRECTION.

Section 301(e)(2)(B) of the Defense Production Act of 1950 (50 U.S.C. App. 2091(e)(2)(B)) is

amended by striking "and to the Committees on Banking and Currency of the respective Houses" and inserting "and to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives".

SEC. 142. INVESTIGATIONS; RECORDS; REPORTS; SUBPOENAS.

Section 705 of the Defense Production Act of 1950 (50 U.S.C. App. 2155) is amended—

(1) in subsection (a), by striking "subpena" and inserting "subpoena";

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e), respectively;

(3) in subsection (c) (as redesignated by paragraph (2)), by striking "$1,000" and inserting "$10,000"; and

(4) in subsection (d) (as redesignated by paragraph (2)), by striking all after the first sentence.

SEC. 143. EMPLOYMENT OF PERSONNEL.

(a) NOTICE OF APPOINTMENT AND FINANCIAL DISCLOSURE FOR EMPLOYEES SERVING WITHOUT COMPENSATION.—Section 710(b)(6) of the Defense Production Act of 1950 (50 U.S.C. App. 2160(b)(6)) is amended to read as follows:

"(6) NOTICE AND FINANCIAL DISCLOSURE REQUIREMENTS.—

"(A) PUBLIC NOTICE OF APPOINTMENT.—The head of any department or agency who appoints any individual under this subsection shall publish a notice of such appointment in the Federal Register, including the name of the appointee, the employing department or agency, the title of the appointee's position, and the name of the appointee's private employer.

"(B) FINANCIAL DISCLOSURE.—Any individual appointed under this subsection who is not required to file a financial disclosure report pursuant to section 101 of the Ethics in Government Act of 1978, shall file a confidential financial disclosure report pursuant to section 107 of such Act with the appointing department or agency.".

(b) TECHNICAL AMENDMENTS.—Section 710(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2160(b)) is amended—

(1) in paragraph (7)—

(A) by striking "Chairman of the United States Civil Service Commission" and inserting "Director of the Office of Personnel Management"; and

(B) by striking "and the Joint Committee on Defense Production"; and

(2) in paragraph (8), by striking "transportation and not to exceed $15 per diem in lieu of subsistence while away from their homes and regular places of business pursuant to such appointment" and inserting "reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the functions for which they were appointed in the same manner as persons employed intermittently in the Federal Government are allowed expenses under section 5703 of title 5, United States Code".

SEC. 144. TECHNICAL CORRECTION.

Section 711(a)(1) of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended by striking "Bureau of the Budget" and inserting "Office of Management and Budget".

PART F—REPEALERS AND CONFORMING AMENDMENTS

SEC. 151. SYNTHETIC FUEL ACTION.

Section 307 of the Defense Production Act of 1950 (50 U.S.C. App. 2097) is amended—

(1) in subsection (b), by striking the 2d sentence; and

(2) by striking subsection (c) and all that follows through the end of the section.

SEC. 152. REPEAL OF INTEREST PAYMENT PROVISIONS.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) by striking subsection (b),

(2) in subsection (a)—

(A) by striking "(a)(1) Except as provided in paragraph (2) and paragraph (4)" and inserting "(a) Except as provided in subsection (c)",

(B) in the parenthetical by striking "and for the payment of interest under subsection (b) of this section",

(C) by striking paragraph (2),

(D) by redesignating paragraph (3) as subsection (b), and

(E) in paragraph (4)—

(i) by striking subparagraph (B), and

(ii) by redesignating the remainder of paragraph (4) as subsection (c).

SEC. 153. JOINT COMMITTEE ON DEFENSE PRODUCTION.

Section 712 of the Defense Production Act of 1950 (50 U.S.C. App. 2162) is repealed.

SEC. 154. PERSONS DISQUALIFIED FOR EMPLOYMENT.

Section 716 of the Defense Production Act of 1950 (50 U.S.C. App. 2165) is repealed.

SEC. 155. FEASIBILITY STUDY ON UNIFORM COST ACCOUNTING STANDARDS; REPORT SUBMITTED.

Section 718 of the Defense Production Act of 1950 (50 U.S.C. App. 2167) is repealed.

SEC. 156. NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES.

Section 720 of the Defense Production Act of 1950 (50 U.S.C. App. 2169) is repealed.

PART G—REAUTHORIZATION OF SELECTED PROVISIONS

SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

Section 711(c) of the Defense Production Act of 1950 (as amended by section 152 of this Act) is amended to read as follows:

"(c) There are authorized to be appropriated for each of fiscal years 1992, 1993, and 1994 not to exceed $200,000,000 to carry out the provisions of title III of this Act.".

SEC. 162. EXTENSION OF PROGRAM.

The 1st sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking "September 30, 1991" and inserting "September 30, 1994".

SEC. 163. QUADRENNIAL REPORT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following new subsection:

"(i) QUANDRENNIAL REPORT.—

"(1) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of the Defense Production Act Amendments of 1991, and every 4 years after that date, the Secretary of the Treasury shall complete and submit to the Congress a report which—

"(A) evaluates whether there is credible evidence of a coordinated strategy by one or more countries or companies to acquire United States companies, or significant control of United States industries, involved in research, development, or production of critical technologies for which the United States is a leading producer; and

"(B) evaluates whether there are industrial espionage activities directed by foreign governments against private United States companies for the purpose of obtaining commercial secrets related to critical technologies.

"(2) CLASSIFIED REPORTS.—

"(A) IN GENERAL.—The reports required by this subsection may be classified.

"(B) UNCLASSIFIED VERSIONS.—An unclassified version of each report required by this subsection shall be available to the public.".

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: After Title I, Sec. 108(a), insert the following:

In awarding authorized contracts under this Act, the President shall provide a strong preference for those small businesses located in areas of high unemployment and/or areas that demonstrate a continuing pattern of economic decline as identified by the Secretary of Labor.

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

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, on this bill I want to commend the committee for a very fine policy of setting a preference for the small business contractors and subcontractors of our Nation so that they would be eligible for and would get a preference from our President for some of these awards.

The Traficant amendment simply takes that amendment and that language a step further. It says that the President shall also give preference to those small businesses located in areas of high economic decline and unemployment and continuing patterns of economic decline characterized by high unemployment, as defined by our Secretary of Labor. I say to the members of the committee, the respective committees, the two respective authorizing agencies, that this is good procurement type language. It will not only help get some contracts into the small business community but into those small business communities in those areas that have suffered the greatest decline of economic opportunities and jobs lost.

□ 1510

Mr. Chairman, I would appreciate the support of Members on this amendment.

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

Mr. TRAFICANT. I yield to the chairman of the subcommittee.

Mr. CARPER. Mr. Chairman, I thank the gentleman for sharing his amendments with me. I wish the gentleman might have done it a little earlier in this process. But this gentleman is inclined to accept the amendment, and, once we get to conference, to work with the gentleman from Ohio [Mr. TRAFICANT] to make modifications, if it is necessary to do so. I am interested in trying to work with you.

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

Mr. TRAFICANT. I yield to the gentleman from New York.

Mr. PAXON. Mr. Chairman, I have no objection to the amendment, and would concur in the amendment.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will designate title II.

The text of title II is as follows:

TITLE II—ADDITIONAL PROVISIONS TO IMPROVE INDUSTRIAL PREPAREDNESS

PART A—ENCOURAGING IMPROVEMENT OF THE DEFENSE INDUSTRIAL BASE

SEC. 201. RECOGNITION OF MODERNIZED PRODUCTION SYSTEMS AND EQUIPMENT IN CONTRACT AWARD AND ADMINISTRATION.

(a) IN GENERAL.—The single Government-wide Federal Acquisition Regulation, referred to in section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1)), shall be amended to specify the circumstances under which an acquisition plan for any major system acquisition, or any other acquisition program designated by the Secretary or agency head responsible for such acquisition, shall provide for contract solicitation provisions which encourage competing offerors to acquire for utilization in the performance of the contract modern industrial facilities and production systems (including hardware and software), and other modern production equipment, that increase the productivity of the offerors and reduce the costs of production.

(b) AUTHORIZED SOLICITATION PROVISIONS.—Contract solicitation provisions referred to in subsection (a) may include any of the following provisions:

(1) An evaluation advantage in making the contract award determination.

(2) A provision for a domestic contractor to share in any demonstrated cost savings that are attributable to increased productivity resulting from the following contractor actions not required by the contract—

(A) the acquisition and utilization of modern industrial facilities and production systems (including hardware and software), and other modern production equipment, for the performance of the contract; or

(B) the utilization of other manufacturing technology improvements in the performance of the contract.

(c) DOMESTIC CONTRACTOR DEFINED.—For purposes of this section and section 202, the term "domestic contractor" has the meaning given to the term "domestic source" in section 702(7) of the Defense Production Act of 1950.

SEC. 202. SUSTAINING INVESTMENT.

It is the sense of the Congress that, in order to encourage investment to maintain our Nation's technological leadership, to preserve the strength of our industrial base, and to encourage contractors to invest in advanced manufacturing technology, advanced production equipment, and advanced manufacturing processes, the Secretary of Defense as part of his implementation of changes to defense acquisition policies pursuant to the Defense Management Review shall consider—

(1) full allowability of independent research and development bid and proposal costs;

(2) appropriate regulatory changes to increase the progress payment rates payable under contracts; and

(3) an increase of not more than 10 percent in the amount which would otherwise be reimbursable to a domestic contractor as the Government's share of costs incurred for the acquisition of production special tooling, production special test equipment, and production special systems (including hardware and software) for use in the performance of the contract.

PART B—MISCELLANEOUS

SEC. 211. DISCOURAGING UNFAIR TRADE PRACTICES.

(a) SUSPENSION OR DEBARMENT AUTHORIZED.—Subpart 9.4 of title 48, Code of Federal Regulations (or any successor regulation) shall be amended to specify the circumstances under which a contractor, who has engaged in an unfair trade practice, as defined in subsection (b), may be found to presently lack such business integrity or business honesty that seriously and directly affects the responsibility of the contractor to perform any contract awarded by the Federal Government or perform a subcontract under such a contract.

(b) DEFINITIONS.—For purposes of this section, the term "unfair trade practice" means the commission of any of the following acts by a contractor:

(1) An unfair trade practice, as determined by the International Trade Commission, for a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337).

(2) A violation, as determined by the Secretary of Commerce, of any agreement of the group known as the "Coordinating Committee" for purposes of the Export Administration Act of 1979 or any similar bilateral or multilateral export control agreement.

(3) A knowingly false statement regarding a material element of a certification concerning the foreign content of an item of supply, as determined by the Secretary of the department or the head of the agency to which such certificate was furnished.

SEC. 212. EVALUATION OF DOMESTIC DEFENSE INDUSTRIAL BASE POLICY.

(a) CONGRESSIONAL COMMISSION ON THE EVALUATION OF DEFENSE INDUSTRIAL BASE POLICY ESTABLISHED.—There is hereby established a commission to be known as the Congressional Commission on the Evaluation of the Defense Industrial Base Policy (hereafter in this section referred to as the "Commission").

(b) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The Commission shall develop criteria for maintaining the strength of the domestic defense industrial base for purposes of supporting the national security strategy of the President.

(2) CONSIDERATION OF AGENCY PROCEDURES AND ACTIVITIES.—In developing criteria under paragraph (1), the Commission shall consider, with respect to each Federal agency and department which has any responsibility for maintaining the strength of the domestic defense industrial base—

(A) the extent to which the statutory authority, policies, regulations, organizational arrangements, plans, programs, and budgets of such agency or department are adequate for the purpose of maintaining the strength of the domestic defense industrial base; and

(B) the degree to which such authority, policies, regulations, arrangements, plans, programs, and budgets are being effectively implemented and sufficiently coordinated (within the agency or department and with other Federal agencies and departments).

(3) EVALUATION OF CIVIL-MILITARY INTEGRATION.—The Commission, in developing criteria under paragraph (1) and considering agency procedures and activities under paragraph (2) shall evaluate the feasibility of integrating defense research, development, production, acquisition, and other relevant contracting activities with similar activities in the commercial sector, and the degree to which such integration is being implemented by the agency or department. In particular, the Commission shall review impediments, including elongated procurement lead-times, overly stringent military specifications, and the Federal Government's unlimited rights in software and technical data, which serve to hinder the successful integration of commercial and military activities that provide vital goods and services to the Department of Defense.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 9 members as follows:

(A) 3 members appointed by the Speaker of the House of Representatives (2 of whom shall be appointed upon the recommendation of the majority leader of the House of Representatives and 1 of whom shall be appointed upon the recommendation of the minority leader of the House of Representatives) from among individuals who are especially qualified to serve on the Commission by reason of their education, training, or experience.

(B) 3 members appointed by the President pro tempore of the Senate (2 of whom shall be appointed upon the recommendation of the majority leader of the Senate and 1 of whom shall be appointed upon the recommendation of the minority leader of the Senate) from among individuals who are especially qualified to serve on the Commission by reason of their education, training, or experience.

(C) 3 members appointed by a majority of the members appointed under subparagraphs (A) and (B) from among individuals who are especially qualified to serve on the Commission by reason of their education, training, or experience.

(2) TERMS.—

(A) IN GENERAL.—Each member shall be appointed for the life of the Commission.

(B) VACANCY.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(3) PROHIBITION ON COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Commission shall serve without pay.

(B) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(4) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(5) CHAIRPERSON.—The Chairperson of the Commission shall be elected by the members of the Commission from among the individuals appointed under paragraph (1)(C).

(6) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of the members.

(d) POWERS OF COMMISSION.—

(1) HEARINGS AND SESSIONS.—

(A) IN GENERAL.—The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(B) ADMINISTRATION OF OATHS.—The Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(2) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take.

(3) OBTAINING OFFICIAL DATA.—

(A) AUTHORITY TO OBTAIN.—Notwithstanding any provision of section 552a of title 5, United States Code, the Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out this Act.

(B) PROCEDURE.—Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish the information requested to the Commission.

(C) USE OF INFORMATION.—The Commission shall be subject to the same limitations with respect to the use or disclosure of any confidential or privileged information, trade secrets, or other proprietary or business-sensitive information which is obtained from any department or agency under this subsection as are applicable to the use or disclosure of such information or secrets by such department or agency.

(4) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(5) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(e) STAFF OF COMMISSION; EXPERTS AND CONSULTANTS.—

(1) STAFF.—Subject to such regulations as the Commission may prescribe and with the approval of the Commission, the Chairperson may appoint and fix the pay of such personnel as the Chairperson considers appropriate.

(2) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-18 of the General Schedule.

(3) EXPERTS AND CONSULTANTS.—Subject to such regulations as the Commission may prescribe, the Chairperson may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the annual rate of basic pay payable for GS-18 of the General Schedule.

(4) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this Act.

(f) DOMESTIC DEFENSE INDUSTRIAL BASE DEFINED.—For the purposes of this section, the term "domestic defense industrial base" means—

(1) the industries in the United States and Canada which at any time are providing national defense materials and services; and

(2) the industries in the United States and Canada which reasonably would be expected to provide national defense materials and services in a time of emergency or war.

(g) REPORT.—The Commission shall submit to the Congress and the President—

(1) an interim report at the end of the 1-year period beginning on the date the Commission first meets with a majority of members present; and

(2) a final report not later than September 1, 1993, on the findings of the Commission under this section with respect to the domestic defense industrial base, together with such recommendations for legislative, administrative, or policy action as the Commission may determine to be appropriate.

(h) TERMINATION.—The Commission shall cease to exist on September 30, 1994.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal years 1992, 1993, and 1994 an amount not to exceed $500,000 to carry out the purposes of this section.

The CHAIRMAN. Are there any amendments to title II?

The Clerk will designate title III.

The text of title III is as follows:

TITLE III—AMENDMENT TO RELATED LAWS

SEC. 301. ENERGY SECURITY.

(a) CONGRESSIONAL INTEREST MANIFEST IN OTHER LAWS.—The Congress hereby finds that congressional interest in energy security and the availability of energy for defense mobilization, industrial preparedness, and other purposes of the Defense Production Act of 1950 has also been expressed in various statutes enacted since the date of the enactment of such Act, including the provisions of Geothermal Energy Research, Development, and Demonstration Act of 1974, the Biomass Energy and Alcohol Fuels Act of 1980, and the Synthetic Fuels Corporation Act of 1985 which relate to geothermal energy, alcohol, and synthetic fuel projects.

(b) REPORTS REQUIRED.—To assist the Congress in discharging congressional responsibility for energy security and the availability of energy for defense mobilization, industrial preparedness, and other purposes of the Defense Production Act of 1950, the President shall prepare and transmit to the Congress, no less frequently than the end of each odd-numbered year, the projected capacity and potential prospects for the use of alternative and renewable sources of energy for such purposes.

(c) GEOTHERMAL ENERGY PROGRAM.—Section 203 of the Geothermal Energy Research, Development, and Demonstration Act of 1974 (30 U.S.C. 1143) (relating to period of guaranties and interest assistance) is amended by striking "1990" and inserting "1993".

The CHAIRMAN. Are there any amendments to title III?

AMENDMENTS OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: After Sec. 304(f)(3), insert the following:

Any individual involved in the operation and/or oversight of this fund shall submit to the Secretary of Defense and the Secretary of Commerce annually during such individual's tenure in such positions—

(1) a statement disclosing personal income and finances which shall be consistent with federal financial disclosure laws relating to federal employees, and;

(2) a statement certifying that no conflict of interest exists with the position occupied by such individual and describing any circumstances that may reasonably be perceived as a conflict of interest, which shall be consistent with federal laws relating to conflict of interest.

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

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, section 304 is a new Production Act fund. It provides money to be used under the authority of this act. It creates a fund manager and a director and staff to oversee and manage that particular process.

The Traficant amendment basically says this: Any staff involved with oversight or management of this fund must, No. 1, the first provision, give full financial disclosure, subject to Federal financial disclosure laws, of their income.

The second provision says that in addition to that disclosure, they must each year give a statement that there exists no conflict of interest with their position of trust and the private sector. In fact, it states explicitly if there appears to be or is a perceived conflict, that they must give detailed and explicit information stating that there is no conflict of interest, subject to the conflict of interest laws that are currently enforced.

So it is a disclosure statement of those employees that are entrusted with the management of the fund and the oversight of the fund. In the second regard it is a statement that there is no conflict of interest, and that these individuals can continue to have the trust of the Congress and report to the Congress that they are in fact servants of the Congress, not colluders that are involved in anything that may be improper.

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

Mr. TRAFICANT. I would be glad to yield to the subcommittee chairman.

Mr. CARPER. Mr. Chairman, this gentleman is prepared to accept this amendment as well, and I do so.

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

Mr. TRAFICANT. I yield to the gentleman from New York.

Mr. PAXON. Mr. Chairman, on behalf of the minority, we also accept the amendment.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—EFFECTIVE DATES

SEC. 401. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this Act shall take effect on September 30, 1991.

(b) ACQUISITION POLICIES.—The acquisition policies required by this Act shall be incorporated as part of the Federal Acquisition Regulation within 270 days after enactment. Such policies shall apply to solicitations issued 60 days after such regulations are issued.

The CHAIRMAN. Are there any amendments to title IV?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Insert the following new section at the end of the bill:

SEC. . BUY AMERICAN PROVISIONS.

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

(B) 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 made with funds authorized under this title pursu-

ant 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. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, under existing procurement law we have a Buy American Act that was passed in 1933. There is nothing earth shaking about this particular amendment, other than to say in the first section that the Secretary shall ensure that the requirements of the Buy American Act, currently the American procurement policy and law, are applied to all procurements made under this particular act.

But, second of all, it has an expanding provision. The second section deals with prohibition against fraudulent use of "Made in America" labels.

America is being faced with products coming in from China and other nations on the disguise of companies supposedly producing them in this country. They are not.

What the Traficant amendment states is if it is determined by a court or Federal agency that any person has 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 our country, that person shall be ineligible to receive any contract or subcontract made with funds authorized under the act.

Mr. Chairman, this is language that has been placed on other procurement-type initiatives. It does not infringe upon the Committee on the Judiciary calling for specific penalties, but it does state that that individual would not be eligible to participate in any contract or subcontract made eligible under this particular act.

Mr. Chairman, I think this is a very good amendment. I would hope that the committee would favor the amendment.

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

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

Mr. CARPER. Mr. Chairman, this gentleman is prepared to accept this amendment as well, with the same caveat that applied to the first two amendments that the gentleman from Ohio offered. We will work with the gentleman in conference to try to see that if there are some changes needed, that the gentleman has an opportunity to be a part of that.

Mr. TRAFICANT. Mr. Chairman, I appreciate that.

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

Mr. TRAFICANT. I yield to the gentleman from New York.

Mr. PAXON. Mr. Chairman, this gentleman is also not only prepared to support this amendment, but to support it very strongly. I believe it is an incredible outrage to fraudulently use "Made in America" labels on items that are not. Certainly any contractor that would engage in such deception should be made ineligible. So I am very pleased to go along in full support of the position of the gentleman from Ohio [Mr. TRAFICANT] on this amendment.

Mr. TRAFICANT. Mr. Chairman, I appreciate the support of the gentleman from Delaware [Mr. CARPER] and the gentleman from New York [Mr. PAXON].

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

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to the bill?

Mr. DORGAN of North Dakota. Mr. Chairman, I have an amendment at the desk. Because the gentleman from Ohio [Mr. TRAFICANT] was recognized and we have gone past the section, I would ask unanimous consent to be allowed to offer an amendment to section 2.

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

There was no objection.

AMENDMENT BY MR. DORGAN OF NORTH DAKOTA

Mr. DORGAN of North Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORGAN of North Dakota:

In section 2(b)(2) of the Defense Production Act of 1950, as proposed to be amended by section 101, after the period at the end of the second sentence add the following new sentence: "To further assure the adequate maintenance of the defense industrial base, to the maximum extent possible such supplies should be augmented through reliance on renewable fuels, such as solar, geothermal, and wind energy and ethanol and its derivatives, and on energy conservation measures.".

In section 2(c)(1) of the Defense Production Act of 1950, as proposed to be amended by section 101, after the period at the end of the first sentence insert the following new sentence: "To the maximum extent possible, such dispersal should seek to include such economically depressed regions as urban areas with high unemployment and poverty rates, counties in rural States with high levels of outmigration and job loss, and Indian reservations with severe health and employment problems.".

In section 2 of the Defense Production Act of 1950, as proposed to be amended by section 101—

(1) strike the close quotation marks and the second period at the end of subsection (d), and

(2) add the following new subsection:

"(e) Contracts awarded under provisions of this Act should be awarded to the maximum extent possible to those firms which have not been convicted of defense contract fraud or otherwise debarred or suspended from contracting with the Department of Defense or its constituent agencies.".

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

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

There was no objection.

Mr. DORGAN of North Dakota. Mr. Chairman, I would like to explain the three parts of this amendment I am offering today.

Mr. Chairman, this amendment is an amendment to the policy statement of the bill. With this amendment, in three parts I am trying to make three points. It will represent a form of nonbinding resolution on the three points, and I would like to explain them to Members. We have furnished a copy of this previously to the majority and the minority.

Mr. Chairman, first, as a matter of policy, in my judgment where we can we ought to attempt to use the defense establishment and defense procurement to increase energy independence through renewable fuels use.

Mr. Chairman, I have no other occasions on other bills proposed on the floor of the House that where possible, the Government ought to be the leader in trying to establish a precedent for requiring the use of alternative fuels. I am especially interested in the use of ethanol. I think stretching our energy supplies by using ethanol makes a lot of sense.

Mr. Chairman, I think not only for the Defense Department, but generally speaking for the Federal Government, to the extent we could ask our vehicles, our gasoline-powered engines, to use ethanol-enhanced or other renewable fuels, it would make a lot of sense and provide the right kind of leadership.

It is interesting that at the Federal level we have 500,000 vehicles, 400,000 of which are gasoline-powered vehicles. We could do a lot in stimulating the right kind of energy policy and the use of renewable fuels if we simply said wherever we can in law that this is what we wanted the Federal Government to do, that this is the way we wanted the Federal Government to lead.

So the first piece of this resolution is an attempt to suggest that we use augmented fuels through reliance on renewable fuels, such as solar, geothermal, wind energy, and ethanol.

The second point is to encourage the dispersal of the defense industrial base. That has been something that has been long debated and long sought by Congress, to suggest that in areas of the country where we have high unemployment, economic distress, where we have out-migration, what we ought to do is use the opportunity in our permanent defense establishment to produce products and do the kind of things that

we do on a continuing basis in those areas where we can provide the maximum good by providing new jobs and new employment opportunities. That is the second part of my amendment.

Third, it is very simple. It is to say that to the extent there are contracts awarded under this provision, under the bill, I would like very much for us to not be awarding contracts, wherever it is possible, to those firms that have been convicted of felonies.

Mr. Chairman, I am getting a little tired of reading about a large defense contracting firm that is convicted of a felony on a Friday, and the next week it gets a new contract. In fact, not too long ago we had a newspaper article come out in Washington, a daily paper, that had a story that was fascinating. It was a story about one of our largest defense contractors. Two things were going on about that company here in this town on the same day: Over at the Pentagon they were negotiating an $80 million brandnew contract and they were going to sign it.

□ 1520

Over in Alexandria in the U.S. Prosecutor's Office they were finalizing the felony plea for that same company for a commission of contract fraud. I found that astounding, that the very same company on the same day that is getting a defense contract for $680 million is also downtown in another building pleading guilty on a felony plea for contract fraud.

I would like to see us stop that nonsense. No more of a slap on the wrist and a pat on the back and a new contract. Let us, where we can, really combat contractor fraud and say, "If you are going to commit fraud against the Federal Government, you will not be doing business with us any more."

The language in here is not able to control all the contracting that goes on, and I understand that in some cases we go way down the line on a weapons program and we probably cannot change the contractor next week. I do not have language in here that causes that kind of interruption, but I hope on this point we finally stand up and insist on being heard about contractor fraud.

Those are the three provisions in this amendment, and I would hope the House will consider them favorably.

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

Mr. DORGAN of North Dakota. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, during the debate period I had indicated that I would object if indeed the gentleman from North Dakota [Mr. DORGAN] had indeed put forth the second amendment.

After consultation with my colleague, I find although I might have some concerns with regard to the Committee on Armed Services, I think that we can accept the amendment without reservation at this point only, so long as I have the commitment that once we go to conference, we can work out any differences.

Therefore, I want to commend the gentleman for his amendment, and we do not object to it.

Mr. CARPER. Mr. Chairman, if the gentleman will yield, I accept the amendment.

Mr. PAXON. Mr. Chairman, if the gentleman will yield, we have no objections to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. DORGAN].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to the bill?

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GONZALEZ) having assumed the chair, Mr. MURTHA, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 3039) to reauthorize the Defense Production Act of 1950, and for other purposes, pursuant to House Resolution 231, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 419, nays 3, not voting 10, as follows:

[Roll No. 288]

YEAS—419

Abercrombie	Dornan (CA)	Kanjorski
Ackerman	Dreier	Kasich
Alexander	Duncan	Kennedy
Allard	Durbin	Kennelly
Anderson	Dwyer	Kildee
Andrews (ME)	Dymally	Kleczka
Andrews (NJ)	Early	Klug
Andrews (TX)	Eckart	Kolbe
Annunzio	Edwards (CA)	Kolter
Anthony	Edwards (OK)	Kopetski
Applegate	Edwards (TX)	Kostmayer
Archer	Emerson	Kyl
Aspin	Engel	LaFalce
Atkins	English	Lagomarsino
AuCoin	Erdreich	Lancaster
Bacchus	Espy	Lantos
Baker	Evans	LaRocco
Ballenger	Ewing	Laughlin
Barnard	Fascell	Leach
Barrett	Fazio	Lehman (CA)
Barton	Feighan	Lehman (FL)
Bateman	Fields	Lent
Beilenson	Fish	Levin (MI)
Bennett	Flake	Levine (CA)
Bentley	Foglietta	Lewis (CA)
Bereuter	Ford (MI)	Lewis (FL)
Berman	Frank (MA)	Lewis (GA)
Bevill	Franks (CT)	Lightfoot
Bilbray	Frost	Lipinski
Bilirakis	Gallegly	Livingston
Bliley	Gallo	Lloyd
Boehlert	Gaydos	Long
Boehner	Gejdenson	Lowery (CA)
Bonior	Gekas	Lowey (NY)
Borski	Gephardt	Luken
Boucher	Geren	Machtley
Boxer	Gibbons	Manton
Brewster	Gilchrest	Markey
Brooks	Gillmor	Marlenee
Broomfield	Gilman	Martin
Browder	Gingrich	Martinez
Brown	Glickman	Matsui
Bruce	Gonzalez	Mavroules
Bryant	Goodling	Mazzoli
Bunning	Gordon	McCandless
Burton	Goss	McCloskey
Bustamante	Gradison	McCollum
Byron	Grandy	McCrery
Callahan	Green	McCurdy
Camp	Guarini	McDade
Campbell (CA)	Gunderson	McDermott
Campbell (CO)	Hall (OH)	McEwen
Cardin	Hall (TX)	McGrath
Carper	Hamilton	McHugh
Carr	Hammerschmidt	McMillan (NC)
Chandler	Hancock	McMillen (MD)
Chapman	Hansen	McNulty
Clay	Harris	Meyers
Clinger	Hastert	Mfume
Coble	Hatcher	Michel
Coleman (MO)	Hayes (IL)	Miller (CA)
Coleman (TX)	Hayes (LA)	Miller (OH)
Collins (IL)	Hefley	Miller (WA)
Collins (MI)	Hefner	Mineta
Combest	Henry	Mink
Condit	Herger	Moakley
Conyers	Hertel	Molinari
Cooper	Hoagland	Mollohan
Costello	Hobson	Montgomery
Coughlin	Hochbrueckner	Moody
Cox (CA)	Horn	Moorhead
Cox (IL)	Horton	Moran
Coyne	Houghton	Morella
Cramer	Hoyer	Morrison
Crane	Hubbard	Murphy
Cunningham	Huckaby	Murtha
Dannemeyer	Hughes	Myers
Darden	Hunter	Nagle
Davis	Hutto	Natcher
de la Garza	Hyde	Neal (MA)
DeFazio	Inhofe	Neal (NC)
DeLauro	Ireland	Nichols
DeLay	Jacobs	Nowak
Dellums	James	Nussle
Derrick	Jefferson	Oakar
Dickinson	Jenkins	Oberstar
Dicks	Johnson (CT)	Obey
Dingell	Johnson (SD)	Olin
Dixon	Johnson (TX)	Olver
Donnelly	Johnston	Ortiz
Dooley	Jones (GA)	Orton
Doolittle	Jones (NC)	Owens (NY)
Dorgan (ND)	Jontz	Owens (UT)

Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
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
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
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
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—3

Armey
Fawell
Penny

NOT VOTING—10

Clement
Downey
Ford (TN)
Holloway
Hopkins
Kaptur
Mrazek
Santorum
Slaughter (VA)
Sundquist

□ 1546

Mr. ROYBAL changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CARPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3039, the bill just passed.

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

There was no objection.

□ 1550

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2622, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, Wednesday, October 2, 1991, to file a conference report on the bill (H.R. 2622) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes.

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

Mr. McDADE. Mr. Speaker, reserving the right to object, and for the benefit and edification of the Members, in order to propound an inquiry to my distinguished colleague, this is the bill which drops the contentious item out of the bill and clears the way for bringing it up on the floor here, is that correct?

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. McDADE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

MAKING IN ORDER AT ANY TIME ON THURSDAY, OCTOBER 3, 1991, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON H.R. 2608, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that notwithstanding the provisions of clause 2 of rule XXVIII that it be in order at any time on Thursday, October 3, 1991, or any day thereafter, to consider the conference report amendments in disagreement, and motions to dispose of amendments in disagreement, to the bill (H.R. 2608) 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, and that the conference report and the Senate amendments be considered as read when called up for consideration.

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

There was no objection.

MAKING IN ORDER AT ANY TIME ON THURSDAY, OCTOBER 3, 1991, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON H.R. 2622, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that notwithstanding the provisions of clause 2 of rule XXVIII, that it be in order at any time on Thursday, October 3, 1991, or any day thereafter, to consider the conference report, amendments in disagreement, and motions to dispose of amendments in disagreement, to the bill H.R. 2622, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes, and that the conference report and the Senate amendments be considered as read when called up for consideration.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I have asked for this time to proceed so that I might inquire of the distinguished majority leader the program for the balance of this day and the balance of the week.

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

Mr. MICHEL. I am happy to yield to the distinguished majority leader.

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

Our business is finished for today. On tomorrow we will be taking up the conference report on the appropriations bill on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1992. That will complete the business for tomorrow.

We will not have a session on Friday.

We will have business on Monday, but no votes on Monday.

Mr. MICHEL. Mr. Speaker, I thank the gentleman.

Then will we find out tomorrow in a further colloquy on the program for next week?

Mr. GEPHARDT. That is correct.

Mr. MICHEL. Mr. Speaker, I thank the distinguished majority leader.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 230

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to have the name of the gentleman from North Carolina [Mr. MCMILLAN] removed from cosponsorship of House Joint Resolution 230. His name was mistakenly listed instead of the gentleman from Maryland [Mr. MCMILLEN].

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

There was no objection.

NATIONAL FIREFIGHTERS DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 189) designating October 8, 1991, as National Firefighters Day, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so simply to yield to the gentleman from Pennsylvania [Mr. WELDON], who is not only the chief sponsor of House Joint Resolution 189, but the founder and driving force in the creation of the largest congressional caucus, the firefighters caucus.

Mr. Speaker, I yield to the gentleman from Pennsylvania.

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

Mr. Speaker, I would like at this time to thank the gentleman from Ohio [Mr. SAWYER] and the gentleman from Pennsylvania [Mr. RIDGE] for their cooperation in helping us bring this important piece of legislation forward, which will in fact designate October 8 for the first time as National Firefighters Recognition Day, recognizing the 1.8 million men and women across this country who every day provide the support for America's domestic defense. These are the men and women who respond to all our disasters, not just fires, but our plane crashes, our hazmat incidents, our floods, our hurricanes, our tornadoes, and do so without regard to life, limb, or their own well-being.

It is important that we recognize their contribution and dedication to America.

President Bush speaks about a thousand points of light, and we who support the fire service talk about 32,000 points of light, because that is how many fire departments there are in America. In these 32,000 fire departments, comprising 1.8 million men and women, they form a basic element of our society that is the backbone of our Nation and the heart and soul of many of our communities.

This is the first time, Mr. Speaker, that we are able to recognize them, both paid and volunteers, in one day.

It is also important because we are doing this during Fire Prevention Week, which is that week that we set aside in October of each year to remember the importance of changing the batteries in our smoke detectors in our homes and teaching our young children the vital lessons about fire safety.

Recognizing that America still has the worst record of any industrialized nation, with 6,000 people being killed each year and approximately 120 firefighters being killed in the line of duty each year, it is important that we recognize the entire week of Fire Prevention Week, but most importantly, Firefighters Day.

So I thank my colleagues, and I would remind my colleagues here that October 13 at Emmitsburg, MD, the site of the National Fire Academy will again be the annual tribute to fallen firefighters. This year we will be honoring the 120 brave men and women from throughout our country and from across this Nation who gave their lives fighting to protect the lives of others and to protect the property of this great Nation.

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

Mr. RIDGE. I am happy to yield to my colleague, the gentleman from New York.

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

I want to commend the gentleman from Pennsylvania [Mr. WELDON] who is also the chairman of our firemen's caucus for his outstanding work in bringing us all together in the Congress to give appropriate recognition and support and help to our firefighting community out there, the thousands upon thousands of volunteers who each and every day sacrifice their time and energy and often their lives to save property and lives throughout our communities, throughout the Nation. They certainly are symbolic of the thousand points of light that our President so eloquently speaks about from time to time; so I am pleased to join in this resolution and I urge my colleagues to wholeheartedly support it.

□ 1600

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 189

Whereas there are over 2,000,000 professional firefighters in the United States;

Whereas firefighters respond to more than 2,300,000 fires and 8,700,000 emergencies other than fires each year;

Whereas fires annually cause nearly 6,000 deaths and $10,000,000,000 in property damages;

Whereas firefighters have given their lives and risked injury to preserve the lives and protect the property of others;

Whereas the contributions and sacrifices of valiant firefighters often go unreported and are inadequately recognized by the public; and

Whereas the work of firefighters deserves the attention and gratitude of all individuals in the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 8, 1991, is designated as "National Firefighters Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution 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.

NATIONAL RADON ACTION WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 132) to designate the week of October 13, 1991, through October 19, 1991, as "National Radon Action Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so simply to acknowledge the work of our colleague, the gentleman from New Jersey [Mr. ROE], who is the chief sponsor of this resolution.

Mr. ROE. Mr. Speaker, it is my pleasure, as the original sponsor of House Joint Resolution 67 to commend Chairman SAWYER on the passage of the second annual National Radon Action week. I am pleased to have had 218 of my colleagues join me in support of this worthwhile commemorative and want to extend my personal thanks to the ranking minority member of the subcommittee, Congressman RIDGE and to the full committee chairman, the gentleman from Missouri, Congressman WILLIAM CLAY.

With this resolution, joined in effort by my good friend and colleague who serves in the other body, Senator LAUTENBERG, we are once again this year increasing the awareness of the problem of radon and urging Americans to have their homes, schools, and workplaces tested. Although radon is a problem throughout the country, our home State of New Jersey has reported some of the highest levels of radon in the Nation. Indoor radon may result in 8,000 to 40,000 lung cancer deaths annually, according to the U.S. Environmental Protection Agency [EPA].

National Radon Action Week is an effort on behalf of Congress, the EPA, and the American Lung Association to reduce radon exposure. Recent reports released in June by the EPA, state that new standards are necessary to control the health risks imposed by radon in the air and radionuclides found in drinking water.

Radon is a naturally occurring gas, it is second only to smoking as a cause of lung cancer in the Nation. Radon can be so deadly that the EPA and the Surgeon General have strongly recommended that all homes be tested for radon. Alarming as these statistics are,

the problem can be readily and cheaply solved through simple testing and mitigation. Nevertheless, only 6 percent of U.S. homes have been tested so far.

Although the primary health hazard comes from breathing air containing radon, radon in drinking water also serves as a hazard. Radon invades your home from the surrounding soil. In some cases, well water, as recent studies by EPA have shown, can be a major source of radon. Radon in water generally accounts for about 5 percent of the total indoor air concentration in homes with ground water sources of drinking water. It is released into indoor air during household water use such as showering and washing clothes.

Once inside, radon is completely invisible to sight, smell, or taste. Radon can accumulate to dangerously high levels. In fact, as you breathe in radon, its decay products become trapped inside your lungs. As these products continue to decay, they release small bursts of energy which can damage lung tissue and lead to lung cancer. It's like exposing your family to hundreds of chest x rays each year.

The EPA conducts Radon Measure Proficiency [RPM] Program to evaluate companies that make and analyze radon test kits. Therefore, to ensure that you get accurate results, look for test kits from companies that have successfully completed the EPA proficiency program. State radon offices also have a list of all radon measurement companies that are State or EPA approved.

Our family's risk of developing lung cancer from radon depends on the average annual level of radon in your home, and the amount of time they're exposed to it. Obviously, the longer your exposure, or the higher the level of radon in your home the greater the risk. That is why it is so important that your home be tested immediately. Testing as I stated earlier, is simple and inexpensive. The risk involved if you don't test is great. So the sooner you test your home, the sooner you can take appropriate action.

In the Northeast, radon levels are dangerously high in many areas; so EPA strongly recommends that all homeowners protect their property and health by testing for radon. If homeowners have questions they may contact State radon offices as well as EPA's toll free number 1–800–SOS–RADON.

We cannot deny the health risks that radon imposes. I am convinced of the need for each of us to test our homes. Considering the impact that radon may have on our lives, I am proud to be associated with this important effort, and I encourage each of you to join in support of this resolution.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 132

Whereas exposure to radon poses a serious threat to the health of the people of this Nation;

Whereas the Environmental Protection Agency estimates that lung cancer attributable to radon exposure causes approximately 20,000 deaths a year in the United States;

Whereas the United States has set a long-term national goal of making the air inside buildings as free of radon as the ambient air;

Whereas excessively high levels of radon in homes and schools can be reduced successfully and economically with appropriate treatment;

Whereas only about 2 percent of the homes in this Nation have been tested for radon levels;

Whereas the people of this Nation should be educated about the dangers of exposure to radon; and

Whereas people should be encouraged to conduct tests for radon in their homes and schools and to make the repairs required to reduce excessive radon levels; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 13, 1991, through October 19, 1991, is designated as "National Radon Action Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORLD FOOD DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 230), designating October 16, 1991, and October 16, 1992, each as "World Food Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, under my reservation I yield to our colleague and friend, the gentleman from New York [Mr. GILMAN], who is the chief sponsor of this resolution.

Mr. GILMAN. Mr. Speaker, I rise in support of House Joint Resolution 230, which would designate October 16, 1991, and October 16, 1992, as "World Food Day."

A little over 2 years ago, on August 7, 1989, our friend and colleague the gentleman from Texas, Mickey Leland, and staff of the Select Committee on Hunger, tragically perished during a mission to help some of Africa's needy. Unfortunately, the problems Mickey Leland sought to resolve still daunt us as enormous suffering continues in Africa and elsewhere around the globe.

Volunteers for World Food Day working in coordination with the Select Committee on Hunger have tirelessly worked throughout the years to call attention to hunger. While their efforts have brought to bear increasingly substantial resources, the magnitude of the problem has not changed. Hunger still persists as strong as ever throughout the world.

Since 1979, on October 16, antihunger activists around the world have participated with Patricia Young, the national chairwoman of World Food Day, in efforts designed to educate the public about the problem. I would like to share with my colleagues some facts submitted to me by the Select Committee on Hunger regarding the domestic and international hunger problem.

I ask that the full text of the factsheets on domestic and international hunger be printed in the RECORD at this point and I urge my colleagues to review these statistics and ask for their support for House Joint Resolution 230.

The factsheets referred to are as follows:

DOMESTIC HUNGER FACTS

12.6 million children in the U.S. are poor.

A family of three needs $832.75 per month for subsistence (1989 Federal poverty guidelines), yet as of January 1990, the maximum welfare benefit was less than half this level in 34 states.

The number of children in very poor homes (half the poverty rate) grew from 3.398 million in 1979 to 4.862 million in 1990.

32.2 percent of female headed households are poor.

Children account for 24 percent of the homeless population.

37 percent of homeless persons report eating 1 meal per day or less, and 36 percent report going at least 1 day per week without any nourishment.

A survey of 30 major cities in 1990 reported a 22 percent increase in demand for emergency food assistance and a 24 percent increase in demand for emergency shelter.

3 out of every 4 persons requesting emergency food assistance were either children or their parents.

33.4 million Americans lack health insurance.

The U.S. Infant Mortality Rate was 10 deaths per 1,000 live births in 1988, which ranks the U.S. 21st among industrialized nations.

A recent study on older Americans found that one in four have a household income of less than $10,000, and one in five skip at least one meal a day. Older Americans are the single largest demographic group likely to be at nutritional risk.

INTERNATIONAL HUNGER FACTS

An estimated 1.2 billion people lived in absolute poverty in 1989; 700 million–1 billion suffered chronic food shortages.

An estimated one billion people, roughly 20% of the world's population, are diseased, in poor health or malnourished. In South and East Asia alone, 500 million people or 40% of the population is ill and undernourished.

At present rates, more than 100 million children will die from illness and malnutrition in the 1990s.

Fourteen million children in developing countries die each year; ten million could be saved from death by low-cost, easy to administer treatments for such common causes of child death as diarrhea, respiratory infections, measles, and neonatal tetanus.

With sufficient resources and research, it may be possible to develop a new vaccine

which would be administered only once in infancy and would produce lifelong immunity against a wide range of infectious diseases.

Forty-six million infants are not fully immunized each year against the six major killers—polio, tetanus, measles, diphtheria pertussis and tuberculosis. Three million of these children die every year because they have not been immunized.

Since 1984, the world refugee population has grown from 9 million to more than 16 million in 1990. An equal number of people are displaced from their homes, but still living in their own countries. Third World refugees who face famine and death while fleeing from civil war, or natural disasters find the struggle for survival continues in the refugee camp.

Poverty and the lack of alternatives are the forces which drive rural people to overgraze, over-cut the forests, and overfarm marginal lands, thus, destroying the very basis on which future development depends. Each year farmers lose an estimated 24 billion tons of topsoil in excess of new soil formation.

Mr. RIDGE. Mr. Speaker, further under my reservation of objection, I yield to my colleague, the gentleman from Ohio [Mr. SAWYER], the chairman of the subcommittee.

Mr. SAWYER. I thank my friend and colleague from Pennsylvania for yielding to me, and I take this opportunity to associate myself with the remarks and the effort that our friend, the gentleman from New York [Mr. GILMAN], has made with regard to this important issue.

The question of hunger has, from time immemorial, driven people to make better lives for themselves, or to wage war, or to move across entire continents, and that same motive continues to shape the world in which we live today. But perhaps in no time in living memory has the question of hunger hung more in the balance with regard to the political and quality of life future for 300 million or more people in Central and Eastern Europe and across the Eurasian Continent that it does today.

The efforts that have been made in that troubled part of the world to achieve self-determination, autonomy and political independence and to achieve the measure of freedom and democracy we all hold dear is very much at stake with regard to the ability to feed hundreds of millions of people over the course of what most observers believe will be an enormously difficult winter.

I do not think there could be a more critical time for the gentleman from New York [Mr. GILMAN] to renew the kind of commitment that Members of this Congress have been making over decades, none more so than our friend and colleague, Mickey Leland, in whose memory we rededicate ourselves today.

Mr. Speaker, I just want to thank the gentleman from New York [Mr. GILMAN] for this extraordinary effort and the extraordinary effort that he made today to bring this measure to the floor in a timely way.

Mr. Speaker, it is important far beyond the symbolism of the kind of recognition we give it through this kind of enactment.

I thank the gentleman for yielding.

Mr. RIDGE. Mr. Speaker, further under my reservation of objection, I too would like to thank and commend our colleague, the gentleman from New York [Mr. GILMAN].

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 230

Whereas hunger and malnutrition remain daily facts of life for hundreds of millions of people in the world;

Whereas the children of the world suffer the most serious effects of hunger and malnutrition, with millions of children dying each year from hunger-related illness and disease, and many others suffering permanent physical or mental impairment because of vitamin or protein deficiencies;

Whereas the United States has a long tradition of demonstrating humanitarian concern for the hungry and malnourished people of the world;

Whereas there is growing concern in the United States and in other countries for environmental protection and the dangers posed to future food security from misuse and overuse of precious natural resources of land, air, and water and the subsequent degradation of the biosphere;

Whereas efforts to resolve the world hunger problem are critical to the maintenance of world peace and, therefore, to the security of the United States;

Whereas the United States plays a major role in the development and implementation of interregional food and agricultural trade standards and practices, and recognizes the positive role that food trade can play in enhancing human nutrition and in the alleviation of hunger;

Whereas the United States, as the largest producer and trader of food in the world, plays a key role in assisting countries and people to improve their ability to feed themselves;

Whereas although progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain groups, notably Native Americans, migrant workers, the elderly, the homeless, and children, remain vulnerable to malnutrition and related diseases;

Whereas the Congress is acutely aware of the paradox of enormous surplus production capacity in the United States despite the desperate need for food by people throughout the world;

Whereas the United States and other countries should develop and continually evaluate national policies concerning food and nutrition to achieve the well-being and protection of all people and particularly those most vulnerable to malnutrition and related diseases;

Whereas the Congress is aware and fully supportive of the 1992 World Conference on Environment and Development and the forthcoming International Conference on Nutrition, and the influence the decisions of these conferences may have on sustainable agricultural development and human well-being;

Whereas private enterprise and the primacy of the independent family farmer have been basic to the development of an agricultural economy in the United States and have made the United States capable of meeting the food needs of most of the people of the United States;

Whereas conservation of natural resources is necessary for the United States to remain the largest producer of food in the world and to continue to aid hungry and malnourished people of the world;

Whereas participation by private voluntary organizations and businesses, working with national governments and the international community, is essential in the search for ways to increase food production in developing countries and improve food distribution to hungry and malnourished people;

Whereas the member nations of the Food and Agriculture Organization of the United Nations unanimously designated October 16 of each year as World Food Day because of the need to increase public awareness of world hunger problems;

Whereas past observances of World Food Day have been supported by proclamations by the Congress, the President, the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, and by programs of the Department of Agriculture, other Federal departments and agencies, and the governments and peoples of more than 140 other nations;

Whereas nearly 450 private voluntary organizations and thousands of community leaders are participating in the planning of World Food Day observances in 1991, and a growing number of these organizations and leaders are using such day as a focal point for year-round programs; and

Whereas the people of the United States can express their concern for the plight of hungry and malnourished people throughout the world by fasting and donating food and money for such people: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 16, 1991, and October 16, 1992, are each designated as "World Food Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe World Food Day with appropriate ceremonies and activities, including worship services, fasting, education endeavors, and the establishment of year-round food and health programs and policies.

The joint resolution 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. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the several joint resolutions just considered and passed.

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

There was no objection.

SWORDS INTO PLOWSHARES: LEACH UPDATES EISENHOWER'S ATOMS-FOR-PEACE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Iowa [Mr. LEACH] is recognized for 5 minutes.

Mr. LEACH. Mr. Speaker, as a complement to the President's arms-restraint initiative announced last Friday, I am today introducing three pieces of legislation. The first calls on the President to give highest priority to negotiating an international ban on trafficking in weapons of mass destruction with individual and corporate accountability perhaps over time before an international criminal court.

□ 1610

The second, Mr. Speaker, calls on the President to negotiate a ban limiting or eliminating Government credits for arms sales. Extraordinarily Iraq did not buy equipment as much as it purloined such with credits from public and private parties. It is time the governments of the world worked to slow down instead of accelerate with credits the arms race.

The third piece of legislation calls on the United States and the Soviet union to enter negotiations to dedicate fissionable materials from dismantled nuclear weapons to peaceful uses. In 1953, President Dwight Eisenhower in his famous atoms-for-peace proposal suggested this would be the most symbolic way to turn swords into plowshares. Experts tell us technologies are available to make such a weapons-to-energy conversion a reality. All that is needed is the political will to make it happen. Arms control to this point in time has dealt with restraining or eliminating certain of the weapon aspects that have to do with trajectory, but nothing to do with the material itself on the warhead, and what I think needs to be done is for the superpowers to take a step that would, as President Eisenhower put it, be dedicating some of their strengths to serve the needs, rather than the fears, of mankind.

NEW DEVELOPMENTS IN THE AIDS EPIDEMIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, in the last week there has been a great deal of renewed interest; I think there has been interest all along, but there has been renewed interest in the AIDS pandemic, epidemic, in this country because of the appearance of Kimberly Bergalis, the young lady who contracted AIDS from her dentist in Florida, and she came and testified before the Congress on the need for a bill to inform patients of their health-care provider's AIDS status prior to them being treated by that health-care provider. It also provided in that legislation that a health-care provider, a doctor, or dentist, or health-care worker who feels they may be working with somebody or working on somebody who has the AIDS virus could require a test of that patient. So, it was a two-way street.

But because of this appearance by Kimberly Bergalis before Congress there has been a heightened awareness of this problem in the last week. Because of that I wanted to take advantage of the situation and bring to the attention of my colleagues and anyone who may be paying attention of some new developments in the AIDS epidemic.

This year, using current methods of determining who has the AIDS virus, active AIDS, we will go over the 200,000 mark of people who are dead or dying from this dread disease. By the end of this year it is estimated that there will be 207,300-plus people dead or dying of the AIDS virus.

Now think about that: 207,000 people dead or dying.

In addition to that, the Centers for Disease Control in Atlanta has said that they are redefining who has active AIDS. They are going to define anyone with fewer than 200 CD4 lymphocytes as a person with active AIDS, and that is estimated to increase the amount of people who are defined as having active AIDS by about 50 percent. So, we are going to have by the end of this year, once this new definition takes effect, over a quarter of a million people in this country dead or dying of this disease. Based upon projections that we came up with back in 1985 and 1986, that means we will have about a million-plus people in this country dead or dying of AIDS by the middle of this decade, by 1995 or 1996.

Mr. Speaker, we are going to have a million or a million and a half people dead or dying of AIDS. The drain on our health resources is going to be dramatic, but I wanted to talk tonight just briefly about a more horrible thought than even the amount of expenditures it is going to take to take care of these people who are dead or dying of AIDS and the impact it is going to have on the health care delivery system of this country, and what I wanted to talk about is the impact it is going to have on the future of this Nation.

According to Gallup Polls that were taken in the last year, the people in their early sexually active years, and those are teenagers, people 14 to age 30, have not changed their attitudes toward sexual involvement since the 1960's. Even though there has been educational material sent to TV stations talking about condoms, and how to have safe sex and everything else, which is a misnomer, the fact of the matter is teenagers, college-age students and young adults have not changed their attitudes about sexual encounters since the mid-1960's.

Now what does that mean? That means that there is going to be a dramatic increase in the number of people with AIDS in their formative years, teenagers. Up till now people believed that the most at-risk population was the homosexual community, and statistics bore that fact out. But it is no longer the case. In fact, in the future the most rapidly growing segment of our population that is going to have the AIDS virus is going to be the people between the ages of 14, 15, 16, up to age 30, and that is the future of this Nation.

Mr. Speaker, those are the producers of tomorrow. That is the future economy of America. And it is going to take a very terrible toll.

Now, unless my colleagues think I may be misleading them, Mr. Speaker and my colleagues, there was an article that was put out by the Associated Press yesterday over the TV and the radio media that talked about this very subject, and I want to quote an Associated Press story. It says:

> The AIDS virus appears to be spreading quickly among poor teen-agers, particularly dropouts, and is reaching especially alarming levels among girls, studies show.
>
> Experts say they have detected a dramatic increase in the level of infection among teenagers over the past year or two.
>
> One study in Washington found that over 1 percent of the city's adolescents are now infected, and the disease appears to be spreading through heterosexual encounters in these youngsters.
>
> "It's a surprise and a concern," said Dr. George A. Conway of the Centers for Disease Control.
>
> Research presented by Conway and others Tuesday at a meeting of the American Society of Microbiology documents increasing rates of infection with HIV, the AIDS virus, in all racial groups, but especially blacks.
>
> The largest amount of new data comes from the Jobs Corps, a job-training program for poor young people, many of them dropouts. Participants, who range in age from 16 to 21, are required to take AIDS tests.
>
> The CDC analyzed results of tests on 51,358 females and 118,086 males from cities and rural areas across the country.
>
> They found that between 1988 and 1990, the infection rate doubled among females and declined slightly among males. Young females are now one and a half times more likely than males to carry the virus.
>
> Conway said the figures show "high and increasing levels of HIV infection" in poor young women.
>
> In the Washington study, Dr. Lawrence G. D'Angelo of Children's Hospital estimated AIDS infections among District of Columbia teen-agers from anonymously drawn blood samples of emergency room patients.

□ 1620

Blood from more than 11,000 youngsters has been tested. The infection rate grew from four-tenths of 1 percent to 1.3 percent. That is a 300-percent increase in the number of young people, percentage-wise, who are getting AIDS in Washington, DC. It is now 1.3 per-

cent of the total population that has the AIDS virus.

He says, and I quote, "We may be facing a heterosexual epidemic." Until now AIDS in the United States has spread primarily in three ways: through homosexual acts, through sharing dirty needles, and from male drug abusers to their female sexual partners.

But now, he says, and I quote again, "We may be facing a heterosexual epidemic."

Five years ago the Centers for Disease Control told the people of this country we had 1.5 million people infected, and that it was doubling every year to a year and a half. The incubation period was from 2 to 10 years, which means simply that people can carry the AIDS virus without any manifestations of the disease, they may not even know they have it, up to 10 years, and during that entire time they can infect other human beings with the virus, thus condemning them to death. And now we know that it is spreading rapidly in the teenage heterosexual community. That portends horrible things for the future if we do not come up with a comprehensive program to deal with it.

So today I would like to say to my colleagues that we have by the end of this year, under the new definitions from CDC and HHS, about 250,000 Americans who are dead or dying of AIDS and we do not have any program to deal with it. These people who are getting AIDS, 97 percent or more of them, do not even know they have it, and they are communicating it to others, and the most sexually active group, the teenagers and the young college students, are practicing the same sexual habits they had back in the 1960's. It is now into the young heterosexual community, and it is going to spread like wildfire unless we do something about it.

For each person that get the AIDS virus, it costs this country and the health community $100,000 to $150,000 from the time they get the disease until they die. If you put a pencil to that, it means that if we get 4 million or 5 million people dead or dying of the AIDS virus, which is likely, we are going to destroy the health-care system in this country or else we are going to have to give much less care to those who are infected with this virus.

We have got to come up with a program. Time and time again I have said that we need a comprehensive program to deal with it, and I want to enumerate the things that need to be done.

The first thing we need to do is to identify those who have the AIDS virus so we can come to some conclusions about how it is spreading, where it is spreading, and who is spreading it, and inform them that they have to change their habits so they no longer infect other people who are not yet infected.

So we need a national testing program to test every adult in this country on an annual basis. We have to know who has the disease before we can attack it, and we will not know for 10 years, for most people, if we do not have the testing, and in 10 years we will have 5 million or 10 million people dead or dying of this disease. We cannot wait. So we need a testing program to identify and inform people who will have the disease.

The second thing we have to do is, we have to continue scientific research to try to find some way to cure this or to stop its spread through inoculation.

The third thing we have to do is to continue education and expand the education so young people know there is no panacea as far as protection is concerned against this disease. Condoms will not protect you. Eighteen to twenty-five percent of the people who use condoms and have contact with people who have AIDS get the disease. So condoms will not protect you. They will help, but it certainly is no panacea.

So we need to have more education. The only way to protect one's self is to have a monogamistic relationship with another human being. You cannot go out and sleep with everybody and his brother and hope to not get this disease. So we need to have more education, broader education in the schools and on television and through the media.

We need to have penalties for those who know they have the AIDS virus and continue to spread it. Make no mistake about it, there are prostitutes in this country and there are other people in this country who know they are HIV-positive and continue to go out and spread it to other human beings, thus condemning them to death. So we have to make sure there are penalties for those who continue to spread the disease after they know they have the virus.

We also have to have in this overall program protection for people who do have the AIDS virus, as far as their civil rights are concerned, and as far as their health care benefits, their jobs, and their homes are concerned.

So in short, Mr. Speaker, this pandemic is growing in leaps and bounds. I do not believe we have only 1.5 million people infected, like CDC says. I believe it is more like 4 to 5 million people, because we had 1 to 1.5 million five years ago, and it was doubling then every year to 18 months. It is inconceivable to me that we would still have only 1.5 million people infected, especially in view of the fact that we are going to have 250,000 people dead or dying by the end of this year alone.

So if we have 4 million to 5 million people infected, that means 4 million to 5 million people are infectious and they can communicate it to other people. They are destined to die and they are destined to be a drain on the health care system of this country. So we need to come to grips with this through a comprehensive program.

Mr. Speaker, I would just like to restate one more time to my colleagues that it is now into the teenage heterosexual population of this country. It is no longer a homosexual disease. People in the heterosexual community, starting in their teenage years, are now at dire risk, and we have to come up with a comprehensive program to deal with it. The longer we ignore this, the longer we keep our head in the sack, hoping this will go away, doing very little or nothing, the more people we are condeming to die and the bigger the drain on the future of the United States of America, both as far as human beings are concerned and as far as our economy is concerned.

So, Mr. Speaker, I hope my colleagues will take this to heart and start thinking about it, because we do not have a lot of time.

BABI YAR COMMEMORATION

The SPEAKER pro tempore (Mr. SARPALIUS). Under a previous order of the House, the gentleman from New York [Mr. SOLARZ] is recognized for 60 minutes.

Mr. SOLARZ. Mr. Speaker, there is a plaque at Yad Vashem, Israel's moving museum and memorial to the victims of the Holocaust, which warns eloquently against forgetting. It reads, in part:

> * * * Keep not silent, forget not deeds of tyranny, cry out at the disaster of a people, recount it unto your children, and they unto theirs from generation to generation, that hordes swept in, ran wild and savage, and there was no deliverance.

We gather this afternoon in a solemn act of remembrance and redemption. Five decades ago this past weekend, there occurred one of the most horrid episodes of the Nazi Holocaust: Babi Yar.

Babi Yar is a ravine on the outskirts of Ukrainian city of Kiev.

Close by the gorge was a Jewish cemetery, and it was to this cemetery that the Nazi Einsatzgruppen ordered the Jews of Kiev to report on September 29, 1941—supposedly for the purpose of resettlement.

That order came only 9 days after the Wermacht's occupation of Kiev, and 3 months after the beginning of Operation Barbarossa and the Final Solution.

On pain of death, the Jews of Kiev were ordered to bring "documents, money, valuables, as well as warm clothes, underwear, etc."

Unaware of the Nazis' systematic effort to exterminate their brothers and sisters in other parts of Europe, many of the Jews of Kiev obeyed the order.

As reported by an eyewitness after the war, this is what happened next:

Ukrainian policemen formed a corridor and drove the panic-stricken people towards the huge glade, where with sticks, swearings, and dogs, who were tearing the people's bodies, they forced the people to undress, to form columns in hundreds, and then to go in the columns in twos towards the mouth of the ravine.

[In the mouth of the ravine,] the [Jews] found themselves on the narrow ground above the precipice, twenty to twenty-five meters in height, and on the opposite side there were the Germans' machine guns.

The killed, wounded and half-alive people fell down and were smashed there.

Then the next hundred were brought, and everything recreated again.

The policemen took the children by the legs and threw them alive down into the Yar.

[In the evening,] the Germans undermined the wall of [the] ravine and buried the people under the thick layers of earth.

But the earth was moving long after, because wounded and still alive Jews were still moving.

One girl was crying: Mommy, why do they pour the sand into my eyes.

In 2 days between Rosh Hashanah and Yom Kippur that year, 33,771 Jews died at Babi Yar.

Thereafter, the ravine was the killing ground not just for Jews but also for gypsies, Soviet POW's, and the handicapped.

In the 18 months that passed before the Soviet Red Army recaptured Kiev, probably over 100,000 met their end there.

The carnage of Babi Yar, which was replicated simultaneously on a small scale in communities all over the western Soviet Union, was bad enough.

What happened after the end of the war only compounded the tragedy.

Stalin and his successors enforced an oblivion around Babi Yar which only a select few courageous individuals attempted unsuccessfully to penetrate.

When a Babi Yar memorial was finally completed in 1974, it celebrated only the "Victims of Fascism" and ignored the special suffering of Kiev's Jews.

And those who asked to say Kaddish, the Jewish prayer for the souls of the dead, for those who died at Babi Yar were turned away.

To thus distort history is not simply an injustice to yesterday's victims.

It also obscures the evil that men do today and the threats they may pose to civilization tomorrow.

Fortunately, the injunction to remember Babi Yar has finally been heard, even in the Soviet Union.

With glasnost, the warming of United States-Soviet relations, and the collapse of communism, the truth about the tragedy is being told—even in Kiev.

This week, the Ukranian Government itself is sponsoring a 50th anniversary commemoration of the Babi Yar massacre—in cooperation with organizations such as the World Jewish Congress, the United States Holocaust Memorial Council, the United States Commission for the Presentation of America's Heritage Abroad, B'nai B'rith, and others.

An international academic conference will fill the blank spaces on Babi Yar's page in history.

The cornerstone of a new memorial will be laid. And, on this Saturday evening—at last—the saying of Kaddish will begin.

In my district in Brooklyn, there resides a community of Holocaust survivors that is larger than any other in the Nation.

Nothing can make up for the pain and suffering they endured.

And there is nothing anyone can do to bring back to life those whose souls and spirit were snuffed out in the killing field on Babi Yar.

Even as we fulfill our obligation to remember, we can only pay scant homage to the courage and dignity they displayed on the altar of hate and cruelty.

Yet we, can invest the sacrifice of those who died with a redemptive significance, by resolving to do everything within our power to prevent such an evil from happening again.

Where governments subject defenseless people to overwhelming and unrestrained violence, the civilized world has only one choice: to act on behalf of those who suffer.

From their final resting place, the victims of Babi Yar call upon us to never forget.

From our earthly abode, we can only respond: "Never again."

□ 1630

Mr. Speaker, I am pleased and privileged to yield to my very good friend, the distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, the 50th anniversary of the massacre at Babi Yar outside Kiev in the Ukraine is a chilling reminder, yet one that cannot and must not be allowed to pass without acknowledgement. I thank our colleagues the gentleman from New York [Mr. SOLARZ] and the gentleman from Ohio [Mr. FEIGHAN], for reserving today's time enabling us to honor the memory of those martyred at Babi Yar. Their congressional leadership on this issue comes on the heels of renewed recognition of what happened at this infamous site.

Not since Yevgeny Yevtushenko wrote his moving testament have so many eyes focused on Babi Yar. President Bush's recent visit, and his stirring memorial to the victims of Babi Yar have resurrected the uniquely Jewish nature of Babi Yar, for so long ignored and for so long in the shadows.

On September 29th, 1941, evil showed its true face at Babi Yar, as 33,000 innocent Jews were transported there, and, in a scrupulously methodical manner, were gunned down in the next 48 hours by Nazi butchers. Over the next 2 years, untolled thousands would perish there as well, Jew and non-Jew alike. Babi Yar exists as a silent reminder of where the world was 50 years ago. It is the site of a world gone mad. The savage events which took place five decades ago are ingrained forever in our memories.

This monstrous mass slaughter, among the most unspeakable crime against humanity, must never be forgotten. The 50th anniversary allows us not only to bless the memories of those who were lost, saying Kaddish for their souls, but also reminds us of man's inhumanity to man. Let us be ever mindful of the fragility of freedom, and the need to fiercely and continually protect it at all costs.

Mr. SOLARZ. Mr. Speaker, I yield the balance of my time to my very good friend from Ohio [Mr. FEIGHAN], with whom I took out this special order.

Mr. FEIGHAN. Mr. Speaker, I yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, September 29 and 30 was the 50th anniversary of the single most concentrated episode of mass slaughter of Jews by the Nazis during the World War II Holocaust—Babi Yar. The very name conjurs up one of the most chilling examples in all of recorded history of the savagery which humans are capable of inflicting on fellow human beings. On these 2 days in the early fall of 1941, Nazi units brutally massacred 33,771 Jews.

When the German Army invaded Russia, special extermination teams, called Einsatzgruppen, were charged with destroying East European Jewry. Upon capturing Kiev, they posted notices ordering the city's Jews to report for resettlement. The victims, carrying their personal belongings, were marched to the Babi Yar ravine, where Nazi units machinegunned them. By 1943, when the Germans retreated from Russia, Babi Yar had become a mass grave for more than 100,000 persons, most of them Jews. In a desperate attempt to destroy evidence of the deaths, the Germans unearthed the mass graves and burned the remains.

It was, moreover, a monstrosity that for decades the Soviet Government sought to suppress. Even when a pseudo-memorial was finally erected on the site in 1976, the fact that Jews were the primary victims of this phase of the Holocaust was altogether ignored.

Two months ago, President Bush layed a wreath at Babi Yar during his visit to Kiev. The Ukrainian Government designated September 29 as a day of memory and sorrow. This week, numerous commemorative events are being held throughout the city, culminating with the saying of Kaddish, the Jewish prayer for the dead.

I have been to Babi Yar and walked that ravine. As I did, I tried to visualize the unbelievable horrors that occurred there just a few short decades ago. It affected me, it affected me very much. I came away from that ravine

resolved that I would do my part to see to it that this despicable act of man's inhumanity to man would never be forgotten. Not everyone will have the opportunity to walk Babi Yar as I did. Nevertheless, each succeeding generation has the responsibility of ensuring that such atrocities never be permitted to happen again. We owe it to ourselves, we owe it to their memories.

Mr. FEIGHAN. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. GEJDENSON].

□ 1640

Mr. GEJDENSON. The world often takes it time about noticing horror and often we miss some of the most outrageous events that occur. It does take the magnitude of this event to get the world to stop for a moment and notice the tens of thousands of people who were massacred in but a few days.

The amount of barbarism that still exists in the globe is hard to imagine and, coming from somebody whose parents survived the Holocaust, luckily escaping a similar situation in my father's case to what happened at Babi Yar, my father lived in a small village in White Russia. And the war came and first it was taken by the Russians.

It was part of Poland. The Polish Army, which my father was part of, held out for as long as it could. But quickly the country was divided, half given to the Soviets, half taken by the Germans.

Most of the world was silent about what had happened before, was happening then. And I remember speaking to my father one day in the early 1970's, he was working, after the Germans invaded the Soviet Union and then took the part that he was in, he was working on a farm not far. But they had put all the Jews in a ghetto and he came back, having heard that the Japanese had attacked Pearl Harbor. And he figured that the war was over and that the Americans, with their great strength and resources, would shortly end the war, liberating his family, his friends in Europe from the tyranny it had seen.

Following that, as what happened to the people at Babi Yar, his family and his friends were moved into a small depression that had developed as the result of an explosion in World War II. The entire village, all the Jews of the village, were marched into this one depression and machine gunned.

It did not take 2 or 3 days like it took at Babi Yar. It does not make a lot of reports of grand and large events, but to the individuals that died there, their fate, their horror was the same as those who would die at Babi Yar.

My father fled with a handful of others that survived. He jumped into a woodpile and at that point one of the local women went by and saw him there. And she threw some wood on top of him so when the German Nazi soldiers came by that he would not be spotted.

He spent some time in the woods, hiding out, sleeping under trees in the forest, wiping ice off his eyes in the morning as he awoke.

A Polish lady hid him. She had eight children. And I would often, as a young men think, a young child, think about the courage that this old Polish lady had. Because if the German had found this Jew hiding in her attic, they would not have simply killed him and her. They would have killed her eight children. And it was a measure of courage that I could not fathom then but now, as a father of two, it is beyond my comprehension to have that much courage, that much principle, to be able to risk your whole family for a stranger is something that I think is very difficult for us to comprehend.

It is an easy kind of theoretical test, as we sit here with civil rights and civil liberties that we enjoy in this country, but the lesson for us is that each of us have a responsibility to speak out when there is torment, when there is murder, and not simply when it gets as large as Babi Yar or as the Holocaust, but when one person disappears in a Guatemalan village or if one Vietnamese family is sunk as they are off somewhere in Vietnam trying to get a refugee camp to freedom, anywhere on the globe.

We should not wait till 5,000 Kurds are killed and then the Kuwaitis are invaded and taken and then Saddam Hussein again starts to kill the Kurds, before we figure out that it is wrong, that had the United States maybe spoken out when the first Kurds began dying, maybe we would not have had an invasion of Kuwait and then an additional massacre of the Kurds.

Had the world spoken out at Kristallnacht or the taking of the Sudetenland, maybe Hitler would have been stopped. It is not just the big acts.

I think what we often convince ourselves here is that it is the monumental acts, it is the military actions at the end of the day when the tyrant had finally gone too far for even those who want to pay no attention to his outrages, that makes the difference.

I submit that is not what makes the difference. It is the individual. It is that old Polish woman who took what she had learned in her childhood seriously and risked all to save one person.

And the opposite of that is the silence, the silence of people in elective office, but not just of leaders where it is easy to kind of leave the blame. It is the silence of average citizens, of people buying items made in China, in slave labor shops, of government who are silent about the imprisonment of those who had courage at Tiananmen Square. And whether they are in East Timor or in Guatemala or in South Africa or anywhere on the globe, it is all our responsibility to speak out before we reach the magnitude of Babi Yar.

Lastly, to Mr. Gorbachev and the courageous people that are bringing in democracy to the Soviet Union, they have not gotten a lot of applause in this Chamber, not when they, Gorbachev and his people went and led the process of freeing Eastern Europe, not when they instituted democratic reforms. It really took the coup for us to recognize that there were changes and those changes could be threatened by people who wanted the good old days.

It was Gorbachev and his government that began to seek the truth, and that is also part of our responsibility, whether it is in the past as Babi Yar or as in the present around the globe. We need to seek the truth when the first person is a victim of oppression, not when we get to 100,000 in 2 days, not when we get to 6 million in a war, not when we get to millions in Cambodia or across the globe.

I want to commend my colleagues here because I look around the room. They are clearly the ones that did speak out, as many more Members of the House do. We need every citizen in this country speaking out against injustice here and across the globe.

Mr. FEIGHAN. Mr. Speaker, I thank the gentleman for his personal, eloquent statement.

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

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

Mr. KOSTMAYER. Mr. Speaker, this fall marks the 50th anniversary of the tragedy of Babi Yar and the full implementation of Hitler's Terrible Final Solution. Between September 29 and October 3, 1941, between the religious holidays of Rosh Hashanah and Yom Kippur, 33,000 Jews—men, women, and children—were marched out of Kiev, stripped of their clothes and valuables, taken to the edge of the Babi Yar ravine, and shot by Nazi SS and Ukrainian auxiliaries.

This blight on history must never be repeated. But it will be unless we open our eyes to the indifference, intolerance and fanaticism in the world today.

On February 19, 1939, Senator Robert Wagner of New York and Representative Edith Rogers of Massachusetts introduced a bill to allow 10,000 Jewish refugee children under age 14 from Europe into the United States, in 1939 and 1940.

The Daughters of the American Revolution and the American Legion testified against the bill which failed to get out of committee. Here is what one witness said, "Mr. Chairman, I am the daugther of generations of patriots. My forefathers helped to found this Republic. These refugees have a heritage of hate, they could never become loyal Americans."

Four months later on May 27, 1939, the *St. Louis*, a ship carrying nearly 1,000 European Jews, lingered in Ha-

vana harbor until being turned away and told to return to Germany. A few days later, on Sunday, June 5, the *St. Louis*, after wandering aimlessly, anchored 4 miles from Miami. The *St. Louis* cruised in circles and then at 11:40 p.m. on June 6, the *St. Louis* turned toward Germany after being turned away by United States immigration officials. Its passengers were finally given refuge in Great Britain and in Belgium and Holland, both of which were later overrun by the Nazis.

Two and a half years later the United States Government began rounding up and jailing American citizens of Japanese descent. Nearly 50 years later Congress provided some restitution to those Americans who lost their homes and their freedom and once again veterans groups opposed the legislation. Nothing seems to have changed very much.

The Kuwaitis are brutalized by the Iraqis. When the Iraqis are driven out, the Kuwaitis turn on the Palestinians with equal savagery.

On the West Bank of the Jordan the heirs of the Holocaust's victims too often remain silent when the Israeli Government brutalizes Palestinians, sometimes blowing up the homes of those suspected, but never charged or convicted of crimes.

The President of the United States and the Congress at first turn their backs as Kurdish women and children are slaughtered, coming to their rescue only after international pressure mounts. By our silence we fail to condemn their killing as vigorously as we condemn the killing of others.

In New York City, black Americans, still the victims of persecution in our own country, murdered Orthodox Jew Yankel Rosenbaum in Crown Heights, Brooklyn, because he was Jewish and chanted "Heil Hitler" in the streets.

Man's savageness seems still largely untamed.

Victims turn on victims.

As Americans in 1991, we needn't look to the past or to other lands to find human cruelty and indifference.

We are not perfect citizens and this is not the perfect State. Let us recall this as we recall Babi Yar.

Let us recall also our own responsibility to speak out against the world's and our own country's sins. On June 8, 1939, an 11-year-old girl wrote to Eleanor Roosevelt about the *St. Louis*, she said:

> Mother of our country, I am so sad the Jewish people have to suffer so * * * please let them land in America * * * It hurts me so, that I would give them my little bed if it was the last thing I had because I am an American, let us Americans not send them back to that slaughterhouse. We have three rooms that we do not use. Mother would be glad to let someone have them. Surely our country will find a place for them.

Surely.

Mr. NICHOLS. Mr. Speaker, we are here today to express our deep sorrow for the tens of thousands of Jews massacred 50 years ago in the single most concentrated mass slaughter of the Holocaust: Babi Yar.

Why did this happen? How could this have happened? How can we prevent a Holocaust in the future?

There can be no answer as to why and how something so terrible as Babi Yar can happen. But we can prevent it from happening again by remembering the sacrifice of those killed. Today, we know what occurred in that ravine in Kiev and in the Nazi death camps. That knowledge serves as a reminder of the weakness of mankind and the atrocities that will consume whole groups of people if we stand by and allow it to happen.

As we watch events unfold today in the Middle East, we remember that just 50 years ago, we witnessed the intended destruction of an entire race of people. Simply hoping that the terrors of the Holocaust will not return is not enough. We stopped Saddam Hussein in Kuwait. Can we stop others like him in the future?

My message is to remind everyone of the horrors of World War II and the Holocaust. We can never forget the murder of innocent, defenseless people.

□ 1650

Mr. FEIGHAN. Mr. Speaker, as we close the special order today I just want to bring focus that the commemoration of the events of Babi Yar has really one major goal, and that is remembrance. The events that have been described very eloquently by my colleagues really defy comprehension: 33,000 men, women and children slaughtered at Babi Yar in just 2 days. And as Congressman SOLARZ has indicated, probably another 100,000 more over the next few months. In a century of horrors, there are few more horrifying than the mass slaughter that took place at a ravine outside of Kiev, a place we now know as Babi Yar.

Today, we speak about Babi Yar because for 50 years the massacres at Babi Yar were shrouded in silence. The poet, Yevgeny Yevtushenko, wrote in 1961 that "everything here at Babi Yar screams in silence."

In his most famous poem, he spoke of the absence at Babi Yar of any indication that tens of thousands of Jews had been murdered there. In fact, until 1976, there was no monument of any kind at Babi Yar.

In that year a monument was built which ignored largely the Jewish victims. That omission reflected the official Soviet view that the Holocaust was nothing more than a chapter in the history of World War II and that Jews suffered no more than anyone else.

Besides, in the years since the war, Soviet policy had become increasingly anti-Israel and anti-Semitic. There was no place for a memorial to Jews in the Communist Soviet Union.

Today, all that has changed. This week the Ukrainian Republic is commemorating "days of memory and sorrow" to mourn the victims of Babi Yar. Flags in Kiev are flying at half staff. A new memorial, a memorial to the Jews who died at Babi Yar, is being dedicated.

And that is not all. Plans have been made to introduce Holocaust studies in all Ukrainian schools. There will be annual Babi Yar memorial ceremonies. The Ukrainian Government intends to institute student exchanges with Israel.

The Ukrainian Government deserves credit for breaking with the past and for recognizing and acknowledging the crimes at Babi Yar. In the words of 1941 Robert Kesten, an American who is serving as international chairman of the Babi Yar commemorations, the Ukrainian Republic "has taken a meaningful step to set the record straight, to acknowledge facts, and to begin building a different future."

I think it is appropriate that we salute the Ukrainian Republic for undertaking this year's commemoration. It is only together that we can ensure that the events of Babi Yar will neither be forgotten nor repeated.

I think we must believe, Mr. Speaker, that in the final and very desperate moments of life for those victims at Babi Yar there must have been wishes, there must have been hopes that there would be people in the future, that there would be generations that would recall the horrors that they suffered. And it is for their memory, and it is for their suffering that we hold this remembrance today. But it is most especially in fulfillment of their wish that an acknowledgment, an annual remembrance of the horrors of Babi Yar will make a major contribution to prevent any future such horror.

I think that the testimony that we have received today, particularly I would point out from the gentleman from Connecticut [Mr. GEJDENSON], a very personal and very eloquent statement not only of the horror and tragedy of Babi Yar, but more importantly, in the context of this remembrance, a perspective, a global perspective on the meaning of Babi Yar in all of our lives, regardless of our heritage, and of the obligation that we have to the victims there and to the hundreds of thousands of other nameless victims throughout the Holocaust and other violations across the globe, the obligation that we continue to have to them, to their memory, and more importantly or as importantly to our obligation to ensure that those atrocities against humanity never happen again.

Mr. LEHMAN of Florida. Mr. Speaker, I would like to thank you for this opportunity to share my thoughts with our colleagues on this historic occasion. Babi Yar, the largest single mass execution of Jews in the history of the Holocaust, symbolizes the depth of the de-

pravity and evil of anti-Semitism. On this 50th anniversary of Babi Yar, we are reminded of the brutal mass murder that took place on September 29 and 30, 1941, and continued for at least 12 more months in Kiev. In those 2 days alone, 33,771 Soviet Jews were methodically lined up and shot in a continuous 48-hour bloodbath. Today, we must remember our brothers and sisters who experienced this terror of hatred.

The legacy of Babi Yar lives on in the hearts of Jewish people. In subsequent years, hundreds of Soviet Jews gathered at the actual site in Kiev to pay homage to those who were murdered, unfortunately having to risk termination from their jobs and harassment or arrest from Soviet authorities whose denial of the Jewish victims of Babi Yar has not exonerated them from their own culpability. In 1976, after years of Soviet denial, the state erected a monument at Babi Yar that was cynically silent and gave no remembrance to the Jewish victims of Babi Yar. The Soviets designed this incomplete memorial in an effort to end Soviet implication in the murderous activities associated with the Stalin era. The memorial was inscribed, "Here in 1941–1943 German-Fascist Invaders executed more than 100,000 citizens of the city of Kiev and prisoners of war." With the anti-Semitic motivation for the massacre at Babi Yar ignored, the 33,771 Jewish men, women, and children who were shot in cold blood and thrown naked into a ravine have not as yet been appropriately memorialized. In solidarity with those whose lives were lost, we recognize what happened at Babi Yar.

Although sweeping changes are currently altering the course of history for the Soviet Union, we must still be vigilant of the tendencies that threaten to return us to the past. In the words of Elie Wiesel, "And yet—they do need to be defended, as much as the victims of long ago. With one difference: for the victims, it is too late." I therefore call upon my colleagues to join in the overdue recognition and remembrance of the Jewish population at Babi Yar and, at the same time, acknowledge the plight of Soviet Jews today. We must all work together for the eradication of the scourge of anti-Semitism.

Mrs. KENNELLY. Mr. Speaker, it is impossible to recall the horrors of Babi Yar without an overwhelming sense of grief. That such atrocities could occur and the world not know—that we did not rise up appalled—is the most convincing proof of the limits of human understanding. Even now, 50 years later, it is difficult to speak of the events of September 29, 1941. For 36 hours, soldiers systematically destroyed a people—men, women, and children were forced to place their clothes and goods aside and then descend into a ravine where they were shot. More than 33,000 people were killed in that initial slaughter; 18 months later, the number had climbed to 100,000.

To recall this massacre is unspeakably painful. But it is necessary. It is necessary because we dare not forget what happened at Babi Yar. We dare not forget that it was a people who were being eliminated—not criminals, not soldiers in the midst of battle, but whole families, generations destroyed in minutes.

This is the first year that formal ceremonies at the Babi Yar site will officially recognize that those who were killed were not only Soviet citizens, they were Jews. They were not only women and children—they were Jewish women and children. They were not only young men, or the aged—they were Jewish young men and elderly Jews.

Finally, we can speak the truth at Babi Yar. We can acknowledge not only the suffering, but those who bore it. It is worth remembering that even this has taken 50 years.

What we must face now are the larger questions: what do we do with the memory of Babi Yar? Can we expect a world that is very much different from the world of the last 50 years? I would like to believe we have a chance to change that world. If I did not believe that, I could not stand before you in this Congress, urging your support on matters I think critical. But I must also acknowledge that it does not take much to make us look away.

Today we must remember the cost of looking away. We must not ignore the plight of a people who are welcoming scores of immigrants into their country. We must not ignore the misery of our own citizens who cannot find jobs, who cannot afford health care, and who cannot find help. Most of all we must recall that truth is our best ally as we try to recover, whether from poverty and neglect or from the unspeakable anguish of the massacre at Babi Yar.

Mr. SCHUMER. Mr. Speaker, I first want to thank my colleagues, Mr. SOLARZ and Mr. FEIGHAN, for reserving this special order in order that we in Congress might all reflect on the 50th anniversary of the tragic Babi Yar massacre.

Babi Yar is perhaps the darkest episode in what is certainly the most tragic and barbaric period in the history of mankind. The Holocaust continues to make us shudder 50 years later, and it will do that 500 years later, because it shows the capacity of human beings to do evil. While some might try to forget or obscure this period, 50 years ago is just a moment in the history of this world. Our country still has citizens whose memories are seared by images of the Holocaust, and whose memories recall those who did not escape.

Never again. Never again must an episode like the Holocaust occur. Never can we allow any people to be the victims of genocide. We Americans have a special duty as leaders of the free world to see to this.

Mr. Speaker, there is one good that came out of this dark period in our history. The good that came out of this shock to the world was the consensus it built for acceptance of the Zionist dream. The State of Israel exists today, and is the focus of attention for Jews around the world, in part so that the Holocaust can never be repeated, so that Jews will never be without a homeland to welcome us and protect us. The anniversary birth of the State of Israel will always be numerically close to the anniversary of Babi Yar, and the two will always be connected in my mind.

This year we are happy to find that the horrors of Babi Yar are being more openly acknowledged. The Ukrainian Government designated September 29, a "day of memory and sorrow." but this new recognition comes at a difficult time. Recent events have brought a child to American-Israeli relations unlike any seen before. I ask my colleagues in government and all my fellow Americans to use these moments of reflection to also reflect on these developments, and to renew and reaffirm our support for the State of Israel. Israel has always stood by America because she shares our ideals and our hopes. We in America ought to share Israel's hopes for peace and safety for Jews and Arab alike. Now Israel needs our support. Let's remember why Israel is there, and why she must always be there.

Mr. YATES. Mr. Speaker, today I am joining together with a number of my colleagues to remember and mourn the victims of one of a cruel century's most evil events. It was 50 year ago that the Nazi government of Adolf Hitler murdered 33,771 Jews in 2 days at a place called Babi Yar near Kiev in the U.S.S.R.

The monstrous events at Babi Yar stand as an indictment of the human race and warning to all of us that bigotry and hatred are a poison that can destroy everything we call humane and human. We mourn those that died at Babi Yar and the millions of others who died in Europe during the Holocaust. It is vital that we remember and understand this dark chapter in human history. The effort today is a part of our obligation to decency and humanity and on that point, I am encouraged by the actions of the Ukrainian Government in designating September 29 as a "day of memory and sorrow."

Mr. DWYER of New Jersey. Mr. Speaker, I would like to thank Mr. SOLARZ for reserving time today to commemorate the 50th anniversary of Babi Yar. All of us participating in today's special order are aware of the massacre of almost 34,000 Ukrainian Jews by the Nazis on September 29–30, 1941. However, there were those who would have preferred that no one would ever know of the mass slaughter which took place during those 2 days.

The German Army entered Kiev on September 19, 1941. Several days later an explosion destroyed the German command post resulting in the loss of life of many German soldiers. The Germans held the local Jews responsible and ordered all Jews in Kiev to assemble near the Russian and Jewish cemeteries at 8 a.m. on September 29. They were told to bring with them such things as documents, money, valuables, and warm clothing. The Jews thought that they were to be resettled and had no idea of the horrible fate which awaited them.

When they arrived at Babi Yar, they were ordered to undress; and small groups were led away from the clearing toward a narrow ledge along the ravine. There, hidden behind the ledge, the Germans had mounted machine guns; and, over the next 2 days, they systematically executed 33,771 people. The killings at Babi Yar continued over the next several months, but never again on that scale.

While the massacre of the Jews at Babi Yar was the worst single incident of Nazi extermination, the aftermath of that tragedy was somehow even more horrible. The Soviet Union refused to acknowledge that the slaughter took place. Babi Yar was a Jewish gravesite which the Soviet Union would not acknowledge; and, in fact, tried to obliterate.

In the years following World War II, the Soviet Union adopted an anti-Semitism policy,

And, not until 1956 did a thaw begin in the Soviet Union which would allow ethnic and religious groups any freedom of expression.

In 1958, in Kiev, Jews sought to express their identity and their first concern was to sanctify the mass graves at Babi Yar. By this time, Babi Yar was a cattle pasture. Earlier efforts to have the site properly designated with a memorial had been thwarted by the Soviet Government when they determined how many of the dead at Babi Yar were Jews. That information greatly disturbed the Soviet Government and they sought to find a permanent coverup of the atrocity of Babi Yar. The Government decided to fill the ravine and build a sports stadium. In the process, they constructed a dam, which turned the ravine into a lake. By 1961, the dam had risen so high that when torrential rains occurred in March 1961, the dam broke and 145 people died in a wave of mud. The people of Kiev proclaimed that the ghosts of Babi Yar were taking their revenge. Finally, in 1976 a monument was erected to the murdered "citizens of the city of Kiev and prisoners of war."

In the intervening years, we have seen repression of the Soviet Jews; and, more recently, a new policy of openness whereupon tens of thousands of Jews have been allowed to leave the Soviet Union.

It is important that we remember that the Holocaust was not just the prison camps of Auschwitz, Dachau, and Treblinka. It touched the lives of Jewish families throughout Europe and the Soviet Union. The Holocaust was also Babi Yar.

Mr. LEVINE of California. Mr. Speaker, 50 years ago, on September 29, 1941, the Jews of Kiev were marched to the ravine of Babi Yar. Men, women, and children were forced to strip as the Nazis collected jewelry and other valuables. For 36 hours 33,771 Jews were massacred at the edge of the ravine for no other reason than their Jewish blood. They were among the millions of victims of Hitler's Final Solution.

In the 18 months that followed, nearly 100,000 Jews, Gypsies, Soviet POW's, and disabled were executed at Babi Yar. As the war turned against Nazi Germany, German units desperately attempted to erase all evidence of their horrific slaughter. The Germans and forced labor uncovered the mass graves in the ravine and burned the bodies. Fifteen conscripted concentration camp inmates survived to tell the story of Babi Yar and ensured that the world would never forget this chilling example of human evil.

Tragically, the Soviet Government attempted to hide the truth of Babi Yar for decades after the savage massacre. Only 25 years after the war did the Soviets erect a memorial at Babi Yar, but the word "Jew" did not appear. Now, 50 years later, as the forces of freedom and democracy are prevailing over the forces of repression and dictatorship throughout the Soviet Union and Eastern Europe, those who perished at Babi Yar will not be forgotten. A new memorial will be erected at the edge of the ravine to acknowledge the Jewish victims at Babi Yar.

As we take a moment on this solemn day to reflect on the human tragedy at Babi Yar and the suffering of the thousands of innocent victims who perished there, we should at the same time remember the sacrifices and heroism of those who fought then, and those who continue to fight, for a more just, humane, and free world.

Mr. TORRICELLI. Mr. Speaker, today we remember the brutality that occurred 50 years ago at the infamous ravine at Babi Yar. At that site outside of Kiev, more than 200,000 Jews, Gypsies, Soviet prisoners of war, and hospitalized handicapped persons were murdered in cold blood over a 2-year period.

The events that occurred at this site were among the most atrocious in the history of the Holocaust. After the German Army captured the city of Kiev in September 1941, the Nazis commanded all of the city's Jews to appear at Dekhtyarev Street within 10 days. They were to wear warm clothing and bring with them all of their money and possessions. Failure to appear would be punishable by death.

On the morning of September 29, 33,000 Jews were marched 2 miles outside the city to the Babi Yar ravine. There, men, women, and children—young and old were forced to strip naked and hand over their clothing and possessions.

For the next 2 days, which happened to fall between Rosh Hashanah and Yom Kippur, 33,771 Jews were mowed down by machine guns and layered at the bottom of the ravine. As it filled, the Jews were thrown onto the piling mass of corpses and shot dead.

In 1943, as the German Army faltered and the Soviets were poised to retake the Ukraine, the Nazis ordered slave labor to exhume and destroy the Babi Yar graves in an attempt to eradicate the evidence of mass murder. It was 15 Jewish slave laborers who made a daring escape from Babi Yar who let the world know of the abomination taking place there.

While no one will ever understand what could make men commit such inhuman acts against the innocent, we do know that it is crucial that we disclose the truth of the Holocaust and always remember its horrors.

But in the Soviet Union, the truth about Babi Yar has been forgotten—until now. Although memorials were erected in 1966 and 1976, they did not specifically mention the massacre of Jews. However, the disintegration of communism and totalitarianism in the Soviet Union has opened the door to the truth.

For the first time ever, the Soviets are currently holding a week-long commemoration of Babi Yar and, more importantly, they are officially recognizing the Kiev Jews who were the primary victims of the Nazis.

While the crimes of the Nazis can never be comprehended, explained, or forgiven, they can and must be remembered. The Soviet Union's long overdue recognition of the true events at Babi Yar does nothing to ease the pain of the Jewish people or remove the scars from human history. But it will remind the world that these crimes can never be repeated and can never be forgotten.

Mr. FAZIO. Mr. Speaker, today we mark the 50th anniversary of one of the most barbaric episodes in human history, the massacre of 33,771 Jews on September 29 and 30, 1941, and the murder of tens of thousands of other Jews and non-Jews in the 2 years that followed, at Babi Yar, Kiev.

A half century later, the magnitude of the murderers' brutality, the infinite sacrifice of the murdered, and the pain inflicted on the living still leave us shocked and grieving. Because the death of one diminishes all who remain, the ravine at Babi Yar will always stand as a deep wound to our vision of a world based on peace and tolerance.

The injury has begun to heal not with the passage of time, but with honesty, education, and remembrance.

This anniversary occurs at a moment in history when it seems that more of the world's people may have a chance to live a life free of deprivation and violence. In that spirit of hope, and in our determination to achieve such a world, let us rededicate ourselves to listening to the voices of those whose lives were taken at Babi Yar, so that we may truly say, "never again."

Mr. GREEN of New York. Mr. Speaker, I should like to commend my distinguished colleagues, Representative SOLARZ and Representative FEIGHAN, for organizing this special order to commemorate the 50th anniversary of Babi Yar.

As a member of the U.S. Holocaust Memorial Council, I am always anxious to see such anniversaries marked, for, as we know, the world's memory is short and the eyewitnesses will not be here much longer to bear witness.

In the case of Babi Yar it is especially important that we create an institutional memory. For Babi Yar not only stands for a monstrous massacre in which 33,771 Jewish men, women, and children were slaughtered, it also stands for a governmental coverup, not only by the Nazis who literally covered the bodies of their victims with dirt and sticks and stones and later by burning, but also by the Soviet Union which tried to cover the truth with omission.

For 25 years after the war, no memorial was erected at Babi Yar, and, when it was finally built, there was no mention of who these victims were. As Dr. Michael Berenbaum, the Holocaust Museum project director, notes in a recent museum newsletter article, "The word 'Jew' does not appear on the memorial; the identity of Babi Yar's Jewish victims is obscured."

Mr. Speaker, I should like to include here the entire article by Dr. Berenbaum which clearly documents the history and lessons of Babi Yar.

[From the U.S. Holocaust Memorial Museum Newsletter, Sept. 1991]

BABI YAR AFTER 50 YEARS: THE MASSACRE AND ITS MEMORIALIZATION

(By Dr. Michael Berenbaum, Museum Project Director)

September 29–30, 1991 marks the fiftieth anniversary of the Nazi murder of more than 33,000 Jews in Babi Yar, a ravine outside Kiev.

For the first time in the past half century, formal ceremonies sanctioned by the Ukrainian government will be held at Babi Yar to remember its victims not as anonymous "Soviet citizens, victims of Nazi Fascism" but as Jews, murdered in a systematic Nazi program of genocide, the "Final Solution to the Jewish Question."

On September 19, 1941, the advancing German army captured Kiev, the capital of the Ukraine. Within days, a number of German civilian and military buildings were blown up by the NKVD (Soviet Secret Service).

Then an order was posted in Ukrainian and Russian:

"Yids of the city of Kiev and surroundings! On Monday, September 29, you are to appear by 7:00 A.M. with your possessions, money, documents, valuables, and warm clothing at Dekhtyarev Street, next to the Jewish cemetery. Failure to appear is punishable by death."

From the cemetery, Kiev's Jews were marched to the ravine of Babi Yar, two miles from the city.

There Germans forced them to strip—men and women, boys and girls, old and young. The Nazi were characteristically meticulous; no material was wasted. Clothing was gathered and folded carefully. Jewelry and other valuables were placed in adjacent piles. At the edge of the ravine, the Jews were mowed down by automatic fire.

In the days between Rosh Hashanah and Yom Kippur, the Jewish New Year and the Day of Atonement 1941, 33,771 Jews were murdered at Babi Yar. In the months that followed, Babi Yar remained an execution site for more Jews, Gypsies, Soviet prisoners of war and the hospitalized handicapped. Soviet reports after the war speak of 100,000 dead. The true number may never be known.

ERASING THE EVIDENCE OF A CRIME

In August 1943, as the tide of war turned against the Wehrmacht and the Soviet army stood poised to recapture the Ukraine, German units and forced labor dug up the mass graves of Babi Yar and burned the bodies. The evidence of mass murder was to be removed.

Paul Blobel, whose troops had previously slaughtered Kiev's Jews, returned to the site of the crime as commander of Special Unit 1005. For more than a month, his men and conscripted concentration camp inmates disinterred the bodies.

At the end of the assignment, the inmate workers were to be killed. In the cover of darkness on September 29, 1943, 25 escaped; 15 of them survived to tell of what they had seen.

After the war, many other Germans as well as Ukrainians and Russians who had witnessed the massacre recounted their experiences. The following excerpt is from the statement that Mr. Hofer, a former soldier assigned as a military truck driver, gave to German prosecutors in 1959 in the Einsatzgruppen trials.

Mr. Hofer had been assigned in September 1941 to drive his truck to the outskirts of Kiev: "En route I was overtaken by columns of Jews, walking with luggage in the same direction I was going. There were entire families. * * * Piles of clothing lay in a large empty field. This was my destination. * * * my truck was then loaded with these pieces of clothing. * * * I think only a very few minutes elapsed between removal of a coat and total nakedness.

"Two or three small passages led into the ravine and the Jews were channeled into the large ditch. When they entered the edge of the ravine, they were attacked by the Security Police and shot while lying on top of the already murdered Jews. This happened very rapidly. The corpses were in regular layers."

HIDING THE JEWISH IDENTITY OF THE VICTIMS

For 25 years after the war, the Soviet Union erected no memorial at Babi Yar.

A memorial was finally begun in 1966 and completed in 1974. It bears an inscription commemorating "the victims of fascism during the German occupation of Kiev, 1941–1943." The word "Jew" does not appear on the memorial; the identity of Babi Yar's Jewish victims is obscured.

When the President's Commission on the Holocaust visited Babi Yar in 1979, its members were, as it was reported to President Jimmy Carter, "shocked by this conspicuous omission and alerted to the danger of historical falsification or dilution." The Commission protested to the city fathers of Kiev, to historians and officials in Moscow.

On subsequent visits to the Soviet Union, Museum officials have raised the issue of Babi Yar. At first, their words were met with cordial silence, but later with the changing climate in the Soviet Union, there was an understanding that something had to be done to redress this historical misrepresentation.

As relations between the United States and the Soviet Union were thawing in 1988, Miles Lerman, chairman of the Museum's International Relations Committee, met with B.V. Ivanenko, director of the Ukrainian Main Archival Administration, to facilitate the Museum's archival microfilming projects in the Ukraine. Among the issues he raised was the memorial at Babi Yar. Mr. Ivanenko promised that the historical misrepresentation would be corrected.

Last spring Sergei Komissarenko, Deputy Prime Minister of the Ukrainian Republic and chairman of Babi Yar's 50th anniversary Commemoration Committee, met with Mr. Lerman, Museum Director Jeshajahu Weinberg and Council Executive Director Sara Bloomfield.

Mr. Komissarenko announced a program of commemoration that would formally recognize the Jewishness of the majority of the victims of Babi Yar and lead toward the creation of a new memorial at the edge of the actual ravine. Mr. Lerman then accepted Mr. Komissarenko's invitation to send a formal Council delegation to participate in the 50th anniversary ceremonies scheduled for October 3–4 in Kiev.

A special segment of the Museum's permanent exhibition will be devoted to the Mobile Killing Units Einsatzgruppen and particularly to Babi Yar, the largest single Einsatzgruppen massacre. Museum visitors, if they choose, will see pictures of the event.

Mr. GUARINI. Mr. Speaker, September 29 and 30 was the 50th anniversary of the start of one of the most horrible incidents in human history. During these 2 days, 50 years ago, 33,771 human beings were massacred in a ravine known as Babi Yar, located on the outskirts of the city of Kiev. These individuals were killed solely because they were Jewish. They were the victims of Adolf Hitler's Final Solution, a maniacal campaign to exterminate the entire Jewish people. During a 12-month period 100,000 people, 90,000 of whom were Jewish, would be murdered at Babi Yar. We must remember today and say never again.

The criminals of Babi Yar were the sonderkommando or special commando units of Einsatzgruppe C, troops who were specially picked for their stringent belief in Nazi ideology and specifically trained in methods of torture and mass murder. Upon their entry into the city, these individuals carried out a disinformation campaign to gather their Jewish victims—most of whom were women, children, the sick, and the elderly—and subsequently devised a way to most efficiently execute each one. Their method—lining Jews up like cattle, stripping them naked, and taking their belongings, using dogs and weapons to force them onto the edge of a ravine, and gunning them down with machineguns in 1-hour shifts. The process lasted over 2 days and for his accomplishments, the head of the sonderkommando unit, Paul Blobel, received an iron cross from the Fuehrer.

Tragically, many aided the invading Nazis in the atrocities which occurred at Babi Yar. These individuals willingly conspired with the Germans, betrayed the many Jews who were in hiding, and even participated in the massacre itself. In some parts of the country, they welcomed the Nazis as liberators and wholeheartedly embraced Hitler's final solution.

The tragedy of Babi Yar should serve to remind us of man's capacity for evil. Today, as members of a society that respects human rights and the value of human life, Babi Yar serves as a reminder that rational, well-educated individuals are capable of the inhumane activities which transpired. It is difficult to imagine that German soldiers often laughed at the screams and cries of their bloodied victims, while others gathered around the slaughter—as if watching a circus spectacle. Although they were educated members of a modern society, similar in some ways to ours, their indoctrination and anti-Semitic ideology enabled them to treat their fellow beings in this way.

More importantly, Babi Yar should renew our determination to fight anti-Semitism and racism, even when these attitudes are not openly expressed. The Jews, in spite of the centuries of anti-Semitic violence perpetrated against them, never expected the cooperation their non-Jewish neighbors would offer to the Nazis. They were unaware that prejudices, which might have appeared insignificant at the time, were in fact the seeds of a betrayal that would cost them their lives.

I am saddened that even after events like Babi Yar, anti-Semitism, racism, and other ideologies of hatred are still alive and well in the world today. In fact, 2 days ago, on the actual anniversary of Babi Yar, the New York Times reported a brutal wave of attacks on foreign migrants in Germany, led by racist youth gangs. Neo-Nazi and skinhead groups in recently unified Germany have been using the frustration caused by that country's high unemployment to spread their anti-Semitic views. If there is one thing that the events of Babi Yar have taught us, it is that their message of hate cannot be ignored. When will we ever learn?

As we commemorate this sad anniversary, I implore my fellow Members of Congress as well as all freedom-loving people to use the memory of Babi Yar to maintain a constant vigil against anti-Semitism and all forms of hatred. Only by fighting these ideologies aggressively can we ensure that similar atrocities will never be repeated. Only in this way can we make sure that the victims of Babi Yar did not die in vain.

Mr. HUGHES. Mr. Speaker, today I am honored to pay tribute to the victims of Babi Yar. This year marks the 50th anniversary of this horrible event.

Babi Yar is an area outside of Kiev in the Soviet Union. It was here that 33,771 Jews were systematically murdered in a 2-day period in 1941. The victims of this slaughter were mostly children, mothers, the elderly, and the sick. Their bodies were buried in a ravine after being beaten and shot by Nazi soldiers.

The killings continued in this ravine for quite some time, and by the end of 1943 as many

as 100,000 bodies, 90,000 Jewish, were buried in this mass grave.

In 1943 the Nazi Army attempted to cover up all the evidence of this massacre. Soon thereafter the atrocities of Babi Yar were discovered, but it still remains a virtual secret 50 years later.

Babi Yar had been left a silent issue without any acknowledgement until a memorial was finally erected in 1976. Even this memorial fails to specify the victims and is of little comfort to mourners. It is time for us to pay tribute to those who were so brutally sacrificed at Babi Yar, and focus world attention on this horrible and dispicable act against humanity.

This tragedy needs to be recognized and not forgotten. To allow this anniversary to pass without recognition would be a tragedy in itself. The only way to make sure such a grizzly episode is not repeated is to remember and learn. Not only do we need to remember this horrible event, but we need to remember and honor those who perished there.

Today, now that the complexion of the Soviet Union has changed, we can fully recognize Babi Yar. Through this recognition its importance and significance will be realized and never forgotten.

Mr. SIKORSKI. Mr. Speaker, in 1941, in the days between Rosh Hashanah and Yom Kippur, the Jewish New Year and the Day of Atonement, 33,771 Jewish men, women, and children were murdered in Babi Yar Ukraine. In the months that followed, Babi Yar remained an execution site for more Jews, Gypsies, Soviet prisoners of war, and the hospitalized handicapped. Soviet reports after the war spoke of 100,000 dead. The true number may never be known.

For the first time in the past half century, formal ceremonies sanctioned by the Ukrainian Government are being held at Babi Yar to remember these victims. It is also significant that, for the first time, they will be mourned not as anonymous Soviet citizens, victims of Nazi fascism but as Jews, murdered in a systematic Nazi program of genocide, the "Final Solution to the Jewish Question."

I appreciate the opportunity to speak in memory of those victims of hate and ignorance. The commemoration of the events at Babi Yar is both a symbol of our continuing vigilance against the rise of hate and violence around the world, and a reminder of the price we may pay if we fail to learn from the past.

Fifty years ago, the world became aware of the monstrous acts prepetrated by Hitler and the Nazis. Since then, we have used memorials and commemorations of the events of the Holocaust to declare never again. We make these declarations not only to condemn the murder of 6 million Jews, but also to reaffirm the words of Martin Luther King when he said that "injustice anywhere is a threat to justice everywhere." I have always believed that these declarations are fundamental calls to action which oblige us to continue the fight against crimes against humanity. To truly honor the memory of the victims of the Nazis and their collaborators, we are obligated to actively fight for the rights and lives of those individuals who continue to face hate, death, torture, bigotry, starvation, and neglect. This means fighting to end the rampage of death squads in Central America. This means fighting to end anti-Semitism in the Soviet Union. This means fighting to end starvation and infant mortality in Africa. And this means fighting to end homelessness and crime in the United States.

Commemorations such as the one taking place in Babi Yar remind us of the price that we pay if we fail in our vigilance. I often think of the words of a lonely priest who was being led to a Nazi gas chamber. He wrote:

First they came for the Jews and I did not speak out—because I was not a Jew.

Then they came for the communists and I did not speak out—because I was not a communist.

Then they came for the trade unionists and I did not speak out—because I was not a trade unionist.

Then they came for me—and there was no one left to speak out for me.

These words serve as a warning to those individuals who do not want to be bothered with the suffering of other human beings or who don't want to get involved. The events at Babi Yar are a poignant reminder of the heavy price of indifference.

We should note that the commemoration ceremonies that are taking place this week also signal a new era in the Soviet Union. It is heartening that after 50 years of denial and neglect by the Soviet Government, the new Ukrainian Government is acknowledging the human tragedy that took place at Babi Yar. It is inspiring to watch as Jew and gentile come together to remember the 50th anniversary of the massacre. I am hopeful that this event marks an era when anti-Semitism ends in the new Soviet Republics, and all Jews enjoy the right of free emigration.

I also use this opportunity to voice concern regarding recent reports that Nazi collaborators may be among the 50,000 Ukrainians who have been officially exonerated of Stalin-era crimes. Although I certainly understand the desire to free the victims of the Communist regime, I hope that any individual who is guilty of crimes against humanity will not escape justice. I can think of no greater stain on the memory of the victims of Babi Yar than having some of their executioners walk free.

As time passes, there is the danger that the tragic events of the Holocaust will fade from memory and the lessons that we have learned from that painful episode will be lost. It is our responsibility, and it is the responsibility of every other human being to remember the lessons of the past, and keep vigil against the modern descendents of Hitler and hatred.

Mr. MATSUI. Mr. Speaker, 50 years ago this week, on September 29–30, 1941, Nazi soldiers massacred 33,271 Russian Jews at Babi Yar. Today, I would like to take a moment to reflect on the meaning of this act of human savagery.

Why is it important for Members of Congress to stand and recount the tragic events of Babi Yar? First, we represent the American people who care deeply about human rights and the well-being of the people of the world. Second, the United States and the countries of the world have a responsibility to come to the aid of those being persecuted. Third, anti-Semitism is as pervasive as ever and still threatens the welfare and safety of millions of Jews. The tragedy of the Holocaust is not only that 6 million Jews were murdered, but that anti-Semitism remains such a destructive force today.

While the events at Babi Yar demonstrate the brutality of which people are capable, it is not enough to admit this sad fact and resign ourselves to the constant threat of its reoccurrence. The Nazi war machine was neither a faceless monolith nor Adolf Hitler and a bunch of people just following orders. The Nazi soldiers at Babi Yar were not born wanting to kill Jews. Rather, they lived at a time and in an environment that allowed their ignorance and hatred to develop, and served a psychopathic dictator that empowered them to commit murder under the direction and protection of the Government.

It is imperative that the United States work to ensure that the circumstances leading to Babi Yar are not repeated. The United States must continue to take an active role in promoting democracy and human rights abroad. Further, we must closely monitor reports of anti-Semitism and use our considerable influence to demand equal protection under the law for people everywhere.

Mr. Speaker, 50 years ago this week, thousands of innocent men, women, and children were gunned down because of their religious and cultural heritage. While our statements here today are ones of remembrance and sadness, they are also symbolic of our commitment to avoiding any reoccurrence of the nightmare at Babi Yar. Together, let us take a pledge to remember the tragedy of Babi Yar, to understand its lessons, and most importantly, to do all we can to prevent it from happening again.

Mrs. LOWEY of New York. Mr. Speaker, I rise today to join my colleagues in commemorating the 50th anniversary of the massacre at Babi Yar.

Fifty years ago, the Ukrainian Jewish population was almost annihilated. Nazi machine-gunners and Ukrainian henchmen butchered 33,771 innocent human beings in just 36 hours. The Ukrainian Jews, along with gypsies and Communists, were forced into rows in front of pits filled with corpses. They were then shot and killed: men, women, and children alike. Those pits were then covered with dirt, the perpetrators hoping the world would soon forget.

The Soviet Union shared the Nazi hope that Babi Yar would be forgotten. The Soviets refused until 1976 to even acknowledge that these fields outside of Kiev held the bodies of thousands of Jews, gypsies, and Communists. When the Soviet Government finally did acknowledge the tragedy that had occurred, they had the audacity to continue to deny the fact that amongst the murdered individuals were Jews and gypsies.

I recently returned from Eastern Europe where I met with representatives of Jewish communities living in Hungary, Czechoslovakia, and Bulgaria. These Jews have never known complete safety. They continue to live in a state of fear. They remember well what happened at Babi Yar, and they fear that the recent breakup of the Soviet Union could very well lead to a resurgence in the type of ethnic nationalism which has imperiled Eastern Europe's Jews for generations.

Today, we are rising to say that we have not forgotten. And in the Ukraine, at long last,

a day of national mourning has been declared and a 15-foot menorah was erected last week at Babi Yar to remember the Jews who lost their lives in that tragedy. That monument should help ensure that they will never be forgotten.

As Members of the U.S. House of Representatives we have a responsibility to remind the world of the massacre at Babi Yar and of the Holocaust. To fail to do so would leave open the frightening possibility that memories would fade and that such tragedies could occur again. That is a risk none of us should ever accept.

Mr. RAMSTAD. Mr. Speaker, today I rise to memorialize the 50th anniversary of the Babi Yar massacre.

On September 29–30, 1941, German S.S. and Gestapo units, created to carry out Hitler's "final solution," perpetrated the single most horrific instance of mass murder in World War II, when 33,771 Jews, mostly women, children, and the elderly, were executed in 36 hours of nonstop barbarism. Whole families were marched in front of German machine guns, their bodies falling into the ravine called Babi Yar.

These Jews sacrificed their lives for their faith. Yet for 50 years the Soviet Government has failed to acknowledge the full extent of this atrocity. The truth remains that many Soviets were sympathetic or indifferent to the German campaign of genocide.

The Soviet Union has a long history of anti-Semitism. For decades Soviet Jews have been wrongfully arrested, denied employment, and harassed. Although recent events have loosened the restrictions on immigration, many hardships continue to face the Jewish community still residing in the Soviet Union.

Thousands of Soviet Jews wish to start new lives with peace and freedom in Israel. The United States has an opportunity to assist this cause of liberty simply by guaranteeing commercial loans for Israel to absorb these refugees.

Mr. Speaker, let us remember those who sacrificed so much at Babi Yar by giving their survivors and descendants the gift of freedom. To do any less would stand against all the principles this country holds so dear.

Mr. SWETT. Mr. Speaker, I rise today to join my colleagues in remembering the Babi Yar tragedy which took place 50 years ago. I wish to thank my colleagues, Mr. SOLARZ and Mr. FEIGHAN, for calling this special order regarding this most tragic chapter in history. I think it is altogether fitting that as we continue to fight for freedom and human rights throughout the world, we remember the tragedies of the past so that such atrocities never occur again.

When reflecting upon the murderous events of the Holocaust, descriptions of Auschwitz and Dachau come to mind, but nothing haunts the minds and dreams of Jews as much as the horror that took place at Babi Yar at the end of September 1941. It was at this spot near Kiev the Nazi officers assembled a special task force to annihilate the Jewish people.

On September 29, 1941, this task force issued an order throughout Kiev that all Jews must congregate or be shot. The Jews, unaware of what the Nazis were doing in Germany, arrived peacefully, thinking that they were to be relocated. They were marched to a ravine called Babi Yar and indiscriminately shot.

Mr. Speaker, the massacre at Babi Yar continued for 36 hours straight and resulted in the death of over 33,000 Soviet Jews. During the ensuing months, the death toll of Soviet Jews in Kiev from this genocide climbed to over 100,000.

The Nazis tried to obliterate all the evidence of this vicious and despicable deed. The details that we have are from the carefully taken records that were sent to high-level officials in confidential reports. The coverup was clumsy and the facts are now known.

It is painful even to discuss these events. Yet, we must remember them so that they are never forgotten, so that we never relax our struggle to fight the vicious evils of racism and anti-Semitism and to defend the rights of individuals throughout the world. As Anatoly Kuznetsov reminded us: "History will not be cheated, and nothing can be hidden forever."

The Holocaust so shocked the world when its horrors were fully revealed that it gave birth to the Universal Declaration of Human Rights. Mr. Speaker, as we solemnly recall this unspeakable tragedy of a half century ago, let us recommit ourselves to work toward universal respect for human rights.

Let us reaffirm our commitment to the fundamental principle of our Constitution—the importance of the individual. Tragedies occur when nations fail to observe human rights. If we tolerate bigotry and hatred, we may be setting the stage for another Babi Yar. As we remember Babi Yar, let us recommit ourselves to protect and uphold the fundamental rights of individuals.

Mr. SCHEUER. Mr. Speaker, I rise in solemn reflection on the events of September 29 and 30 almost exactly 50 years ago, in the woods outside of Kiev. In those 2 days, the Nazis and their helpers murdered 33,771 Jews.

The German army captured Kiev on September 19, 1941. Soon an order was posted stating:

> Yids of the city of Kiev and surroundings: You are to appear by 7:00 a.m. with your possessions, money, documents, valuables, and warm clothing at Dekhtyarev Street, next to the Jewish cemetery. Failure to appear is punishable by death.

From the cemetery, the Jews of Kiev were marched 2 miles to the ravine of Babi Yar.

There, the Germans forced them to strip, placing their jewelry and valuables in one pile, their clothes in another. Then they were told to stand at the edge of the ravine—boys and girls, men and women, young and old.

And then the machine guns fired; 33,771 Jews were mowed down.

Subsequently, more Jews, Gypsies, Soviet prisoners of war, and handicapped people were executed at Babi Yar—Soviet reports after the war number the dead at 100,000.

In order to hide this atrocity from the world, the Germans, fearing a Soviet recapture of the Ukraine in 1943, supervised as forced labor dug up and burned the bodies. These laborers were to be killed at the conclusion of their job, but 25 escaped and the 15 who survived lived to tell what they had seen.

There have been other efforts to hide the massacre too. Until 1976, the Soviet Government refused to acknowledge the monstrosity, even then only erecting a monument that ignored the Jewish deaths.

Now, gratefully, as the totalitarian nightmare in Eastern Europe recedes, the memories of officialdom are clearing. The newly independent Ukrainian Government has taken strong steps toward addressing the past, having designated September 29 as a "day of memory and sorrow" and holding a week of events memorializing the event. Just 2 weeks ago, the Ukrainian Foreign Minister attended a synagogue in New York to commemorate the massacre.

I salute my colleagues STEVE SOLARZ and ED FEIGHAN for holding this special order so that we, too, may remember and pay tribute to the victims of evil.

Ms. PELOSI. Mr. Speaker, I join with many of my colleagues this week in recognizing the 50th anniversary of the single most concentrated episode of mass slaughter during the Holocaust: Babi Yar.

Today is the fourth day of a week of commemorative events during which we are remembering and reflecting on the nearly 34,000 Jews who lost their lives over a 2-day period in a ravine in Kiev, and the tens of thousands of Jews and non-Jews who met the same fate over the next 2 years there. During this time let us remember, too, the families and loved ones of the Babi Yar victims who confront their terrible loss every day.

Nearly 12 million Jews, individuals of various Slavic ethnicities, homesexual men and women, gypsies, the disabled, and other groups singled out by the Nazis were slaughtered during the Holocaust. We all know the history of World War II and of the unthinkable atrocities committed in the death camps.

The terrible and unpredictable capacity for man's inhumanity against man is embodied in the Holocaust. The world continues to unfold in waves of revolution—revolution for the very rights denied to the victims of Babi Yar. In a world of unfolding democratic values and belief in individual rights and freedom, we must remember those who were sacrificed. And, in their memory, we must fight for human rights.

We must continue to strive for an improvement in human rights on a governmental and individual basis. Individuals saved the lives of a number of people under threat of persecution by the Nazis, but acting alone they could not fight such a rising tide of hatred.

In the years following World War II, the United States has led the world in ensuring the success of the State of Israel. We must reaffirm our commitment to a strong Israel. Our support is a measure of our belief in the rights to Jews and all people to prosper in their homelands.

Mr. SMITH of Florida. Mr. Speaker, with good reason, the massacre at Babi Yar has become synonymous with the idea of remembrance. Some 33,000 Jews were shot in a ravine near Kiev in a day and a half, and half a century passed before they were remembered, not as "Soviet citizens," not as "victims of fascism," not as "martyrs in the great patriotic war," but as Jews. At Babi Yar, wrote Yevgeny Yevtushenko, "all screams in silence," and in his courageous words, he pinpointed the essential truth of Babi Yar: that we have a moral need to remember, that the re-

fusal to remember is no less an act of genocide, that the desire to forget is the ultimate moral abdication.

When we recall Babi Yar, we grasp the monstrousness of Nazism. The German Schutzstaffel, which carried out the massacre, applauded itself in its official report for the clever stratagem that was used to bring the Jews of Kiev to Babi Yar. The day before the roundup, notices were posted, ordering Jews in the just-conquered city to appear on Monday, September 29, 1941, at a corner near the cemeteries. They were told to bring "their documents, money, other valuables and warm clothes."

The Germans spread rumors that the Jews would be evacuated to a ghetto or a labor camp. They warned that Jews who disobeyed would be shot, but so would non-Jews who broke "into flats left by the Jews" to take "possession of their belongings.' The next day, in trepidation, yet not without hope, Jews in great numbers assembled.

They were herded into a closed area bounded by barbed wire. Hundreds of Germans, assisted by the Ukrainian militia, prevented their escape. They were ordered to put down their belongings and to strip. They were led in groups down the side of the ravine, and machine gunned from the opposite side. The wounded were buried along with the dead. With a ghastly precision, the Schutzstaffel reported that 33,771 Jews were killed that day. By the end of the German occupation, more than 100,000 people, most of them Jews, had met their deaths at Babi Yar.

When we recall Babi Yar, we encounter history's hard realities and apportion responsibility. Babi Yar was not committed by robots, or faceless agents of history, but by real people. By the thousand men who formed Einsatzgruppe C of the Schutzstaffel, by the few hundred who comprised Sonderkommando 4A, by the dozens of Ukrainian militiamen who welcomed the Germans as liberators and willingly aided the slaughter.

Babi Yar did not take place in a vacuum. In the 500 years preceding the massacre, the Jewish presence in the Ukraine was scarred by violence, expulsion, and discrimination. The Jews of Kiev were assaulted in repeated pogroms, and were hammered on the anvil of famine and terror in the 1930's.

The massacre at Babi Yar was not an accident. Babi Yar was the culmination of centuries of anti-Semitism, that demonized the Jews and aggrandized the German Nation, that categorized humans by race and culture, that turned whole peoples into inferior objects that existed, as the late author Jerzy Kosinski put it, "only to be exterminated."

When we recall Babi Yar, we make moral judgments. Mass murder without awareness of the consequences is the stuff of fiction. When the Nazis recalled Babi Yar, as the Red Army closed in from the East in February 1944, they tried to cover up what they had done. They unearthed and burned more than 100,000 bodies from the ravine. Yet witnesses to this desperate attempt survived to testify, and thousands of bodies remained to silently indict the Nazis.

When the Soviets recalled Babi Yar, they refused to memorialize Jewish suffering, and in so doing, revealed the essential inhumanity and hypocrisy of communism. As Yevtushenko pointed out, for all their talk of "the union of the Russian people" and "the brotherhood of man," the Soviets compounded the acts of the Nazis by denying peoplehood to the Jews of Babi Yar, even in death.

The erection of a proper monument at Babi Yar, so recently accomplished, speaks volumes about the moral redemption of the Soviet people, and especially, the people of the Ukraine. The marker at Babi Yar renounces not only Nazi racism, and its Ukrainian collaborators, but five decades of indecent acts that followed: the hounding of Yevtushenko; the plans to build a sports stadium on the site of the ravine; the reemergence of nationalist anti-Semitism, as exemplified by Trofim Kitchko's notorious Judaism without embellishment; the harassment of Jews who tried to live as Jews, or emigrate; the transparently anti-Semitic depiction of Israel and Zionism; and the vile monument erected by the Communists in 1976, that made no mention of the Jews.

When we recall Babi Yar, we chart a path for the future. Remembrance is inseparable from responsibility. In recalling Babi Yar, we commit ourselves to a higher standard of public policy: in the face of racism and hatred, we will not remain silent, simply out of political expedience or in deference to local sensibilities.

In recalling Babi Yar, we resolve to call to account those who deny the Holocaust, and, in a larger sense, to confront distortions of history and misrepresentations of truth.

In recalling Babi Yar, we remember that a vital community was nearly wiped out in a day, that it painfully reconstituted itself after World War II, and that the ultimate message of Babi Yar is not death, but survival.

In recalling Babi Yar, we commit ourselves to proclaim freedom, the freedom to live in peace and the freedom to live elsewhere.

In recalling Babi Yar, we commit ourselves to remember the past, and to learn from it, and to never forget.

Mrs. MEYERS of Kansas. Mr. Speaker, exactly 50 years ago the Holocaust saw its bloodiest 36 hours. The most brutal episode in the most inhuman display of bigotry in history took place in a ravine north of Kiev called Babi Yar. There, the Nazis murdered 33,371 Jews in a day and a half. Over the next 2 years the killing continued until over 100,000 Jews, Gypsies, handicapped people, and Soviet POW's had died in Babi Yar.

When Germany invaded the Soviet Union in June 1941, in the wake of the Wehrmacht assault forces came the SS Einsatzgruppen. Their mission, assigned by Hitler himself, was to exterminate all Jews and Soviet officials.

On September 19, 1941, the German Army captured Kiev, the capital of the Ukraine and the third largest city in the U.S.S.R. Ten days later, the Einsatzgruppen posted notices ordering the city's Jews to report with all their belongings for resettlement. The Jews were then marched north to the ravine at Babi Yar.

When they reached Babi Yar, they were ordered to strip, and were led in small groups to a narrow ledge along the ravine. There they were shot with machine guns. As each new group was massacred, they fell onto the bodies of those who had preceded them. Not all were killed instantly by the bullets, and they were buried alive in the mass of humanity.

Over the next 2 years, thousands more were murdered at Babi Yar. Then as the counterattacking Red Army approached Kiev, the Germans attempted to remove the evidence of the murders. The bodies were exhumed and burned by concentration camp inmates, who were then to be killed. On September 29, 1943—ironically 2 years to the day after the massacre—25 of the prisoners escaped: 15 of them would survive to tell the tale.

Even after the war the indignities for the victims of Babi Yar continued. The Soviets refused to memorialize the Jewish dead at Babi Yar. It wasn't until the 1970's that any monument was erected at the site. And yet, the fact that the preponderance of the victims were killed because of their faith was blatantly ignored.

Finally this year, the Ukrainian Government is recognizing and commemorating the special significance of Babi Yar and its connection with the Holocaust. A new memorial is being created at the edge of the ravine to emphasize the Jewishness of the victims.

It took 50 years to remember properly the horror of Babi Yar. We must now make sure it is never forgotten.

GENERAL LEAVE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

ESTABLISHING A BIPARTISAN COMMISSION TO STUDY THE POSTAL SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BROOMFIELD] is recognized for 60 minutes.

Mr. BROOMFIELD. Mr. Speaker, the purpose of this special order is to discuss my resolution (H. Res. 194) to establish a bipartisan commission to study the Postal Service.

Let me make very clear at the outset that this resolution does not seek to privatize the Postal Service.

It has been 20 years since the Congress made the Postal Service a quasi-independent entity.

If anything, the Service has further deteriorated since then. That's why it is time to take a fresh look at the problems with the Postal Service and figure out ways to solve them.

I am happy to report that almost one-third of the House has sponsored this resolution. My constituents have expressed their concerns about the Postal Service and I want to share their views with you.

But first, I'd like to recognize Congressman MCGRATH of New York who has cosponsored this bill and who

agrees with me that something must be done to improve the Postal Service.

Mr. Speaker, I yield to the gentleman from New York [Mr. MCGRATH].

□ 1700

Mr. MCGRATH. Mr. Speaker, I appreciate being afforded the opportunity to participate in this special order regarding U.S. Postal Service flaws. Untenable postal problems have been rampant in my district over the past several months.

I am alarmed that changes ostensibly designed to streamline and improve mail delivery, have instead, engendered serious declines in the quality of service. During my first 10 years in Congress, constituent complaints on postal matters were sporadic, and confined to isolated individual circumstances. Since the institution of the recent modifications, however, I have been contacted on an almost daily basis by irate constituents. The sheer number of grievances voiced by letter—and phone calls—is staggering. Since April, for instance, I have received approximately 300 letters of complaint regarding the Postal Service, not to mention countless phone calls. Additionally, the lack of adequate mail services was the No. 1 issue broached by district residents at the numerous town meetings I conducted this summer.

Businesses and consumers have been damaged by late delivery of sales notices and catalogs. Civic association members have received meeting notices more than a month late. People have called and written to inform me that they would have liked to participate in one of my town meetings, but received the meeting notice when the forum had already occurred. Patrons mailing bill payments have run the risk of late penalties due to delays in delivery on both ends. A full week has passed before the delivery of first class mail within one village. Letters mailed out of my Washington Office on August 5 and 8 have reached my constituents on September 11, over 1 month later. To fully appreciate the gravity of this breakdown, it is instructive to note that the period of time these letters took to travel between the Washington, DC area and New York, is longer than that needed to travel between the two points in the 1700's.

Neither my constituents' complaints, nor my own, center around the job performance of letter carriers, or the rank and file postal workers, but around the system itself and the attitude of management. Indeed, I have spoken with letter carriers who are as frustrated as my constituents and I, by delivery difficulties, management's failure to address these concerns, and management's cavalier attitude when dealing with grievances from customers. Many postal patrons who were actually able to speak to managers, found that they were treated with contempt and that their concerns were taken lightly. Despite numerous meetings between members of my staff, and local postal officials, no steps have been taken to correct either systemic delivery problems, or the attitude of many postal officials.

Recent changes in internal processing procedures have been poorly and incompletely implemented. Postal officials claim that they have taken the actions necessary to correct unforeseen difficulties arising from such moves as route adjustments, changes in carrier assignments, attrition of employees, and the activation of the pilot remote bar code system program which automates mail processing. If national deployment of this automation system bears any resemblance to the partial deployment in my district, the country can look forward to disgracefully poor mail service, and serious systemic problems. Postal management maintains that primary objectives during activation and implementation of the new system, included minimizing disruptions to patrons and carriers, as well as maximizing savings. Presuming that these were indeed the operative goals, the Postal Service failed miserably as far as minimizing the adverse impact on the customer.

Occasional glitches are to be expected when wholesale changes take place in any system, but the pattern of postal inefficiency has continued long beyond any reasonable period of transition. The Postal Service's failure to develop safeguards against such a rocky transition period have subjected the public to unconscionably, deficient delivery quality levels. Responsibility can no longer be attributed to startup difficulties. Rather, postal management must accept its duty to correct current problems, and forestall future ones.

Glib assurances suggest temporary delivery complications are close to being solved. These attempts to minimize the problem are unacceptable. Postal patrons have suffered long enough. We must stand together to see that basic service is actually provided, and that unnecessary inconveniences cease. The needless hardships experienced by postal customers must be eradicated. For this reason, I believe that it is time the Postal Service thoroughly examines its own procedures, and make efforts to change those methods, which inflict distress upon the average citizen.

Furthermore, I would suggest that postal officials remember that failure to repair their mistakes will radically lessen congressional support for the postal system. The time for stalling and passing the buck is past. I call on the Postal Service to respond to the concerns of its patrons, and take immediate and comprehensive action to assure that all of us are provided the quality service to which we are entitled. Failing that, I call upon my colleagues in this distinguished body, to take action to compel correction of postal difficulties. I do not, however, suggest privatization of the USPS.

Turning the USPS over to private businesses would, I believe, lead only to further delivery problems, and higher costs to the consumer. Mail service has been provided by the Federal Government from the earliest days of our Nation and, despite its problems, we would be foolish to give up a system which has worked for so long for a delivery method whose precise results are unknown.

Mr. Speaker, let me just conclude by saying that my frustration level is beyond my capacity to tell you. I am hoping that this special order will serve as a warning to the administrators of the postal system that something is desperately wrong with the service that our constituents are receiving at this particular point in time and that I hope that a remedy is around the corner.

I thank the gentleman from Michigan for taking out this special order and giving me an opportunity to vent my frustrations.

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman from New York for his contribution.

Mr. Speaker, in July I introduced a resolution (H. Res. 194) that would create a blue ribbon, bipartisan commission to look into the many constituent complaints that Congress has been getting about the U.S. Postal Service. The commission would investigate ways of reorganizing the Postal Service so that it provides better service.

This resolution is a straightforward and much needed piece of legislation. Nearly one-third of the House have signed on as cosponsors.

The concept of the resolution is one that every Member of Congress should welcome. It lets a little sunshine in on the operations of the largest domestic organization that the U.S. Government is responsible for.

More than $48 billion a year: That has got to put it among the top 10 companies in America.

The time is long overdue for a commission. However, the House Committee on Post Office and Civil Service has told me that they oppose this resolution.

I have the greatest respect for my friend Chairman BILL CLAY. But Mr. Speaker, why is the Post Office and Civil Service Committee afraid of this bill? Why is the Postal Service afraid of this bill as well? What are they hiding? What are they concerned about? Everywhere I turn, the Postal Service and their friends in Congress are putting on a full court press, intimidating Members with the enormous clout the postal organization wields through strong-arm lobbying and PAC contributions.

From my vantage point, I see the situation turning into a standoff between the postal management as well as its friends in Congress and the vast majority of the people they are supposed to serve—more than 100 million homes and businesses in our country.

Just a few days ago I got a report from a postal union official from the Midwest who said that his union local was beginning to see the first efforts in a campaign to sabotage the proposed bipartisan commission.

The ammunition in this anti-commission campaign included a Dear Colleague letter sent by Postal Committee Chairman CLAY—a letter originally intended for just the 435 Members of Congress, but now being sent to hundreds of thousands of postal employees around the Nation.

The military-industrial complex has nothing on the postal-congressional complex.

Some of my colleagues might be surprised that I got this information from a union official. I am not. In fact, some of the most intense opposition to the way the Postal Service is being run today comes from within the organization itself.

I have heard from postmasters, from union officials, and from men and women of the Postal Service who serve on the front lines.

Just last week I got a letter from an association that represents injured Federal workers. This association charged that when it comes to honoring the claims of injured workers, the Postal Service has one of the worst records in our country.

The workers who write us have a real stake in the Postal Service. They know that their organization could be managed a whole lot better, and they have the integrity, the courage, yes, and the civic responsibility to come forward and ask that something be done about it.

This resolution responds to their concerns and to the concerns of millions of Americans who use the postal system and have watched it deteriorate year after year.

First, let me tell you what the resolution does not do. It does not call for privatization of the Postal Service.

I must tell you this because of the thick fog of propaganda that has settled over this proposal. Ever since I introduced it, the postal-congressional complex has been falsely claiming that this resolution is nothing but a backdoor way to privatization. That is simply not true.

The commission should study anything that will make for a better postal system, and that is what I am after.

Now let me tell you what the resolution does. It calls on the President of the United States to create the Commission, and insists that it be a bipartisan one.

It would include Members of Congress from both parties. It would include members of the Postal Service management and representatives of the postal unions. It would also include individuals who do not serve in government.

A real cross-section of America. A traditional town meeting on an organization that day in and day out affects more Americans than any other government—affiliated entity that I can think of.

The makeup of the Commission is critical, I believe no commission that has such a widespread impact on the lives of so many Americans could hope to succeed unless it was viewed as being representative of every interest.

The Commission's makeup ensures that the people who deliver the mail door to door, who work in the huge distribution centers, or in any number of service areas, will have their interests fully represented at each and every meeting.

It ensures that the Commission will benefit from the input of postal management, from its day-to-day familiarity with the operations of the Postal Service.

It also ensures that the representatives of 240 million American people, Members of Congress who represent different parties, different areas of the country, people with different income levels, will be there at the table to make sure that whatever comes out of the Commission is acceptable to the broad spectrum of the American postal ratepayers.

Finally, there will be spots for the Postal Service's customers: businessmen and women, housewives, farmers, people who have firsthand experience with the strengths and weaknesses of the current postal system.

The Commission would be given no secret mandate. The only mandate they have is to come up with a plan that will force the Postal Service to provide better service.

The key is better service. My friends at the Postal Service and on the Postal Committee say everything is running along just fine. Oh maybe a little fine tuning here, or a couple of adustments there; but outside of a few adjustments, everything is A-OK.

That is flat wrong. They are not listening to their customers or the American people.

The people who the Postal Service is supposed to serve have had it up to here with declining postal service and rising postal costs. My constituents write almost daily—to me and to the local newspapers—complaining about the Postal Service.

A sample of letters printed in the Royal Oak Daily Tribune and received by my office during the summer follows:

[From the Royal Oak Daily Tribune, Aug. 12, 1991]

SLOW DELIVERY

The Berkley senior citizen newsletter was mailed July 23. I just received mine today, August 8. What's the matter?—Berkley.

GIDDYAP!

I mailed a letter at the Royal Oak post office on Sunday, August 4. It reached its destination on August 8 in Southfield. At that rate, they should bring back the horses and send the mail by pony express—faster and cheaper.—Oak Park.

[From the Royal Oak Daily Tribune, Aug. 13, 1991]

MAIL MALADY

Our mail service stinks. We're getting our mail later and later every day, sometimes at 6:30 p.m. Also, they must hold mail at the post offices since we get our circulars when the sales are half over. They want to raise the postage rates again, but before they do they'd better first provide better service. Either that or let's have an independent mail carrier.—Madison Heights.

SHORT-STAFFED?

So you think your mail is late? You should live in Southfield and wait until the next day because the postmaster tells me there weren't enough people to deliver it. He skipped a day's mail because there wasn't enough help.—Southfield.

IT'S POSSIBLE

In response to Friday's Soundoff, you can tell the human resources director for the post office that it is possible for someone to be receiving mail at 7:45 p.m. Ours was delivered at 7:15 p.m., and I couldn't believe it.—Royal Oak.

[From the Royal Oak Daily Tribune, Aug. 2, 1991]

WHERE IS MAIL?

It's 5:30 and on North Vermont we still don't have our mail delivered yet. Come on post office. Let's do something. The post office doesn't answer the phone. Where is our mail?—Royal Oak.

[From the Royal Oak Daily Tribune, Aug. 5, 1991]

LAZY CARRIERS

To the person in Berkley: I understand exactly how you feel. A couple months back we always got our mail at 11:30 a.m. Now it comes at 3 p.m., sometimes 5 p.m. We should start complaining to the post office to make sure they are on time to deliver the mail. I think it is because they are tired and lazy and don't want to work no more.—Royal Oak.

[From the Royal Oak Daily Tribune, Aug. 9, 1991]

NIGHT MAIL

So you think getting mail at 5 p.m. is late? I saw a postman delivering mail on Monday at 7:45 p.m. on Stephenson. Is he getting overtime or has the post office added an afternoon shift for carriers? Just wondering.—Royal Oak.

(Ed Note: Director of Human Resources Howard Byrne says that really couldn't have happened, not even for express delivery. (If there's a next time, try to get the number of the truck. It's centered over the windshield.))

STARTING LATE

I'm a letter carrier with the post office and people are wondering why their mail is coming so late. The reason is that the management keeps changing our starting times. When I first started at the post office, we were starting at 6 and now we start at 8.—Royal Oak.

(Ed Note: Director of Human Resources, Howard Byrne, says the post service's nationwide effort to cut costs by moving to automation means the mail is being sorted later in the day—at 8 a.m., rather than 6 a.m.)

[Letter from a constituent, July 18, 1991]

I receive a daily newspaper (USA Today) and it is coming one day late on many occasions. I have been to the new post office in Milford to complain and the problem is not resolved. I also filled out PS Form 4314-C on July 8, 1991 and returned it to complain of the service . . .

I would like my service to be at least as good as it was before they made the changes in the post office from Union Lake to Commerce Township. As a taxpayer and a captive user of the U.S. Postal Service, I can't understand how rates go up and service goes down.—Commerce Township.

[Letter from a constituent, July 20, 1991]

My mail delivery as of July 1 is in shambles. I am missing all kinds of publications as well as first class mail, or receiving them up to two weeks late. I am getting long distance calls from correspondents who mailed me important first class materials and did not receive my reply (since I never got them) . . .

I feel that I am living in a developing country. What is happening to us? Who is going to compensate me for my wasted time and problems resulting from first class mail which did not reach me? To what depths of inefficiency do we have to plunge before this country wakes up?—Bloomfield Hills.

[Letter from a constituent, July 29, 1991]

As you can see by the enclosed envelope, postmarked Hartford, Conn. and on the back postmarked Port Huron, MI—our mail is getting to us, not directly, but via Port Huron.

We have had mail from Pa., Mass., Florida, etc—all go to Port Huron—first—and then to us! This is progress? It stinks—and we are mad.—Bloomfield Township.

[Letter from a constituent, Aug. 5, 1991]

The Post Office keeps asking for increases in postal rates in order to improve service but all we, the public, see are increased rates and decreased service.—Birmingham.

[Letter from a constituent, Aug. 12, 1991]

I just sent a letter to the Postmaster in Troy listing all the "goofs" that had happened in a three month period of time. Yes, this system is in a mess. and it is coming from the administration of the organization.—Troy.

At a time when more and more businesses remain open on weekends, when it is getting harder and harder for two-earner families to get all the family chores done during the workweek, the Postal Service is closing some of its post offices on Saturdays, reducing window hours at other post offices, and removing collection boxes from convenient locations.

The removal of collection boxes is an especially sore point. Those red, white, and blue mailboxes are as widespread and as much a part of the culture as the American flag.

But more to the point, they were put on street corners for a reason. The reason is that some of our Nation's elderly do not have the stamina to walk 2½ miles through rain, sleet, or snow to mail a letter.

Too many of those mail boxes are vanishing. It is not the local vandals who are ripping them out of the sidewalks. It is the management of the U.S. Postal Service.

The Detroit News in my area asked the Postal Service what was happening. Here is what a postal spokesman had to say about those boxes: "I think they are really becoming a thing of the past," he said.

It is not just the convenient post boxes that are becoming a thing of the past. I say thanks to postal management, service is not becoming a thing of the past.

Recently, I asked the Postmaster General about the disappearance of senior citizen express trucks. They were a real service to older people who relied on them to sell postage stamps, pick up packages, and perform other services.

What I was told was that the Senior Citizen Express Trucks Program was not a national program, and that anyway, older Americans can now obtain their stamps by mail.

I responded that if it was not a national program that it certainly should be, that instead of cutting this important program back, the Postal Service should be expanding it.

It is not enough to say that older Americans can now obtain their stamps by mail. What about packages? Many of our older people can no longer drive. Yet, come Christmas time, many of these people in many parts of the country will have no alternative but to trudge through snowy streets and sidewalks carrying bulky packages to send their grandchildren.

If the Postal Service has any competitive instincts or willingness to take on United Parcel Service or Federal Express, this would be a good time to show it. If it does not have any competitive instincts, at least it could show that it has a heart.

Post boxes and senior citizen express trucks are not the only problems.

At a time when the population is growing, and when large concentrations of people are forming new neighborhoods, it is getting harder and harder to get the Postal Service to open new offices that can serve these growing areas.

At a time when the pace of the economy is moving faster and faster, the Postal Service is implementing slower and slower standards for the delivery of first-class mail.

At a time of movement into suburbs, when all sorts of transportation and communications technology allows people to live at greater distances from each other, the Postal Service seems to be abandoning home delivery, wherever possible.

□ 1720

I am told that the Postal Service now discourages the installation of residential mailboxes at new homes, which often forces the residents to use cluster boxes.

In some rural areas, the mailboxes are often grouped together on busy highways, as much as a quarter mile from some residences, a situation which can endanger the lives of those trying to retrieve their mail.

Perhaps the management of the Postal Service can't see its way to providing better service because it has been distracted by all of the trivial pursuits it's been engaged in recently.

Why is the Postal Service now in the business of selling wristwatches when it hasn't mastered the business of delivering its own mail on time?

Why is the Post Office spending millions of dollars promoting Olympic speedsters when its own distribution system now operates at a snail's pace?

All these trinkets they are now selling, all these ads they are now running won't succeed in distracting the consumer's attention from the poor job the Postal Service is doing in fulfilling its real mission.

The Postmaster General has written me a long letter to tell me I've got things all wrong. He says he has the statistics to prove it.

He says the Opinion Research Corp. has conducted a poll. It found, he says, that 85 percent of the respondents rated the Postal Service as good, very good, or excellent.

Now I would find that statement a whole lot more convincing if he would agree to release the full study. When I asked his office for a copy of the survey, all I got was a one-page summary.

He has refused to release any backup material on the poll despite a promise he made during a speech last year at the Detroit Athletic Club. I will quote his remarks. He said he would:

Report these measurements publicly—even when the numbers are lower than we would like—so the public can judge how we're doing and if we are improving service quality over time.

More than 50 questions were asked on the survey. Yet the Postal Service releases only a single answer. This one-page summary of survey results is nothing more than a publicity handout. I do not believe it tells the public anything.

Neither does the public-interest group Citizens for a Sound Economy. They filed a Freedom of Information Act request to try to gain public access to the full results. They were turned

down flat. It makes you wonder what the Postal Service is hiding. Especially when you consider all the criticism of the Postal Service that I have been hearing from constituents, not to mention all the criticism from constituents that other Members have been getting around the country.

Service is not the only problem. The Postal Service has hit the American consumer with a one-two punch.

You remember what happened to the 25-cent postal stamp. Postal management originally demanded a 20-percent increase in the price of a first-class stamp.

What they got from the Postal Rate Commission was a 16-percent increase. That brought it to 29 cents, not something to be sneezed at during a time when most businesses would not dare to raise prices at all.

What I find incredible is that the Board of Governors of the Postal Service is still pushing for the full 20 percent—a rise in the price of stamps from 25 to 30 cents.

Of course, the Postal Service can defy the laws of economics. It is a monopoly protected by Federal statute. Generally speaking, no one else in America is allowed to carry letter mail.

The Postal Service is relentless in its efforts to protect that privilege. You will not believe this: it once threatened to sue a Cub Scout pack for delivering Christmas cards. Only a very arrogant organization would threaten to sue a Cub Scout pack. But arrogance is just what the Postal Service has become. Its monopoly position, its size, and the congressional committees that have shielded it from public scrutiny have given it an indifference to the public interest that no other organization, public or private, could afford to assume.

The best example of that arrogance was the decision by postal executives to award themselves $20 million in bonuses for their efforts during a time in which the Postal Service lost $1.4 billion in the last 3 years.

These bonuses were awarded virtually across the board. Of all postal executives eligible for bonuses, 97 percent received them.

Let me quote the Pittsburgh Press on bonuses handed out in its area.

It writes:

> $136,716 in bonuses were paid to 23 executives even though the division lost $38.3 million from 1988 to 1990, and was rocked by problems that included concealing late mail and rigging entrance exams so that friends and relatives could get jobs.

You know something is out of whack here. Very few businesses award bonuses after doing that kind of business when they are not making a profit. I thought bonuses are intended as incentives to get people to do good work. In the post office they are rewards for superior performance.

When 97 percent of the top postal managers get bonuses during a period in which they lost $1.4 billion—well, that is the strangest incentive plan I ever heard of.

Instead of awarding bonuses to its top managers, the Postal Service should have awarded bonuses to its dedicated letter carriers.

It has been 20 years since the old post office was reestablished as a quasi-independent agency; 20 years should be enough time to see whether an organization is fulfilling its mandate, whether its structure is adequate to its mission, whether it is really doing what Congress intended it to do back in 1970.

I say to every Member of Congress it is time to take a fresh and impartial look at the system and see whether the American people are getting their money's worth. We have got to assure them that Congress is doing something about it.

I hope that those Members who have not already cosponsored this resolution will do so today. I urge my colleagues to join me in this significant effort in the interest of the American people.

Mr. IRELAND. Mr. Speaker, I would like to express my complete support for House Joint Resolution 194, as introduced by Representative BILL BROOMFIELD to express the sense of the House of the great need to establish a bipartisan commission to investigate the operation of the U.S. Postal Service. I wholeheartedly commend Mr. BROOMFIELD for his leadership on this issue of growing concern to many Americans.

I could not agree more that, with growing consumer dissatisfaction and ever-increasing postal rates, it is time we take action to ensure that our constituents receive dependable service at the best rates possible. The impetus for the creation of this legislation was the recent salary raise given to USPS executives, despite serious financial difficulties. I support this legislation because I feel it will address the numerous inquiries I receive weekly about poor postal service. I believe that the creation of such a commission can only improve the current situation.

As recently as July, the Postal Service tried to push through, yet, another postal rate increase—only months after they elevated stamp prices by 4 cents. I think a recent letter that was sent out by Postmaster General Anthony Frank best explains the reason for public outrage. Mr. Frank made the following comment in a letter to Congress dated July 23, 1991: "* * * These bonuses were paid during a time the Postal Service incurred cumulative losses of around $1 billion."

This statement, alone, verifies that the U.S. Postal Service made the decision to boost executive salaries at a time when, by their own admission, they were operating with severe losses. My support for this legislation is not to hinder USPS operations, but to enhance them.

I urge my colleagues to join me as a cosponsor of this legislation to support an initiative which will demonstrate to our constituents that we will do everything in our power to ensure fair and efficient service. After all, they deserve to be heard on this issue—and, if your constituents have expressed any of the same opinions that some of mine have—it is our duty to question such inconsistencies in policy.

Mr. BROOMFIELD. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. I thank the gentleman for yielding.

First of all I want to say I commend the gentleman from Michigan for raising some of these points here today. The gentleman from Michigan is certainly one of the most admired and most well-respected Member of this body. The gentleman from Michigan just made reference to the postal bonuses that were given not too long ago. I recently spoke out on the floor of the House against these ridiculous and excessive bonuses that were given to some 1,200 high-ranking Postal Service executives. I think 97 percent of the executives who were eligible for these bonuses received them. They totaled over $20 million.

Mr. Speaker, these bonuses were given between 1988 and 1990, a 3-year period during which the Postal Service lost more than $1.4 billion. Certainly we would never have seen anything like that happen in the private sector. No company would be giving bonuses totaling over $20 million during a time when that company lost more than $1.4 billion. In Chicago, for example, 62 executives received over $502,298 in bonuses while their division was losing $142 million and at the same time a survey showed 66 percent of their customers were unhappy and dissatisfied with their services.

Certainly we are all receiving, all Members of Congress are receiving many complaints about the Postal Service at this time in this country. Yet when people come to see me to complain about this, I have to explain to them that unfortunately the Congress can do almost nothing about the Postal Service today because the politics was taken, or supposedly taken, out of the system in the early 1970's. There is really no effective political control over the Postal Service today.

Actually, many postal employees have told me that the internal politics today is worse than the external politics ever used to be. Many rank-and-file postal employees were extremely upset over these postal bonuses that were given, and so many of them were totally left out of the process or left out of the picture in that regard.

As I said, the politics supposedly has been taken out. As a practical matter, it has. For some reason we in this body, all politicians, act embarrassed or ashamed of the fact that we are politicians. But if the people are ever going to have any real say-so or control of their government, it has to be through politics.

I think we have been sold a bill of goods in this country by certain upper

crust liberal elitists when they tell us, they are always saying take the politics out of this or take the politics out of that. They seem to think that the people just do not have enough sense or enough intelligence to make good decisions, so they want to take any real say-so or any real control that the people have over their own government away from them.

□ 1730

If we are ever going to get good service, I think, from some of these high level postal people again, we are going to have to reestablish some type of effective political control. The high levels of the Postal Service are probably the most unresponsive members of this entire Government. I cannot think of any governmental agency that is less responsive to Members of Congress than the high level of the Postal Service are today.

Mr. Speaker, this is not any complaint about the rank and file postal employee, because they are certainly not at fault here, but the high levels of the Postal Service have just failed to respond to the people of this country, and I think it is time that we stand up and say, "Some changes have got to be made, some improvements have got to be made, and the people have got to take control of the Postal Service once again."

Mr. Speaker, I thank the gentleman from Michigan [Mr. BROOMFIELD] for yielding to me.

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman from Tennessee [Mr. DUNCAN] for his contribution. I could not agree with him more. That is the whole purpose of this resolution, to create this kind of commission that will have everybody put their suggestions down and see if they cannot improve the Postal Service. But I do thank the gentleman very much for his contribution.

THE BILL WILL BE PAID

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, my State of Maryland has been rocked by the draconian cuts in the State budget announced by Gov. William Donald Schaefer. We are not alone in our plight. Florida has announced a $700 million cut and D.C. Mayor Sharon Pratt Dixon, is beginning layoffs—even though the Congress allocated larger funding to the District of Columbia this year.

As of July 1, 21 States were facing a shortfall of $35 billion and New York City laid off 9,000 employees in the same month.

Cuts at State levels, in every instance, will be followed by cuts in county budgets—then impacting cities and town payrolls. In one way or the other, every citizen will feel the impact of what is happening in the State capitols.

And the State capitols are feeling the impact of what has happened to the national economy.

Ever since I came to the Congress—back in 1985—I have spoken about the potential devastating effect of the free trade philosophy on American manufacturing—on American jobs. I have fought to protect certain segments of the economy against foreign onslaughts of cheap goods recognizing as we all must, that foreign workers do not pay taxes into the U.S. Treasury. That a foreign product, no matter how cheap it is—no matter how well it is made—is a luxury because it is putting Americans out of work.

A headline from the Sun papers last week reports that "Md. Welfare Rolls" are "At 10-year High." The message is that you will pay for a decent standard of living. If you don't pay the price for American-produced goods, you will pay through your taxes to take care of those who cannot find jobs and so need welfare and unemployment insurance.

A story in the Evening Sun of October 1 summarizes the points I have been trying to make over these many years—the headline reads "Changes in economy led to State's financial woes, Deficit forces more cuts in State budget.."

The reporter, Marina Sarris, states the causes as being:

> Shifting employment trends, a tax system that does not address some economic changes and a nationwide economic recession all played a role in the continuing saga of the State's budget deficit.

In the latter half of the article she states:

> The economy shifted away from manufacturing and toward the service industry during the last two decades, according to administration and legislative financial analysts.
>
> Goods producing and service jobs each made up about half of total employment in 1969. Twenty years later, however, service jobs outstripped non-service jobs, 64 percent to 36 percent.
>
> The service category includes everything from lawyers to hamburger flippers in fast-food franchises.

"Many service workers earn less than manufacturing or factory workers, for example, leading to less growth in State revenues from income taxes," said Frederick Puddester, deputy secretary of budget and fiscal planning for the State.

The story goes on to make the point that the shift into the service sector—besides slowing income tax growth—also retards the growth in sales taxes, since the State taxes merchandise, but not services. "Sales and income taxes make up almost 80 percent of the general fund revenues."

Now, will all of those economists who have pushed and driven our economy away from manufacturing and toward services stand up? I, and many other Americans would like to present them with a tax bill that they owe us all.

But, more practically, I'll accept an admission that they were wrong. If they will begin to rebuild this country with an economy which rewards long-term investment and tax policies which encourage savings, I'll forgive them.

We can recover the mischief they have created if we have a commitment to protect our new, struggling industries to the same degree that our major trading partners protect theirs—no more, no less.

We can speak nicely of them if they will help us fashion policies which favor the rebuilding of this Nation with the concern we are showing to Russia's problems.

Mr. Speaker, nobody likes to be right more than I do. But, in this case—in the case of what has happened to our industries and our workers—our States and our cities—I am sorry to have been so right.

I was never trained in economics—only basic math. I was raised to work and make a salary—to save and pay taxes. It takes no college degree to know that when one pays taxes where one works, goods are bought with what is left over. Japanese workers, Mexican workers are no different from you and me.

We need to bring the jobs back home. The bill for having shipped them off-shore has become too high for us to pay!

Now let's talk about some of those off-shore activities that are so devastating to our economy.

JAPAN FLEXES ITS MUSCLES

Mr. Speaker, after reports of our dependency on the Japanese for computer chips to run United States weaponry in the Persian Gulf action, stories in the business press this week make it very clear that we are equally dependent upon the Japanese—and other foreign sources—for the more advanced screens for our computer manufacture.

In a shockingly protectionist action on the part of the Commerce Department and the International Trade Commission [ITC], a 63 percent tariff was levied on screens used largely in the laptop and notebook computers—the fastest growing sector of the market.

Japanese firms are reported to be retaliating, threatening to stop shipments or to move their United States-based manufacturing plants back off-shore. Toshiba is very straight forward in their threat: "If the tariff is removed, we will produce again in the United States."

ITC and Commerce are upholding U.S. law albeit, selectively. To many observers, a stronger dumping case can be made and should be made in the matter of auto parts coming in from Japan, but the Commerce Department has been loath to pursue the law on this one. It would be a very clear cut

case, as I understand it—no United States auto parts are allowed to be sold in Japan and our trade deficit on auto parts with the Japanese continues to grow.

However, in the display screens decision—the Japanese will win either way. It is strange how very narrowly the duties decision is being played by Commerce and the ITC. If a screen is imported—separately from a computer—it is so threatening to our industry that a 63-percent duty will apply. On the other hand, if it is imported with the machine attached, the duty drops to 3.9 percent regular duty for the machine.

Now, it seems to me—if reason ever applies in Washington—a screen is a screen is a screen and sales are lost to our struggling industry whether the screen is separate or attached. And furthermore, if all the manufacturing moves offshore so that the marriage of screen and machine takes place beyond the reaches of the tariff—then heads we lose, tails we lose. Few offshore manufacturers will come shopping for our U.S. screen production and we will have lost both computer manufacturers and screen manufacturers.

Normally, I would be delighted that an American industry was receiving protection from dumping actions of a foreign country—but in this instance, narrow, mindless protection seems to be worse than none at all and as in every recent instance dealing with trade matters—we come away poorer for the experience. One must wonder if the decision was a deliberate effort to buy off some protectionists?

As to the Japanese threats—I think it is nothing but muscle flexing. They are going to win either way it goes.

TIME WARNER SOON IN JAPANESE HANDS

When I read the story in today's New York Times that Toshiba and C Itoh were investing $1 billion in Time Warner, I was angry. These are the two companies who a decade ago, sold our sensitive technology to the Soviets which will result in costing the American taxpayer $100 billion to develop and produce new technology to protect our submarines.

Now Toshiba and C Itoh are infiltrating our telecommunications industry and will have an interest in Time Warner's cable, film and pay television business. Time Warner also owns Time magazine, Sports Illustrated and People and has a worldwide information network which will be very helpful to Japanese business interests.

This sale to the two companies who showed such contempt for American law by selling our technology, now will be in a position to influence our television. It completes the circle of foreign invasion into our communications system which began with the sale of Columbia Pictures to Sony and MCA to Matsuishita.

What all of these sales do is freeze our electronics industry out of the hardware used for the film industry. Now Toshiba and C Itoh also will have a vested interest in one of our most prestigious publications Time magazine.

Will this entrance into the publishing business give the Japanese the ability to influence what is printed by Time Warner? According to media reports from the movie industry the Japanese are telling writers to rewrite their films for a specific cultural cast. If they do that in Hollywood, surely that will happen in the print industry. More importantly, this will give the Japanese a very strong presence in communication and the means to push to buy radio and television stations, which now are barred to foreign ownership. Unfortunately, the FCC commissioner is considering asking that we open up the ownership of radio and television to foreign interests.

This must not be allowed. We are the only country in the world so shortsighted as to sell our cultural industries like printing and movies to foreign interests.

We lost a national treasure when Columbia Records, the oldest recording studio in the world, was taken to Germany and renamed with a Japanese name and a German placed as the president of the company.

We are losing our national treasures and ability to define our own culture—to communicate the American view to the world. How is this happening?

We have what Pat Choate calls agents of influence. In this case the agent of influence is Felix Rohatyn, a partner in Lizard Frieres—the architect of the bail out of New York, which has ultimately failed. I realize that Mr. Rohatyn is held in esteem, but certainly his judgment was not ruling in this, but his pocketbook. Remember Ambassador Bob Strauss made $8 million at lunch in negotiating the MCA sale with Matsutshita. In fact, he represented both sides of the negotiations.

I know the reasons for the Japanese in this Time Warner venture. Toshiba and C Itoh want to stop their biggest competitors Matsushita Electric Industrial Co., which owns MCA and Sony Corp., which owns Columbia. Obviously Mr. Rohatyn is making big bucks and the Japanese are now allowed to play in our telecommunications industry.

Almost 2 years ago I spoke to you about the effect of the Sony purchase of Columbia Pictures in a speech "America's Bedtime Story."

I pointed out that America is literally turning out the lights for our industries if we passively let the studios and HDTV slip through our fingers—and now we are selling a major media industry to these original film sales.

Time Warner with its information network and magazines is too important to the United States and its welfare to be in the hands of the Japanese. How will the stories in Time be written about Japanese trade. We must keep our cultural industries and information systems for America.

We are sounding the death knell for American's to communicate their culture. We are truly a colony without the means to communicate and inform the public about events and policy choices. Paul Revere once warned our citizens about foreign advances when he made that famous midnight ride and cried "the British are coming, the British are coming." Today there can be no Paul Revere to warn "the Japanese are coming" because they are here because of American "agents of influence." The American people should protest this sale.

□ 1750

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

Mrs. BENTLEY. I yield to the gentleman from California.

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

I was in my office watching her statements, and I just wanted to come to the floor and tell her how valuable her efforts, her untiring efforts have been for the industrial base of this country and for jobs for literally millions of Americans.

We sat in, in having a discussion today in urging the Defense Department to continue voluntary restraints with respect to machine tool imports, because the machine tool business is so important to this country and to our industrial base and many, many industries which are appended to it.

It was pointed out to us at one point in our discussion with DOD that, for example, if Americans only replaced half of the cars that they purchased today that are foreign cars with American cars, if we had a 30-percent penetration of our market, if we only took 15 percent or one-half of that 30 percent and bought American cars, we would literally pull this country out of the present recession because the auto industry pulls like a big train so many other industries with it.

That same principle is valid with respect to a vast array of American industries and technologies, which the gentlewoman has sought to protect.

I just want to tell her that I know she has done, she has embarked on this vigil for the last many, many months. Her statements have had an effect and the country appreciates it.

I think that listening to the gentlewoman from Maryland, HELEN DELICH BENTLEY is one way to start pushing ourselves out of this recession that we are still in.

Mrs. BENTLEY. Mr. Speaker, I thank the gentleman from California, DUNCAN HUNTER, who has been also a very strong supporter in this activity. At times when I was fearful of being all alone, the gentleman from California was there to continue to provide background and support.

I think while we are on the matter of automobiles, let us make a point. I think it pays to explain to our people the differences between a car, an American-manufactured car, let us say one by Ford or one by GM or one by Chrysler, versus one that is imported from overseas. This is something that too many people do not stop to think about.

When one is manufactured here and they start with buying the steel in this country, the ore for that steel is carried, is transported either by ship on the Great Lakes, American workers on that ship, or a ship coming down the St. Lawrence River where the ore is unloaded.

Then it goes into a steel mill where it is processed into steel by American workers, and then the steel is taken out and sent to an automobile plant here or to a parts plant, a manufacturing plant here. So that there are American workers who are involved in the making of the body and American workers involved in the making of the components that go into the automobile, the radios and what have you.

Finally, when we get the finished product, we have many, many, many American workers involved in each of those steps.

But when we have a car coming in from overseas, the only employment there is is the car coming into a port. And I represent a seaport and people say, "How can you represent a seaport and talk against imports?"

I will because manufacturing in this country is important until we can get two-way trade.

That car comes in. It is discharged. It goes right to an automobile storage area for a while until they can dump the price, as they have and we know they have. Or it goes right into a dealership, and there is is sold.

But how many American workers are not involved in the production of that car? This is what we were told today by Department Secretary Donald Atwood, the importance of buying one American car out of every two cars that are bought from here on in this country, what it would mean to the economy.

And just think what that would do to, talking about the State economies and how the States are suffering, because taxes are not going in, people are on unemployment. We have been fighting extending the unemployment compensation in this country because people are out of work.

How much we could all help by thinking of buying American goods.

Mr. HUNTER. Mr. Speaker, if the gentlewoman will continue to yield, I thank the gentlewoman for expanding with respect to Buy America. One constituent of mine, a very astute gentleman named Don Cox, from Imperial Valley CA, ran some statistics by me the other day that he developed. He is well-educated and has spent a lot of time working on and analyzing the trade industry, the trade business.

He said this:

> A multiplier for automobile purchases is really about five. That means because of all of the attendant industries and because the workers are buying groceries and renting apartments and houses and things like that, when you buy a $20,000 car made in America, you are really spending the gross national product $20,000 times 5 or $100,000.

Similarly, if one buys a car made in Korea or Japan or Germany or some other place, one is expanding their gross national product, less of course the sales costs in America, by $100,000.

He said:

> Now consider this. We tax our industrial base at a rate of about 20 percent of the GNP. Taxes in this country are roughly 20 percent of the gross national product. So if the gross national product that is produced by a $20,000 car purchase is $100,000 and you tax that $100,000 at a 20-percent rate, that means that when you buy a car made in America, you are creating $100,000 in gross national product for your country, for your neighbor to have a job and your son and your daughter, but you are also creating $20,000 in revenues for the Treasury, which reduces the deficit.

□ 1800

So what we are talking about when cars are called a big-ticket item, that really is an understatement. Cars are major, major battles in the economic competition that we engage in with other countries, and the loss of the automobile industry and the erosion of the automobile industry, and I say this as a guy from San Diego with no autoworkers in my district, and with literally a torrent of foreign products flooding our shores, the loss of the automobile industry, should it occur, and it is occuring right now, certainly deterioration is taking place, will have a devastating effect across the board on the American economy. And I think we should, in the economic pages we are putting onto the floor, and the gentlewoman from Connecticut, NANCY JOHNSON, spoke about this today, as did the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. And the gentleman from Illinois [Mr. HYDE].

Mr. HUNTER. That is correct, HENRY HYDE. We should try to insert some type of provision in any economic growth package that will have a salutary effect on the automobile industry and the people, the great American people who work in that industry.

Mrs. BENTLEY. The gentleman was talking about the tax portion of the GNP. Taking taxes in another way, the Congressional Research Service tells us that out of every dollar spent in this country, 38 cents to 42 cents of that goes into some form of taxes, unemployment, Social Security, income tax, all the taxes that go to State, local, and Federal treasuries. So this is one of the reasons again that we are losing, our economy is suffering, because so much of our economy has been moving offshore so that they can come back.

The thing that really blows my mind is the purchase of Time Warner, and Sony, and Columbia Pictures and all of these other companies in this country by foreign interests, which is with our own dollars, our own dollars. We are losing our treasures ourselves because we are so shortsighted, and I do hope that we turn this around.

EXPRESSION OF SYMPATHY AT THE DEATH OF LILY SOTO

Mr. HUNTER. If the gentlewoman will yield for 1 more second for something that is completely unrelated and is rather a personal statement, I would appreciate it because she is such a good friend of mine and we impose on each other all of the time.

My wonderful office manager, Lily Soto, who was my office manager when I was a pup attorney practicing law in the barrio, a little bitty storefront in the 1970's, and has been with me ever since in my congressional career, passed away today from a heart attack.

Mrs. BENTLEY. I am sorry to hear that.

Mr. HUNTER. Lily was a wonderful person who had 13 children and was intensely dedicated to this country, and provided not only a great service for the people of the 45th Congressional District, but also a wonderful friendship and a kinship. She considered me, I guess, as a son, and I, her almost as a mother during our long friendship and relationship.

She had sudden heart attack, and her family is taking it rather difficultly. But she was a wonderful, wonderful person, and I wanted to take the floor just to say that this Congress, which has done a lot of good things in the last 10 years or so, is well served by many hundreds of thousands of very fine, capable staff people. And Lily Soto was one of those people who represented the very, very best.

Mrs. BENTLEY. They certainly are, and I am sorry to hear that. Please express all of our sympathy to the family.

JULY 1991 SOUTH PACIFIC FORUM CONFERENCE

The SPEAKER pro tempore (Mr. SARPALIUS). Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 60 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to take this opportunity to present a commentary on the results of the most recent meeting of the 15 island nations of the South Pacific Forum.

Mr. Speaker, the South Pacific Forum was established in 1971, and is a regional organization comprised of the several island nations that make up Oceania. It evolved out of the desire of the leaders of the independent nations

of the Pacific to be able to discuss common problems, and the recognition that a concerted regional approach would give the small and relatively isolated island countries of the region a better chance to resolve mutual needs.

Mr. Speaker, the countries represented at the first forum in 1971, were the Cook Islands, Republic of Fiji, Kingdom of Tonga, Independent State of Western Samoa, Australia, and New Zealand. These have since been joined by Niue, Papua New Guinea, Kiribati, Solomon Islands, Tuvalu, Vanuatu, the Federated States of Micronesia, and the Republic of the Marshall Islands.

The South Pacific Forum has been involved in the establishment and administration of a wide range of regional agreements, organizations and agencies operating in the region through the Forum Institutional Network [FIN]. Part of this network includes the Forum Fisheries Agency, the South Pacific Commission and other organizations which deliberate the welfare of the region.

One of the major accomplishments of the Forum Fisheries Agency [FFA] was the successful negotiations of the United States and the FFA Pacific Tuna Treaty. This provides for the payment of an access fee by the American tuna vessels for the right to catch tuna within the exclusive economic zones of these island countries.

This year's South Pacific Forum Conference was held in Palikir, Pohnpei, and the Federated States of Micronesia during the last week of July, and was attended by leaders of the governments of the Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Tuvalu and Western Samoa, Australia, Tonga, Solomon Islands, and the Marshall Islands.

Among the important issues discussed at this meeting were economic development and trade prospects for the region; the environment; regional security; developments in New Caledonia; and the region's approach to global issues The group also issued a communique on the continued detonation of nuclear devices by the French Government in the Island of Mururoa.

Mr. Speaker, I would like to address this issue first:

The island nations of the Pacific are concerned that these French nuclear tests will spread radioactive contamination, especially on the marine environment of the region. The last mushroom clouds soared over the Pacific nearly 40 years ago—spreading destruction over atolls and caused serious physical harm to several hundred Micronesians who live in the Marshall Islands.

Mr. Speaker, the residents of our region in the south Pacific have protested this continued testing in the Pacific in every international forum, but to no avail. The French have insisted that its nuclear testing at Mururoa is safe and poses no risk to the environment, but the members of the forum are not buying this argument.

A report prepared by the Nauru Government and presented to the summit said nuclear leakage from the test sites could occur as early as within the next 6 years. It said a mission by French underwater explorer Jacques Cousteau to Mururoa "found spectacular cracks and fissures * * * and some subsidence and submarine slides."

The report said:

> If the cracks seen at relatively shallow depths by Cousteau should penetrate the basalt substructure under the atoll and reach the test chambers, they could constitute a fast pathway for radioactivity into the atoll's immediate environment.

It said there were grave doubts that radioactive materials would be safely contained if French nuclear testing continued. U.S. scientist Norman Buske found high levels of caesium in the lagoon of Mururoa atoll he said could only have come from underground nuclear explosions. "The time required for radioactive leakage to reach the open environment is probably less than 6 years," Buske said.

The French Commisariat a L'Energie [CEA] has claimed that no radioactive leakage for hundreds of years would take place at Mururoa atoll and only small amounts of radioactive water would reach the surrounding ocean. Forum nations were irked that Paris took the omission of any condemnation of French nuclear testing in their communique issued last year in Vila, Vanuatu, as acquiescence to the program.

France had tried to placate critics of its nuclear program by emphasizing the benefits to Pacific nations and stressing the safety of the nuclear blasts rather than taking steps to terminate testing in the Pacific, the Nauru report stated. "The forum reiterated its firm and unceasing opposition to nuclear testing in the region," the communique issued at this year's conference declared. "In this regard the forum agreed to give consideration to an expanded program of opposition to France's nuclear testing in the region," the communique added, without specifying what action forum countries might take. French representatives here refused to comment on the forum's condemnation of the nuclear tests and a foreign ministry spokesman in Paris said it would not change France's position. While the number of nuclear tests over the past year has declined, their combined yield remains high, officials said. One test on May 29 at Fangataufa reached about 100 kilotons and was one of the largest undergound tests ever undertaken at France's Pacific test site, they added.

Paris completed its 1991 test series with a 35 kiloton underground explosion on July 15, about 2 weeks before the forum opened its summit meeting on Pohnpei.

One forum official said tempers were rising and patience running thin on the issue. "We can't just keep swapping position papers," he said.

Mr. Speaker, how much longer must our President and the administration going to remain silent on the serious matter?

Mr. Speaker, it is my intention to introduce a resolution to express strong concern on the harm that these underwater nuclear tests affect on the marine environment. The concern for the marine environment is not just an issue restricted to the Pacific—it is a global issue now that is just as important to countries in the Atlantic, the Mediterranean.

So I call upon the good people of France to plead with their leaders to stop this insane practice of conducting underwater nuclear detonations. And I repeat, underwater. It is not underground and safely above as in Nevada. Why do not we invite the French to conduct their nuclear tests in Nevada?

France has tried to placate critics in the forum by stressing the safety of the nuclear explosions rather than taking steps to terminate testing in the Pacific. Mr. Speaker, if it's so safe, why doesn't the French Government conduct its tests in the territorial waters of France? I'll tell you why, there is not one citizen of France who wants to risk the danger of radioactivity as a result of nuclear detonations in his backyard.

Another major topic discussed at this forum meeting was economic development and trade prospects for the region. The forum confirmed that Prime Minister Geoffrey Henry of the Cook Islands continue his discussions with U.S. authorities regarding funding and the structure of the proposed joint commercial commission [JCC] between forum island countries and the United States to be initially located at the East-West Center in Hawaii.

President Bush in a summit meeting with several island leaders in Hawaii last year in October, announced several initiatives. First, he proposed the establishment of a joint commercial commission with the islands, to meet each year—at senior Government levels—to identify and address commercial opportunities and trade concerns.

Second, he announced that the Overseas Private Investment Corporation [OPIC] would establish two new funds, an Asian-Pacific growth fund and an environmental investment fund to respectively assist private sector and natural resource development. In addition, OPIC will lead a 1991 mission of American investors to Pacific island countries.

OPIC reports that they have placed an Asia-Pacific growth fund on the market and are expecting a great amount of interest in this investment fund. An investment mission also visited the South Pacific during the mid-

dle part of September and I am looking forward to a report of their findings.

Mr. Speaker, I applaud the President for finally taking a serious look at a region that the United States has ignored since the end of World War II. While other countries such as Japan, China, the Soviet Union, and Europe, Clamor to make friends with a region whose oceans hold approximately 25 percent of the world's resources, the United States has continued to practice its policy of benign neglect in this region.

Mr. Speaker, the world's population is expected to grow by about 1 billion within the next 10 years. This growth will surely place a large burden on the world's food resources—and I am afraid that our present neglect will not gain us friends in an area which, because of its resources, will become one of the most strategic areas in the world. It's like that ad on TV on oil filters—"Pay me a little now, or pay me a lot later."

Mr. Speaker, the South Pacific Forum also addressed the issue of drift net fishing in the South Pacific. The forum reaffirmed its commitment to the Tarawa Declaration which committed members of the forum to the cessation of drift net fishing within their waters and to actively contribute to international efforts to prohibit the practice.

Mr. Speaker, drift net fishing is probably the most demeaning and devastating method of fishing invented by these contries. These nets stretch for 30 miles out, and are suspended by as much as 50 feet in depth. Because the line is nylon—it is invisible, and as it floats on the water, it will catch anything in sight. In other words, a drift net does not ask if you are a bird, a turtle, a whale, a swordfish, or even tuna—it kills anything it carries.

Mr. Speaker, sometimes these nets get lost. And you know what happens? The drift net continues to fish. With 800 fishing vessels using drift nets—Mr. Speaker, you're talking about 24,000 miles of ocean that gets fished every day in the worst way.

Drift net fishing by Japan, Korea, Taiwan, and other countries has, in some instances, decimated tuna stocks that we in the Pacific have cultivated for hundreds of years. Two years ago I introduced legislation which was unanimously passed by the Congress to stop this insance method of fishing. The United Nations also passed a resolution which mandated the complete cessation of drift net fishing in the South Pacific.

I am happy to report that most, if not all, the countries involved in drift net fishing have agreed to comply with the United Nations resolution—I just hope we are not too late.

I would personally like to commend outgoing Secretary General, the Honorable Henry Naisali, who in his 6 years in office presided over the development of the forum Secretariat which he molded into a highly professional body. I would also like to welcome the new Secretary General, Ieremia Tabai, former President of Kiribati, who brings with him a vast knowledge and understanding of the Pacific region. But mostly I would like to commend all the leaders of the Pacific Forum for the dedication they have shown in the affairs of the region and for preparing all of its residents to meet the challenges of the 21st century.

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Mr. Speaker, I am including in the RECORD a copy of the forum communique of the 22d South Pacific Forum, as follows:

TWENTY-SECOND SOUTH PACIFIC FORUM

FORUM COMMUNIQUE

The Twenty-Second South Pacific Forum was held in Palikir, Pohnpei, Federated States of Micronesia from 29 to 30 July 1991, and was attended by Heads of Government of the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Tuvalu and Western Samoa. Australia was represented by its Minister for Foreign Affairs and Trade, the Republic of the Marshall Islands by its Minister for Health, Solomon Islands by its Minister for Foreign Affairs, Tonga by its Minister for Foreign Affairs and Defence and Vanuatu by its Deputy Prime Minister.

2. The Forum discussed the following key issues:

Economic development and trade prospects for the region;

Environmental matters including the UN Conference on Environment and Development;

The importance of ongoing discussions on regional security;

Developments in New Caledonia; and

The region's approach to global issues.

ECONOMIC DEVELOPMENT

3. The Forum expressed concern at the continuing difficult economic situation facing many member governments. It endorsed the view that while many issues, such a programmes of economic structural adjustment, needed action at the national level, there was also a key role of regional action. The Forum noted that while the delivery of substantial aid flows remained of critical importance to Forum Island Countries, there was a need for greater emphasis to be given to issues involving the private sector including trade and investment.

4. The Forum recognised the importance of continuing high level economic discussions between Forum Island Countries and the region's major development partners. It was pleased to note the firm resolve shown by all those interested in South Pacific development to foster greater levels of cooperation, coordination and policy dialogue. In this regard a number of important issues were identified for further development of policies and programmes. These included the role of the private sector, recurrent costs issues of aid delivery, progress in the development of strategic planning and policy formulation capacities, human resources development including higher education and training and refinement of aid consultative mechanisms. It was fundamental that all agencies involved in these activities in the region continued to work closely together, coordinating their efforts to the greatest extent possible. The Forum particularly emphasized the role of the South Pacific Organisations Coordinating Committee in this regard.

5. The Forum was particularly concerned about duplication of activities between regional programmes and organisations. It therefore welcomed the proposal that the Forum Secretariat work with other regional organisations and donors to develop a statement of priority programme needs for the region that could be met through collaborative regional assistance programmes, complementing national activities.

6. The Forum agreed that the region should continue to promote links with the rest of the world including non-Forum territories in the Pacific and that links should continue to be strengthened with groupings such as APEC and PECC and that the relationship between the Secretariat and the ASEAN Secretariat continue to be fostered. The Forum joined others in the international community in urging all participants in the Uruguay Round to commit themselves to a comprehensive and successful end to the negotiations this year and underlined the importance of fair trading systems to Forum member countries.

7. The Forum also confirmed that the Prime Minister of the Cook Islands continue his discussions with the United States authorities regarding funding and the structure of the proposed Joint Commercial Commission (JCC) between Forum Island Countries and the United States to be initially located at the East West Center in Hawaii. It also accepted that the JCC would be initially composed of the United States and the thirteen Forum Island Countries as proposed by the United States but wished the opportunity to remain for other Pacific Island Governments to become members of the Commission in future. Forum members agreed that upon the establishment of the JCC, Mr Jioji Kotobalavu would be appointed as their Executive Secretary.

ENERGY

8. Given the importance of the energy sector, the Forum welcomed the offer of Fiji to host a meeting of Forum Energy Ministers on 29–30 August 1991 to consider oil pricing policies as they affected economic development in Forum Island Countries. If further endorsed the need for the Secretariat to continue to monitor and analyse international oil prices and the cost structure of oil companies in reaching the prices of oil products charged in Forum Island Countries.

CONSUMER PROTECTION

9. The Forum supported efforts to develop a more regional approach to consumer protection matters. In this context it welcomed the holding of a further regional Seminar on Consumer Protection in Western Samoa later this year. All member governments undertook to examine closely the United Nations Guidelines on Consumer Protection.

SMALLER ISLAND STATES

10. The Forum recognized the special development requirements of the Smaller Island States of the Forum and recommended that the international donor community take these into account when providing assistance to those Forum members. The Forum welcomed the offer by the Cook Islands Government to host a meeting in November 1991 of Heads of Government of the Smaller Island States together with senior officials and private sector representatives to consider the longer term strategies for the development of the Smaller Island States. The Forum Secretariat would facilitate this meeting drawing on funding to be made available by

Australia under a new programme to foster the development of the private sector in the South Pacific.

ENVIRONMENT

11. The Forum reaffirmed the fundamental importance to the region of environmental issues and acknowledged the critical linkages between the protection and conservation of the environment and sustainable economic development. It stressed the need to articulate Pacific interests clearly and comprehensively in the negotiation of international conventions on climate change and biodiversity as well as in other environmental forums. The Forum also reaffirmed the obligation of all countries to cooperate to conserve and protect the environment and to promote appropriate and sustainable development policies in order that the well-being of future generations could be assured.

12. It welcomed progress on decisions made the previous year on the need for strong institutional arrangements to address these concerns with the marked strengthening of the South Pacific Regional Environment Programme (SPREP) into a fully autonomous regional organisation and the decision to establish SPREP's Headquarters in Western Samoa.

13. The Forum welcomed the entry into force of the Convention for the Protection of Natural Resources and Environment of the South Pacific Region (SPREP Convention) and its associated Protocols concerning Cooperation in Combating Pollution Emergencies in the South Pacific Region and the Prevention of Pollution of the South Pacific Region by Dumping. It also welcomed the entry into force of the Convention on the Conservation of Nature in the South Pacific (Apia Convention).

14. The June 1992 United Nations Conference on Environment and Development (UNCED) would be of critical importance to the future of the region. The importance of the regional preparation for UNCED and its preparatory meetings was firmly underlined by the Forum. The Forum expressed its full support for the Ministerial Declaration on Environment Development issued by Ministers and representatives at the 8-9 July SPREP Intergovernmental Meeting. The Forum also noted the South Pacific regional statement to be presented at the third meeting of the UNCED Preparatory Committee in August 1991. It agreed that the Forum's support for the Declaration be conveyed to all relevant international bodies with the aim of ensuring that full account was taken of South Pacific concerns. For the peoples of the Pacific, the sea was a most important part of their environment and in this regard the Forum urged those member states who had yet to ratify the Law of the Sea Convention to do so.

15. The Forum agreed that its members be collectively represented, at ministerial level where possible, with coordination and support from SPREP, at the Preparatory Committees leading up to the Conference as these will take many of the key decisions. The third and fourth Preparatory Committees were of particular importance in this regard. At the UNCED Conference itself, participation at the highest possible political level would be desirable to focus attention on the region's interest. Given the complexity and size of the UNCED process the Forum considered that issues could be usefully engaged in concert with other like-minded countries, especially members of the Alliance of Small Island States (AOSIS). Consideration should be given to a coordinated strategy whereby Forum representatives might "specialize" as spokesperson for the region on specific issues. Support from SPREP would be vital. The Forum urged international support to facilitate the effective participation of the Forum Island Countries at the Preparatory Committees and the UNCED itself.

Climate change and sea level rise

16. Global warming and sea level rise were the most serious environmental threats to the Pacific region. The cultural, economic and physical survival of Pacific nations was at great risk.

17. The Forum confirmed the importance for all members of the international community to develop a Framework Convention on Climate Change. In this regard it applauded the efforts of AOSIS. It stressed the urgency of securing international action through the timely conclusion of a strong and substantive global convention with commitments to control the adverse effects of climate change by, inter alia, significant and immediate reductions in emissions of industrially generated greenhouse gases, in particular carbon dioxide. The Forum noted the primary responsibility of industrial countries for reducing these emissions. The Forum noted that the Intergovernmental Negotiating Committee on a Framework Convention on Climate Change (INC/FCCC) had acknowledged the need to accommodate the special interests and needs of Small Island States. It stressed the need to identify those needs and interests clearly and comprehensively, and to communicate them to the INC prior to its third negotiating session in September 1991. It recognised the importance of SPREP playing a central technical and coordinating role.

18. The Forum recognised that progress towards the stabilisation of greenhouse gas emissions was directly linked to commitments to achieve greater energy efficiency and to develop appropriate alternative energy sources and technologies. It called upon all countries, but particularly developed countries, to give high priority to continuing research, development and transfer of technologies in these areas. The Forum agreed to communicate these concerns to the INC and to all other relevant international bodies.

Nuclear testing

19. The Forum remained concerned that despite long standing opposition by the Forum, France continued to carry out nuclear testing in the region. It noted that this was despite France's welcome decision to become a party to the Non-Proliferation Treaty and its signature and ratification of the SPREP Convention and its Protocols. The Forum expressed its deep dismay that the French Government had formally stated that its nuclear testing programme in the South Pacific would not be affected by the decision to join the Nuclear Non-Proliferation Treaty. The Forum reiterated its firm and unceasing opposition to nuclear testing in the region. In this regard the Forum agreed to give consideration to an expanded programme of opposition to France's nuclear testing in the region. It suggested that SPREP play a central role in monitoring and evaluating the environmental impact of nuclear testing in the region.

Dumping of toxic and hazardous waste

20. Concern was expressed about the potential for the region to become a dumping ground for toxic and hazardous waste and chemicals and radioactive materials. In this regard, the Forum commended the London Dumping Convention (LDC) for its recent progressive stance on ocean dumping, and in particular for its 1990 decision to phase out industrial waste dumping at sea. The Forum expressed support for Forum Island Country members who were seeking to codify these advances by amendment of the LDC. The Forum noted its desire to culminate this procedure at the Fifteenth Consultative Meeting of the LDC in 1992 coincident with the UNCED Conference.

Drift net fishing

21. The Forum reaffirmed its commitment to the Tarawa Declaration which, inter alia, committed members of the Forum to the cessation of driftnet fishing within their waters and to actively contribute to international efforts to prohibit the practice. In this regard the Forum welcomed the entry into force on 17 May 1991 of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific and reaffirmed its call for all eligible countries to accede to the Convention and its Protocols, as appropriate.

22. The Forum also reiterated that Resolutions 44/225 and 45/197, in which the United Nations mandated the complete cessation of driftnet fishing in the South Pacific region by 1 July 1991 and the imposition of moratoria in all regions of the world on all large scale driftnet fishing on the high seas by 30 June 1992, should be fully implemented. The Forum called for continued vigilance and cooperation by Forum members and other like-minded states during consideration of this issue at the United Nations General Assembly and noted that in compliance with Resolutions 45/197, Forum members in consultation with the Forum Fisheries Agency would be submitting a report on the impact of driftnet fishing to the Secretary General.

Biodiversity

23. The Forum noted that the Pacific region was one of the world's centres of biological diversity. The many thousands of islands had a rich complex of terrestrial and marine ecosystems. The maintenance of the region's biological diversity was critically important to ecologically sustainable development throughout the region and the world. The Forum recognized the fundamental importance of their biological resources to the people of the Pacific region and endorsed the development of agricultural, forestry, mining and fishing practices which encouraged the maintenance of Pacific biological diversity.

JACADS

24. The Forum considered the Report of the Ministerial Mission on JACADS. Subsequently the United States had, at the request of Solomon Islands Government, removed World War II chemical munitions to Johnston Atoll. The Forum again recorded Pacific opposition to JACADS and reaffirmed the fundamental importance of advice and consent of Pacific governments in any future actions by any state that could impact upon the health and well-being of Pacific people. A Forum scientific mission to monitor the progress and safety of JACADS would be undertaken in the near future and would report its findings to all member governments.

25. The Forum welcomed and accepted as binding US assurances that it would cease the operation of JACADS and dismantle the facility following the destruction of chemical weapons now on Johnston Atoll (and any further stocks discovered in the Forum region). The Forum expressed its appreciation of US efforts to keep Forum Governments informed on the operations of the JACADS facility and looked forward to continuing dia-

logue with the US on this matter. The Forum urged the US to bring Johnston Atoll under the SPREP Convention regime.

REGIONAL SECURITY

26. The Forum stressed that, in a rapidly changing global political and economic scene, exchange of information and dialogue amongst member governments was increasingly important. It also concluded that there was further scope for effective regional cooperation in the law enforcement field. Recent work had revealed that this was a complex area and that individual countries had different priorities. The Forum Regional Security Committee was directed to consider priorities and resource needs when Forum Governments had completed national assessments.

27. The Forum expressed its continuing concern over the grave social consequences of drug abuse and the illegal traffic in narcotic drugs. Forum Governments renewed their commitment to cooperate in combating drug abuse and drug trafficking. In this connection it expressed support for proposals to increase the resources available to regional organizations combating drug abuse and drug trafficking. It also expressed support for various proposals to help develop the capacity of small island countries to successfully address law enforcement problems associated with drug abuse, drug trafficking and other related issues.

DECOLONIZATION

28. The Forum once again reaffirmed the importance of the universal realisation of the right of peoples to self-determination in accordance with the Charter of the United Nations, and the principles and practices of the United Nations pertaining thereto. In this connection, the Forum noted that the United Nations had now embarked on the International Decade for the Eradication of Colonialism and renewed its request that the Secretary-General of the United Nations, or a specially designated representative of the Secretary-General, visit each of the territories which remained on the United Nations list of non self-governing territories. The Forum also renewed its proposal that an extensive study of the remaining non self-governing territories be undertaken by the United Nations and the results widely distributed, and that countries be requested to consider adopting national legislation to promote and safeguard the human rights of peoples living under colonialism.

Western Sahara

29. The Forum expressed satisfaction with the recent progress made toward achieving a just and lasting solution to the question of Western Sahara. In this connection Forum Governments congratulated the POLISARIO Front and the Kingdom of Morocco on this achievement, and commended the role played by the Organization of African Unity and the United Nations in contributing to a suitable solution consistent with the principles and practices of the United Nations.

New Caledonia

30. The Forum one again drew attention to the close links which existed between the people of New Caledonia, particularly the indigenous Kanaks, and other peoples of the South Pacific, and acknowledged the constructive actions being taken by all involved to facilitate the further development of those links.

31. The Forum noted the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote equitable political, economic and social development in the territory, in order to provide a framework for its peaceful evolution to self-determination.

32. The Forum stressed the great importance of equitable economic and social development, transparency in the preparation of the electoral rolls, and continued dialogue among all the parties involved in New Caledonia in preparation for an act of self-determination, consistent with the principles and practices of the United Nations, in which all options, including independence, were open, and which would safeguard the rights of the indigenous Kanaks and those of all other New Caledonians.

33. Forum Government again expressed the hope that the French authorities, and others, would expand their assistance for education and training opportunities for the Kanak population, in order to enable all New Caledonians to exercise their right of self-determination under the best possible conditions. They reiterated their hope that the French authorities would facilitate regular visits to New Caledonia by visiting missions of the United Nations.

34. The Forum would continue its active and vigilant observation of developments in New Caledonia. It congratulated the Ministerial Committee established by the 21st Forum on its very useful interim report. The Forum directed that the final report be widely distributed, including at the United Nations, and ask the Committee to continue its work. The Forum expressed the hope that the French authorities would continue to facilitate visits to New Caledonia by representatives, including Heads of Government of Forum countries.

35. The Forum's intention was to promote increasing contacts with New Caledonia, including by invitations, on a case-by-case basis as appropriate, to French Pacific territories to participate in Forum advisory committees, seminars and workshops. The Forum also acknowledged the usefulness of cultural events where through invitation to the various ethnic groups in New Caledonia, informal contacts with them could be promoted. Informal contacts with political groups within New Caledonia during the annual Forum meeting should be continued. It expressed the hope that other groups would take advantage of this opportunity.

36. The Forum offered to assist the FLNKS in developing a programme of action for ensuring their objectives were met through the Matignon Accords. It further agreed to the establishment of a fund to assist with the training of Kanaks within and outside the region to be administered by the Secretariat.

South Africa

37. The Forum reviewed the situation in South Africa and noted the positive measures taken over the past year to dismantle institutionalised apartheid. Forum Governments called upon those who currently governed South Africa to take the further steps necessary to accelerate the process of totalling dismantling apartheid, and its various vestiges and effects. The Forum noted with dismay the revelation of South African Government involvement in covert political destabilisation and called upon it to take such steps as were necessary to restore its credibility and set the course of negotiations back on a proper path. The Forum, while accepting the appropriateness of a phased relaxation of sanctions as major progress was made in dismantling apartheid, believed that some form of external discipline should be maintained upon the South African Government until a fully democratic political and social system was achieved.

PRESIDENCY OF THE UNITED NATIONS GENERAL ASSEMBLY

38. The Forum unanimously reaffirmed its endorsement of the candidacy of the Foreign Minister of Papua New Guinea, the Rt Hon Sir Michael Somare, for the position of President of the 46th Session of the United Nations General Assembly. Given the significant changes taking place around the world, it also strongly supported the theme of "Managing Change" proposed by Sir Michael as an important issue to be pursued at the United Nations.

SECURITY OF SMALL STATES

39. The Forum welcomed the liberation of Kuwait from foreign occupation and urged the international community to consider effective peaceful measures to assure the security and territorial integrity of all militarily or economically vulnerable smaller states. In this connection, Forum Governments urged all members of the world community to work together for the effective implementation of all United Nations resolutions on this subject, as well as the progressive development of, and respect for, international law.

FORUM COUNTRY INITIATIVES

40. Heads of Government pledged their support and commended:

Applications of the Republic of the Marshall Islands and the Federated States of Micronesia to join the United Nations as full members. The Forum called upon the Security Council and the General Assembly of the United Nations to welcome unanimously, these applications for membership in the United Nations.

The candidacy of New Zealand for the United Nations Security Council for a two-year term in 1993–94. Members also recalled their pledges of support for Japan's candidacy.

Application of Nauru for membership of the Asian Development Bank.

The proposal for the convening of a Pacific Summit for Children and requested that the Secretary General discuss this proposal with his colleague, the Secretary General of the South Pacific Commission and submit a report to the 23rd South Pacific Forum.

The Forum received the report of the Rarotonga Workshop on the Convention for the Elimination of all forms of Discrimination Against Women.

The 40th Anniversary of the Office of the United Nations High Commissioner for Refugees.

Both South Korea and North Korea in their respective bids for membership of the United Nations.

TOURISM

41. The Forum acknowledged the importance of tourism to the economic development of the region and that linkages with the Forum by the Tourism Council of the South Pacific (TCSP) were important to ensure regional tourism development proposals were coordinated closely with other priorities. The Forum recognized the TCSP as a regional intergovernmental organization and agreed that it should have a reporting relationship with the Forum.

POST FORUM DIALOG

42. The Forum endorsed the value of the Post-Forum Dialog as an important opportunity to exchange views on international and regional issues with the main external powers with interests in the South Pacific. It adopted procedural changes designed to encourage participation in the Dialog at a high level, and to enable the Dialog to address

fully the global and regional policy issues of mutual concern of Forum countries with the Dialog Partners.

43. The Forum decided that there should be no change to existing criteria for Post-Forum Dialog Partners, or to the current list of Partners. It directed the Secretariat to examine the possibility of a separate meeting for exchange of views with representatives of Taiwan/Republic of China.

OBSERVER STATUS AT FORUM MEETINGS

44. The Forum decided that there should be no change to existing criteria for observer status. It noted that the Secretary General was clarifying with the Governments of the Republic of Palau and French Polynesia their interest in observer status at the Forum.

DONOR SUPPORT FOR FORUM PROGRAMMES

45. The Forum welcomed the strong support provided by a wide range of donors to the programmes being implemented by the Forum Secretariat. In particular it recognised the contributions now being made by nonmember countries and organizations as implementing agents for a number of regional programmes such as those funded under the UNDP Fifth Cycle Regional Programme.

REPORTS OF REGIONAL ORGANIZATIONS

46. The Forum received and adopted annual reports of:

(1) Director of the Forum Fisheries Agency.

(2) Director of the Pacific Islands Development Program.

(3) Director of the South Pacific Applied Geoscience Commission.

(4) Vice-Chancellor of the University of the South Pacific.

(5) Secretary General of the Forum Secretariat.

(6) Director of the South Pacific Regional Environment Programme.

APPOINTMENT OF SECRETARY GENERAL

47. The Forum appointed the Hon. Ieremia Tabai, GCMG, of Kiribati as the new Secretary General for the Forum Secretariat.

OUTGOING SECRETARY GENERAL

48. The Forum acclaimed the invaluable contributions and historic achievements of the outgoing Secretary General, the Hon Henry Naisali, who in his six years in office had presided over the development of the Forum Secretariat into the highly professional body it was today. Forum Leaders wished him long life, happiness and success in his future endeavours.

SOPAC

49. The Forum supported the application of Mr. Philipp Muller and strongly supported his appointment as the New Director of SOPAC. It expressed appreciation for the services and contributions of Mr. Philipp Muller, the outgoing Director of the Forum Fisheries Agency and Mr. Jioji Kotobalavu, the outgoing Director of SOPAC.

DATE AND VENUE OF NEXT MEETING

50. The Forum accepted with appreciation the kind offer of Solomon Islands Government to host the 23rd South Pacific Forum and Nauru to host the 24th South Pacific Forum. The Forum agreed that it was desirable that the hosting of the Forum should revert thereafter to the practice of preceeding in alphabetical order, commencing with Australia, subject to the Forum determining that special circumstances (e.g., Papua New Guinea's 20th Anniversary in 1995) warranted a variation.

INTRODUCTION OF THE SMALL BUSINESS ECONOMIC OPPORTUNITY ENHANCEMENT ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. IRELAND] is recognized for 60 minutes.

Mr. IRELAND. Mr. Speaker, today I am introducing the Small Business Economic Opportunity Enhancement Act of 1991. This bill establishes a 5-year demonstration program providing direct loans to very small businesses, or microenterprises.

Even as we meet today, a new world economic order is on the march. With the fall of the Berlin Wall and the dawn of a new political era in the former eastern bloc nations, capitalism is being embraced on new fronts.

Indeed as our own economy moves from recession to recovery we are seeing an increase in business and economic activity.

This increase has been evidenced in all of the traditional sectors of our multifaceted economy: Factory orders are on the rise, inventories are dwindling and unemployment is at worst steady and at best actually declining in some areas of our Nation.

The small business community is also playing its traditional role of business expansion and the creation of new jobs. The Small Business Administration reports that since last year its loan guaranty activity between October 1, 1990, and June 30, 1991, has increased by over 5 percent over the same period last year.

But while we see this and other equally positive economic trends, we must confront an equally negative trend. During the past 10 years of American and global economic expansion there has been an 8-percent increase in the number of persons receiving AFDC benefits.

The number of persons on the welfare rolls has increased from 10.5 million in 1980 to 11.4 million in 1990. The Nation's expenditures for the same period have increased from $13.4 billion to $21.2 billion a 58-percent increase.

Mr. Speaker, these numbers reveal in no uncertain terms that the economic growth of the 1980's and the 1990's has not extended to all segments of our populace.

Some might argue that the welfare system's success is demonstrated by the fact that the amount of money each welfare recipient receives is increasing. I, however, cannot accept that definition of success.

As long as every able-bodied person on welfare is not able to realize his or her full potential as an active, independent and productive member of society, the system is clearly lacking.

I believe that many of the Americans who receive welfare benefits would do better if they could do better. When you look at the system we have created, it's easy to understand why the entrepreneurial instinct that is so basic to all Americans has been snuffed out at this level of our society.

We have done little to unleash the entrepreneurial instinct that could transform an economically dependent member of our society into a productive, economically independent one.

I firmly believe that most of the Americans on the welfare rolls would, if given the opportunity, take advantage of the economic freedoms that so many others enjoy.

My belief has been reinforced in recent weeks by my introduction to one of the most provocative worldwide manifestations of the new economic order that I spoke about earlier. It is called microentrepreneurship, or microenterprises.

In a recent column, William Raspberry wrote that he did not believe that welfare and other governmental antipoverty efforts created poverty.

But, Mr. Raspberry wrote that he did believe that the welfare rules and regulations, originally designed to prevent abuse, made it difficult for the poor to climb out of their poverty.

He cited the example of how a welfare mother with talent and interest in hairdressing might use that talent and interest to start a business were it not for the welfare rules that won't let her save enough money to get started.

It doesn't matter where the savings come from. No matter how she manages to save, under current welfare rules those savings become an asset; an asset that could reduce or eliminate her welfare eligibility.

After giving other examples of the perverse effect of rules designed to prevent abuse, Mr. Raspberry asks the question, and I quote:

> Wouldn't it make sense to change the rules to positively encourage poor people to go into business for themselves?

I believe that it would make sense to do just that—to change the rules so as to foster independence and not dependency.

Indeed, we already have examples of what happens when we change the rules and encourage economic independence. One such example is the women's self employment project in Chicago, IL.

This nonprofit, self-help group runs a microenterprise loan program under the auspices of the Illinois Department of Public Aid.

The group initiated the Independent Business Women's Demonstration Program, which is designed to enable women receiving welfare benefits to experience greater choice and control over their lives by giving them the opportunity to start their own businesses.

The results were very encouraging. As of October 1989, the date of the final program report, 70 percent of the 20 welfare recipients who began the pro-

gram no longer received cash assistance from AFDC. Over 80 percent were completely off welfare or received greatly reduced levels of aid.

The Chicago program is but one example of similar demonstration programs across the Nation: the good faith fund in Arkansas; the mountain micro enterprise fund in North Carolina, and the lakota fund in South Dakota.

All are patterned after the Grameen Bank in Bangladesh, which pioneered uncollateralized small lending to the poor because traditional lenders would not do so.

The efforts of the Grameen Bank have resulted in a 98 percent repayment record. More importantly, it has provided financial independence for literally hundreds of thousands of poor people.

Mr. Speaker, several microloan bills have been introduced in both Houses of Congress. While I applaud the intent of these bills and of their sponsors, my visit with the Chicago program and my research into other similar demonstration programs has convinced me that these bills fall short of what is needed for a successful microloan initiative.

The bill that I introduced today addresses all of the concerns voiced by those who should know best—the people across this country who have been trying to run microloan programs.

Specifically, my bill would make it easier for States to change their welfare rules so that the welfare mother that Mr. Raspberry wrote about can have an equal shot at the American dream.

State waivers will allow welfare recipients to accumulate the small amount of equity needed to start a microenterprise without breaking the rules, or even worse, risking the health hand welfare of her children through a loss of benefits. The waivers also would allow welfare recipients to borrow money.

The benefits that my bill would protect would include aid to families with dependent children, Medicaid, Social Security and unemployment benefits.

Further my bill would amend the job Training Partnership Act so that funds for JTPA, currently restricted to helping a needy American find a job, could be used to train Americans to be business owners

The Community Development Block Grant Program and the Consolidated Farm and Rural Development Acts would also be amended to make microloans eligible activities.

Finally, I would direct the Small Business Administration to insure that half of the programs funded go to rural areas of our country where the need is especially great.

Mr. Speaker, America has traditionally been at the forefront of innovation and new approaches to solving age old problems.

By passing the Small Business Economic Opportunity Enhancement Act, Congress can take a page from the Grameen Bank experience and the experience of such American pioneers as the Women's Self-Employment Program.

We can unleash the entrepreneurial power of a forgotten segment of our society. In doing so, we can foster pride and financial independence in those who lack them most.

The Small Business Economic Opportunity Enhancement Act is an act of hope for all Americans.

CONFERENCE REPORT ON H.R. 2622

Mr. ROYBAL submitted the following conference report and statement on the bill (H.R. 2622) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes:

CONFERENCE REPORT (H. REPT. 102-234)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2622) "making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1992, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 16, 29, 37, 41, 42, 45, 70, 76, 86, 90, 103, 104, 107, 114, 116, 124, 125, and 153.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 9, 18, 19, 21, 30, 44, 47, 49, 61, 63, 64, 72, 73, 74, 75, 77, 78, 79, 82, 105, 108, 109, 111, and 117, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$68,238,000*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$33,325,000*; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$39,645,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$8,309,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$336,040,000*; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$19,000,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *4,109*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *1,127*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$1,266,305,000*; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$189,000,000*; and the Senate agree to the same.

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$105,122,000*; and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *$12,000,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 7, 10, 13, 20, 22, 23, 24, 25, 27, 28, 31, 32, 33, 34, 35, 36, 38, 39, 40, 43, 46, 48, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 62, 65, 66, 67, 68, 69, 71, 80, 81, 83, 84, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 106, 110, 112, 113, 115, 118, 119, 120, 121, 122, 123, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, and 155.

EDWARD R. ROYBAL,
STENY H. HOYER,
DAVID E. SKAGGS
(except for amendments No. 43 and No. 155),
NANCY PELOSI,
SIDNEY R. YATES,
JOSEPH D. EARLY,
JAMIE L. WHITTEN
(except for amendment No. 43),
FRANK R. WOLF,

JIM LIGHTFOOT,
HAROLD ROGERS,
JOE MCDADE,
Managers on the Part of the House.

DENNIS DECONCINI,
BARBARA A. MIKULSKI,
BOB KERREY,
ROBERT C. BYRD,
PETE V. DOMENICI
(except for amendments No. 24 and No. 31),
ALFONSE M. D'AMATO,
MARK O. HATFIELD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2622) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 1992, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENT OFFICES

SALARIES AND EXPENSES

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for not less than $2,522,000 and 40 full-time equivalent positions for the Office of Foreign Assets Control.

Amendment No. 2: Appropriates $68,238,000 for salaries and expenses instead of $67,500,000 as proposed by the House and $68,975,000 as proposed by the Senate.

UNDER SECRETARY FOR ENFORCEMENT

The conferees believe there is a need within the Department of the Trreasury to give increased prominence to the very important law enforcement activities and responsibilities of its law enforcement bureaus. The Treasury Department has wide ranging law enforcement jurisdictions, from the protection of our nation's borders to the protection of the President of the United States. Its outstanding efforts in the war against drugs, and leadership in attacking money laundering and other financial crimes have brought worldwide respect.

The principal law enforcement position within the Department of the Treasury is currently the Assistant Secretary for Enforcement. The Assistant Secretary represents the Department nationally and internationally in the broadest range of law enforcement matters and in regulatory, tariff and trade enforcement matters. The Assistant Secretary deals with issues which frequently involve the responsibilities of several Assistant Secretary and higher level officials in other executive departments, and frequently represents the United States in international forums. With the war on drugs identified as the nation's number one domestic priority, and financial crimes now recognized internationally as a major problem, and international trade enforcement (including critical trade embargoes and sanctions) playing an increasingly important role in foreign relations, the conferees strongly believe the position of Assistant Secretary for Enforcement should be elevated to Under Secretary of the Treasury for Enforcement. The Department of the Treasury is, therefore, directed to prepare a proposal for establishing the position of Under Secretary of the Treasury for Enforcement, and to prepare a related analysis of any budget and resource implications of such proposal. This proposal shall be submitted to the House and Senate Committees on Appropriations by February 1, 1992. If the Department determines that the proposal should be implemented, it shall submit a reprogramming request to the House and Senate Committees on Appropriations for prior approval.

INTERNATIONAL AFFAIRS

Amendment No. 3: Appropriates $33,325,000 for International Affairs instead of $32,794,000 as proposed by the House and $33,855,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Amendment No. 4: Appropriates $24,835,000 for salaries and expenses as proposed by the Senate instead of $22,710,000 as proposed by the House.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Amendment No. 5: Appropriates $39,645,000 for salaries and expenses instead of $39,245,000 as proposed by the House and $41,245,000 as proposed by the Senate. The conferees have provided $400,000 for increased operational support of the Marana, Arizona satellite facility.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Amendment No. 6: Appropriates $8,309,000 for the Federal Law Enforcement Training Center's Acquisition, Construction, Improvement, and Related Expenses account, instead of $5,359,000 as proposed by the House and $16,534,000 as proposed by the Senate. The conferees have provided an additional $2,950,000 above the budget request for projects at the Artesia, New Mexico, facility, as proposed by the Senate.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$231,500,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $231,500,000 for salaries and expenses instead of $189,195,000 as proposed by the House and $228,968,000 as proposed by the Senate. The Conference agreement includes the requested amount, $1,200,000, to implement the Federal/State Equity Program, as authorized by Public Law 101-453. This will ensure that cash management improvements in the transfer of funds between Federal and State governments stay on track and lead to greater efficiency.

Amendment No. 8: Makes available $10,794,000 until expended for systems modernization initiatives as proposed by the House instead of $10,294,000 as proposed by the Senate.

Amendment No. 9: Deletes language proposed by the House and stricken by the Senate which would have authorized the FMS to be fully and directly reimbursed from the Social Security Trust Funds for the costs it incurs in processing benefit payments.

BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS

SALARIES AND EXPENSES

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty: Provided, That, notwithstanding the provision of 31 U.S.C. Sec. 1342, the Bureau of Alcohol, Tobacco, and Firearms is authorized to accept, receive, hold, and administer gifts of services and personal property for hosting the General Assembly of the International Office of Vine and Wine (OIV) in the United States in 1993. The Bureau of Alcohol, Tobacco, and Firearms is authorized to use otherwise available funds from the appropriations to the Bureau for fiscal years 1992 and 1993, as necessary, to pay the expenses of hosting, including reception, representation, and transportation expenses. The Bureau of Alcohol, Tobacco, and Firearms' authority shall continue until all expenses for the General Assembly meeting have been paid or otherwise satisfied: Provided further, That*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment allows ATF to pay per diem and other expenses to employees when a member of the National Response Team works over 16 hours in the investigation of a bombing or arson incident. It also provides authority for the hosting of the General Assembly of the International Office of Vine and Wine. It is anticipated that the source of the gifts of services, money, and personal property to be utilized for the OIV General Assembly meeting will include members of the wine industry.

Amendment No. 11: Appropriates $336,040,000 for salaries and expenses instead of $316,796,000 as proposed by the House and $341,040,000 as proposed by the Senate.

The conferees have provided total funding of $336,040,000 for the Bureau of Alcohol, Tobacco, and Firearms for fiscal year 1992. Included in this amount is an additional $16,000,000 for the alcohol program; $800,000 for a pilot gang prevention project to be implemented in Phoenix, Arizona; and $2,244,000 for 4 Project Achilles task forces.

The conferees have denied funding for an additional $5,000,000 for the Bureau of Alcohol, Tobacco, and Firearms to implement the initial development of a national gang analysis information center.

Since 1986, the Bureau of Alcohol, Tobacco, and Firearms (ATF) has successfully used the Achilles Task Force approach in combatting violent criminals who use firearms to further their illegal activities in major cities across the United States. Some of these task forces concentrate on gang enforcement; others use their resources to bring criminals to prosecution under criminal statutes which require mandatory sentencing for repeat offenders. Achilles Task Forces are presently operational in sixteen cities located throughout the country. The conferees have included an increase of $2,244,000 for ATF to establish four new task forces in the following cities: Atlanta, Georgia; Portland, Oregon; Charleston, South Carolina; and Milwaukee, Wisconsin.

The conferees request that the Bureau of Alcohol, Tobacco, and Firearms submit a report to the House and Senate Committees on Appropriations by February 1, 1992, which summarizes the success of the Achilles Task Forces to date and justifies, in priority order, other cities in the nation which merit inclusion in this program.

Amendment No. 12: Makes available $19,000,000 solely for the enforcement of the Federal Alcohol Administration Act instead of $15,000,000 as proposed by the House and $22,000,000 as proposed by the Senate.

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows funds for improvement of information retrieval system at the National Firearms Tracing Center with certain limitations.

Amendment No. 14: Establishes a minimum level of 4,109 full-time equivalent positions instead of 4,073 as proposed by the House and 4,119 as proposed by the Senate.

Amendment No. 15: Establishes a limitation of no fewer than 1,127 full-time equivalent positions to be allocated for the Armed Career Criminal Apprehension Program instead of 1,037 as proposed by the House and 1,137 as proposed by the Sente.

U.S. CUSTOMS SERVICE

SALARIES AND EXPENSES

Amendment No. 16: Restores language proposed by the House and stricken by the Senate on additional positions for certain U.S. Customs Districts.

CUSTOMS POSITIONS

The conferees are aware of the need to increase Customs staff positions for the following Customs Districts: San Francisco, California; Baltimore, Maryland; and Port Huron, Michigan. The conferees have included an additional $1,000,000 in the salaries and expenses account for 24 additional entry/inspection aides for the San Francisco, California, Customs District and 2 additional inspector positions for the Port Huron, Michigan Customs District. The conferees are also aware of the need for additional positions over and above these levels for the Port Huron, Michigan, and the Baltimore, Maryland, Customs Districts and request the Commissioner to hire, from available funds in fiscal year 1992, additional inspectors for the Port Huon, Michigan, District; and additional agents, inspectors, and support personnel for the Baltimore, Maryland, District.

Amendment No. 17: Appropriates $1,266,305,000 for salaries and expenses instead of $1,226,514,000 as proposed by the House and $1,270,005,000 as proposed by the Senate.

CUSTOMS RENTAL REQUIREMENTS

The conferees are aware that due to an error by the Department of the Treasury and the U.S. Customs Service during the formulation of the fiscal year 1992 budget, sufficient funds for GSA rental payments were not included in the U.S. Customs Service fiscal year 1992 budget request. These proposed rental charges, totalling $23,140,000, are mandatory and must be paid by Customs during the fiscal year. Because of budgetary constraints, the conferees have not provided increased funds to cover these rental costs. The conferees expect the Commissioner of Customs to achieve savings in overhead expenses to accommodate the increased rental requirements in fiscal year 1992. If this cannot be accomplished, the Commissioner is instructed to submit a reprogramming request to the House and Senate Committees on Appropriations for prior approval identifying the areas from which the funds will be taken.

Amendment No. 18: Makes a technical change by inserting the words "the Commissioner" instead of the pronoun "his".

Amendment No. 19: Deletes language proposed by the House and stricken by the Senate which provided that none of the funds made available to the U.S. Customs Service may be used for administrative expenses in connection with the proposed redirection of the Equal Employment Opportunity Program. The conferees direct the Commissioner of Customs not to redirect the Equal Employment Opportunity Program without the advance approval of the House and Senate Committees on Appropriations.

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes a minimum level of employment for Customs and certain programs.

OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

Amendment No. 21: Inserts a new center heading as proposed by the Senate.

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for the operation and maintenance of marine vessels in the Customs Air and Marine Interdiction Programs.

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which includes marine interdiction programs in the new Customs Interdiction Account.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$175,932,000, of which $14,500,000 shall not be obligated prior to September 30, 1992*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CUSTOMS AIR AND MARINE ASSETS

The conferees have provided a total funding level of $175,932,000 for the Customs Air and Marine Interdiction Progams in fiscal year 1992. Of this amount, $32,000,000 shall be available for the procurement of a fourth P-3 AEW; and $9,000,000 shall be available for operation and maintenance expenses of the marine interdiction program. The conferees expect the Service to report to House and Senate Committee on Appropriations concerning the actual amount of funds required on an annual basis to sufficiently operate and maintain the marine program. The conferees have also provided $10,000,000 for the acquisition of support helicopters for between ports of entry investigations on the Southwest border; and $4,500,000 to begin the replacement and modernization of the Customs marine interdiction fleet. With respect to the procurement of the support helicopters, the Commissioner of Customs is instructed to procure those helicopters which will maximize the long-term air interdiction mission requirements of the Service.

CUSTOMS AIR INTERDICTION FACILITIES, CONSTRUCTION, IMPROVEMENTS AND RELATED EXPENSES

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum named in said amendment, insert the following: *$12,100,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes a new account for improvements to Customs air interdiction facilities and provides $12,100,000 for the Jacksonville, Florida facilities and architectural engineering and design costs for the Corpus Christi, Texas and Miami, Florida air facilities.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

Amendment No. 26: Appropriates $189,000,000 for necessary expenses connected with any public debt issues of the United States instead of $192,270,000 as proposed by the House and $185,659,000 as proposed by the Senate.

INTERNAL REVENUE SERVICE

ADMINISTRATION AND MANAGEMENT

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$141,372,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $141,372,000 for Administration and Management instead of $144,503,000 as proposed by the House and $141,653,000 as proposed by the Senate.

TAX LAW ENFORCEMENT

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$3,579,879,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $3,579,879,000 for Administration and Management instead of $3,606,124,000 as proposed by the House and $3,582,485,000 as proposed by the Senate. It also deletes language proposed by the Senate which would have earmarked funds for fraud investigations.

TAX FRAUD INVESTIGATIONS

The conferees expect the IRS to devote no less than $292,248,000 and 4,293 full-time equivalent positions to Tax Fraud Investigations in fiscal year 1992. These amounts shall be increased by the additional amounts and positions funded by transfer to this activity from the Office of National Drug Control Policy's Special Forfeiture Fund.

Amendment No. 29: Restores language proposed by the House and stricken by the Senate which directs IRS to provide additional amounts above fiscal year 1991 levels for international tax enforcement.

INFORMATION SYSTEMS

Amendment No. 30: Makes available $427,323,000 until expended for tax systems modernization as proposed by the Senate instead of $492,000,000 as proposed by the House.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and

concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *Provided, That of the $427,323,000 provided for tax systems modernization up to $15,000,000 may be available until expended for the establishment of a federally funded research and development center and may be utilized to conduct and evaluate market surveys, develop and evaluate requests for proposals, and assist with systems engineering, technical evaluations, and independent technical reviews in conjunction with tax systems modernization: Provided further, That of the amounts authorized to remain available until expended, $97,000,000, shall not be obligated prior to September 30, 1992*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have added language earmarking $15,000,000 for a federally funded research and development center and have inserted a provision which provides that of the total amounts authorized to remain available until expended, $97,000,000, shall not be obligated prior to September 30, 1992.

ADMINISTRATIVE PROVISION

INTERNAL REVENUE SERVICE

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes the requirement for advance approval for transfers of appropriations to other IRS accounts by the House and Senate Committees on Appropriations.

The conferees have reduced three IRS appropriation accounts to reflect a 3 percent inflationary adjustment for non-personnel transfers between accounts by the IRS which could affect personnel levels. As a result, the conferees instruct the Commissioner of IRS to submit a report to the House and Senate Committees on Appropriations which includes a detailed analysis of staffing levels for all of the programs in each appropriation account within 30 days of enactment. Such report shall identify any changes from those proposed in the President's budget submission for fiscal year 1992. In addition, the conferees instruct the Commissioner of IRS to fully allocate the $172,000,000 appropriated for fiscal year 1992 implementation of the fiscal year 1991 resource compliance initiatives.

U.S. SECRET SERVICE

SALARIES AND EXPENSES

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the use of appropriated funds for certain activities and expenses.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations under certain conditions.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes available until expended funds for renovation at the Official Residence of the Vice President and the New York Field Office. It also makes funds available for protection at the one non-governmental property and at the airport facility used for travel to and from that property.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes fiscal year 1992 funds available for any Presidential Protection Assistance reimbursements claimed in fiscal year 1991.

SECRET SERVICE FULL-TIME POSITIONS

The budget request of the Secret Service for fiscal year 1992 included $4,400,000 for consolidation activities at the present headquarters site. Instead of using the budgeted funds for that purpose, the conferees are providing the $4,400,000 for an additional 32 full-time equivalent special agent positions and 22 full-time equivalent support positions above the fiscal year 1992 FTE levels requested by the Administration for the operational activities of West African heroin drug task forces which the Senate had proposed to fund through the Special Forfeiture Fund. The conferees further instruct the Service to make available up to $600,000 to support these task forces from any unobligated balances accruing from candidate nominee protection activities. Furthermore, the conferees expect the Service to use any unobligated balances from candidate nominee protection activities to support other Secret Service activities. However, before any expenditure of these funds for other activities, the conferees expect to receive a reprogramming request for prior approval. The conferees have included $4,400,000 in the GSA Federal Buildings Fund for the consolidation of Secret Service office space requirements.

DEPARTMENT OF THE TREASURY

GENERAL PROVISIONS

Amendment No. 37: Restores language proposed by the House and stricken by the Senate which provides that the IRS conduct a pilot program to test the feasibility of sharing efficiency savings between employees and Federal agencies.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 102. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitation for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes certain basic activities within the Treasury Department.

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first section number named in said amendment, insert the following: *103*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes certain codes of conduct for employees of the IRS in carrying out their tax collection duties.

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 104. Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be used by the Secretary of the Treasury to direct bill a Treasury bureau for penalty mail costs incurred by another Treasury bureau.

SEC. 105. Not to exceed 2 per centum of any appropriations in this Act for the Department of the Treasury may be transferred between such appropriations. No such transfer may increase or decrease any appropriation in this Act by more than 2 per centum and any such proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 106. Notwithstanding any other provision of this Act, the amount appropriated to the United States Mint for salaries and expenses is $52,450,000.

SEC. 107. Notwithstanding any other provision of this Act, the amount appropriated to the Internal Revenue Service for Processing Tax Returns and Assistance is $1,657,944,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Section 104 prohibits the Department of the Treasury from direct billing any of its bureaus for the postage costs of another Treasury bureau.

Section 105 authorizes transfer authority within the Department of the Treasury.

Section 106 appropriates $52,450,000 to the U.S. Mint for salaries and expenses instead of $53,806,000 included under that heading in this Act.

Section 107 appropriates $1,657,944,000 to the Internal Revenue Service for Processing Tax Returns and Assistance instead of $1,661,298,000 included under that heading in this Act.

Amendment No. 41: Deletes a provision proposed by the Senate which would have eliminated the collection of excise taxes on the importation of certain firearms.

Amendment No. 42: Deletes a provision proposed by the Senate which would have prohibited the use of funds for implementation of the Treasury Department voice messaging system.

The conferees understand that this common network would avoid fragmentation of systems that might be procured individually by Treasury's bureaus, eliminating redundant administrative and operational overhead costs. However, the conferees are concerned that productivity savings are assumed to result from this new system in the fiscal year 1992 Treasury budget request even though the Department has indicated that this system is not expected to be operational until the second quarter of fiscal year 1993. The conferees, therefore, deny the fiscal year 1992 full-time equivalent position reductions associated with the implementation of this system as proposed in the President's budget and direct the Department to ensure that each participating Treasury bureau pay its proportionate share of any fiscal year 1992 costs related to this new system.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *$470,000,000:*

Provided, That the last sentence of section 2401(c) of title 39, United States Code, is amended to read as follows: "In requesting an appropriation under this subsection for a fiscal year, the Postal Service shall (i) include an amount to reconcile sums authorized to be appropriated for prior fiscal years on the basis of estimated mail volume with sums which would have been authorized to be appropriated if based on the final audited mail volume; and (ii) calculate the sums requested in respect of mail under former sections 4452(b) and 4452(c) of this title as though all such mail consisted of letter shaped pieces, as such pieces are defined in the then effective classification and rate schedules.": Provided further, That section 3626(a)(2) of title 39, United States Code, is amended to read as follows:

"(2) Rates of postage for a class of mail or kind of mailer referred to in paragraph (1) of this subsection shall be established in accordance with the requirement that the direct and indirect postal costs attributable to such class of mail or kind of mailer (excluding any other costs of the Postal Service) shall be borne by such class of mail or kind of mailer, as the case may be: Provided, however, That with respect to mail under former sections 4452(b) and 4452(c) of this title the preceding limitation shall apply only to rates of postage for letter shaped pieces, as such pieces are defined in the associated classification and rate schedules."

: Provided further, That section 3626(i)(2) is amended by adding at the beginning of the first sentence thereof the phrase, "Subject to the requirements of section 2401(c) of this title and paragraph (a)(2) of this section with respect to mail under former sections 4452(b) and 4452(c) of this title,": Provided further, That notwithstanding the provisions of section 3627 of title 39, United States Code, (1) the rates for free and reduced rate mail under section 3626 of title 39, United States Code, with the exception of the rates for third-class pieces other than letter shape, shall continue at the rates in effect on the date of enactment of this Act during fiscal year 1992; (2) the rates for reduced rate third-class pieces other than letter shape shall be increased pursuant to section 3627 of title 39, United States Code, so as to recover as nearly as possible one-half the difference between the sum requested for fiscal year 1992 in respect of mail under former sections 4452(b) and 4452(c) of this title as calculated under section 2401(c)(ii) of title 39, and the sum that would be requested for fiscal year 1992 in respect of such mail if paragraph (ii) of section 2401(c) had not been enacted; and (3) the Postal Service is instructed to reconcile any fiscal year 1992 funding shortfall as a result of this appropriation or the requirements of this proviso against future year appropriations requests: Provided further, That pursuant to section 3627 of title 39, United States Code, the rates for reduced rate third-class pieces other than letter shape shall be adjusted to increase the revenues received from the users of such mail, but in no case less than 20 days following the date of enactment of this Act: Provided

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have included a provision in the bill which institutes a reform to the revenue forgone program. This provision will result in a projected savings to the Postal Service of $90 million in fiscal year 1992. The language provides that there will be no rate increase for preferred rate mailers, with the exception of third class non-profit, non-letter shaped pieces in fiscal year 1992. This reform has the effect of assisting the Postal Service in one of its primary objectives which is to maximize the benefits of automation. Currently non-letter shaped pieces cannot be automatically processed and, therefore, each piece must be manually processed, at a much higher cost per piece than letter-shaped mail. The conferees have provided a total appropriation of $470,000,000 for the fiscal year 1992 revenue forgone payment to the Postal Service, an amount which is $180,000,000 below the amount proposed by the House and $87,000,000 above the amount proposed by the Senate. If the Postal Service determines that there is a funding shortfall as a result of the appropriated amount for this account, the Postal Service is directed, pursuant to section 3627 of title 39, United States Code, to adjust the rates on reduced-rate third-class mail other than letter-shaped pieces, by the appropriate amount in fiscal year 1992. All other rates for free and reduced-rate mail will remain at their present levels in fiscal year 1992. The Postal Service is instructed to adjust future year appropriation requests to reconcile any fiscal year 1992 funding shortfall remaining.

Amendment No. 44: Makes a technical change by inserting the word "further" as proposed by the Senate.

POSTAL FACILITY FOR FLATWOODS, KENTUCKY

The conferees expect that the Postal Service shall establish during fiscal year 1992 a new Postal facility for Flatwoods, Kentucky. The conferees have been made aware that this has been a high priority for the Louisville Division for many years because of the current inadequacy of the existing facility.

MAILINGS USING RECYCLED PAPER

The Postmaster General and the Postal Rate Commission are encouraged to explore the establishment of a preferred rate category for mailings which use recycled paper.

PRIORITY OF ELIGIBILITY

The conferees urge the House Post Office and Civil Service Committee and the Senate Governmental Affairs Committee to review the categories of preferred rate mailers eligible for subsidized rates under current law and to consider establishing some order of priority to apply to limit such eligibility in the event funds available to be appropriated for fiscal year 1993 and later years are insufficient to offset fully revenue forgone from all categories of subsidized preferred rate mailers.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

Amendment No. 45: Deletes a provision proposed by the Senate which would have required organizations preparing preprinted material, fitting the Postal Service's description of "postcard", to display their name, acronym, and/or logo on the preprinted postcards under certain conditions.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which reverts any unused funds to Treasury and prohibits this expense account to be taxable to the President.

OFFICE OF ADMINISTRATOR

SALARIES AND EXPENSES

Amendment No. 47: Appropriates $24,510,000 for salaries and expenses as proposed by the Senate instead of $23,010,000 as proposed by the House.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows funds appropriated for repair of the face of the Executive Residence to remain available until expended.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

Amendment No. 49: Inserts the word "operation" and deletes the words "maintenance, repair, and alteration" as proposed by the Senate. This is a technical change in wording.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the Vice President to account for official entertainment expenses solely on his certificate.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out activities related to the Official Residence.

NATIONAL CRITICAL MATERIALS COUNCIL

SALARIES AND EXPENSES

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended as follows:

In lieu of the matter proposed by said amendment, insert the following: *: Provided, That the Council shall carry out only those responsibilities and authorizes which are consistent with the National Materials and Minerals Policy, Research and Development Act of 1980, Public Law 96-479: Provided further, That Staff and resources of Federal departments and agencies with responsibilities or jurisdiction related to minerals or materials policy shall be made available to the Council on a nonreimbursable basis*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment provides that the Council carry out certain specific responsibilities and authorizes certain resources to be available to the Council.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first sum named in said amendment insert the following: *$51,934,000*

The managers on the part of the Senate will move to concur in the amendment of the House of the amendment of the Senate.

This amendment appropriates $51,934,000 instead of $50,470,000 as proposed by the House and $53,434,000 as proposed by the Senate. It also inserts limitations which prohibit certain actions by the Office of Management and Budget which have been included in the bill in prior years.

The conferees have continued the General Provision which prohibits the General Services Administration from contracting out certain types of positions, such as guards and custodians. The conferees understand that personnel ceilings imposed by the Office of Management and Budget may also decrease GSA's ability to allocate its manpower most efficiently. The conferees believe

that the Public Buildings Service has done a conscientious job of equating its program and personnel requirements through its "most efficient organization" policy. The conferees therefore direct OMB and GSA to work together to assure that GSA's real property management programs are adequately staffed.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Amendment: No. 54: Appropriates $105,122,000 for salaries and expenses instead of $69,122,000 as proposed by the House and $113,018,750 as proposed by the Senate.

Amendment No. 55: Reported in technical disagreement. The managers on the part of the House will offer a motion to receded and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *of which $500,000 shall be available for salaries and expenses of the Counter-Drug Technology Assessment Center; of which $1,000,000 shall be available to the Counter-Drug Technology Assessment Center for counternarcotics research and development activities.*

The managers on the part of the Senate will move to concur in the amendment of the House of the amendment of the Senate.

This amendment earmarks $500,000 for salaries and expenses of the Counter-Drug Technology Assessment Center and $1,000,000 for counternarcotics research and development activities.

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$86,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $86,000,000 for designated High Intensity Drug Trafficking Areas instead of $50,000,000 as proposed by the House and $85,000,000 as proposed by the Senate.

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *: Provided, That of the $86,000,000 made available, up to $50,000,000 shall be transferred to Federal agencies and departments within 90 days of enactment of this Act for implementing the approved strategy for each High Intensity Drug Trafficking Area and shall be obligated by the end of fiscal year 1992: Provided further, That not less than $36,000,000 shall be transferred to the Department of Justice and the Department of the Treasury within 90 days of enactment of this Act for disbursement to State and local drug control entities for drug control activities which are consistent with the approved strategy for each High Intensity Drug Trafficking Area: Provided further, That in the case of the Southwest Border High Intensity Drug Trafficking Area, such funds shall be available for drug control activites which are consistent with the approved strategy and only for those activities approved by the Joint Command Group of Operation Alliance and the Assistant Secretary for Enforcement of the Department of the Treasury: Provided further, That notwithstanding any other provision of law, the Department of the Treasury, is authorized to transfer funds to other Federal, State, and local drug control agencies: Provided further, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

STATE AND LOCAL HIDTA ASSISTANCE

The conferees have provided $36,000,000 in fiscal year 1992 for direct assistance to state and local drug control agencies in designated high intensity drug trafficking areas. Of this amount, $16,000,000 shall be available for the Southwest border HIDTA and the remaining $20,000,000 shall be available for the four Metropolitan HIDTAs. With respect to the Southwest border HIDTA, the conferees instruct the Department of the Treasury to allocate the funds for drug control activities evenly among the four states comprising the Southwest Border HIDTA. These funds shall only be used for activities which are approved by the Joint Command Group of Operation Alliance and ultimately, the Assistant Secretary for Enforcement of the Department of the Treasury.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$52,500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes $52,500,000 to be expended from the Special Forfeiture Fund instead of $77,000,000 as proposed by the House and $67,000,000 as proposed by the Senate.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *of which $19,000,000 shall be transferred to the Alcohol, Drug Abuse, and Mental Health Administration: Provided, That $10,000,000 shall be available to the Office of Substance Abuse Prevention for the implementation of not to exceed ten demonstration projects to permit substance-abusing women to reside with their children in comprehensive community prevention and treatment facilities: Provided further, That $9,000,000 shall be made available to the Office of Treatment Improvement for drug treatment capacity expansion; of which 47,500,000 shall be transferred to the Immigration and Naturalization Service for the hiring, equipping, and training of not less than an additional 75 full-time equivalent Border Patrol agents to be designated to sectors on the United States-Mexico border: Provided, That such positions shall be in addition to the full-time equivalent Border Patrol positions funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1992; of which $6,000,000 shall be transferred to Internal Revenue Service, tax law enforcement, for the hiring, equipping, and training of additional special agents and administrative and support positions for drug-related investigations in designated High Intensity Drug Trafficking Areas; and of which $20,000,000 shall be transferred to the Counter-Drug Technology Assessment Center of the Office of National Drug Control Policy for counternarcotics research and development activities and for substance abuse addiction and rehabilitation research, to remain available until expended: Provided further, That any unobligated balances remaining in the Fund at the end of the third quarter of fiscal year 1992 in excess of $13,125,000, shall be transferred to the Alcohol, Drug Abuse, and Mental Health Administration and made available for the purposes of reducing waiting lists; expanding drug treatment capacity, drug abuse treatment, and treatment-related activities; and shall also be transferred to the Department of Housing and Urban Development and made available for the Drug Elimination Grant Program, and such funds shall remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Anti-Drug Abuse Act of 1988, Public Law 100-690, was amended during 1990 to provide for the establishment of a Counter-Drug Technology Assessment Center within the Office of National Drug Control Policy. This office is authorized to serve as the central counter-narcotics enforcement research and development organization of the U.S. Government.

The conferees have provided $500,000 for salaries and expenses and $1,000,000 for counter-drug research and development for the Center for fiscal year 1992 in the Office of National Drug Control Policy's salaries and expenses account, as requested. In addition, the conferees have provided $20,000,000 to be transferred to the Center out of the Special Forfeiture Fund. These funds are to carry out counternarcotics research and development activities, as well as substance abuse addiction and rehabilitation research.

The conferees believe that in examining addiction and rehabilitation research, it is especially important to stress and interdisciplinary approach examining clinical, pharmacological and behavioral approaches to this problem. The conferees encourage the Counter-Drug Technology Assessment Center to work closely with the National Institute of Drug Abuse (NIDA) and the Addiction Research Center of NIDA in awarding grants in this regard.

The conferees expect counter-drug enforcement research and development programs to be coordinated by the Center in order to prevent duplication of effort and to assure that whenever possible, those efforts provide capabilities that transcend the needs of any single Federal agency. The conferees also expect that Center to give priority consideration to the application of existing technologies developed by the national laboratories and other Federal research and technological needs of drug enforcement agencies. In addition, the conferees direct the Center to use the funding provided to supplement individual drug control agency research budgets, thereby providing a source from which priority unfunded needs can be met.

Prior to the obligation of these funds, the conferees expect to be notified by the chief scientist on how these funds will be spent. The conferees also expect to receive periodic reports from the chief scientist on those priority research and development requirements identified by the Center.

RESIDENTIAL DRUG TREATMENT PROJECTS

The conferees have provided an additional $10,000,000 to the Alcohol, Drug Abuse, and Mental Health Administration's Office for Substance Abuse Prevention to fund comprehensive residential drug treatment

projects for substance-abusing mothers and their children. Also included in this amount is $350,000 for the Office for Treatment Improvement to operate the Amity Jail Project in Pima County, Arizona. This project provides treatment to drug-abusing criminal offenders in the Pima County Adult Detention Center and has been used as model for similar drug treatment programs throughout the country.

TITLE IV—INDEPENDENT AGENCIES

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows funds collected from the sale of publications to be used to supplement funds in this account.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

SALARIES AND EXPENSES

Amendment No. 61: Appropriates $1,446,000 for salaries and expenses as proposed by the Senate instead of $1,293,000 as proposed by the House.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum named in said amendment, insert the following: *$271,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House of the amendment of the Senate.

This amendment appropriates $271,000,000 to the Federal Buildings Fund.

Amendment No. 63: Makes a technical change inserting the word "said" as proposed by the Senate instead of the word "the" as proposed by the House.

Amendment No. 64: Deletes language proposed by the House which cites a specific statute. That statute is cited in Amendment No. 62.

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$4,152,613,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes a total limitation of $4,152,613,000 instead of $4,131,346,000 as proposed by the House and $4,037,836,276 as proposed by the Senate.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$548,482,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes a limitation for construction of $548,482,000 instead of $371,416,000 as proposed by the House and $385,104,276, as proposed by the Senate.

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

California:

Menlo Park, United States Geological Survey, Office Laboratory Buildings, escalation, $11,047,000

Orange County, Courthouse, $250,000

District of Columbia:

U.S. Secret Service, consolidation, $4,400,000

Florida:

Fort Myers, Federal Building and United States Courthouse, $977,000

Tallahassee, U.S. Courthouse Annex, $3,764,000

Georgia:

Albany, U.S. Courthouse, design, $921,000

Atlanta, Centers for Disease Control, $5,000,000

Augusta, U.S. Courthouse, $3,500,000

Indiana:

Hammond, Courthouse and Federal Building, $5,000,000

Kansas:

Wichita, U.S. Courthouse, $9,968,400

Maine:

Portland, Edward T. Gignoux U.S. Courthouse, $10,575,000

Maryland:

Bureau of the Census, Computer Center, planning and design, $2,700,000

Montgomery and Prince George's Counties, Food and Drug Administration, consolidation, site acquisition, planning and design, construction, $200,000,000

Prince George's County, U.S. Courthouse, $10,747,000

Massachusetts:

Boston, Thomas P. O'Neill Federal Building, claim, $3,100,000

Minnesota:

Minneapolis, Federal Building and U.S. Courthouse, $19,000,000

Missouri:

St. Louis, Federal Building and U.S. Courthouse, $30,000,000

Nevada:

Reno, C. Clifton Young Federal Building, United States Courthouse Annex, design and site acquisition, $6,321,000

New York:

Brooklyn, U.S. Courthouse, $10,000,000

North Carolina:

Asheville, U.S. Courthouse and Federal Building, $29,791,000

Tennessee:

Knoxville, U.S. Courthouse—Post Office, $36,616,000

United States Virgin Islands:

Charlotte Amalie, Saint Thomas, U.S. Courthouse Annex, $8,524,000

West Virginia:

Beckley, Federal Building and U.S. Courthouse, $25,000,000

Nonprospectus Construction Projects, $5,000,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

SCRANTON FEDERAL BUILDING

The conferees are aware of a growing need for additional space to accommodate the Federal courts located in Scranton, Pennsylvania. Accordingly, the General Services Administration is directed to investigate potential site acquisition for a future expansion project of the Scranton Federal Building.

FOOD AND DRUG ADMINISTRATION

The conferees have provided $200 million to begin the process of consolidating the Food and Drug Administration (FDA) from its current 34 buildings and 11 buildings and 11 locations into two campuses: (1) a headquarters campus, to include administrative and drug research facilities, in Montgomery County, and (2) a food and veterinary sciences campus in Prince George's County. These funds may be used for land acquisition, site development, environmental impact statement preparation, and design of facilities and construction. It is the intention of the conferees that funding and agency action on the two campuses should proceed concurrently.

There is no disagreement that the current space is antiquated, overcrowded, unsafe, and inefficient. The poor facilities are having a negative impact on recruitment and retention of scientific talent and are leading to inefficiencies that are delaying approval of drugs and products for consumers. These points have been repeated by the General Accounting Office in numerous studies and in hearings before the Congress. These problems are especially alarming in light of the fact that FDA is now responsible for regulating the health and safety of products that represent 25 percent of what every American consumer spends each year.

GSA has reported that there will be significant long-term savings to the taxpayer from a consolidation as well, since government-owned facilities will be cheaper to occupy than the leased space which is currently used for much of the agency's needs.

Both the President and the Congress have expressed their support for this project by enacting P.L. 101-635, that specifically authorized construction of new administrative and laboratory facilities for the FDA. Delays with the consolidation of facilities have already placed the mission of the FDA in jeopardy. Further delay will only worsen the overcrowded, inefficient and often dangerous condition which now exist.

The Conferees have taken a significant first step with the funding provided in this bill. The conferees recognize that this is an extremely large project and one that will take many years to fund and complete. The conferees are concerned that without an annual budget request by the President of funds necessary to complete this project it is unlikely that the Congress will be able to sustain the funding necessary to complete this project. The conferees direct FDA, GSA, HHS, and OMB to work together to develop and submit a funding plan to the House and Senate Appropriations Committee no later than December 31, 1991. The conferees strongly urge the Office of Management and Budget and the President to review this project and support it and request an appropriate funding level in the fiscal year 1993 budget request.

U.S. SECRET SERVICE CONSOLIDATION

The conferees have appropriated $4.4 million to the Federal Buildings Fund and provided a like amount of New Obligational Authority, to be available until expended, to provide for part of the above-standard relocation expenses associated with the consolidation of the United States Secret Service office space in the District of Columbia.

KNOXVILLE, TENNESSEE COURTHOUSE

The conferees have agreed to the $36 million appropriation provided by the Senate to the General Services Administration for the construction of a federal courthouse in Knoxville, Tennessee. This amount is sufficient to complete construction of a 125,600 square foot building with 22,500 square feet of parking space. The conferees are aware that this original estimate of the size of the

Knoxville courthouse may not reflect the projected need for space in the new building. The conferees understand that additional funding may be necessary to fund the construction cost of a larger courthouse, and in making available $36 million in fiscal year 1992, the conferees do not intend to limit the ability of the GSA to proceed with the engineering, design and construction of a larger building.

FEDERAL SPACE NEEDS, ATLANTA, GA

The Administrator of the General Services Administration is directed to conduct a study of federal space needs in Atlanta, Georgia and to submit a report thereon to the Committees on Appropriations of the House and Senate. The report should specifically consider vacant private sector buildings which may be available for lease or purchase and renovation. Such a report should be submitted to the Committees by March 31, 1992.

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects by not to exceed 10 per centum. It also provides that all funds for direct construction projects shall expire on September 30, 1993, and remain in the Federal Buildings Fund (except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date). It further provides that claims against the Government of less than $100,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects, be liquidated with prior notification to the Committees on Appropriations to the extent savings are effected in other such projects.

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *: Provided further, That the General Services Administration shall reprogram up to $16,200,000 to supplement funds previously authorized and appropriated for the National Oceanographic and Atmospheric Administration laboratory, Boulder, Colorado, subject to the approval of the House and Senate Committees on Appropriations according to existing reprogramming procedures: Provided further, That such funds will be obligated only upon the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environmental and Public Works: Provided further, That the amount available under this heading for Department of Transportation, Headquarters, site in Public Law 101-509, dated November 5, 1990 is hereby deferred and shall be available for obligation on October 1, 1992 and all contingencies and constraints on the use of such funds in the original language are continued herewith; (2) not to exceed $569,251,000 which shall remain available until expended, for repairs and alterations: Provided further, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project as follows, except each project may be increased by an amount not to exceed 10 per centum unless advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount:*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment mandates that GSA reprogram and defer certain funds, and establishes certain limitations on the Federal Buildings Fund activities.

Amendment No. 70: Makes available $14,000,000 for the Harold D. Donahue Federal Building and Courthouse as proposed by the House instead of $10,331,000 as proposed by the Senate.

PEACE BRIDGE, BUFFALO, NEW YORK

The conferees are concerned about the delays in expansion of the Peace Bridge border facility in Buffalo, New York. The conferees support the upgrading of this facility to better accommodate the growth of commercial trade and direct the U.S. Customs Service and the General Services Administration to formulate a plan to meet these needs and submit such plan to the House and Senate Committees on Appropriations no later than December 15, 1991. The conferees expect that plan to include steps to initiate design, planning and other preconstruction work during fiscal year 1992 from available funds.

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *$266,331,000: Provided, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 1993, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date;*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes a limitation of $266,331,000 as proposed by the House instead of $270,000,000, as proposed by the Senate. It also authorizes certain GSA activities.

Amendment No. 72: Insert new paragraph number as proposed by the Senate.

Amendment No. 73: Insert new paragraph number as proposed by the Senate.

Amendment No. 74: Makes available $1,568,900,000 for rental of space as proposed by the Senate instead of $1,655,900,000 as proposed by the House.

PATENT AND TRADEMARK OFFICE

The conferees direct the Administrator of General Services to conduct a reappraisal of the 1992 rent rates to be assessed the Patent and Trademark Office (PTO) beginning on October 1, 1991, for the office facilities that the PTO leases in Crystal City, Arlington, Virginia. The reappraisal shall consider commercial rates currently being assessed the private sector in the Crystal City-Pentagon City areas of Arlington, Virginia for large blocks of space comparable to the blocks currently available to the PTO. Within 90 days of the date of enactment of this Act, the Administrator shall report to the House and Senate Committees on Appropriations on the results of the reappraisal and the expected adjustment in rent rates, if any, to be charged the PTO in fiscal year 1992 by the General Services Administration.

Amendment No. 75: Insert new paragraph number as proposed by the Senate.

Amendment No. 76: Restores language proposed by the House and stricken by the Senate which makes available funds for the relocation of the National Science Foundation headquarters.

This amendment provides for the relocation of National Science Foundation headquarters.

Amendment No. 77: Inserts new paragraph number as proposed by the Senate.

Amendment No. 78: Makes available $137,748,000 for program direction and centralized services as proposed by the Senate instead of $139,748,000 as proposed by the House.

Amendment No. 79: Inserts new paragraph number as proposed by the Senate.

Amendment No. 80: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$112,273,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment makes available $112,273,000 for design and construction instead of $143,072,000 as proposed by the House and $114,874,000 as proposed by the Senate.

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *:Provided further, That for the purposes of this authorization, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: Provided further, That none of the funds available to the General Services Administration, except for the Albany, Georgia U.S. Courthouse; the Augusta, Georgia U.S. Courthouse; the Wichita, Kansas U.S. Courthouse; the Portland, Maine Edward T. Gignoux U.S. Courthouse; the Maryland, Food and Drug Administration consolidation; the St. Louis, Missouri, Federal Building and U.S. Courthouse; the Reno, Nevada C. Clifton Young Federal Building and U.S. Courthouse Annex; the Asheville, North Carolina Federal Building; the Knoxville, Tennessee U.S. Courthouse-Post Office; the Beckley, West Virginia, U.S. Courthouse and Federal Building; the Atlanta, Georgia, Centers for Disease Control Building; the Orange County, California, U.S. Courthouse; the Worcester, Massachusetts, Harold D. Donahue Federal Building and U.S. Courthouse; the Hammond, Indiana, Courthouse and Federal Building; the Brooklyn, New York, U.S. Courthouse; the Maryland, U.S. Census Bureau Computer Center; and the District of Columbia, U.S. Secret Service Consolidation shall be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from*

the Committees on Appropriations of the House and Senate: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes the General Services Administration to consider certain buildings as federally owned, authorizes certain buildings to be constructed under certain circumstances, and authorizes certain emergency repairs. It also authorizes construction related to U.S. Secret Service protective functions.

Amendment No. 82: Inserts the word "further" as proposed by the Senate.

Amendment No. 83: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that any other sums as well as revenues and collections accruing to the Federal Buildings Fund shall remain in the Fund.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$4,152,613,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment establishes a new limitation obligational authority of $4,152,613,000 instead of $4,131,346,000 as proposed by the House and $4,037,836,276 as proposed by the Senate.

REAL PROPERTY RELOCATION

Amendment No. 85: Appropriates $12,000,000 for Real Property Relocation instead of $16,000,000 as proposed by the House and $8,000,000 as proposed by the Senate.

Amendment No. 86: Restores language proposed by the House and stricken by the Senate which establishes the "Silvio O. Conte National Records Center".

GENERAL MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *$31,155,000: Provided, That this appropriation shall be available for general administrative and staff support services, subject to reimbursement by the applicable organization or agencies pursuant to subsections (a) and (b) of section 1535 of title 31, United States Code: Provided further, That not less than $825,000 shall be available for personnel and associated costs in support of Congressional District and Senate State offices without reimbursement from these offices: Provided further, That not to exceed $5,000 shall be available for official reception and representation expenses*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $31,155,000 for salaries and expenses instead of $31,421,000 as proposed by the House and $30,431,000 as proposed by the Senate. This amendment also authorizes certain activities.

INTERNATIONAL CULTURAL AND TRADE COMMISSION

The conferees have included $724,000 for the International Cultural and Trade Commission (ICTC) for operational expenses. Current law provides that the ICTC may seek contributions of up to $1,000,000 per year from several federal agencies until it becomes fully operational. The conferees direct the ICTC to use this authority, or to request the President to seek a separate line-item appropriation for ICTC as an independent agency, for fiscal year 1993 funding. The operational expenses of the Commission will not be borne solely by the GSA in future years.

CFC'S

The conferees are aware that the Clean Air Act Amendments of 1990 banned the production of refrigerants known as "CFCs" after the year 2000 and the international release of all refrigerants into the atmosphere after July 1, 1992. For purposes of the Act, the recovery, reclamation and re-use of refrigerants in current supply is considered to be an environmentally sound and economically beneficial alternative for compliance.

The conferees are aware that the useful life for many air conditioning and refrigeration units under federal control extends beyond the CFC phase-out period and that a rational policy should be developed by the General Services Administration for all federal buildings which responds to this issue. The conferees direct GSA to submit a report no later than September 30,1992 that will at a minimum, (1) identify any and all refrigerants in current supply at buildings and facilities under federal control, (2) investigate the feasibility of recovering and reclaiming refrigerants from decommissioned activities to determine if a substantial reserve supply could be provided that would be readily available for use at other public building locations, (3) determine the potential savings from recovering and reclaiming refrigerant, and (4) evaluate the extent to which a refrigeration reclamation program will prolong the remaining useful life of the government's existing equipment base.

INFORMATION RESOURCES MANAGEMENT SERVICE

OPERATING EXPENSES

Amendment No. 88: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes funds available for the Information Security Oversight Office.

OFFICE OF INSPECTOR GENERAL

Amendment No. 89: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $35,994,000 as proposed by the Senate instead of $34,994,000 as proposed by the House and authorizes certain expenditures for other purposes.

GENERAL SERVICES ADMINISTRATION

GENERAL PROVISIONS

Amendment No. 90: Restores language proposed by the House and stricken by the Senate which provides up to $8 million for expenses related to the relocation of a U.S. Fish and Wildlife Service regional office to the Amherst, Massachusetts area as authorized and directed by Public Law 101-136. These funds should be provided directly to the Fish and Wildlife Service without delay so that relocation activities can be completed in a timely and efficient manner. In addition, the GSA is directed to proceed expeditiously with the acquisition of a suitable facility to house the regional office. GSA requires no further authorization from the Congress or any agency of the Federal government to comply with the relocation mandated by Public Law 101-136.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 2. The Administrator of the General Services Administration (GSA) is authorized to accept property from the State of Maryland at no cost for the purpose of constructing a computer facility for the Bureau of the Census and to begin preliminary design work on such a facility. GSA and the Office of Management and Budget are directed to submit to the appropriate authorizing and appropriations committees of the Congress an evaluation of need and a prospectus for this project no later than January 31, 1992.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes the Administrator of GSA to accept certain property and requires that an evaluation be made.

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *3*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment permits the Federal Buildings Fund to be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement included as part of rentals received from Government corporations.

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *4*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment allows the GSA to use appropriated funds for the hire of motor vehicles.

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *5*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment provides the GSA with authority to transfer up to 2 percent between appropriations accounts with the prior approval of the House and Senate Committees on Appropriations.

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and

concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *6*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment restricts the transfer of any funds appropriated for activities of the Federal Buildings Fund.

Amendment No. 96: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first section number named in said amendment, insert the following: *7*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes GSA to use funds from other agencies for expansion and these amounts are authorized to be used in addition to the new obligational authority limits on rental of space activities.

Amendment No. 97: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *8*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment prohibits the GSA from disposing of certain lands located near Norfolk Lake, Arkansas.

Amendment No. 98: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *9*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment prohibits the GSA from disposing of certain lands located near Bull Shoals Lake, Arkansas.

Amendment No. 99: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first section number named in said amendment, insert the following: *10*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes Federal agencies to reimburse employees for certain expenses associated with child care.

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 11. Notwithstanding any other provision of law, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), is authorized to receive any revenues, collection, or other income received during fiscal year 1992 in the form of rebates, cash incentives or otherwise, related to energy savings or materials recycling efforts, all of which shall remain in the Fund until expended, and remain available for Federal energy management improvement programs, recycling programs, or employee programs as may be authorized by law or as may be deemed appropriate by the Administrator of General Services. The General Services Administration is authorized to use such funds, in addition to amounts received as New Obligational Authority, in such activity or activities of the Fund as may be necessary.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have continued this general provision, with modification, to encourage the General Services Administration to continue to achieve increased energy efficiency in federal buildings and to promote participation in recycling programs.

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *12*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment requires GSA to undertake a ceded lands inventory in the State of Hawaii.

Amendment No. 102: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *12*

SEC. 13. Notwithstanding any other provision of law, the General Services Administration shall enter into an agreement with the City of Des Moines, Iowa, to pay expenses for one half of the operation, maintenance and repair of each skywalk bridge spanning city streets or alleys and connecting to the Federal Building at 210 Walnut Street in Des Moines, Iowa after the construction of each such skywalk and each year thereafter.

SEC. 14. The Center and Federal Building located at 255 East Temple Street in Los Angeles, California, is hereby designated as the "Edward R. Roybal Center and Federal Building". Any reference to such building in a law, map, regulation, document, record, or other paper of the United States shall be considered to be a reference to the "Edward R. Roybal Center and Federal Building".

SEC. 15. Notwithstanding any other provision of law, where funds have been made available to the General Services Administration in the real property operations activity of the Federal Buildings Fund in fiscal year 1992, not to exceed $7,000,000, for expenses related to relocation of a specific agency as authorized by this Act, such agency is hereby authorized and required to reimburse the General Services Administration for such expenditures in equal amounts over a period of two years, beginning in fiscal year 1993.

SEC. 16. After certification by the City of Des Moines, Iowa (the City), that the YMCA of Greater Des Moines (YMCA) will serve significant educational purposes, including educational requirements of the City, the Secretary of Education (the Secretary) is authorized to consider the YMCA as an educational institution or organization for the purposes of section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. section 484(k)), with respect to use by the YMCA of a portion, to be designated by the City, of the land conveyed to the City by the United States pursuant to section 203(k) on or about November 6, 1972. Upon joint application by the YMCA and the City, of Secretary, acting in accordance with section 203(k) and regulations related thereto, shall promptly consider, and is authorized to approve, a lease by the City to the YMCA of the above property designated by the city, subject to such terms and conditions as the Secretary shall deem necessary to protect or advance the interests of the United States.

SEC. 17. Notwithstanding any other provision of law, funds previously provided under this heading in P.L. 101-136, for a grant to the County of Los Angeles, California, shall be provided directly to the City of Long Beach, California, for construction of a parking facility and the City will assume the role of grantee and all the responsibilities attendant therewith: Provided, that the City of Long Beach, California, shall provide to the GSA, without cost, 250 parking spaces for a period of 99 years, in a parking facility to be constructed: Provided further, That Section 16, GSA General Provisions, P.L. 101-136, is hereby repealed.

SEC. 18. Notwithstanding any other provisions of this Act the limitation on the real property operations activity of the Federal Buildings Fund of the General Services Administration is $1,071,372,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Section 13 authorizes GSA to pay expenses for one half of the operation, maintenance, and repair of certain skywalk bridges under certain conditions.

Section 14 names a center and federal building.

Section 15 requires reimbursement to the Federal Buildings Fund (FBF) of the General Services Administration (GSA) for relocation expenses to be incurred in the real property operations activity of the FBF for the one agency specified under that activity. Relocation expenses are not part of the services provided by GSA in return for rent charged to customer agencies; such expenses are normally borne by the relocation agency. Therefore, it is proper that these expenses should be reimbursed to GSA.

Section 16 permits the Secretary of Education, after appropriate certification by the City of the Des Moines, Iowa, to recognize the YMCA of Greater Des Moines as meeting the qualifications of an educational institution or organization for obtaining Federal surplus land under section 203(k) of the Federal Property and Administrative Services Act of 1949. The Secretary will thus be able to approve a lease of a portion of certain lands which the City of Des Moines holds under a prior conveyance of surplus property for educational purposes, subject to the terms and conditions of applicable law and regulations and such other terms and conditions as the Secretary deems necessary to protect the interests of the United States. The YMCA of Greater Des Moines has offered a program of activities to the City that will involve substantial educational components. The conferees must emphasize, however, that this authorization is based on unique circumstances obtaining in Des Moines. They do not intend that this case be regarded as a precedent with respect to other YMCA's or similar organizations.

Section 17 changes responsibility for grant funding provided in a previous appropriation act, from the County of Los Angeles to the City of Long Beach. This will allow the City to use the grant to construct a parking facility at a cost not to exceed the original amount of $3,000,000 and to provide the General Services Administration, without cost, 250 parking spaces. The County of Los Angeles, City of Long Beach and General Services Administration mutually agree that action to alleviate the parking shortages associated with the opening of the new Long Beach Federal Building is rightfully the responsibility

of the City of Long Beach; hence the need to reassign the responsibility for the grant funding to the City. This action by the Conferees does not affect the availability as to time of the grant funds.

Section 18 establishes a limitation of $1,071,372,000 on the real property operations activity of the Federal Buildings Fund of the GSA.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

Amendment No. 103: Appropriates $152,143,000 for operating expenses as proposed by the House instead of $154,143,000 as proposed by the Senate.

Amendment No. 104: Allocates $5,400,000 for allocations and grants for historical publications and records as proposed by the House instead of $6,000,000 as proposed by the Senate.

Amendment No. 105: Includes language proposed by the Senate which makes funds available until expended.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Amendment No. 106: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $116,593,000 for salaries and expenses and $79,757,000 to be transferred from Office of Personnel Management Trust Funds, with certain limitation and authorizations.

MAILINGS

The conferees note that until 1982, the Office of Personnel Management (OPM) provided the Senior Executives Association (SEA) and National Association of Retired Federal Employees (NARFE) with assistance to facilitate communication with their membership. Most notably, this include "blind mailings" of material provided by these groups. This means that the names of federal employees or mailing addresses were never released to these groups, and all costs associated with the mailings were borne by the groups doing the mailing. This prevented violations of privacy and the Freedom of Information Act.

The conferees believe that such mailings can be beneficial to employees and retirees. The conferees, therefore, direct OPM to seriously consider requests from SEA and NARFE for blind mailings, weighing carefully the privacy rights of federal employees and retirees as provided for under the Privacy Act, as well as any administrative problems or costs that might arise.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Amendment No. 107: Deletes a provision proposed by the Senate which would have amended Title 18 of the United States Code to provide criminal sanctions regarding the transmission of the AIDS virus.

Amendment No. 108: Appropriates $4,018,000 for salaries and expenses as proposed by the Senate instead of $3,118,000 as proposed by the House.

Amendment No. 109: Makes available $5,825,000 for administrative expenses to audit OPM insurance programs as proposed by the Senate instead of $6,375,000 as proposed by the House.

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: , *as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes the Inspector General to make certain determinations and to rent conference rooms.

REVOLVING FUND

Amendment No. 111: Deletes a provision proposed by the House which would have made funds available for the President's Commission on Executive Exchange.

OFFICE OF PERSONNEL MANAGEMENT

GENERAL PROVISION

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which ensures that cost-of-living allowance (COLA) rates paid to General Schedule, Postal Service, and other employees are not reduced while OPM considers appropriate adjustments to the COLA program.

U.S. TAX COURT

SALARIES AND EXPENSES

Amendment No. 113: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $32,050,000 for salaries and expenses as proposed by the Senate instead of $33,050,000 as proposed by the House. It also authorizes travel expenses of the judges to be paid upon written certification of the judge.

TITLE V—GENERAL PROVISIONS OF THIS ACT

Amendment No. 114: Restores language proposed by the House which prohibits the withdrawal of the designation of Front Royal, Virginia as a Customs Service Port of Entry.

Amendment No. 115: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *523A.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment reduces all travel expenses in the Act by 5 percent, with the exception of the Committee for Purchase from the Blind and Other Severely Handicapped.

Amendment No. 116: Restores language proposed by the House and deleted by the Senate which provides that no funds in this Act may be used to award a Federal agency lease in the Omaha, Nebraska-Council Bluffs, Iowa, geographical area, which does not meet certain criteria.

Amendment No. 117: Deletes language proposed by the House and stricken by the Senate regarding the Bureau of the Public Debt move to Parkersburg, West Virginia. This subject matter is addressed in Amendment No. 120.

Amendment No. 118: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 528. The provisions of section 515 shall not apply after October 1, 1991.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

WORK AND FAMILY EMPLOYEES STUDY

The conferees recognize that an increasing number of federal employees must balance the demands of work and family, and it is important that the federal government accommodate these needs. Thus, the Director of the Office of Personnel Management is directed to survey federal agencies to assess the use of profamily employee programs governmentwide, and to report to Congress no later than 6 months after enacted on measures that would make these programs more effective and more extensively utilized.

The conferees expect that the employee programs considered should not be limited to, but should include: child day care, senior care, flexiplace, flexitime, and other alternative work schedules, job-sharing, leave sharing, and annual and sick leave policy. The report should include specific recommendations on measures that would make these programs more useful to employees. It should also include specific recommendations on incentives for federal agencies to implement these programs, for supervisors and managers to promote these programs, and for employees to participate. The report should be accompanied by legislation to implement the Director's recommendations, and should indicate which recommendations could be implemented by OPM or other federal agencies under current law. The conferees believe that in order to recruit, retain, and motivate high quality employees, the federal government must be sensitive to work and family considerations, and believes that the OPM report will advance this effort.

EXECUTIVE SEMINAR CENTERS

The conferees are aware that the Office of Personnel Management plans to reassess human resource development activities in fiscal year 1992 and, accordingly, the conferees have limited the applicability of section 515 in order to facilitate this process. As OPM proceeds with plans to implement a governmentwide training strategy, all affected employees at existing Executive Seminar Centers should be provided the opportunity to continue working for OPM in the same or similar positions.

Amendment No. 119: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *529*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment mandates certain employment practices regarding veterans.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 530. (a) The Secretary of the Treasury shall implement the plan announced by the Bureau of the Public Debt on March 19, 1991 to consolidate such Bureau's operations in Parkersburg, West Virginia.

(b) The consolidation referred to in Subsection (a) shall commence on or before September 30, 1992, and shall be complete by December 31, 1995, in accordance with the plan of the Bureau of the Public Debt.

SEC. 531. (a) None of the funds appropriated by this Act may, with respect to an individual employed by the Bureau of the Public Debt in the Washington Metropolitan Region on April 10, 1991, be used to separate, reduce the grade or pay of, or carry out any other adverse personnel action against such individual for declining to accept a directed reassignment to a position outside such region, pursuant to a transfer of any such Bureau's operations or functions to Parkersburg, West Virginia.

(b) Subsection (a) shall not apply with respect to any individual who, on or after the date of enactment of this Act, declines an offer of another position in the Department of the Treasury which is of at least equal pay and which is within the Washington Metropolitan Region.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have included language in the bill supporting the Bureau of the Public Debt's plan to move almost all Washington-based operations to Parkersburg, West Virginia, specifically including the Offices of Administration, Automated Information Systems, Public Debt Accounting, and Securities and Accounting Services. The Bureau announced on March 19, 1991, that it had arrived at the decision to relocate to Parkersburg as part of its long-range planning process.

The Commissioner of the Bureau of the Public Debt has written that this move will provide substantial long-term benefits to the Bureau as an organization, to the Bureau's millions of customers, and to the Federal Government.

According to the Bureau, its employment and retention experience in Parkersburg has been very positive. For those seeking federal employment in the Parkersburg area, the Bureau has been the dominant employer. Because of its location and resulting competitive advantage, the Bureau has had an abundant supply of well-qualified applicants for jobs, and high retention rates. For example, two-thirds of Parkersburg's computer center employees have more than fifteen years of service with the Bureau, which is a very unusual and desirable level of data processing experience. The Bureau expects this advantage to continue as employment increases at its Parkersburg facilities.

The Bureau also expects substantial cost savings in the administrative services area and data processing area as a result of consolidating all these facilities in Parkersburg. It is estimated that the shift of 700 employees to Parkersburg could save approximately $3,000,000 per year, based on the premise that if the Bureau were not to move to Parkersburg, it would need to find suitable space in the Washington area in the range of $30 per square foot, compared to rent of only $13 per square foot in Parkersburg.

The conferees have also adopted language which ensures that no present employee of the Bureau who does not wish to move to Parkersburg will be left without a federal job in the Washington, D.C. Metropolitan Region. This language prohibits the Department of the Treasury from separating, reducing the grade or pay, or carrying out any other adverse personnel action against any individual who declines to move to Parkersburg, unless such individual has declined an offer of another Department of the Treasury job of at least equal pay in the Washington, D.C. region. The Bureau has stated its commitment to do everything possible to minimize the disruption caused by the move the Parkersburg to employees' lives and careers, specifically by assisting those employees who cannot move or choose not to move to find other employment in the Washington area. The conferees believe this bill language is consistent with the stated intention of the Bureau.

The conferees also support the language in the House and Senate reports directing the Bureau and the Office of Personnel Management to provide voluntary early retirement for affected employees as well as reimbursement of relocation costs for those employees who choose to relocate to West Virginia.

Amendment No. 121: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *532*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment prohibits the use of Customs Service funds to collect or impose a land border user fee.

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first section number named in said amendment, insert the following: *533*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment authorizes assistance to certain State and local law enforcement entities for Presidential protection activities.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the section number named in said amendment, insert the following: *534*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment restricts the use of travel funds to those amounts included in agency budget estimates if no other limitations have been included in the bill.

Amendment No. 124: Deletes a provision proposed by the Senate which mandated a report on certain property in Harrisonburg, VA.

HARRISONBURG, VIRGINIA POSTAL FACILITY

The conferees instruct the Administrator of General Services and the Postmaster General of the United States to submit a report to the House and Senate Committees on Appropriations by March 1, 1992, indentifying the disposition of the United States Postal Service facility located in Harrisonburg, Virginia. Such report shall include information on the cost of acquiring the facility located in Harrisonburg, Virginia. Such report shall include information on the cost of acquiring the facility and projected renovation costs.

Amendment No. 125: Deletes a provision proposed by the Senate regarding the Federal Employees Pay Comparability Act of 1990. The legislative Committees are currently considering this matter.

TITLE VI—GENERAL PROVISIONS DEPARTMENTS, AGENCIES, AND CORPORATIONS

Amendment No. 126: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which places limitations on the cost for the purchase of Government vehicles with certain exceptions.

Amendment No. 127: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the use of travel funds for other purposes in accordance with 5 U.S.C. 5922-24.

Amendment No. 128: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 607. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act, who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, or the Baltic countries lawfully admitted to the United States for permanent residence, or (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975, or (6) nationals of the People's Republic of China protected by Executive Order Number 12711 of April 11, 1990: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than one year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment restricts the use of funds to compensate individuals who are not citizens of the United States with certain exceptions. It includes within those exceptions nationals of the People's Republic of China who are protected by Executive Order Number 12711.

Amendment No. 129: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which permits the GSA to use funds from other agencies for renovation and alterations of facilities.

Amendment No. 130: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which permits funds made available for administrative expenses of corporations and

agencies subject to chapter 91 of title 31 U.S.C. to be available for rent in the District of Columbia.

Amendment No. 131: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which restricts the use of pay to any person for filling a position for which that person has been nominated after the Senate has voted not to approve the nomination.

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the use of foreign credits owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the use of funds for commissions or other similar groups without specific statutory approval to receive financial support from one or more agencies.

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the Postal Service to employ guards, police, and security personnel.

Amendment No. 135: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the use of funds to implement or enforce any regulation which has been disapproved by the Congress.

Amendment No. 136: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which limits the amount of funds GSA can charge per square foot for space and services.

Amendment No. 137: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which places limitations on prevailing wage rates.

Amendment No. 138: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the use of funds to reduce the number of Customs regions and district offices.

Amendment No. 139: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which limits the amount of funds which can be used to redecorate offices of Presidential appointees.

Amendment No. 140: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires reports from certain executive branch agencies with respect to the detailing of employees.

Amendment No. 141: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which concerns nondisclosure agreements.

Amendment No. 142: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the use of funds by any executive branch agency to purchase, construct, or lease facilities for the purpose of law enforcement training, except within or contiguous to existing locations.

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which concerns the procurement services by the Administrator of General Services for FTS 2000.

Amendment No. 144: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which restricts the use of grants unless certain conditions are met.

Amendment No. 145: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which permits Federal agencies to use funds for interagency telecommunications services.

Amendment No. 146: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which permits agencies which participate in the Federal flexiplace project to use funds to install telephone lines in private residences.

Amendment No. 147: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits Federal agencies from using funds to hire Schedule C employees solely for the purpose of detailing these employees to the White House, with certain exceptions.

Amendment No. 148: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 627. Section 4521 of title 5, United States Code, is amended to read as follows:

"SEC. 4521. DEFINITION

"For the purpose of this subchapter, the term 'law enforcement officer' means—

"(1) a law enforcement officer within the meaning of section 8331(20) or section 8401(17) and to whom the provisions of chapter 51 apply;

"(2) a member of the United States Secret Service Uniformed Division;

"(3) a member of the United States Park Police;

"(4) a special agent in the Diplomatic Security Service;

"(5) a probation officer (referred to in section 3672 of title 18); and

"(6) a pretrial services officer (referred to in section 3153 of title 18).".

The managers on the part of the Senate will move to recede and concur in the amendment of the House to the amendment of the Senate.

This amendment makes a technical change to Title 5 of the United States Code by defining the term "law enforcement officers".

Amendment No. 149: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the release of the government's reversionary interest in certain property in Charleston, South Carolina to the School District of Charleston county.

Amendment No. 150: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes the release of the government's reversionary interest in certain property in San Francisco, CA, to New College of California.

The reversionary interests which are being transferred in this Amendment and in Amendment No. 149 are exceptions to the Federal Property Act. The conferees believe that exceptions to the long-established authority and procedures based on the Federal Property Act create policy and administrative difficulties, raise issues of fairness, and should be avoided in appropriations acts. The Chairman of the House Committee on Government Operations has informed the conferees that he agrees with the principle enunciated by the President when the President signed the National Defense Authorization Act for fiscal year 1991 on November 5, 1990. Stating his concern about specified property disposal that circumvents the Federal Property Act, he concluded that in general, effective and efficient management of these real property matters is best accomplished in accordance with that Act. The conferees agree that there is merit in this principle.

Amendment No. 151: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 630. None of the funds appropriated by this or any other Act may be used to relocate the Department of Justice Immigration Judges from offices located in Phoenix, Arizona, to new quarters in Florence, Arizona without the prior approval of the House and Senate Committees on Appropriations.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment prohibits the relocation of immigration judges from Phoenix, Arizona without the prior approval of the House and Senate Committees on Appropriations.

Amendment No. 152: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 631. Notwithstanding any other provision of law, sick leave provided by section 6307 of Title 5, United States Code, may be approved for purposes related to the adoption of a child in order to test the feasibility of this concept during fiscal year 1992.

SEC. 632. Notwithstanding any other provision of law, the Administrator of the Office of Federal Procurement Policy, for the purpose of clarifying the Federal Acquisition Regulation with respect to the definition of "construction materials" and the identification of "domestic construction materials," shall evaluate emergency life safety systems—such as emergency lighting, fire alarms, audio evacuation systems and the like—which are discrete systems incorporated into a public building or work and which are produced as a complete system, as a single and distinct construction material regardless of when or how the individual parts or components of such systems were delivered to the construction site.

The managers on the part of the Senate will move to concur in the amendment of the house to the amendment of the Senate.

Section 631 concerns the use of sick leave by Federal employees for adoption purposes. The conferees are continuing this general provision which permits federal employees to use sick leave, in limited amounts, for adoption purposes.

Section 632 clarifies a federal acquisition regulation with respect to the Buy America Act.

SMALL BUSINESS PENSION AUDIT PROGRAM

Not later than six months from the date of enactment of this Act, the General Accounting Office shall submit a report to the House and Senate Committees on Appropriations, together with appropriate language to implement any recommendations, which analyzes the impact of the Small Business Pension Audit (SBPA) program upon smaller businesses and the validity of the retirement age and interest rate assumptions being used in the current program. The report should also include recommendations on appropriate measures to eliminate any adverse effects of SBPA implementation on the expansion of pension plan opportunities for employees of smaller businesses. Further, the conferees expect GAO to specifically examine the impacts of the current SBPA program implementation approach on income levels, size of business, and the profit history of a company, relative to contributions, based on cases closed during fiscal years 1991 and 1992.

POSTAL SERVICE AIR TRANSPORT

Amendment No. 153: Deletes a provision proposed by the Senate. The conferees have not included language in the bill as proposed by the Senate regarding the Postal Service's expansion plans for its air transportation network. On September 23, 1991, the conferees received a written commitment from the Postmaster General stating that the United States Postal Service's management had rejected a task force report that recommended a substantial expansion of its dedicated air transportation network. The conferees respect this commitment and have agreed to drop the statutory language that required a report to Congress prior to such expansion. Should the Postal Service's plans again change, however, the Postal Service is expected to give Congress advance notice before the new plan is implemented.

Amendment No. 154: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the first section number named in said amendment, insert the following: *633*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have included a provision, approved by unanimous votes of both Houses, amending federal sentencing guidelines for child pornography offenses. Because of concerns raised by the Sentencing Commission as to the scope and potential impact of these provisions, the conferees direct that the Commission, in consultation with the U.S. Department of Justice, report to Congress within six months on the effect on the criminal justice system of the mandated changes in sentencing guidelines for child pornography offenses. The report shall include a comparison of sentences imposed under sentencing guidelines for child pornography offenses as amended by this legislation with sentences imposed under the guidelines before the amendments contained in this legislation take effect. The report shall also discuss sentences imposed for child pornography offenses where judges depart from the guidelines, compare the rates of departure that occur both before and after this amendment takes effect, and provide a statistical breakdown of the reasons given by judges for departing from the guidelines.

Amendment No. 155: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 634. Notwithstanding any other provision of law, each State Public Health Official shall, not later than one year after the date of enactment of this Act, certify to the Secretary of Health and Human Services that guidelines issued by the Centers for Disease Control, or guidelines which are equivalent to those promulgated by the Centers for Disease Control concerning recommendations for preventing the transmission of the human immunodeficiency virus and the hepatitis B virus during exposure prone invasive procedures, except for emergency situations when the patient's life or limb is in danger, have been instituted in the State. State guidelines shall apply to health professionals practicing within the State and shall be consistent with federal law. Compliance with such guidelines shall be the responsibility of the State Public Health Official. Said responsibilities shall include a process for determining what appropriate disciplinary or other actions shall be taken to ensure compliance. If such certification is not provided under this section within the one-year period, the State shall be ineligible to receive assistance under the Public Health Service Act (42 U.S.C. 301 et seq.) until such certification is provided, except that the Secretary may extend the time period for a State, upon application of such State, that additional time is required for instituting said guidelines.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement requires that each State Public Health Official shall, not later than one year after the date of enactment of this Act, certify to the Secretary of Health and Human Services that guidelines issued by the Centers for Disease Control, or guidelines which are equivalent to those promulgated by the Centers for Disease Control concerning recommendations for preventing the transmission of the human immunodeficiency virus and the hepatitis B virus during exposure prone invasive procedures, except for emergency situations when the patient's life or limb is in danger, have been instituted in the State. Such guidelines shall apply to health professionals practicing within the State and shall be consistent with federal law. Compliance with such guidelines shall be the respnsibility of the State Public Health Official. Said responsibilities shall include a process for determining what appropriate disciplinary or other actions shall be taken to ensure compliance. If such certification is not provided under this section within the one-year period, the State shall be ineligible to receive assistance under the Public Health Service Act (42 U.S.C. 301 et seq.) until such certification is provided, except that the Secretary may extend the time period for a State, upon application of such State, that additional time is required for instituting said guidelines. It shall be the responsibility of the Director of the Centers for Disease Control to determine whether guidelines other than those issued by the Centers for Disease Control are "equivalent" to those issued by the CDC.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1992 recommended by the Committee of Conference, with comparisons to the fiscal year 1991 amount, the 1992 budget estimates, and the House and Senate bills for 1992 follow:

New budget (obligational) authority, fiscal year 1991	$20,914,977,000
Budget estimates of new (obligational) authority, fiscal year 1992	19,522,037,000
House bill, fiscal year 1992	19,630,702,000
Senate bill, fiscal year 1992	19,883,543,750
Conference agreement, fiscal year 1992	19,882,355,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1992	−1,032,622,000
Budget estimates of new (obligational) authority, fiscal year 1992	+360,318,000
House bill, fiscal year 1992	+251,653,000
Senate bill, fiscal year 1992	−1,188,750

EDWARD R. ROYBAL,
STENY H. HOYER,
DAVID E. SKAGGS
(except for amendments No. 43 and No. 155),
NANCY PELOSI,
SIDNEY R. YATES,
JOSEPH D. EARLY,
JAMIE L. WHITTEN
(except for amendment No. 43),
FRANK R. WOLF,
JIM LIGHTFOOT,
HAROLD ROGERS,
JOE MCDADE,
Managers on the Part of the House.

DENNIS DECONCINI,
BARBARA A. MIKULSKI,
BOB KERREY,
ROBERT C. BYRD,
PETE V. DOMENICI
(except for amendments No. 24 and No. 31),
ALFONSE M. D'AMATO,
MARK O. HATFIELD,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLEMENT (at the request of Mr. GEPHARDT) for today after 12:30 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. RIDGE) to revise and extend their remarks and include extraneous material:)

Mr. RIGGS, for 30 minutes, today.

Mr. BURTON of Indiana, for 60 minutes each day, on October 28, 29, 30, 31, and November 1.

Mr. MCEWEN, for 5 minutes, today.

Mr. IRELAND, for 60 minutes each day, today and on October 3.

Mr. DELAY, for 60 minutes each day, on October 8, 9, 10, 11, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, and 31, and November 1.

Mr. LEACH, for 5 minutes, today.

(The following Members (at the request of Mr. FEIGHAN) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mrs. LOWEY of New York, for 5 minutes, today.

Mr. ESPY, for 60 minutes each day, on October 15, 22, and 29, and for 5 minutes on November 5.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(Mr. IRELAND, following Mr. MCGRATH in the special order of the gentleman from Michigan [Mr. BROOMFIELD] today.)

(The following Members (at the request of Mr. RIDGE) and to include extraneous matter:)

Mr. BURTON of Indiana.
Mr. SCHULZE.
Mr. HORTON.
Mr. CAMP in two instances.
Mr. DUNCAN.
Mr. RITTER.
Mr. MILLER of Ohio.
Mr. MACHTLEY.
Mr. BEREUTER.
Mr. FISH.
Mr. RHODES.
Mr. ZIMMER.
Mr. SOLOMON.
Mr. CRANE.
Mr. GILMAN in two instances.

(The following Members (at the request of Mr. FEIGHAN) and to include extraneous matter:)

Mr. HAMILTON.
Mr. ROE in two instances.
Mr. PAYNE of Virginia.
Mr. KOSTMAYER.
Mr. ERDREICH.
Mr. MOODY.
Mr. FAZIO.
Mr. TOWNS.
Mr. JACOBS.
Mr. LEVIN of Michigan.
Mr. DOWNEY.
Mr. DELUGO.
Mr. MAVROULES.
Mr. EDWARDS of California.
Mr. LEVINE of California.
Mr. VISCLOSKY.
Mr. KANJORSKI.
Mr. ESPY.
Mr. LAROCCO.

SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 131. Joint resolution designating October 1991 as "National Down's Syndrome Awareness Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 208. Joint resolution to designate October 15, 1991, as "Up With People Day"; to the Committee on Post Office and Civil Service.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2935. An act to designate the building located at 6600 Lorain Avenue in Cleveland, OH, as the "Patrick J. Patton United States Post Office Building."

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 78. Joint resolution to designate the month of November 1991 and 1992 as "National Hospice Month."

ADJOURNMENT

Mr. IRELAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, October 3, 1991, at 10 a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROYBAL: Committee of Conference. Conference report on H.R. 2622 (Rept. 102-234). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X, the following action was taken by the Speaker:

H.R. 1688. The Committee on Public Works and Transportation discharged from further consideration of H.R. 1688. H.R. 1688 referred to the Committee of the Whole House on the State of the Union. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SMITH of Texas:

H.R. 3466. A bill to amend the Immigration and Nationality Act to require the registration of convicted aliens released on parole and to limit the number of times an alien may be provided voluntary departure; to the Committee on the Judiciary.

By Mr. MAVROULES:

H.R. 3467. A bill to amend the procurement integrity provisions of the Office of Federal Procurement Policy Act; jointly, to the Committees on Government Operations, Armed Services, Energy and Commerce, and the Judiciary.

By Mr. ALLARD:

H.R. 3468. A bill to establish the Cache La Poudre River National Water Heritage Area in the State of Colorado; to the Committee on Interior and Insular Affairs.

By Mr. CRANE:

H.R. 3469. A bill to suspend temporarily the duty on 2,6-Difluorobenzonitrile; to the Committee on Ways and Means.

By Mr. GEPHARDT (for himself and Mr. REGULA):

H.R. 3470. A bill to enhance America's global competitiveness by fostering a high skills, high quality, high performance work force, and for other purposes; jointly, to the Committees on Education and Labor, the Judiciary, and Ways and Means.

By Mr. IRELAND:

H.R. 3471. A bill to authorize the Small Business Administration to conduct a demonstration program to enhance the economic opportunities of startup, newly established, and growing microenterprises by providing loans and technical assistance through intermediaries, and for other purposes; jointly, to the Committees on Small Business, Ways and Means, Education and Labor, Agriculture, and Banking, Finance and Urban Affairs.

By Mr. LEACH:

H.R. 3472. A bill to require the President to enter into negotiations to phase out the use of governmental credits for financing the export of defense articles and services; to the Committee on Foreign Affairs.

By Mr. MOODY (for himself, Mr. KOSTMAYER, Mr. MCDERMOTT, Mr. STUDDS, Mr. ROYBAL, Mr. COYNE, Mr. DONNELLY, Mr. LEVIN of Michigan, Mr. BEVILL, Mr. REED, Mr. FRANK of Massachusetts, Mr. SABO, Ms. PELOSI, Mr. FASCELL, Mr. GUARINI, Mr. HORTON, Mr. MANTON, Mr. BILBRAY, Mr. SYNAR, Mr. OBERSTAR, Ms. OAKAR, Mr. JONTZ, Mr. AUCOIN, Mr. TOWNS, Mrs. LLOYD, Mr. DIXON, Mr. EVANS, Mr. KANJORSKI, Mr. ACKERMAN, Mr. KILDEE, Mr. OWENS of Utah, Mr. BRYANT, Mr. MCCANDLESS, Mr. TANNER, Mr. BORSKI, Mr. MFUME, and Mr. HALL of Ohio):

H.R. 3473. A bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to include a description of the medical assistance for Medicare cost-sharing available under title XIX of such act in the annual program notices sent to Medicare beneficiaries, to amend title XIX of such act to require States to make applications for such assistance available at local offices of the Social Security Administration and to accept such applications by mail, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. MICHEL (for himself, Mr. GINGRICH, Mr. WOLF, Mrs. VUCANOVICH, and Mr. RHODES):

H.R. 3474. A bill to authorize appropriations for construction of Federal-aid highways in accordance with title 23, United States Code, and for other purposes; to the Committee on Public Works and Transportation.

By Mrs. MORELLA:

H.R. 3475. A bill to assist business in providing women with opportunities in apprenticeship and nontraditional occupations; to the Committee on Education and Labor.

H.R. 3476. A bill to establish the Commission on the Advancement of Women in the

Science and Engineering Work Forces; to the Committee on Education and Labor.

By Mr. OLIN (for himself, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. WOLF, Mr. SISISKY, Mr. BOUCHER, Mr. BLILEY, Mr. JOHNSON of South Dakota, Mrs. LLOYD, Mr. TRAFICANT, Ms. KAPTUR, Mr. MORAN, Mr. WALSH, Mr. DEFAZIO, Mr. SLAUGHTER of Virginia, Mr. CAMP, Mr. MACHTLEY, Mr. MURPHY, Mr. BATEMAN, Mr. MARTIN, Mr. JONTZ, Mr. MATSUI, Mr. REGULA, Ms. LONG, Mr. RAY, Ms. SNOWE, Mr. BROOMFIELD, Mr. SWIFT, Mr. HENRY, Mrs. ROUKEMA, Mr. SABO, and Mr. DWYER of New Jersey):

H.R. 3477. A bill to amend the Federal Water Pollution Control Act to establish a program to regulate combined sewer overflows, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RHODES:

H.R. 3478. A bill to increase working Americans access to health care and affordable health insurance; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. RHODES (for himself and Mr. KOLBE):

H.R. 3479. A bill to amend the act entitled "An Act to Provide for the Extension of Certain Federal Benefits, Services, and Assistance to the Pascua Yaqui Indians of Arizona, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. SCHULZE:

H.R. 3480. A bill to abolish the Resolution Trust Corporation; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SOLOMON:

H.R. 3481. A bill to amend the Internal Revenue Code of 1986 to allow health insurance premiums to be fully deductible to the extent not in excess of $3,000; to the Committee on Ways and Means.

By Mr. WISE:

H.R. 3482. A bill to encourage nonroad transportation modes to convert from the use of imported fuels like diesel oil to cleaner burning domestic alternative fuels, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HORN:

H.J. Res. 340. Joint resolution to designate October 19 through October 27, 1991 as "National Red Ribbon Week for a Drug-Free America"; to the Committee on Post Office and Civil Service.

By Mr. LEACH:

H.J. Res. 341. Joint resolution to provide for the contribution by the United States, the Soviet Union, and other states of nuclear material recovered from warhead under arms control treaties for use for peaceful nuclear programs under auspices of the International Atomic Energy Agency, particularly to benefit developing states which are parties to the Treaty on the Non-Proliferation of Nuclear Weapons; to the Committee on Foreign Affairs.

By Mr. DANNEMEYER:

H. Con. Res. 213. Concurrent resolution to provide the Soviet Union and its constituent republics economic incentives for the dismantlement of nuclear forces; to the Committee on Foreign Affairs.

By Mr. DYMALLY (for himself and Mr. PAYNE of New Jersey):

H. Con. Res. 241. Concurrent resolution expressing the sense of the Congress with respect to the implementation of the United Nations peace plan for the Western Sahara; to the Committee on Foreign Affairs.

By Mr. MINETA (for himself, Mr. AUCOIN, Mr. FUSTER, and Mr. HORTON):

H. Con. Res. 215. Concurrent resolution expressing the sense of the Congress relating to paid leave for working parents for the purpose of attending parent-teacher conferences; jointly, to the Committees on Education and Labor and Post Office and Civil Service.

By Mr. FASCELL (for himself, Mr. BROOMFIELD, Mr. HAMILTON, Mr. YATRON, Mr. SOLARZ, Mr. WOLPE, Mr. GEJDENSON, Mr. DYMALLY, Mr. LANTOS, Mr. TORRICELLI, Mr. BERMAN, Mr. LEVINE of California, Mr. FEIGHAN, Mr. WEISS, Mr. ACKERMAN, Mr. FUSTER, Mr. OWENS of Utah, Mr. JOHNSTON of Florida, Mr. FALEOMAVAEGA, Mr. MURPHY, Mr. KOSTMAYER, Mr. FOGLIETTA, Mr. MCCLOSKEY, Mr. SAWYER, Mr. PAYNE of New Jersey, Mr. ORTON, Mr. RANGEL, Mr. DIXON, Mr. TOWNS, Mr. CLAY, Mrs. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. DELLUMS, Mr. ESPY, Mr. FLAKE, Mr. FORD of Tennessee, Ms. NORTON, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. MFUME, Mr. OWENS of New York, Mr. SAVAGE, Mr. STOKES, Mr. HAYES of Illinois, Mr. WASHINGTON, Ms. WATERS, Mr. WHEAT, Mr. SMITH of Florida, Mr. COX of Illinois, Mr. OBERSTAR, Mr. LEHMAN of Florida, Mr. GILMAN, Mr. LAGOMARSINO, Ms. SNOWE, Mr. HYDE, Mr. SMITH of New Jersey, Mr. MILLER of Washington, Mr. HOUGHTON, Mr. GOSS, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. SHAW, Mr. MCCOLLUM, Mr. STEARNS, Mr. YOUNG of Florida, and Mr. FRANKS of Connecticut):

H. Res. 235. Resolution expressing the sense of the House of Representatives in support of democracy in Haiti; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 299: Mr. DORNAN of California.

H.R. 441: Mr. FOGLIETTA and Mr. SAWYER.

H.R. 609: Mr. SANDERS, Mr. CAMP, and Mr. PURSELL.

H.R. 661: Mr. CUNNINGHAM and Mr. TOWNS.

H.R. 710: Mr. CRANE and Mr. DYMALLY.

H.R. 780: Mr. LANCASTER.

H.R. 840: Mr. JONTZ, Mr. PICKLE, and Mr. WILSON.

H.R. 1048: Mr. HENRY and Mr. LAGOMARSINO.

H.R. 1092: Mr. SHAYS.

H.R. 1161: Mr. PERKINS.

H.R. 1237: Mr. MCMILLAN of North Carolina, Mr. MCCOLLUM, and Mr. SAXTON.

H.R. 1346: Mrs. COLLINS of Michigan.

H.R. 1395: Mr. HORTON, Mr. ENGEL, Mr. DELLUMS, Mr. SANTORUM, Mr. BUSTAMANTE, and Mr. LAGOMARSINO.

H.R. 1430: Mr. JONES of Georgia.

H.R. 1450: Mr. JONES of Georgia and Mr. TALLON.

H.R. 1622: Mr. OLIN.

H.R. 1652: Ms. KAPTUR.

H.R. 1790: Mr. COX of Illinois and Mr. RAMSTAD.

H.R. 2258: Mr. FALEOMAVAEGA, Mr. GRANDY, Mr. HOCHBRUECKNER, Mr. KOSTMAYER, and Mrs. PATTERSON.

H.R. 2309: Mr. DEFAZIO, Mrs. JOHNSON of Connecticut, Mr. PETERSON of Florida, and Mr. ROWLAND.

H.R. 2410: Mr. SENSENBRENNER, Mr. PETRI, Mr. ESPY, and Mr. SANDERS.

H.R. 2503: Mr. TALLON.

H.R. 2515: Mr. MFUME.

H.R. 2569: Mr. GRADISON.

H.R. 2579: Mr. MORRISON.

H.R. 2593: Mr. MACHTLEY.

H.R. 2641: Mr. SHAYS and Mr. PACKARD.

H.R. 2743: Mr. FROST, Ms. DELAURO, Mr. LANCASTER, Mr. WAXMAN, and Mr. SCHEUER.

H.R. 2744: Mr. FROST, Ms. DELAURO, Mr. WAXMAN, and Mr. SCHEUER.

H.R. 2768: Mr. SENSENBRENNER.

H.R. 2841: Mr. PANETTA.

H.R. 3015: Mr. LEWIS of Florida.

H.R. 3098: Mr. LANTOS and Mr. PAYNE of New Jersey.

H.R. 3142: Mr. RAVENEL, Mr. BARNARD, Ms. OAKAR, Mr. DEFAZIO, Mr. COX of California, and Mr. PICKETT.

H.R. 3153: Mr. KOLBE and Mr. SMITH of Texas.

H.R. 3176 Mr. TOWNS.

H.R. 3221: Mr. BAKER, Mr. ROBERTS, Mr. DORNAN of California, Mr. PETRI, Mr. RAVENEL, Mr. CAMP, Mr. INHOFE, Mr. SANTORUM, Mr. LEWIS of California, Mr. PICKETT, Mr. SKELTON, Mr. SCHIFF, Mr. WEBER, Mr. NEAL of North Carolina, Mr. TALLON, Mr. DOOLEY, Mr. MCCANDLESS, Mr. RITTER, and Mr. MILLER of Washington.

H.R. 3231: Mr. OBERSTAR and Mr. PETERSON of Minnesota.

H.R. 3236: Mr. MACHTLEY, Mr. JEFFERSON, AND Mr. DEFAZIO.

H.R. 3253: Mr. JONTZ, Mr. HERTEL, Mr. JONES of Georgia, Mr. EVANS, Mr. EDWARDS of California, Mr. ANDREWS of New Jersey, Mr. PETERSON of Minnesota, and Ms. PELOSI.

H.R. 3312: Mr. ANDREWS of Texas, Mr. DE LA GARZA, Mr. HAMMERSCHMIDT, Mr. HUTTO, Mr. LAUGHLIN, Mr. PERKINS, Ms. SNOWE, Mr. STEARNS, and Mr. WILLIAMS.

H.R. 3314: Mr. THOMAS of Wyoming, Mr. RAMSTAD, Mr. GOSS, Mr. GUARINI, Mr. SHAYS, Mrs. LOWEY of New York, Mr. WILSON, Mr. ANDREWS of Maine, Ms. PELOSI, Mr. FROST, Mr. CUNNINGHAM, Mr. HUTTO, Mr. WALSH, Mr. MAVROULES, and Mr. COX of California.

H.R. 3351: Mr. BLAZ.

H.R. 3353: Ms. PELOSI.

H.R. 3373: Mr. MURTHA, Mr. SCHEUER, Mr. RAVENEL, Mr. MOORHEAD, and Mr. BLILEY.

H.R. 3376: Mr. RIGGS, Mr. ALLARD, and Mr. EWING.

H.R. 3380: Mr. LENT, Mr. LEHMAN of California, Mr. CONDIT, and Mr. QUILLEN.

H.J. Res. 67: Mr. PETERSON of Minnesota.

H.J. Res. 83: Mr. NICHOLS and Mr. DOOLITTLE.

H.J. Res. 123: Mr. KLUG, Mr. WYDEN, Mr. MCHUGH, Mr. NATCHER, Mr. FIELDS, Mr. ABERCROMBIE, and Mr. RAHALL.

H.J. Res. 212: Mr. COX of Illinois, Mr. CLINGER, Mr. LEHMAN of Florida, Mr. TALLON, Mr. DEFAZIO, Mr. RANGEL, and Mr. COX of California.

H.J. Res. 230: Mr. SAVAGE, Mr. JONES of Georgia, Mr. CUNNINGHAM, Mr. OXLEY, Mr. SUNDQUIST, Mr. NEAL of North Carolina, Mrs. BOXER, Mr. LIVINGSTON, Mr. ASPIN, Mr. MCEWEN, Mr. HUBBARD, Ms. PELOSI, Mr. IRELAND, Mrs. VUCANOVICH, Mr. DUNCAN, Mr. YATES, Mr. SMITH of Iowa, Mr. MILLER of California, Mr. MOAKLEY, Mr. GIBBONS, Mr. SCHUMER, Mr. BILIRAKIS, Ms. OAKAR, Mr. DREIER of California, Mr. WYDEN, Mr. WAXMAN, Mr. BRYANT, Mr. WHEAT, Mr. MONTGOMERY, Mr. STENHOLM, Mr. DEFAZIO, Mr. KOPETSKI, Mr. MCMILLEN of Maryland, Mrs. COLLINS of Illinois, Mr. ROHRABACHER, Mr. DELAY, Mr. DE LA GARZA, Mr. TORRES, Mr. BERMAN, Mr. MCDADE, Mr. RITTER, Mr. HANSEN, Mr. FRANK of Massachusetts, Mrs.

LOWEY of New York, Mr. FORD of Tennessee, Mr. DELLUMS, Mr. MCDERMOTT, Mr. HOCHBRUECKNER, Mr. DIXON, Mr. HARRIS, Mr. WELDON, Mr. FIELDS, Mr. HUNTER, Mr. CLINGER, Mr. NOWAK, Mr. GONZALEZ, Mr. COOPER, Ms. SLAUGHTER of New York, Mr. WISE, Mr. MOLLOHAN, Mr. CHAPMAN, Mr. THOMAS of Georgia, Mr. COBLE, Mr. NICHOLS, Mr. YOUNG of Florida, Mr. VALENTINE, Mr. NATCHER, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. RHODES, Mr. MURTHA, Mr. DARDEN, Mr. KASICH, Mr. WHITTEN, Mr. WILSON, Mr. RUSSO, Mr. SERRANO, Mr. GILLMOR, Mr. SWIFT, Mr. CARR, Mr. GEKAS, Mrs. LLOYD, Mr. MORAN, Mr. GORDON, Mr. TOWNS, Mr. KENNEDY, Mr. FALEOMAVAEGA, and Mr. SARPALIUS.

H.J. Res. 284: Mr. SOLOMON, Mr. BROOKS, Mr. JEFFERSON, Mr. CAMP, Mr. DIXON, Mr. DICKINSON, Mr. PETERSON of Florida, Mr. MAZZOLI, Mr. MCCOLLUM, Mr. MCGRATH, Mr. FISH, Mr. NAGLE, Mrs. MEYERS of Kansas, Mr. HALL of Texas, Mr. BATEMAN, Mr. CRAMER, Mr. KENNEDY, Mr. LAGOMARSINO, and Mr. JACOBS.

H. Con. Res. 81: Mr. LANCASTER.

H. Con. Res. 88: Mr. BORSKI.

H. Con. Res. 145: Mrs. BOXER and Mr. ATKINS.

H. Con. Res. 188: Mr. FRANK of Massachusetts, Mr. HYDE, Mr. MATSUI, Mr. PAXON, Mr. DELLUMS, Mr. DEFAZIO, Mr. MCNULTY, Mr. BACCHUS, Mr. SKAGGS, Mr. YATES, Mr. BILBRAY, Mr. CARDIN, Mr. ABERCROMBIE, and Mr. CONDIT.

H. Con. Res. 205: Mr. GALLEGLY and Mr. LAFALCE.

H. Con. Res. 208: Mr. TRAFICANT, Mr. HUBBARD, Mr. ACKERMAN, Mr. ATKINS, Mr. SPRATT, Mrs. PATTERSON, Mr. SANGMEISTER, Mr. FORD of Tennessee, Mr. TOWNS, Mrs. LLOYD, Mr. MRAZEK, Mr. DOWNEY, Mr. SENSENBRENNER, Mr. HORTON, Mr. MCMILLEN of Maryland, Mr. LUKEN, Mr. TALLON, Mr. TANNER, Mr. POSHARD, Mrs. UNSOELD, Mr. HASTERT, Mr. HUGHES, and Mr. PERKINS.

H. Con. Res. 211: Mr. DWYER of New Jersey, Mr. KOLTER, Mr. GEJDENSON, and Mr. SWIFT.

H. Res. 140: Mr. REED, Mr. SMITH of New Jersey, and Mr. JONTZ.

H. Res. 173: Mr. THOMAS of Wyoming.

H. Res. 224: Mr. AUCOIN, Mr. VALENTINE, Mr. RHODES, Mr. LIVINGSTON, and Mrs. LLOYD.

H. Res. 234: Mr. LEWIS of Florida, Mrs. MEYERS of Kansas, Mr. SANTORUM, Mr. WALSH, Mr. APPLEGATE, Mr. GALLEGLY, and Mr. SOLOMON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 230: Mr. MCMILLAN of North Carolina.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3039

By Mr. TRAFICANT:

—After Sec. 304(f)(3), insert the following:

Any individual involved in the operation and/or oversight of this fund shall submit to the Secretary of Defense and the Secretary of Commerce annually during such individual's tenure in such positions—

(1) a statement disclosing personal income and finances which shall be consistent with federal financial disclosure laws relating to federal employees, and;

(2) a statement certifying that no conflict of interest exists with the position occupied by such individual and describing any circumstances that may reasonably be perceived as a conflict of interest, which shall be consistent with federal laws relating to conflict of interest.

—After Title I, Sec. 108(a), insert the following:

In awarding authorized contracts under this Act, the President shall provide a strong preference for those small businesses located in areas of high unemployment and/or areas that demonstrate a continuing pattern of economic decline as identified by the Secretary of Labor.

—Insert the following new section at the end of the bill:

SEC. . BUY AMERICAN PROVISIONS.

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

(B) 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 made with funds authorized under this title pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.