HOUSE OF REPRESENTATIVES—*Friday, November 22, 1991*

The House met at 10 a.m.

The Reverend Paul E. Lavin, pastor, St. Joseph's Catholic Church on Capitol Hill, Washington, DC, offered the following prayer:

Some of us refer to God as the Compassionate and Merciful One, some of us say Adonai, some of us speak of Father, Son, and Holy Spirit.

Whatever words we use, let us take a moment to place ourselves in the presence of God.

Be with us that we may help our Nation be an image of justice, a mirror of sanctity, a protector of the truth, a refuge for the oppressed, a treasure to the poor, a hope to the wretched, and a light to the whole world.

Direct all our actions by Your holy inspiration and carry them on with Your gracious assistance that every work of this Congress may begin from You and with Your grace, be part of Your work to make our world a more just and decent place. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina [Mr. TAYLOR] please come forward and lead the House in the Pledge of Allegiance.

Mr. TAYLOR of North Carolina 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.

THE REVEREND PAUL E. LAVIN

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

Mr. KANJORSKI. Mr. Speaker, I rise today as a very proud representative of northern Pennsylvania, the Wyoming Valley. Father Lavin, who just gave the prayer bringing the House to order, is a native son of Wyoming Valley, the only valley in the United States that provided a name for a State in our Union.

Father Lavin reflects the family values of Wyoming Valley and Wyoming, PA. He attended grade school there. He graduated with a bachelor of arts degree from one of our finest liberal arts colleges, King's College in Wilkes-Barre, PA. He was ordained at the Washington Cathedral by Cardinal Patrick O'Boyle on May 17, 1969.

Since that time, Father Lavin has served in the Maryland area, representing many of the youth programs of that area, and then later went on to serve as the Catholic chaplain at the American University here in Washington, DC, between 1979 and 1987.

Today, Father Lavin is the 12th pastor to serve at St. Joseph's Church, the Catholic parish which serves the Capitol Hill area.

There are two distinctions in Father Lavin's life that I would like to point out to my colleagues. One, that he has concentrated his efforts on instilling in our young people a sense of community by teaching them, by example, the family values they need to be good citizens and to partake in the magnificent democratic process that we have. He knows where the investment of talent should be made and where the capital of this Nation should be best expended, with our youth.

The second thing he has done is, by taking the parish at St. Joseph's here on Capitol Hill, he knows that an awful lot of us in government need the values that he fosters. He is taking care of a second generation of kids, those of us who have the pleasure of serving in the Congress of the United States and in the legislative branch of this Government. He instills in us the values and leadership that he so ably has taught the youth of this country through the 20 years since his ordination as a priest.

Mr. Speaker, I welcome here today a favorite son of Wyoming Valley and King's College, PA, as our chaplain for today, Rev. Paul E. Lavin.

THE MERIT SYSTEMS PROTECTION BOARD ADMINISTRATIVE JUDGES PROTECTION ACT OF 1991

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

Mr. GEKAS. Mr. Speaker, I introduced a bill today, the Merit Systems Protection Board Administrative Judges Protection Act of 1991. The bill would extend to administrative judges at the Merit Systems Protection Board [MSPB] the same statutory protections as enjoyed by administrative law judges [ALJ's]. MSPB administrative judges review employment decisions of Federal agencies for approximately 2 million Federal employees. Two-thirds of the full-time Federal civilian work force depend upon the fairness and integrity of employment-related decisions rendered by 62 administrative judges at the Board.

One of the most widespread employment related problems in the Federal workplace, as documented by the MSPB upon the request of the Congress, is sexual harassment. The MSPB in response to the Congress conducted two studies of sexual harassment in 1980 and 1987. In 1987, the MSPB sent out questionnaires to 13,000 Federal employees and received 8,523 responses. In 1987, 42 percent of all women and 14 percent of all men reported they experienced some form of uninvited and unwelcome sexual attention. The total cost to the Federal Government for this non-job-related behavior is estimated at $267.3 million during the survey period of May 1985 to May 1987. These costs are based on job turnover, sick leave used, lost individual productivity, and lost group productivity due to sexual harassment.

MSPB administrative judges are responsible for hearing and deciding direct appeals from Federal employees who allege that an adverse personnel action was taken against them because of their whistleblower activities. In 1989, when the Whistleblower Protection Act was enacted, the Senate report stated that Federal employees may appeal to the MSPB and that the first review is to be by an administrative law judge and then the Board. However, administrative judges hearing these cases at the Board are not ALJ's as the act contemplated, nor do they have the protections of ALJ's under the law to ensure the impartiality and independence of their decisions.

MSPB administrative judges hear sensitive personnel cases on sexual harassment and whistleblower protections involving highly placed agency officials. In fact, the House just recently authorized the MSPB to hear appeals on misconduct cases from the Senior Executive Service. Federal employees relying upon the integrity and independence of the decisions of the MSPB administrative judges are not aware that these judges are subject to removal, suspension, and performance appraisal by their agency of their hearing and decisionmaking functions. Currently, MSPB's performance appraisal determines whether these judges receive cash awards for their work.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

MSPB conducts both preissuance and postissuance quality reviews of decisions issued by MSPB administrative judges. No facet of a decision is immune from review. Reviewers may include headquarters personnel who perform no hearing or decisionmaking functions. The results of these reviews may influence a judge's overall performance rating and pay.

Most Federal employees believe that they are entitled to a fair hearing before losing one of their most precious possessions, their livelihood. Unfortunately, Federal employees have less protections than we currently grant an individual applying for Social Security benefits or public assistance. A denial of Social Security benefits will trigger the right to a hearing before an administrative law judge, who cannot be intimidated or influenced because of the statutory protections guarding an ALJ's decisional independence. Federal employees are not aware that their case before the MSPB will be subject to quality review.

I believe that Federal employees should have the same protections in hearings before the MSPB on critical personnel decisions that may in fact ruin an individual's career. For these reasons, I have introduced a bill to give MSPB administrative judges the same protections as ALJ's in regard to removal and suspensions only for good cause, rotation of case assignments to ensure impartiality on the part of the decisionmaker and no performance appraisal of their adjudication functions. These protections will guard the integrity of the Merit System Protection Board in reviewing Federal employment practices and keep them free from political influence. I think this is important to the civil service system and it is not a difficult task to undertake, since extending these provisions would be budget neutral.

I urge my colleagues to join me in providing these safeguards to the process of reviewing important employment decisions in the Federal Government.

PRESIDENT'S POSITION ON ABORTION

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

Mr. FAZIO. Mr. Speaker, on the issue of a woman's right to choose, George Bush has used his veto pen again to sustain a position which the vast majority of the American public does not share. Some people believe that the President merely opposes the use of public funds for abortions, but his position is far more extreme. There is not a single type of Federal financing for abortion in any of the choice bills that the President has vetoed.

On the gag rule, the President vetoed the right of a woman to have her doctor tell her all of her options. Not a dime of Federal money was involved to provide for an abortion.

On the defense appropriation bill, the President vetoed the right of an American servicewoman abroad to spend her own money on an abortion. Not a dime of Federal money was involved.

□ 1110

On the D.C. appropriations bill, the President vetoed the right of the District government to use its own locally derived funds to pay for an abortion, not a dime of Federal money involved. And on international family planning, the same, not a dime involved for the use of abortions.

On choice, this is a President with an extreme position, one that is at odds with the American people and the clear majority of them.

Mr. Speaker, George Bush has used the enormous power of his veto to impose his will. It is the worst example of catering to special interests currently operating in Washington.

SMALL BUSINESSES KNOW THAT TALK IS CHEAP; BUT IT'S HOW YOU VOTE THAT COUNTS

(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, in a few days we will adjourn for the year. Many of us will go home to hold conferences or seminars for small business owners in our districts.

We want to show them that we understand how important they are to our local communities and to our Nation's economy.

We'll give civic club speeches extolling the virtues of small business. We'll cheer small business owners for leading the country in job creation and economic growth.

But, Mr. Speaker, when it comes to promoting small business, talk is cheap.

Saying nice things to the small business owners in our communities is fine, but it doesn't make up for the damage done by mandates, antigrowth tax policies and bureaucratic redtape forced on small business by the Democrat-controlled Congress here in Washington.

And so my colleagues, I urge you to remember as you address the civic clubs and small business organizations back home: Small businesses know that: It's easy to say that you're for small business. But it's how you vote that counts.

THE TEXTILE INDUSTRY

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

Mr. DERRICK. Mr. Speaker, last year the President of the United States vetoed a textile bill, a textile bill that would have merely set only 1 percent growth in imports of textiles into this country.

I was in my district the other day in a store and was talking with an unemployed textile worker. And he picked up something off the counter and looked at it, it said, "Made in China." And that unemployed textile worker said to me:

> When are we going to stop this? When are we going to understand that we are giving our jobs away? When are we going to understand that one of these days, and very soon, our American workers are not going to have jobs and they are not going to be able to purchase homes and they are not going to be able to purchase automobiles? They are not going to be able to support themselves, and the economic base of this country will be gone.

President Bush, I say to you, do not veto the middle-income people in this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). Members are reminded to direct their remarks to the Chair, not to the President.

DROUGHT RELIEF

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

Mr. BARRETT. Mr. Speaker, I am taking the floor today to express my hope that you have on your list of legislation that must be passed before our adjournment, the dire emergency supplemental appropriations bill. The House passed the supplemental on October 29, and it's currently awaiting consideration by the other body.

It is absolutely no exaggeration to say that my constituents are in dire need of this assistance, both the additional funds for FEMA disaster assistance, and the $1.75 billion in the bill for crop-loss assistance for farmers and ranchers.

In Nebraska, producers have experienced losses due to severe drought, hail, high wind, excessive rain, flash flooding, and killing frost. The State emergency board [SEB] has declared 22 counties in the State have exceeded a 30-percent loss in at least one crop enterprise, with many counties suffering across-the-board losses exceeding 30 percent.

These people are hard-working taxpayers, the foundation of our economy, and I urge this Congress, and the administration to respond to their plight. Helping them is an investment in this country, and we should not go home for turkey—or Christmas—until we have responded to the ravages of nature, and made that investment.

GOVERNMENT BY VETO

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

Mr. SYNAR. Mr. Speaker, under Presidents Eisenhower, Nixon, Ford, and Reagan, we had divided Government, but we did not have paralyzed Government, with a Republican in the White House, and a Democratic Congress, the two political parties, must work together to solve the Nation's problems.

With President Bush, this tradition has been discarded. Rather than governing by consensus, comity, and accommodation, President Bush has used this—the veto pen—to thwart change, frustrate the will of the American people, and stop our efforts for economic recovery.

This summer, he killed our bill to send extended unemployment benefits to families whose breadwinners lost their jobs in the Republican recession. He vetoed our second bill. Only when the waters of recession lapped at the lawn of the White House, did he sign our bill. But that was after the President forced down the levels of benefits for unemployed workers.

Government by veto is not leadership, Mr. Speaker. We need cooperation, not opposition and dissent, from the one man elected by all Americans.

TERRORISM IN EL SALVADOR

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

Mr. RAVENEL. Mr. Speaker, last Saturday marked the second anniversary of the brutal slaying of six Jesuit Priests, their housekeeper, and her adolescent daughter by Salvadorean security forces at the University of Central America.

For 2 years we have watched and waited for justice to prevail in El Salvador. In an unprecedented feat, two army officers have been convicted for the atrocity. While we applaud this verdict, we know that it is not over. As long as seven subordinate members of the army—who self-confessed to the eight murders—are free, and as long as the original architects of the execution are veiled, justice has not been served in El Salvador. I urge my colleagues to continue to press for the truth in the Jesuit case as well as the other, lesser publicized cases of State-sponsored terrorism in El Salvador.

THE FSX AIRPLANE

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

Mr. GLICKMAN. Mr. Speaker, one of the most long-term significant decisions made since George Bush became President was his veto of the legislation which would have stopped the partnership of Japan to codevelop a new jet fighter called the FSX. The President was so dedicated to jointly develop this airplane with Japan—with new generation and new technology in connection with fighter aircraft—that he vetoed efforts, by the majority of both Houses of Congress, to stop this transfer of technology. What are the consequences of this veto?

The United States for over 50 years has been the undisputed leader in aircraft production and aerospace development. Well over 1 million jobs exist in that industry alone. Yet this veto, and the resulting joint development of the FSX fighter plane in Japan, will provide the Japanese with sensitive high technology aerospace information.

By his veto pen the President puts America in the vulnerable position of losing thousands of jobs overseas, of losing our historic and unparalleled military and civilian technology to our foreign competitors.

It is said that the pen is mightier than the sword. In the case of this George Bush veto, the veto pen has become a sword aimed right at the heart of the American aerospace industry.

YANOMAMI INDIANS RECEIVE LANDS IN BRAZIL

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

Mr. PORTER. Mr. Speaker, I want to commend Brazil's President Collor for signing a decree to legally recognize 36,000 square miles of Brazilian forest as Yanomami territory. These people of the rain forest have faced extinction due to rapid deforestation. The Congressional Human Rights caucus has met with individuals from the Yanomami Tribe who have traveled around the world seeking protection of their rights at the expense of their personal health and safety. We send them our continued support and congratulate them on this victory.

Since the Houston summit in 1990, where the G-7 nations expressed their interest in protecting existing forests, Brazil has been working on a pilot program for sustainable use of their rain forests. The environmental benefits of conserving their unique ecosystem are clear. However, the survival of the culture and respect for the basic human rights of the forest dwellers are intrinsic to the success of the forest plan. Now, thanks to the commitment of Brazilian Environment Secretary Jose Lutzenberger and the will of President Collor, the forest plan can be received as just one part of a commitment to cultural survival in Brazil. President Collor should not be the last to recognize the rights of indigenous people.

□ 1120

PRESIDENT BUSH HAS BECOME THE "JUST SAY NO" PRESIDENT

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

Mr. ECKART. Mr. Speaker, President George Bush has adopted Nancy Reagan's drug policy as his domestic policy, but unfortunately just saying no will not do it anymore.

As my colleagues will accurately chronicle in later remarks, the President has left behind him a trail of disappointed disasters on our economic and domestic front. And in the words of Al Jolson, "We ain't seen nothing' yet."

The President has promised to veto help for beleaguered dairy farmers, for striker replacement legislation, to veto pending campaign finance reform and taxpayer fairness for the middle class, to veto cable TV regulation and Federal facilities environmental cleanup, and to veto national voter registration and the disaster relief bill that my Republican colleague mentioned just a few moments ago.

Yes, this Republican President has chosen to espouse the view of another Republican predecessor, Teddy Roosevelt, but he has changed it just a little. He speaks shrilly and carries a big pen. Yes, for many Americans the best, truly, is yet to come.

SUPPORT ELEVATING ENVIRONMENTAL PROTECTION AGENCY TO CABINET-LEVEL STATUS

(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, I am aware of the fact that the rules of the House require us to address the Chair and no one else, so, Mr. Speaker, I am addressing you and I am pleading to you, I am urging you to encourage the chairman of the Government Operations Committee to join us in taking advantage of an opportunity to elevate the Environmental Protection Agency to Cabinet-level status. I say this on a bipartisan basis.

We have worked painstakingly for many, many months to craft a bill that has been passed by the Senate, sponsored by Senators GLENN and ROTH on a bipartisan basis. That bill is now on the table, Mr. Speaker, and we can move it rapidly before the gavel comes down on this first session of this Congress.

I would point out that a broad bipartisan coalition of our colleagues in the House encourage the support of this legislation. It is endorsed by every major environmental group in America today. It is time that we gave to the environment the attention it deserves,

and elevate this Agency to Cabinet-level status.

TOO MANY WHITE HOUSE VETOES

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

Mr. OBEY. Mr. Speaker, at every opportunity from 1983 to 1988 the White House trumpeted "The Reagan Recovery, the Reagan Recovery." Now that we are in a Bush recession the White House is desperately trying to disown the consequences of their own economic policies.

The vetoes being talked about today demonstrate just how fully the Republicans have been in control over the past 10 years. They demonstrate how the White House has turned a Democratic majority in the Congress into a minority. They also demonstrate why no Congress since World War II has ever been able to change any President's budget by more than 2 percent.

Continuous threats of vetoes have prevented Congress from successfully challenging administration fiscal policy. On foreign aid, for instance, the Reagan-Bush White House twice threatened the Congress with the veto of foreign aid bills because the White House felt that we did not spend enough, at the same time that this White House is threatening to veto help for dairy farmers because it provides, in their view, too much help.

What we need from the White House is more vision, more cooperation, and less unilateral negativism.

PROTECTION FOR PRODEMOCRACY CHINESE STUDENTS

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

Mr. BARTON of Texas. Mr. Speaker, today I am introducing legislation that will provide long-term protection for prodemocracy Chinese students. These students are currently protected by the President's Executive order of April 11, 1990, but this Executive order will expire.

My bill would authorize the U.S. Attorney General to adjust the status of Chinese nationals protected by the Executive order to that of permanent resident, if the President has not certified before July 1, 1993, that conditions in China permit their safe return. To be eligible for his adjustment, the dissidents would be required to:

First, apply for the adjustment of status during the 6-month period beginning July 1, 1993;

Second, have resided continuously in the United States since April 11, 1990, with exceptions for travel as authorized by Executive Order 12711; and

Third, be present in the United States when the application is filed.

The detention of dissidents Dai Qing and Hou Xiaotian by Beijing officials during Secretary Baker's recent visit to China gives reason to believe that prodemocracy Chinese nationals in the United States will face retribution if and when they return to their homeland.

It is crucial that we show our commitment to freedom and democracy by protecting these brave young men and women. Please join me and Congresswoman PELOSI in cosponsoring this important piece of legislation.

WORKING AMERICANS DESERVE ADEQUATE MINIMUM WAGE

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

Mr. WISE. Mr. Speaker, I am holding the symbol, unfortunately, of the present administration, and that is the veto pen. The President has used a veto pen 24 times to frustrate the American people, the vast majority of this Congress, and the vast majority of the American people in legislation that they need to address a lot of the problems in this country. Unfortunately, the only industry that appears to be growing in this Nation, thanks to the President's efforts, is the veto pen industry.

He has vetoed, for instance, on June 13, 1989, a minimum wage bill that would have provided the first increase in many years for the working poor, the people that are working, Mr. Speaker. He was pressing for capital gains for the highest income while vetoing legislation to assist the lowest income.

Middle-income persons know that they lost income in earning power over the past decade, but yet thousands of working poor fell below the poverty line. The President's response is to press for legislation that assists the upper 1 percent while vetoing legislation that protects the bottom percentages.

How does one get money for stoves, refrigerators, and cars? We give them a decent wage, not a veto.

DEMOCRATS GETTING THE MESSAGE ON POLITICAL LEGISLATION

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

Mr. KYL. Mr. Speaker, it appears that the Members of the Democratic majority are visibly upset about the President's exercise of his constitutional veto power. I guess they are finally beginning to get the message. They have to stop fooling around with political legislation, legislation designed to score points for the next Presidential election, and start working with the President of the United States if we are going to get something done for the American people. That is what they are asking for.

Respected Washington Post columnist David Broder wrote a column recently and he criticized the efforts of the majority in the Congress, talking about the results of our divided government, the fact that we were not accomplishing anything, but he did not blame the President. He blamed the majority, the Democrat majority in the Congress. He said that he had spoken recently with Republicans and he believed that they were about ready to govern, that they had the answers that could provide the solutions to the problems that the American people are looking for.

I think when the American people see time after time nothing but political legislaltion coming out of this body, which the President then is forced to veto, they understand why constitutionally he was given that authority and why it is about time that the Democrat majority gets that message.

THE PRESIDENT FLIP FLOPS ON CIVIL RIGHTS LEGISLATION

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

Mr. PANETTA. Mr. Speaker, on October 22, 1990, the President vetoed the civil rights bill and that was sustained by one vote in the Senate. Yesterday, almost 1 year later, he signed the civil rights bill. But then that morning he set aside a proposed Executive order that would eliminate affirmative action within the executive branch.

Like so many other domestic issues, the American people are not sure where the President stands on this issue.

There is a basic principle in this country, and it is a principle that says we believe in equality of rights and that we believe that there are no rights unless there are remedies. We cannot just talk about rights unless we are prepared to remedy wrongs.

This Nation needs now, more than ever, leadership, not ambivalence. It needs commitment, not uncertainty. It needs to appeal to the best in our people, not the worst.

Protecting the rights of the weakest among us protects the rights of all of us.

The President may be able to veto the civil rights bill. He can never veto the spirit and hope for equality and equal justice that is America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). The Chair will remind our

guests in the gallery that we are delighted to have them with us, but they are not to respond either positively or negatively to statements made by Members on the floor.

THE FINGER POINTERS ARE THE ONES WHO CONTROL

(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, today, a day like all days, there is a lot of finger pointing here at the President by the Democrats, the same old carping, carping, carping.

But my friends, since 1954 every Speaker here has been Democrat, every chairman of the committees has been a Democrat, and every subcommittee chairman.

□ 1130

We have a good deal of applause, but why all the carping? You are in charge.

This card right here, 268 Democrats have it, 167 Republicans, 100 more Democrats than Republicans.

Do you know this veto pen that you are holding up here, do you know the President could not even buy that without your permission?

I find people are upset with the bickering. It seems that nothing works in this Government any more, just, you know, give and take.

Why do we not get together? Why do you not with your big majority in the House work with the President and let us do something positive for America for a change? Let us stop the bickering.

People put their trust and confidence in us to come here and do a job. Let us not betray that trust and confidence. Let us do what is best for America. Let us work together.

PRESIDENT WANTS TO GOVERN BY VETO

(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, the President takes great pride in the fact that Congress keeps sustaining his vetoes—he wants to govern by veto, not by actually passing programs that will help the American people.

Let us look at the effect of his veto and threats to veto civil rights legislation. Last year he vetoed an important civil rights bill that would have reversed a number of Supreme Court decisions which restricted the right of workers to sue their employers for job discrimination. This year he repeatedly threatened to veto similar legislation and finally agreed to sign the bill.

His veto and threat to veto delayed action on this important subject for more than a year.

And yesterday, even as he signed the bill, he sent out mixed signals that he really doesn't support the basic thrust of the legislation.

While he did not veto the latest bill, he may have been signing it in invisible ink.

OLD-FASHIONED POLITICS

(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, if you are a veteran in my district in southwest Florida, you might travel over 100 miles to the nearest veterans hospital and still be turned away because your ailment is not service connected and there are no facilities available. But I can tell you about one place where the Government honors its pledge "to care for him who shall have borne the battle"—Allen Park, MI where over one-quarter billion dollars is being spent to modernize and replace a veterans hospital that already has empty beds. But what good is that? I hear the laments of our veterans who ask, "Why can't I receive the same care here in southwest Florida?" Thousands of growth State residents ask this question and so do I. We pay the same taxes as the rest of the country but we are always shortchanged on Federal resources. And it is not just veterans, most funding formulas are biased against growth States, and the current mind-set is so entrenched, so antediluvian that it cannot adjust to the changing needs of dynamic modern America. So I ask, Mr. Speaker, why cannot modern growth States ever get a fair shake? Is it just old fashioned politics?

A LEADERSHIP VOID IN THE WHITE HOUSE

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

Ms. DELAURO. Mr. Speaker, America has a right to expect leadership from her Presidents. Under difficult circumstances, Presidents are expected to pull the country together, set goals, provide solutions.

Yet while our working middle class families struggle to survive, and lose sight of an America in which children can hope for a better life than their parents, this President denies that any problems exist.

The President says he has compassion. He speaks with feeling about the need to preserve the family values that have kept America strong.

But when families said they needed leave to take care of sick children and ailing grandparents, what did President Bush do? When parents asked for leave from their jobs to care for a new infant or newly adopted child, what did President Bush do? When parents asked for leave for family emergencies, what did President Bush do?

He vetoed the bill that would have provided all those things. That was a year and a half ago, Mr. Speaker. A year and a half that families went without. Now, this year, we have finally passed a bill weak enough for the President to sign.

Mr. Speaker, this is not courage. This is not caring. This is not compassion. And it certainly is not leadership.

WHAT IS THE PROBLEM WITH THE PRESIDENCY

(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, I have been listening to my colleagues talk this morning and I am trying to figure out what the problem of the Presidency is, why we have this inactivity, why we have this negativism.

At a time when the country, frankly, needs an Eisenhower, we seem to have drawn a Coolidge. Eisenhower could work with the Congress, Coolidge ignored the Congress and ignored the country; but I think it is something deeper than that. I think maybe it is crystallized best in his veto of the minimum-wage bill and in the very tepid amount that we finally gave them.

I think we have a President who does not realize that when he was elected, he was to be President of all the people, the little people as well as the big people, his supporters as well as his opponents. He is to look out for the best of all American society, not a narrow band of ideologues who somehow brought him to power.

I am afraid the country will continue on its present course until the President realizes his responsibilities to all Americans, young and old, black and white, of every race and of every religion and born to every station of life. Until the President realizes that, I am afraid that these kinds of speeches we are giving this morning will continue and the country will suffer as a consequence.

PRESIDENT NO

(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, the President has sent more veto messages to the Congress than he sent domestic initiatives. We should start calling him President No. President No has nothing left but the veto because his party in addition to a budget deficit also suffers from an idea deficit. Supply-side economics, the President once called it voodoo economics. It does not work. The boogie man of communism has

faded away. The GOP learned the consequences of being wrong on the choice issue. Race politics exploded in their face in the form of David Duke.

But President No still needs something to pay the rent for the ideological ax grinders. What does he use? The veto. That is great for President Bush. It gives him something to do, keeps his speechwriters working, but the politics of "no" hurts working Americans.

Take the veto of the family leave bill. The recession already has working families worried about losing their jobs. Why they have to worry about whether they will still have a job after having a baby or caring for a dying parent is beyond me.

Mr. Speaker, if President Bush continues to be President No, the American people will tell him he has no job protection next November and will veto him out of office.

U.S. PHARMACEUTICAL COMPANIES FALLING TO JAPANESE OWNERSHIP

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

Mr. REGULA. Mr. Speaker, how many United States pharmaceutical companies were purchased by the Japanese in 1988? The answer is zero. In 1989 the answer is once again zero. But in 1990, 19 major United States pharmaceutical companies have fallen to ownership by Japanese investors either by a direct buyout or purchase of 15 percent of the company and control of all research and development funding.

These acquired businesses are high-demand companies on the leading edge of technology ranging from biotechnology to food supplements. In many cases, Japanese firms paid two to three times the actual value of the company in the purchase price.

The trend typifies the coordinated commercial strategy employed by many of our trading partners, particularly Japan. It appears pharmaceutical is about to move up beside autos, bearings, and semiconductors as the next target to be assaulted.

This targeting has also been extended to our university campuses. Recent joint ventures between Japanese companies and the research arms of several large universities have opened the doors to our most basic and important mechanism for technology development.

WHAT IS IN A NAME?

(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, what is in a name?

Last Sunday while I was watching "This Week with David Brinkley," I heard Vice President QUAYLE refer to the Governor of New York on several occasions as Mahr-io, with an exaggerated stress that seemed to this listener to be a not so subtle attempt to appeal to ethnic prejudice; for Mario, unlike J. DANFORTH, ends in a vowel. If that is the Vice President's intent, then he should be careful, for there are a lot of Marios out here in America, a lot of Theresa Marias, a lot of Guillermos, a lot of Mohammads, a lot of Ravis and Chaims, a lot of Bjorns and a lot of Lings, and a lot of Stephanos.

Put us all together and we are the mosaic of America.

So yes, J. DANFORTH, Mario does end in a vowel, but remember, so does Bubba.

STOP MILITARY AID TO EL SALVADOR

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

Mr. COX of Illinois. Mr. Speaker, 2 years ago last Saturday, six Jesuit priests and their two women associates were brutally murdered by uniformed members of the Salvadoran military. Their only crime had been their work for a more just El Salvador. Much evidence points to the complicity of high-ranking members of the Salvadoran armed forces. At the time of the slayings, the United States-supported Government of El Salvador assured the world that the guilty parties would be brought to justice. We are still waiting for justice to be served.

Throughout the last decade, the United States Government provided massive military aid to the Salvadoran armed forces. Not surprisingly, the conflict in El Salvador escalated. At the time, President Reagan told the American people that this aid was necessary to prevent the spread of communism in Central America. Now, with communism in decline around the world, it is time to stop defining our policies by what we are against, and instead, tell the world what we are for.

Continued military aid to El Salvador will do nothing to foster the growth of democracy in Central America. If we are serious about promoting our values, we must change our focus to economic assistance. Only in a stable economic climate can democracy flourish.

Recently, Congressman JIM MCDERMOTT, who has been a true leader on this issue, and I sent a letter to the House leadership stating our goals for making significant cuts in military aid to El Salvador. The letter was signed by 55 Members who share our concerns. Unified leadership on this issue is critical if we are ever going to resolve the outstanding issues in the peace negotiations.

PENNED DOWN BY THE PRESIDENT

(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, I am very proud of this House. This House, under Democratic leadership, has done all sorts of things for the hopes of Americans. And what has happened? We get them out of this House and out of the Senate under Democratic leadership, and they go to the other end of the street and they get penned down by the President of the United States.

Let me list some of those hopes: Family medical leave, America's families want that; help to mediate the Eastern Airlines strike, we wanted that; the civil rights bill, women's rights, native American businessmen having a preference when dealing with the Federal Government, sanctions against foreign companies engaged in biological and chemical warfare, intelligence reports to this Congress so we know what is going on.

Mr. Speaker, I could go on and on and on. Those things passed. We tried to make America's lives better, and the President penned them all down.

I think we are getting tired of getting penned down, and America's hopes being penned down.

The President must like poor Americans; he is doing everything he can to create more of them.

I AM ON THE RIGHT SIDE OF THE AISLE

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

Mr. DORNAN of California. Mr. Speaker, coming from an Irish-American Catholic family, born in Harlem, New York, Manhattan, on 110th Street; my family was Democrat when I was young. By all rights I should be sitting on the majority side.

However, because of term limitations and because of Jim Farley, the postmaster general, FDR's campaign manager the first two times around, Jim Farley, my dad's handball partner at the New York AC said, "Harry, he should not have a third term. He is going to die in office." He was only off by 89 days.

He said, "What was good enough for George Washington should be good enough for Franklin." It is too bad. But he was a great leader during the Second World War. However, my family did switch to Republican. Here I am, 21 years of age, in Florida, in pilot training at College Station, last time I ever saw a Republican Speaker up there, Joe Martin.

Now I am 58, I have five grown kids all in their thirties, eight grand-

children. And this House has been controlled by Democrats for almost 38 years, my entire life, and we are running up a debt of $1,400,000,000 a day. I think maybe I am on the right side of the aisle. I do not know; I will debate it.

THE COLD WAR IS NOT OVER

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

Mr. FOGLIETTA. Mr. Speaker, the growing tensions in the Korean Peninsula show that the cold war is still at least a bit chilly. Yesterday I heard testimony from Richard Perle, the former Reagan administration official. He stated that in order to stop the development of nuclear weapons in North Korea, "The use of force is probably the only effective measure available to us."

The use of force? How about international pressure? How about dialog? How about coordinated sanctions?

Mr. Speaker, where have we heard this all before? Are Americans again being called off to wage war on foreign soil?

Yesterday I introduced legislation to encourage peace and reunification between the two Koreas and to encourage North Korea to allow international teams to inspect its nuclear facilities.

No question that the nuclear program is the largest obstacle to peace. They must allow inspections and eventually elimination of nuclear weapons. However, Mr. Speaker, we should be working to achieve the goals of unification and elimination of nuclear weapons on the Korean Peninsula, not by force but by peaceful means.

BUYING AMERICAN CARS WILL STIMULATE U.S. ECONOMY

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

Mrs. BENTLEY. Mr. Speaker, last night, national public radio reported that the President—to stimulate the economy—is considering incentives for those Americans who buy cars made in the United States.

Kudos to the President.

And kudos to Steven Boyd—the president of the Bank of Glen Burnie, Maryland—who has instituted a 1 percent discount on all loans made to those borrowers who buy American cars. Boyd has been deluged with calls by would-be buyers interested in his proposal.

With 6.8 percent unemployment, we need to think of our people. The greatest unemployment benefit package is one that provides jobs.

The way to stimulate the economy is jobs. Jobs for Americans. Jobs for taxpayers who pay the frieght for all those great programs that we pass in the Congress. The automobile industry is vital; stimulate it and stimulate all American manufactured goods as well, via investment tax credits for them.

If there are no jobs, there are no incomes, and no income taxes, revenue to the IRS.

We should applaud the efforts of Mr. Boyd and of the President. It is time we started concentrating on American jobs and not on the needs of our allies.

REMEMBER THE JESUITS

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

Mr. McDERMOTT. Mr. Speaker, 2 years have passed since Salvadoran soldiers assassinated six Jesuits and two witnesses in cold blood.

Our colleague, JOE MOAKLEY, with his staff, has tirelessly pursued this case. On Monday, he concluded that, in all likelihood, the crime was systematically planned and ordered by five officers at the highest level, none of whom have been accused or tried.

Where is the outrage about this travesty of justice? Chairman MOAKLEY's report is the best example yet of the level at which this horror originates. It starts at the top. it starts with the people who cash the U.S. check.

We cannot simply shrug our shoulders and walk away from this crime. We must remember that these men were gunned down for their beliefs by a military that kills with impunity. I hope this case will spell the end of this sad chapter in our history. We owe it to the Jesuits and thousands of others to end our military aid to El Salvador.

EL SALVADOR

(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, almost 2 years ago to the day, during consideration of the foreign aid authorization bill, Members of this House gave firm notice to the Government of El Salvador that it expected justice to be carried out in the case of the executions of six Jesuit priests, their housekeeper, and her daughter, who had been murdered by the military just days before.

After almost 2 years and constant pressure, a milestone was set—two Salvadoran officers were convicted of human rights abuses for the first time. And while many hailed these convictions as a historic dent in the traditional impunity of the Salvadoran Armed Forces, a careful examination of the trial clearly demonstrates that justice has not been carried out.

Only two of the nine soldiers indicted in the murders were convicted. Among the seven acquitted were those who confessed to having pulled the triggers. They were acquitted for obeying the commands of those two officers on the scene who ordered the slayings.

Mr. Speaker, United States policy for more than 10 years has stressed the establishment of an independent and functioning system of justice in El Salvador. I for one do not consider just a system which excuses murderers who were just following orders.

Nor am I satisfied that all those responsible for these murders have been tried. Our colleague JOE MOAKLEY has recently issued a report indicating that high-ranking Salvadoran officers—unindicted coconspirators—actually conceived of, and then covered up their roles in, the Jesuit killings.

A just and peaceful resolution of the war in El Salvador requires that the full truth be established in this case.

□ 1150

INTRODUCTION OF CAPITAL GAINS TAX CUT PROPOSAL

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

Mr. DONNELLY. Mr. Speaker, today I am introducing legislation to provide a capital gains tax cut for working class Americans. In my legislation, taxpayers would have a lifetime capital gains bank of $200,000. Any taxpayer, throughout the person's lifetime, could exclude up to 50 percent of the gain on the sale of a capital asset, up to the limit in the bank, for a maximum tax rate of 15.5 percent.

The benefit would phase out as a taxpayer's income increased above $200,000. Under my bill, individuals who sold stocks saved for retirement or a second home, or elderly individuals who had a large gain in the sale of their principal residence, would benefit. Because the bill has a 3-year holding period, no short-term stock speculators would qualify.

Finally, my bill provides that taxpayers could index the cost of real estate for inflation. An inflation-induced gain is not a capital gain and should not be subject to tax.

Mr. Speaker, I make up the revenue loss by increasing the top marginal tax rate from 31 percent to 34 percent for people with incomes of more than $250,000 per year. These people saw their tax rates decline in the 1980's from 70 percent to 31 percent, while middle-class Americans saw their taxes increase over the last decade.

Mr. Speaker, there is now a clear majority of the members of the Committee on Ways and Means who would support some sort of middle-class tax relief in regard to a capital gains reduction. This much-needed shot in the arm for a dismal economy can only be ac-

complished if the President becomes realistic and is willing to compromise.

Mr. Speaker, I insert a summary for the RECORD.

SUMMARY OF MIDDLE-INCOME CAPITAL GAINS PROPOSAL

All individuals would have a lifetime capital gains "bank".

Bank limit would be $200,000 per person.

All individuals would be entitled to the $200,000 bank; for example each spouse of a married couple would each have a separate limit.

Any individual who sold a qualified asset could exclude up to 50% of the gain on the sale, up to the $200,000 limit.

Qualified assets would include all capital assets under present law, except collectibles.

Under the bill, the maximum tax rate on capital gains income would be 15.5% (i.e., ½ of the maximum 31% tax rate).

The full benefit would not be available in any year that a taxpayer had adjusted gross income in excess of $200,000.

In the case of a sale or exchange of real property, taxpayers would be able to index their basis in the asset to the rate of inflation.

Thus, no tax on inflation-induced gains.

Example: taxpayer buys a house for $100,000 and sells it 9 years later for $200,000. Inflation was 5% per year over the 9-year period. Basis for measuring gain is $145,000, so gain is $55,000.

A three-year holding period would apply, so that the deduction would not be available to any taxpayer who held the asset for less than three years.

Holding period would encourage long-term investments; no tax break for stock speculators.

The bill would be paid for by increasing the top marginal tax rate of 31% to 34% for individuals with taxable income in excess of $250,000.

POLLS SHOW PUBLIC REJECTS ABORTION AS FAMILY PLANNING METHOD

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

Mr. HOLLOWAY. Mr. Speaker, we have done what is right by the American people. Based upon the results of several nationwide polls it is clear that the majority of Americans consider it wrong to use abortion as a method of family planning.

A June poll by the Wirthlin Group revealed that a full 83 percent of Americans oppose the use of abortion as a method of birth of birth control. Simply stated, American taxpayers feel strongly, that they should not be forced to subsidize abortion advocacy of any kind.

It's time to tell the truth about the title X regulations. it is clearly an issue of taxpayer's choice. It is wrong to expect the majority of Americans who oppose abortion as family planning to support a program that makes no distinction between the two. It also provided no way for parents to have input in their daughter's decisions.

The fact is that title X was created as a pregnancy prevention program. It was intended to help poor women avoid unplanned pregnancy and plan for the arrival of each child. All discussion regarding title X makes it very clear that there was never intended to be any connection between title X activities and abortion-related activities. These regulations have corrected abuses of taxpayer dollars and restored integrity to the program.

What is most difficult to understand is why some of the Members feel that the taxpayers are somehow obligated to fund an activity that most Americans find morally wrong—the promotion of abortion as family planning. Family planning prevents pregnancy. Abortion stops a beating heart. I commend my colleagues for restoring integrity to this process.

URGING A CUT OFF OF MILITARY AID TO EL SALVADOR

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

Mr. ATKINS. Mr. Speaker, 2 years ago members of the Salvadorean military viciously murdered six Jesuit priests, their housekeeper, and her 15-year-old daughter.

On September 28 of this year, a court finally delivered a long-overdue guilty verdict against two Salvadorean officers, but the soldiers who actually carried out the murders were found not guilty.

Earlier this month, thanks to the work of the chairman, the gentleman from Massachusetts [Mr. MOAKLEY], and his investigating committee, we learned of new evidence which points to the involvement of top Salvadorean military officials in plotting the murders.

Mr. Speaker, this year the United states has spent over $300,000 per day on military aid to El Salvador. Think of it. That is $300,000 a day to bankroll murderers in the Salvadorean Army who sadistically kill unarmed priests.

These are not our values, Mr. Speaker. This is not the purpose of foreign aid. It is time to stop military assistance to El Salvador.

SUPPORT ASKED FOR LEGISLATION TO BENEFIT MIDDLE CLASS SEEKING HIGHER EDUCATION

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

Mr. ANDREWS of New Jersey. Mr. Speaker, I have some good news and some bad news. The good news is that unlike in most areas, the President does have a higher education policy. The bad news is that that education policy says you can go to college if you are very wealthy or very lucky. It is a higher education policy that says that middle-class people can pay for Pell grants, but they cannot get them, middle-class people can pay for student loans but they cannot borrow them, and middle-class kids can watch as everybody else's kids have a chance to go to school and theirs cannot.

Mr. Speaker, we have a chance to do something about that. H.R. 3553, reported out by the committee on Education and Labor, would change that policy. I urge my colleagues to support H.R. 3553 and put the middle class back in the freshman class.

PREVENTING DISASTER IN HAITI

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

Mr. HALL of Ohio. Mr. Speaker, once again, the faces of hungry children could fill our TV screens and front pages. But, I'm not talking about refugees in the Horn of Africa. Today, I am speaking of children a few miles south of Florida—in Haiti.

Even before the coup, Haiti was the poorest country in this hemisphere. Since the embargo, programs that fed 420,000 people each day now serve fewer than 20,000. The lack of fuel and the desperate security situation is making it impossible for those programs to continue any work at all. As of today, there is no fuel or food arriving in Haiti.

But Port au Prince doesn't have to be Baghdad, Mr. Speaker. If the President and international community act now, innocent children and pregnant mothers won't have to face famine and disease.

Earlier this week, several members of the Select Committee on Hunger and I wrote to President Bush to recommend that the OAS negotiate the delivery of food and emergency supplies in Haiti. The OAS could directly supervise the delivery, with distribution through relief organizations that already exist. The OAS' physical presence and the spotlight of world public opinion will ensure the supplies are used for solely humanitarian purposes.

This emergency relief operation won't violate the terms of the embargo. What's more, it could set an important precedent—in Haiti, we could prevent famine instead of addressing a tragedy after it's too late.

TEXAS CONSTITUENT SPEAKS OUT ON ISSUE OF HOMELESSNESS

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

Mr. WASHINGTON. Mr. Speaker, let me say a word this morning on behalf of those who have no tongue, but not

from me—from Andrea Lazar, who lives in the 18th Congressional District of Texas. She wrote the President:

DEAR PRESIDENT BUSH: Three weeks ago you came to Houston. Three weeks ago cold weather came to Houston. On the evening news the first story was about your coming to Houston. The second story was about the cold weather coming to Houston. They interviewed a man who said he was lucky because a friend of his gave him two blankets.

Mr. Speaker, within 24 hours President Bush raised $1 million for his 1992 campaign. Within 48 hours two Texas cities raised almost $2 million for the President's campaign.

There are hundreds of thousands of families with forgotten faces who call the streets of America home. Imagine how many homeless shelters and homes we could build with $2 million. Imagine for a minute how much progress we could make on the issue of homelessness and how many people could be helped if you spent 2 hours at a fundraiser to benefit the homeless in every American city.

Mr. Speaker, I am proud to represent Andrea Lazar in the Congress of the United States, and I associate myself with her remarks.

Mr. Speaker, the full text of her letter is as follows:

HOUSTON, TX, *November 17, 1991.*

THE PRESIDENT
The White House, Washington, DC.

PRESIDENT BUSH: Three weeks ago, you came to Houston. Three weeks ago, the first cold weather of the fall season hit Houston.

On the evening news, the first story was about your visit. The second story was about the weather—about what a surprise the cold weather was, especially for those living in the streets. One man said that he was one of the lucky ones because a friend of his gave him two blankets.

President Bush, within the span of 24 hours, you raised at least $1 million for your 1992 Presidential campaign. Over a total of 48 hours and two Texas cities, you raised close to $2 million dollars. All for your 1992 Presidential campaign.

There are hundreds of thousands of families and forgotten faces that call the streets of America "home." Can you imagine how many homeless shelters, or homes for the homeless, we could build for $2 million?

Can you imagine, for a minute, how much progress we could make on this issue—and how many people could be helped—if you spent 2 hours at a fundraising dinner to benefit the homeless in every major city in America?

To all of us, to all of the world, your priorities are outrageously clear.

ANDREA LAZAR.

PASSAGE OF TRANSPORTATION BILL WOULD HELP IN DECLINING ECONOMY

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

Mr. APPLEGATE. Mr. Speaker, the President says that all the figures show that the economy is great and it is progressing. The only problem is that the engine will not work. The fact of the matter is that we are losing jobs. We are still losing our industries. We are losing consumer confidence, and the newest figures out on unemployment are at epidemic proportions. I ask the Members to take a look at them.

No; the engine will not go because the battery is dead. It does need a jump start, and we have a golden opportunity with the Transportation Act of 1991, with $151 billion over a 6-year period, and we would be foolish if we did not do something about it. The economic crisis is getting worse, the session is getting short, and the people are getting very impatient.

Mr. Speaker, we need this transportation bill. We need it now. Let us not go home without it.

□ 1200

U.S. RECOGNITION IS NECESSARY TO STOP THE WAR IN CROATIA

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

Mr. SENSENBRENNER. Mr. Speaker, over the last 3 days, Americans and the world have witnessed the unbelievable carnage and destruction of the city of Vukovar in eastern Croatia by Serbian insurgents and forces of the Serbia Communist government. The damage has been described as the greatest destruction to touch Europe since World War II.

In today's Washington Post, Stephen S. Rosenfeld writes on the op-ed page about the ineffectiveness of the outside world in stemming the brutal aggression of Serbia in Croatia, where it is estimated 10,000 Croatians have died in the last 5 months.

Rosenfeld suggests that a U.N.-imposed oil embargo is the last best hope for sparing the former Yugoslavia. While that may be somewhat naive, since the Serbs reportedly have a year's supply of oil to fuel its fighting machine—the fifth largest in all of Europe—it certainly is one part of the solution. The most effective answer requiring no military force or United States resources is recognition by the United States of the independence of Croatia and Slovenia. Regrettably, if the Bush administration has seen the wisdom in that approach early on, it is doubtful the destruction of Vukovar would have occurred.

Mr. Speaker, I commend Mr. Rosenfeld's column to my colleagues.

[From the Washington Post, Nov. 22, 1991]

THE LAST, BEST HOPE FOR YUGOSLAVIA

(By Stephen S. Rosenfeld)

To view the wasteland of Dubrovnik and Vukovar—representative places of the greatest destruction to touch Europe since World War II—is to invite an obligation to redouble efforts to ensure that this carnage does not go on.

These results of civil war in Yugoslavia are horrible in themselves. They also deserve to be taken as harbingers of things to come—not everywhere but in the Soviet Union and many other places where ethnic passions run strong and traditions of democratic and consensual accommodation run weak.

What is troubling is not just the thousands of deaths and the phenomenon of ethnicity aflame but the spectacle of the outside world's ineffectiveness. A deterministic view spreads that autonomous "historical" or "cultural" demons have been let loose, forces that cannot be controlled, and that others can do no more than put up a wall and wait on the theory that eventually the fire will burn out and meanwhile others will not be singed.

There is an element of realism in accepting the limitations of European and American policy in Yugoslavia. The West has now moved to impose some economic sanctions, but there is no sign that either public or official opinion is prepared to move on to put in international forces to separate the warring parties.

But there is also an element of evasion in expecting the limited pressures so far brought to bear to accomplish the large and necessary goal of bringing Yugoslavia to a new political place.

In fact, the mismatch between means and ends is recognised within the Bush administration. The president joined up with the European Community's economic sanctions well aware that these were unlikely to slow down the Serbian juggernaut in Croatia. A cutoff of strategic oil imports would have a better chance of doing the job.

But that would have to be a broad international project, not just a European one, and it would have to be undertaken through the United Nations. So far this path has been blocked by, among other things, the Soviet Union's reluctance to act in Yugoslavia in a way that might act a precedent for U.N. intervention in its own ethnic torments.

Here is where Eduard Shevardnadze's reappointment as Soviet foreign minister becomes immediately intriguing. Can this prestigious author of the "new political thinking" design and carry through a policy that makes further international action in Yugoslavia not so much threatening as helpful to other countries afflicted with ethnic strife?

The evident answer lies in the European Community's effort led by Lord Carrington to put together a package solution. This means an urgent halt to the use of force to bring about unilateral political change; in the current context this bears most heavily on the Serbs, who are on a cruel offensive against Croats. But it also means effective protection—different approaches are possible—for minorities in all republics, including Serbs who have been in peril in Croatia.

If you look just at the television pictures of the fighting, you will be drawn to the side of the Croats, the conspicuous victims. But if you reflect just briefly on the history, you will realize that Serbs' concern for fellow Serbs must be factored in. The Carrington mission has been poorly explained in this country, but this is what I take its logic to be.

The subject stirs passion, not to say cynicism. If you listen to most Yugoslavs, and to most Americans of Yugoslav descent who are active in the policy debate, you will miss the central fact that all the Yugoslav nationalities share responsibility for the current tragedy and that all must be prepared to contribute to a solution.

It has to be considered awfully doubtful that the EC's Carrington and Cyrus Vance, the United Nations' designated mediator, have any chance left to draw the parties toward a political solution. It could yet happen that the particular one-sided result that is being put into effect on the ground by Serbian arms will settle into place and will be ratified by time.

But that is to say that a prompt international oil embargo, which would most affect Serbia, is probably the best remaining way to even the odds in a bargaining context where Serbia's army now gives it literally an overwhelming advantage.

This is also probably the last best hope for sparing Yugoslavia much further agony—and for making the essential demonstration that in these hideous ethnic disputes, political will can tame history.

TIME TO END MILITARY AID TO EL SALVADOR

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

Mr. ABERCROMBIE. Mr. Speaker, like a horrible nightmare, the killing of El Salvador goes on and on.

Except this nightmare does not end when the alarm clock goes off.

A case in point is the 1989 murder in cold blood of six Jesuit priests, their housekeeper and her 15-year-old daughter.

Two Salvadoran Army officers have been convicted of the crime.

We know who pulled the trigger, but who gave the orders?

Earlier this week, the Speaker's task force on El Salvador gave us the likely answer to that question.

The killings were planned the day before at a meeting of five senior Salvadoran officers.

They included the current minister and vice minister of defense and the then-chief of the Air Force.

Is it any wonder that the investigation is at a standstill?

Are these guys going to blow the whistle on themselves?

Of course not.

But this Congress can blow the whistle on a policy that subsidizes the killers of priests, peasants, and children.

It is time we ended military aid to El Salvador, and that is what we ought to do.

RETURN COUNTRY TO WHERE IT BELONGS

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

Mr. BLACKWELL. Mr. Speaker, being a new Member of this body, I was disappointed the other day when the President vetoed the Labor-Health and Human Services bill. It amazes me how the same people who will tell a woman that she has to have a youngster that is unwanted, how they will walk past a little baby who sleeps in an abandoned car, will walk past a little baby who sleeps in an abandoned house, will walk past a mother and baby who walk down the street with nothing to eat. That amazes me.

Mr. Speaker, I would say to the President, veto sending our jobs to foreign countries; veto women and children walking the streets. Do that, and then we will return the country to where it belongs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to direct their remarks to the Chair, not to the President.

LET US REMEMBER JOHN KENNEDY

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

Mr. LEWIS of Georgia. Mr. Speaker, 28 years ago today, President John F. Kennedy was taken from us by an assassin's bullet. This young and energetic American leader ushered in a period of great hope and great expectations.

He gave this country a sense of direction, a sense of purpose, a vision. He had a vision of this Nation as the New Frontier. President Kennedy inspired the best in all of us.

We should remember that President Kennedy said the "torch has been passed on to a new generation." In his brief Presidency, John Kennedy carried that torch with dignity.

On this day, let us remember the life and times of President John Fitzgerald Kennedy.

PEOPLE OF EL SALVADOR DESPERATE FOR PEACE

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

Mr. ANDREWS of Maine. Mr. Speaker, I am very pleased that Members of Congress—on both sides of the aisle—have recognized the horror that occurred; 2 years ago, today, when six Jesuit priests, their housekeeper and her 15-year-old daughter were brutally murdered by members of the military of El Salvador.

The full truth to this terrible crime has yet to be revealed.

It is one of the horrors of a civil war that has cost American taxpayers over $4 billion and has cost over 75,000 people, most of them innocent men, women and children, their lives.

Congressman JOE MOAKLEY should be applauded for his tireless efforts as chair of the Speaker's Task Force on El Salvador to find the truth and demand justice in the murder case of the Jesuit priests.

The administration should apply clear and strong pressure on the Salvadoran Armed Forces to immediately reciprocate the unilateral cease-fire that was recently announced by the FMLN opposition.

As a nation, we should stand foursquare behind the United Nations in its efforts to broker a final peace in this war torn nation. A peace that the people of El Salvador desperately want, need, and deserve.

And, as a Congress, we should stop the flow of American tax dollars to murder, oppression, and injustice once and for all.

REMEMBRANCE OF MURDERED EL SALVADORAN PRIESTS, HOUSEKEEPER AND HOUSEKEEPER'S DAUGHTER

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

Mr. REED. Mr. Speaker, I rise today sadly to commemorate the death 2 years ago of six Jesuit priests, their housekeeper, and their housekeeper's daughter, in El Salvador. Through the efforts of the gentleman from Massachusetts [Mr. MOAKLEY], we have found out that these dastardly crimes were perpetrated by soldiers—supposed soldiers.

Mr. Speaker, I spent 12 years in the U.S. Army. I graduated from West Point and was trained at Fort Benning. Believe me, these are not soldiers. They are gangsters in costume. We cannot continue to provide military assistance to what is not a military force.

Mr. Speaker, this is not just a case of excesses, the impardonable excesses of undisciplined troops. This was a deliberately plotted crime by the very hierarchy of the Salvadoran Army. We cannot tolerate that. As long as we tolerate this, we will not only desecrate the memory of those brave Jesuits and those two women, we will desecrate the memory of every American who served in uniform to fight for the principles we believe in, and it is not the murder of innocents, it is justice and law.

SEARCH FOR JUSTICE MUST CONTINUE IN DEMJANJUK CASE

(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 case of Ivan the Terrible is exploding. Recent documents I received through the Freedom of Information Act absolutely prove that the Justice Department had for 13 years the identity of

Ivan as being John Ivan Marchenko. This case now warrants a full congressional investigation.

Mr. Speaker, Israel acted on this case on information and evidence they thought was reliable. The truth is it was not. Israel cannot be faulted.

We must now know where is Marchenko? Is he dead, or is he alive somewhere sweating out the ordeal of John Demjanjuk?

Mr. Speaker, this matter deserves an investigation. They have the wrong man sentenced to die in Israel. When you let one man's rights be abrogated, you threaten the rights of all Americans.

I am asking Congress now to look at the activities surrounding the case of Ivan the Terrible, the most infamous killer of the entire Holocaust.

SUPPORT JUSTICE AND PEACE IN EL SALVADOR

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

Mr. KENNEDY. Mr. Speaker, this week marks the second anniversary of the slaying of six Jesuit priests, their cook and her daughter at the University of Central America in El Salvador.

Despite an investigation, a trial, and the conviction of two Salvadoran officers, the whole truth surrounding these slayings has yet to be revealed.

My colleague, Chairman MOAKLEY, issued this week his final report regarding the murders. It provides new information supporting widespread assertions that other high-ranking Salvadoran military officials were also involved in the murders. Yet, their guilt was concealed by a conspiracy of silence by all but one member of the military testifying at the trial. They saw nothing, said nothing or lied before the court.

Mr. Speaker, the six priests and their associates dedicated their lives to peace, justice and democracy. If the United States truly wishes to pay tribute to their lives, everyone must work to ensure that U.S. policy reflects the goals and ideals these individuals gave their lives for.

Mr. Speaker, I hope my colleagues will join me in calling on President Bush to show leadership by demanding the full truth on the Jesuit case; by withholding any future financial assistance that we give to the Government until the truth is known; by supporting the United Nations in brokering peace negotiations, and by pressuring the Salvadoran military to reciprocate the FMLN's recent unilateral cease-fire. The opportunity for peace is at hand. Let us do everything we can to support it.

EL SALVADOR

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

Mrs. KENNELLY. Mr. Speaker, it has been 2 years since six Jesuit priests, a housekeeper, and her daughter were brutally murdered by Salvadoran Army troops. The soldiers who invaded the UCA University campus that November night in 1989 came to murder not only the priests, but the idea of democracy and freedom in El Salvador. This was an act of unspeakable outrage. Not only did it profoundly shock us, it provoked us into action.

At the time of the murder, the United States had spent $4 billion on aid to El Salvador. More than 70,000 people had been killed. A civil war had torn El Salvador apart for over a decade.

Now, 2 years later, elections have been held in El Salvador, a trial has been held to convict those who killed the priests, and a congressional task force under leadership of Congressman JOSEPH MOAKLEY has made its final report on the conspiracy involved in planning the murder—a conspiracy which involved the highest levels of the Salvadoran Armed Forces.

There is a powerful message in this. It is that without intervention and without congressional pressure, there would have been no progress in finding some justice for those eight martyrs. This is small comfort, since there is so much more to be found out about who was also involved as well as those prosecuted, but it does help on this day of memory.

I urge my colleagues to insist that military aid to a country that cannot prevent the military's abuse of its citizens be stopped.

NO MORE MILITARY AID FOR EL SALVADOR

(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, 2 years ago this week, an army squad entered the campus of the Central American University and in cold blood, murdered six Jesuit priests, their housekeeper, and her 15-year-old daughter. Two years after the massacre in El Salvador, there is now compelling circumstantial information, revealed in Chairman MOAKLEY's report, that the decision to murder these Jesuit priests was made at a meeting of the Salvadoran military's top officers.

Mr. Speaker, since these murders, the United States has provided El Salvador with $166 million in new economic support funds, as well as millions of dollars in assistance already in the pipeline. The recent continuing resolution also makes available up to $3.5 million more per month to the military in El Salvador. Yet, the full truth on the role of the military's commanders in this brutal, premeditated crime has not been uncovered, and those responsible for the decision have not been held accountable.

The Salvadoran military has acted with impunity, terrorizing and murdering civilians throughout El Salvador's civil war. Their institutionalized brutality culminated in this tragic event which destroyed the backbone of El Salvador's intellectual community. Unfortunately, the brutality has not ended.

President Cristiani is trying to bring the Salvadoran military under some control The peace process will not work unless the military cooperates. We can help. Cutting military aid will help to promote peace. Peace and justice are the best memorial we can provide for the slain Jesuit priests.

THE TRAGEDY ON AMERICA'S STREETS

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

Mr. WALKER. Mr. Speaker, obviously we should show compassion for the situation in El Salvador and people who have been murdered there, and our policy ought to also recognize that.

The gentleman from Illinois was absolutely right a moment ago. We ought to be just as worried about the citizens who are being murdered on our streets every night. And the fact is that we have heard from the Democrats now for a period of months and weeks about how President Bush is too concerned about what goes on overseas. The 1 minutes today sound to me as though the Democrats should heal themselves. It sounds to me as though they are more concerned about what goes on in El Salvador than they are about what goes on in the streets of Washington, DC.

We need a crime bill out here, a tough crime bill that does something about the murder on our streets.

And what happened when this House had to face up to that issue yesterday about a real crime on the streets approach? The majority of the House, by almost a 2-to-1 majority, voted against having the Federal Government have mandatory penalties against people who wield guns on the streets of America.

I tell my colleagues that the American people are worried about the fact that the guns are being used against them, and they are being murdered on their own streets. And they may worry about the people in El Salvador, and they should, but they are more worried about their own families. We ought to act here.

NO MILITARY ASSISTANCE FOR EL SALVADOR

(Mr. MAZZOLI asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, in 1985, I received one of the greatest honors that I have ever enjoyed. I was awarded an honorary degree from my alma mater, the University of Notre Dame.

On the very same day that I was awarded that honorary degree, a degree was also received by Jose Napoleon Duarte, the former President of El Salvador and a Notre Dame graduate.

It was awkward for me, but I felt at the same time appropriately resolved in behalf of my votes to that point and my votes since then of not providing military assistance to the country of El Salvador.

I admired then and I admire today, after his death, President Duarte's great resolve and his great courage in handling his terminal illness, but I really do not believe that providing military assistance under any circumstances to that country solves the problems that plague the country.

I think we ought to cut off the aid, and then we will be able to establish peace and justice in El Salvador.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R 2076 HOUSE JOINT RESOLUTION 201

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2076 and of House Joint Resolution 201.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

Mr. NATCHER. Mr. Speaker, pursuant to the order of the House on Thursday, November 21, 1991, I call up the bill (H.R. 3839) making appropriations for the Departments of Labor, Health and Human Services, Education, and related agencies, for the fiscal year ending September 30, 1992, and for other purposes.

The Clerk read the title of the bill.

Mr. NATCHER. Mr. Speaker, all time yielded will be for the purposes of debate only.

Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, the bill I present today replaces H.R. 2707, which was vetoed by the President on Tuesday. This veto was based on his objections to the provision of the bill related to abortion counseling in family planning clinics. As Members know, the House failed to override this veto by a vote of 276 to 156. The number of votes against the override was identical to the number who voted against the conference report on November 6. As a result, we have had to start over with a new bill.

I want to emphasize that the new bill is identical to the bill vetoed by the President, with the single exception of section 514, the abortion counseling provision. Section 514 has been stricken in its entirety. All of the dollar amounts are identical to the vetoed bill and all the terms, conditions and limitations are as agreed to in the conference on H.R. 2707. The committee expects the instructions contained in the House and Senate reports and the conference report on H.R. 2707 as well as floor debates to apply to the new bill. I will insert in the RECORD at the end of my statement a table comparing the amounts provided in the new bill to those in the House, Senate, and conference versions of H.R. 2707.

It is clear that the abortion counseling provision provokes deeply held beliefs on both sides. I urge my colleagues to support this new bill. It represents the best we can do for the many important programs that are funded within it. The longer we delay in passing a second bill, the more these critical activities will be hurt.

At the present time, the programs of the Departments of Labor, Health and Human Services, and Education are funded at the rate specified in the continuing resolution. This rate is the lower of the 1991 level, or the House or Senate passed bills. Compared to the levels in the vetoed bill. The continuing resolution provides $4.6 billion less in discretionary budget authority. To cite a few examples of programs that are being shortchanged by the continuing resolution:

	Million
Chapter 1	−631
Natinal Institutes of Health	−839
Low-income energy assistance	−500
Education for the handicapped	−239
Student financial assistance	−171
Vocational education	−184

It is not right for these programs and many others like them that do so much to improve the health of our country and the education of our children to be further jeopardized while we debate the abortion counseling matter. I urge my colleagues to support this new bill. The table which I referred to earlier follows:

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	nand Disc
SUMMARY							
Title I - Department of Labor:							
Federal Funds	7,541,537,000	7,336,447,000	7,435,073,000	7,485,176,000	7,476,230,000	7,476,230,000	
Current year	(7,541,537,000)	(7,336,447,000)	(7,435,073,000)	(7,485,176,000)	(7,288,530,000)	(7,288,530,000)	
1993 advance	---	---	---	---	(187,700,000)	(187,700,000)	
Trust Funds	(3,345,157,000)	(3,398,136,000)	(3,512,648,000)	(3,537,331,000)	(3,509,301,000)	(3,509,301,000)	
Title II - Department of Health and Human Services:							
Federal Funds (all years)	151,680,827,000	165,657,345,000	167,121,817,000	168,803,583,000	168,611,962,000	168,611,962,000	
Current year	(130,543,893,000)	(139,119,345,000)	(139,460,825,000)	(141,142,591,000)	(140,950,970,000)	(140,950,970,000)	
1993 advance	(21,136,934,000)	(26,538,000,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	
Trust Funds	(6,554,729,000)	(6,543,148,000)	(6,937,781,000)	(6,504,857,000)	(6,934,781,000)	(6,934,781,000)	
Title III - Department of Education:							
Federal Funds	22,883,520,000	26,580,972,000	28,266,159,000	27,416,427,000	27,774,312,000	27,774,312,000	
Total including Guaranteed Student Loans	(27,093,338,000)	(29,656,683,000)	(31,341,870,000)	(30,492,138,000)	(31,964,771,000)	(31,964,771,000)	
Title IV - Related Agencies:							
Federal Funds (all years)	1,079,950,000	1,036,650,000	1,030,273,000	1,070,083,000	1,057,259,000	1,057,259,000	
Current year	(761,314,000)	(776,650,000)	(776,964,000)	(786,083,000)	(782,259,000)	(782,259,000)	
1994 advance	(318,636,000)	(260,000,000)	(253,309,000)	(284,000,000)	(275,000,000)	(275,000,000)	
Trust Funds	(98,731,000)	(121,615,000)	(108,983,000)	(109,039,000)	(107,637,000)	(107,637,000)	
Total, all titles:							
Federal Funds (all years)	183,185,834,000	200,611,414,000	203,853,322,000	204,775,269,000	204,919,763,000	204,919,763,000	
Current year	(161,730,264,000)	(173,813,414,000)	(175,939,021,000)	(176,830,277,000)	(176,796,071,000)	(176,796,071,000)	
1993 advance	(21,136,934,000)	(26,538,000,000)	(27,660,992,000)	(27,660,992,000)	(27,848,692,000)	(27,848,692,000)	
1994 advance	(318,636,000)	(260,000,000)	(253,309,000)	(284,000,000)	(275,000,000)	(275,000,000)	
Trust Funds	(9,998,617,000)	(10,062,899,000)	(10,559,412,000)	(10,151,227,000)	(10,551,719,000)	(10,551,719,000)	
TITLE I - DEPARTMENT OF LABOR							
EMPLOYMENT AND TRAINING ADMINISTRATION							
PROGRAM ADMINISTRATION							
Job training programs	19,884,000	21,528,000	21,528,000	21,528,000	21,528,000	21,528,000	D
Trust funds	(2,118,000)	(2,179,000)	(2,179,000)	(2,179,000)	(2,179,000)	(2,179,000)	TF*
Employment security	316,000	442,000	442,000	442,000	442,000	442,000	D
Trust funds	(12,611,000)	(13,472,000)	(13,472,000)	(13,472,000)	(13,472,000)	(13,472,000)	TF*
Financial and administrative management	13,343,000	14,502,000	14,502,000	14,502,000	14,502,000	14,502,000	D
Trust funds	(10,075,000)	(10,686,000)	(10,686,000)	(10,686,000)	(10,686,000)	(10,686,000)	TF*
Executive direction and administration	4,376,000	5,031,000	5,031,000	4,376,000	4,376,000	4,376,000	D
Trust funds	(3,870,000)	(4,047,000)	(4,047,000)	(3,870,000)	(3,870,000)	(3,870,000)	TF*
Regional operations	15,215,000	16,132,000	16,132,000	16,132,000	16,132,000	16,132,000	D
Trust funds	(24,319,000)	(26,745,000)	(26,745,000)	(26,745,000)	(26,745,000)	(26,745,000)	TF*
Apprenticeship services	16,051,000	16,553,000	16,553,000	17,000,000	17,000,000	17,000,000	D
Total, Program Administration	122,178,000	131,317,000	131,317,000	130,932,000	130,932,000	130,932,000	
Federal funds	69,185,000	74,188,000	74,188,000	73,980,000	73,980,000	73,980,000	
Trust funds	(52,993,000)	(57,129,000)	(57,129,000)	(56,952,000)	(56,952,000)	(56,952,000)	
TRAINING AND EMPLOYMENT SERVICES							
Grants to States:							
Block grant	1,778,484,000	1,778,484,000	1,773,484,000	1,773,484,000	1,773,484,000	1,773,484,000	D
Summer youth employment and training program	682,912,000	682,912,000	682,912,000	682,912,000	495,212,000	495,212,000	D
Advance appropriation, FY93	---	---	---	---	187,700,000	187,700,000	D
Dislocated worker assistance	526,986,000	526,986,000	576,986,000	576,986,000	576,986,000	576,986,000	D
Federally administered programs:							
Native Americans	59,625,000	58,690,000	59,625,000	64,000,000	63,000,000	63,000,000	D
Migrants and seasonal farmworkers	70,288,000	56,911,000	75,288,000	80,000,000	77,644,000	77,644,000	D

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Job Corps:							
Operations	800,238,000	837,033,000	846,033,000	847,033,000	846,533,000	846,533,000	D
Construction and renovation	67,259,000	50,464,000	52,464,000	80,464,000	73,000,000	73,000,000	D
Subtotal, Job Corps	867,497,000	887,497,000	898,497,000	927,497,000	919,533,000	919,533,000	
Veterans' employment	9,120,000	8,792,000	9,120,000	9,120,000	9,120,000	9,120,000	D
National activities:							
Pilots and demonstrations	36,216,000	27,753,000	27,753,000	38,753,000	35,753,000	35,753,000	D
Research, demonstration and evaluation	12,927,000	10,000,000	10,000,000	11,927,000	10,000,000	10,000,000	D
Other	22,673,000	13,706,000	16,706,000	25,606,000	23,606,000	23,606,000	D
Subtotal, National activities	71,816,000	51,459,000	54,459,000	76,286,000	69,359,000	69,359,000	
Subtotal, Federal activities	1,078,346,000	1,063,349,000	1,096,989,000	1,156,903,000	1,138,656,000	1,138,656,000	
Total, Job Training Partnership Act	4,066,728,000	4,051,731,000	4,130,371,000	4,190,285,000	4,172,038,000	4,172,038,000	
Job training for the homeless	11,223,000	---	7,400,000	11,223,000	9,312,000	9,312,000	D
Total, Training and Employment Services	4,077,951,000	4,051,731,000	4,137,771,000	4,201,508,000	4,181,350,000	4,181,350,000	
Current year	(4,077,951,000)	(4,051,731,000)	(4,137,771,000)	(4,201,508,000)	(3,993,650,000)	(3,993,650,000)	
FY 1993	---	---	---	---	(187,700,000)	(187,700,000)	
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS							
National contracts	304,481,000	267,395,000	304,481,000	312,000,000	308,241,000	308,241,000	D
State grants	85,879,000	75,419,000	85,879,000	88,000,000	86,940,000	86,940,000	D
Total	390,360,000	342,814,000	390,360,000	400,000,000	395,181,000	395,181,000	
FEDERAL UNEMPLOYMENT AND ALLOWANCES							
Trade adjustment	269,000,000	226,000,000	226,000,000	226,000,000	226,000,000	226,000,000	M
Other activities	500,000	250,000	250,000	250,000	250,000	250,000	M
Total	269,500,000	226,250,000	226,250,000	226,250,000	226,250,000	226,250,000	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS							
Unemployment Compensation (Trust Funds):							
State Operations	(1,458,435,000)	(1,510,973,000)	(1,510,973,000)	(1,510,973,000)	(1,510,973,000)	(1,510,973,000)	TF*
State integrity activities	(278,249,000)	(304,723,000)	(304,723,000)	(304,723,000)	(290,723,000)	(290,723,000)	TF*
National Activities	(6,213,000)	(6,486,000)	(6,486,000)	(6,486,000)	(6,486,000)	(6,486,000)	TF*
Contingency	(391,544,000)	(440,703,000)	(440,703,000)	(440,703,000)	(440,703,000)	(440,703,000)	TF*
Subtotal, Unemployment Compensation(trust funds)	(2,134,441,000)	(2,262,885,000)	(2,262,885,000)	(2,262,885,000)	(2,248,885,000)	(2,248,885,000)	
Employment Service:							
Allotments to States:							
Federal funds	21,177,000	22,500,000	21,177,000	22,500,000	21,838,000	21,838,000	D
Trust funds	(783,940,000)	(727,500,000)	(783,940,000)	(815,600,000)	(799,770,000)	(799,770,000)	TF*
Subtotal	805,117,000	750,000,000	805,117,000	838,100,000	821,608,000	821,608,000	
National Activities:							
Federal funds	3,806,000	2,200,000	2,200,000	2,200,000	2,200,000	2,200,000	D
Trust funds 1/	(56,114,000)	(72,500,000)	(85,000,000)	(80,000,000)	(80,000,000)	(80,000,000)	TF*
Targeted jobs tax credit	(19,518,000)	(20,000,000)	(20,000,000)	(20,000,000)	(20,000,000)	(20,000,000)	TF*
Subtotal, Employment Service	884,555,000	844,700,000	912,317,000	940,300,000	923,808,000	923,808,000	
Federal funds	24,983,000	24,700,000	23,377,000	24,700,000	24,038,000	24,038,000	
Trust funds	(859,572,000)	(820,000,000)	(888,940,000)	(915,600,000)	(899,770,000)	(899,770,000)	
Total, State Unemployment 2/	3,018,996,000	3,107,585,000	3,175,202,000	3,203,185,000	3,172,693,000	3,172,693,000	
Federal Funds	24,983,000	24,700,000	23,377,000	24,700,000	24,038,000	24,038,000	
Trust Funds	(2,994,013,000)	(3,082,885,000)	(3,151,825,000)	(3,178,485,000)	(3,148,655,000)	(3,148,655,000)	

1/ FY 1991 total for computer operations not available for obligation until Oct. 1, 1991. House & Senate bills include $12,500,000 for computer operations, not available for obligation until 9/30/92.

2/ Includes Federal, Trust and advance Trust funds.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
ADVANCES TO UNEMPLOYMENT TRUST FUND AND OTHER FUNDS...	328,000,000	236,990,000	236,990,000	236,990,000	236,990,000	236,990,000	M
Total, Employment & Training Administration.....	8,206,985,000	8,096,687,000	8,297,890,000	8,398,865,000	8,343,396,000	8,343,396,000	
Federal funds.....	5,159,979,000	4,956,673,000	5,088,936,000	5,163,428,000	5,137,789,000	5,137,789,000	
Current year.....	(5,159,979,000)	(4,956,673,000)	(5,088,936,000)	(5,163,428,000)	(4,950,089,000)	(4,950,089,000)	
FY 1993.....	---	---	---	---	(187,700,000)	(187,700,000)	
Trust funds.....	(3,047,006,000)	(3,140,014,000)	(3,208,954,000)	(3,235,437,000)	(3,205,607,000)	(3,205,607,000)	
LABOR - MANAGEMENT SERVICES							
SALARIES AND EXPENSES							
Labor-management relations service.....	5,733,000	5,526,000	5,526,000	5,526,000	5,526,000	5,526,000	D
Labor-management standards enforcement.....	25,238,000	26,530,000	26,530,000	26,530,000	26,530,000	26,530,000	D
Pension and welfare benefit programs.....	56,405,000	63,784,000	63,784,000	62,784,000	63,284,000	63,284,000	D
Total, LMSA.....	87,376,000	95,840,000	95,840,000	94,840,000	95,340,000	95,340,000	
PENSION BENEFIT GUARANTY CORPORATION							
Program Administration subject to limitation (Trust Funds).....	(41,641,000)	(47,787,000)	(47,787,000)	(47,787,000)	(47,787,000)	(47,787,000)	TF
Services related to terminations not subject to limitations (Trust Funds).....	(27,773,000)	(25,025,000)	(25,025,000)	(25,025,000)	(25,025,000)	(25,025,000)	TF
Total, PBGC (trust funds).....	(69,414,000)	(72,812,000)	(72,812,000)	(72,812,000)	(72,812,000)	(72,812,000)	
EMPLOYMENT STANDARDS ADMINISTRATION							
SALARIES AND EXPENSES							
Enforcement of wage and hour standards.....	91,295,000	97,336,000	97,336,000	96,586,000	96,586,000	96,586,000	D
Federal contractor EEO standards enforcement.....	52,585,000	55,909,000	55,909,000	55,909,000	55,909,000	55,909,000	D
Federal programs for workers' compensation.....	60,427,000	67,985,000	67,985,000	67,985,000	67,985,000	67,985,000	D
Trust funds.....	(992,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	TF
Executive direction and support services.....	10,846,000	11,396,000	11,396,000	10,846,000	10,846,000	10,846,000	D
Total, salaries and expenses.....	216,145,000	233,661,000	233,661,000	232,361,000	232,361,000	232,361,000	
Federal funds.....	215,153,000	232,626,000	232,626,000	231,326,000	231,326,000	231,326,000	
Trust funds.....	(992,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	
SPECIAL BENEFITS							
Federal employees compensation benefits.....	318,000,000	188,000,000	188,000,000	188,000,000	188,000,000	188,000,000	M
Longshore and harbor workers' benefits.....	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	M
Total, Special Benefits.....	322,000,000	192,000,000	192,000,000	192,000,000	192,000,000	192,000,000	
BLACK LUNG DISABILITY TRUST FUND							
Benefit payments and interest on advances.....	866,019,000	861,135,000	861,135,000	861,135,000	861,135,000	861,135,000	M
Employment Standards Admin., salaries & expenses.....	28,900,000	30,145,000	30,145,000	30,145,000	30,145,000	30,145,000	M
Departmental Management, salaries and expenses.....	23,171,000	25,579,000	25,579,000	25,579,000	25,579,000	25,579,000	M
Departmental Management, inspector general.....	371,000	333,000	333,000	333,000	333,000	333,000	M
Subtotal, Black Lung Disablty. Trust Fund, apprn	918,461,000	917,192,000	917,192,000	917,192,000	917,192,000	917,192,000	
Treasury administrative costs (indefinite).....	756,000	756,000	756,000	756,000	756,000	756,000	M
Total, Black Lung Disability Trust Fund.....	919,217,000	917,948,000	917,948,000	917,948,000	917,948,000	917,948,000	
Total, Employment Standards Administration.....	1,457,362,000	1,343,609,000	1,343,609,000	1,342,309,000	1,342,309,000	1,342,309,000	
Federal funds.....	1,456,370,000	1,342,574,000	1,342,574,000	1,341,274,000	1,341,274,000	1,341,274,000	
Trust funds.....	(992,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	(1,035,000)	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION							
SALARIES AND EXPENSES							
Safety and health standards	7,620,000	8,078,000	8,078,000	8,078,000	8,078,000	8,078,000	D
Enforcement:							
Federal Enforcement	123,935,000	133,508,000	133,508,000	134,008,000	134,008,000	134,008,000	D
State programs	63,731,000	66,344,000	66,344,000	66,344,000	66,344,000	66,344,000	D
Technical Support	16,684,000	17,708,000	17,708,000	17,708,000	17,708,000	17,708,000	D
Compliance Assistance	37,370,000	38,942,000	38,942,000	41,942,000	40,692,000	40,692,000	D
Safety and health statistics	29,116,000	30,390,000	30,390,000	30,390,000	30,390,000	30,390,000	D
Executive direction and administration	6,737,000	7,137,000	7,137,000	6,737,000	6,937,000	6,937,000	D
Total, OSHA	285,193,000	302,107,000	302,107,000	305,207,000	304,157,000	304,157,000	
MINE SAFETY AND HEALTH ADMINISTRATION							
SALARIES AND EXPENSES							
Enforcement:							
Coal	87,338,000	94,750,000	94,750,000	95,100,000	95,100,000	95,100,000	D
Metal/nonmetal	35,223,000	37,718,000	37,718,000	37,718,000	37,718,000	37,718,000	D
Standards development	1,363,000	1,516,000	1,516,000	1,516,000	1,516,000	1,516,000	D
Assessments	2,313,000	2,455,000	2,455,000	2,455,000	2,455,000	2,455,000	D
Educational policy and development	14,953,000	14,152,000	14,152,000	15,152,000	14,152,000	14,152,000	D
Technical support	20,563,000	21,322,000	21,322,000	21,615,000	21,615,000	21,615,000	D
Program administration	11,808,000	14,244,000	14,244,000	11,808,000	12,808,000	12,808,000	D
Total, Mine Safety and Health Administration	173,561,000	186,157,000	186,157,000	185,364,000	185,364,000	185,364,000	
BUREAU OF LABOR STATISTICS							
SALARIES AND EXPENSES							
Employment and Unemployment Statistics	67,159,000	85,709,000	85,709,000	75,549,000	85,709,000	85,709,000	D
Labor Market Information (Trust Funds)	(51,488,000)	(50,399,000)	(50,399,000)	(48,599,000)	(50,399,000)	(50,399,000)	TF*
Prices and cost of living	74,336,000	85,000,000	85,000,000	80,960,000	85,000,000	85,000,000	D
Wages and industrial relations	25,738,000	45,216,000	45,216,000	29,366,000	45,216,000	45,216,000	D
Productivity and technology	5,699,000	6,316,000	6,316,000	6,316,000	6,316,000	6,316,000	D
Economic growth and employment projections	3,479,000	3,844,000	3,844,000	3,844,000	3,844,000	3,844,000	D
Executive direction and staff services	27,258,000	32,419,000	32,419,000	27,258,000	30,839,000	30,839,000	D
Total, Bureau of Labor Statistics	255,157,000	308,903,000	308,903,000	271,892,000	307,323,000	307,323,000	
Federal Funds	203,669,000	258,504,000	258,504,000	223,293,000	256,924,000	256,924,000	
Trust Funds	(51,488,000)	(50,399,000)	(50,399,000)	(48,599,000)	(50,399,000)	(50,399,000)	
DEPARTMENTAL MANAGEMENT							
SALARIES AND EXPENSES							
Executive direction	21,419,000	27,911,000	24,911,000	21,419,000	21,419,000	21,419,000	D
Transfer from ADAMHA for employee assistance	---	---	---	(2,000,000)	---	---	NA
Legal services	52,722,000	58,588,000	58,588,000	56,985,000	57,786,000	57,786,000	D
Trust funds	(278,000)	(332,000)	(332,000)	(332,000)	(332,000)	(332,000)	TF*
International labor affairs	6,572,000	7,284,000	7,284,000	7,284,000	7,284,000	7,284,000	D
Administration and management	20,209,000	21,812,000	21,175,000	21,812,000	21,494,000	21,494,000	D
Adjudication	14,603,000	16,187,000	16,187,000	16,187,000	16,187,000	16,187,000	D
Promoting employment of the disabled	4,077,000	4,078,000	4,078,000	4,740,000	4,409,000	4,409,000	D
Women's Bureau	7,413,000	7,562,000	7,562,000	8,319,000	7,940,000	7,940,000	D
Civil Rights Activities	4,338,000	4,534,000	4,534,000	4,534,000	4,534,000	4,534,000	D
Undistributed	---	---	---	-1,600,000	---	---	D
Total, Salaries and expenses	131,631,000	148,288,000	144,651,000	140,012,000	141,385,000	141,385,000	
Federal funds	131,353,000	147,956,000	144,319,000	139,680,000	141,053,000	141,053,000	
Trust funds	(278,000)	(332,000)	(332,000)	(332,000)	(332,000)	(332,000)	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
VETERANS EMPLOYMENT AND TRAINING							
State Administration:							
Disabled Veterans Outreach Program	(77,170,000)	(34,910,000)	(79,170,000)	(79,170,000)	(79,170,000)	(79,170,000)	TF*
Local Veterans Employment Program	(71,095,000)	(74,223,000)	(73,095,000)	(73,095,000)	(73,095,000)	(73,095,000)	TF*
Subtotal, State Administration	(148,265,000)	(109,133,000)	(152,265,000)	(152,265,000)	(152,265,000)	(152,265,000)	
Federal Administration	(21,180,000)	(20,054,000)	(20,054,000)	(20,054,000)	(20,054,000)	(20,054,000)	TF*
National Veterans Training Institute	(2,440,000)	---	(2,440,000)	(2,440,000)	(2,440,000)	(2,440,000)	TF*
Total, Trust Funds	(171,885,000)	(129,187,000)	(174,759,000)	(174,759,000)	(174,759,000)	(174,759,000)	
OFFICE OF THE INSPECTOR GENERAL							
Audit:							
Federal funds	20,693,000	20,673,000	20,673,000	20,673,000	20,673,000	20,673,000	D
Trust funds	(3,784,000)	(4,023,000)	(4,023,000)	(4,023,000)	(4,023,000)	(4,023,000)	TF*
Investigation:							
Federal funds	7,729,000	8,245,000	8,245,000	8,245,000	8,245,000	8,245,000	D
Trust funds	(310,000)	(334,000)	(334,000)	(334,000)	(334,000)	(334,000)	TF*
Office of Labor Racketeering	10,495,000	11,322,000	11,322,000	11,322,000	11,322,000	11,322,000	D
Executive Direction and Management	5,119,000	6,396,000	6,396,000	5,119,000	6,080,000	6,080,000	D
Total, Office of the Inspector General	48,130,000	50,993,000	50,993,000	49,716,000	50,677,000	50,677,000	
Federal funds	44,036,000	46,636,000	46,636,000	45,359,000	46,320,000	46,320,000	
Trust funds	(4,094,000)	(4,357,000)	(4,357,000)	(4,357,000)	(4,357,000)	(4,357,000)	
Total, Departmental Management	351,646,000	328,468,000	370,403,000	364,487,000	366,821,000	366,821,000	
Federal funds	175,389,000	194,592,000	190,955,000	185,039,000	187,373,000	187,373,000	
Trust funds	(176,257,000)	(133,876,000)	(179,448,000)	(179,448,000)	(179,448,000)	(179,448,000)	
Undistributed salaries and expenses reduction	---	---	-30,000,000	-13,269,000	-31,991,000	-31,991,000	D
Total, Labor Department 1/	10,886,694,000	10,734,583,000	10,947,721,000	11,022,507,000	10,985,531,000	10,985,531,000	
Federal funds	7,541,537,000	7,336,447,000	7,435,073,000	7,485,176,000	7,476,230,000	7,476,230,000	
Current year	(7,541,537,000)	(7,336,447,000)	(7,435,073,000)	(7,485,176,000)	(7,288,530,000)	(7,288,530,000)	
FY 1993	---	---	---	---	(187,700,000)	(187,700,000)	
Trust funds	(3,345,157,000)	(3,398,136,000)	(3,512,648,000)	(3,537,331,000)	(3,509,301,000)	(3,509,301,000)	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES							
HEALTH RESOURCES AND SERVICES ADMINISTRATION							
HEALTH RESOURCES AND SERVICES 2/							
Health Care Delivery and Assistance:							
Community health centers	478,191,000	478,191,000	478,191,000	478,191,000	478,191,000	478,191,000	D
Transfer from "Educational excellence"	---	---	---	(49,000,000)	(49,000,000)	(49,000,000)	NA
Subtotal, Community Health Centers	(478,191,000)	(478,191,000)	(478,191,000)	(527,191,000)	(527,191,000)	(527,191,000)	
HUD health service grants	3,416,000	3,000,000	7,500,000	4,692,000	6,096,000	6,096,000	D
Targeted infant mortality initiative:							
Healthy start	25,000,000	138,659,000	69,330,000	25,000,000	40,000,000	40,000,000	D
Additional appropriation 9/30/92	---	---	---	50,000,000	25,000,000	25,000,000	D
Community health centers	---	---	69,329,000	---	10,000,000	10,000,000	D
Subtotal	25,000,000	138,659,000	138,659,000	75,000,000	75,000,000	75,000,000	
Total, Community Health Services	506,607,000	619,850,000	624,350,000	557,883,000	559,287,000	559,287,000	
Migrant health	51,723,000	51,723,000	51,723,000	53,700,000	51,723,000	51,723,000	D
Transfer from "Educational excellence"	---	---	---	(6,000,000)	(6,000,000)	(6,000,000)	NA
Subtotal, Migrant Health Centers	(51,723,000)	(51,723,000)	(51,723,000)	(59,700,000)	(57,723,000)	(57,723,000)	
Black lung clinics	3,708,000	3,708,000	3,708,000	4,000,000	4,000,000	4,000,000	D
Health care for the homeless	39,036,000	63,041,000	51,000,000	61,041,000	56,021,000	56,021,000	D
Family planning	144,311,000	150,000,000	---	162,000,000	150,000,000	150,000,000	D

1/ Includes Federal and Trust funds.

2/ Budget and House bill include delayed obligation of $86,000,000 until Sept. 19, 1992. Senate delays until 9/30/92 through 10/30/92. Conference agreement assumes a total of $125,000,000 of delayed obligations until 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
National Health Service Corps:							
Field placements	42,256,000	42,256,000	42,256,000	42,256,000	42,256,000	42,256,000	D
Loans and scholarships	48,795,000	53,795,000	58,795,000	58,795,000	58,795,000	58,795,000	D
Subtotal, Natl Health Service Corps	91,051,000	96,051,000	101,051,000	101,051,000	101,051,000	101,051,000	
Hansen's Disease services (Carville)	19,792,000	19,489,000	19,489,000	19,489,000	19,489,000	19,489,000	D
Payment to Hawaii, treatment of Hansen's Disease	3,383,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	D
Home health demonstration grants	2,928,000	---	---	2,900,000	2,900,000	2,900,000	D
Alzheimer's care grants	---	---	---	5,000,000	4,000,000	4,000,000	D
Trauma care	---	---	---	10,000,000	5,000,000	5,000,000	D
Undistributed	---	---	---	-12,900,000	---	---	D
Total, Health Care Delivery & Assistance	862,539,000	1,006,862,000	854,321,000	967,164,000	956,471,000	956,471,000	
Health Professions:							
Exceptional need scholarships	9,759,000	10,400,000	9,759,000	9,759,000	9,759,000	9,759,000	D
Minority centers of excellence	14,151,000	14,920,000	27,920,000	14,140,000	24,140,000	24,140,000	D
Public health special projects	3,757,000	---	3,757,000	4,557,000	4,307,000	4,307,000	D
Health administration grants	1,554,000	---	1,554,000	1,554,000	1,554,000	1,554,000	D
Public health traineeships	3,416,000	---	3,416,000	3,416,000	3,416,000	3,416,000	D
Health administration traineeships	484,000	---	484,000	484,000	484,000	484,000	D
Preventive medicine residencies	1,654,000	---	1,654,000	1,654,000	1,654,000	1,654,000	D
Family medicine residencies	36,108,000	---	36,108,000	32,000,000	36,108,000	36,108,000	D
General dentistry residencies	3,834,000	---	3,834,000	3,834,000	3,834,000	3,834,000	D
General internal medicine and pediatrics	17,256,000	---	17,256,000	16,250,000	17,256,000	17,256,000	D
Family medicine departments	6,831,000	---	6,831,000	6,400,000	6,831,000	6,831,000	D
Physician assistants	5,021,000	---	5,021,000	5,021,000	5,021,000	5,021,000	D
Area health education centers	19,237,000	---	19,237,000	19,237,000	19,237,000	19,237,000	D
Health education and training centers	3,904,000	---	3,904,000	3,904,000	3,904,000	3,904,000	D
Health professions data analysis	1,762,000	---	1,762,000	1,762,000	1,762,000	1,762,000	D
Disadvantaged assistance	30,817,000	32,841,000	30,817,000	30,817,000	30,817,000	30,817,000	D
Disadvantaged minority health improvement	10,734,000	10,734,000	23,234,000	10,734,000	20,000,000	20,000,000	D
Minority HPSL initiative	2,928,000	15,000,000	15,000,000	14,928,000	14,964,000	14,964,000	D
Allied health grants and contracts	1,659,000	---	1,659,000	4,000,000	2,830,000	2,830,000	D
Interdisciplinary traineeships	4,392,000	---	4,392,000	5,000,000	4,696,000	4,696,000	D
Health professions spec ed initiatives	2,398,000	---	2,398,000	2,398,000	2,398,000	2,398,000	D
Geriatric centers and training	13,708,000	---	13,708,000	13,708,000	13,708,000	13,708,000	D
Pacific Basin activities (including Medical officer training)	2,440,000	---	2,440,000	2,608,000	2,560,000	2,560,000	D
Native Hawaiian health care	3,416,000	---	3,416,000	3,600,000	3,600,000	3,600,000	D
National practitioner data bank	1,926,000	5,000,000	7,000,000	5,000,000	6,000,000	6,000,000	D
User fees	---	-5,000,000	-5,000,000	-5,000,000	-5,000,000	-5,000,000	D
Nurse training:							
Advanced nurse education	12,463,000	---	12,463,000	12,463,000	12,463,000	12,463,000	D
Nurse practitioners / nurse midwives	14,639,000	---	14,639,000	14,639,000	14,639,000	14,639,000	D
Special projects	10,532,000	---	10,532,000	11,000,000	11,000,000	11,000,000	D
Traineeships	13,664,000	---	13,664,000	14,151,000	14,151,000	14,151,000	D
Nurse anesthetists	1,430,000	---	1,430,000	1,930,000	1,930,000	1,930,000	D
Undergraduate scholarships	2,380,000	---	2,380,000	2,380,000	2,380,000	2,380,000	D
Loan repayment for shortage area service	1,455,000	---	1,455,000	1,455,000	1,455,000	1,455,000	D
Nurse disadvantaged assistance	3,416,000	4,160,000	3,416,000	3,416,000	3,416,000	3,416,000	D
Subtotal, Nurse training	59,979,000	4,160,000	59,979,000	61,434,000	61,434,000	61,434,000	
Total, Health professions	263,125,000	88,055,000	301,540,000	273,199,000	297,274,000	297,274,000	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
MCH and Resources Development:							
Maternal & child health block grant	587,310,000	553,627,000	580,000,000	686,000,000	650,000,000	650,000,000	D
Pediatric emergency care	4,880,000	---	4,880,000	4,880,000	4,880,000	4,880,000	D
Organ transplantation	3,723,000	3,387,000	5,137,000	3,387,000	3,737,000	3,737,000	D
Health teaching facilities interest subsidies	476,000	450,000	450,000	450,000	450,000	450,000	D
Perinatal facilities	976,000	---	---	---	---	---	D
Total, Resources Development	597,365,000	557,464,000	590,467,000	694,717,000	659,067,000	659,067,000	
Buildings and facilities	1,844,000	---	---	---	---	---	D
Rural health research	4,674,000	4,139,000	4,139,000	5,000,000	5,000,000	5,000,000	D
Rural outreach grants	19,518,000	---	---	25,000,000	22,500,000	22,500,000	D
Acquired Immune Deficiency Syndrome (AIDS):							
Training of health personnel	17,029,000	17,029,000	17,029,000	17,029,000	17,029,000	17,029,000	D
Facilities renovation grants	4,029,000	4,029,000	---	---	---	---	D
Pediatric health care demonstrations	19,518,000	19,518,000	19,518,000	20,000,000	19,800,000	19,800,000	D
Ryan White AIDS Programs:							
Emergency assistance	87,831,000	87,831,000	100,000,000	122,137,000	122,000,000	122,000,000	D
Comprehensive care programs	87,831,000	87,831,000	91,819,000	122,137,000	108,000,000	108,000,000	D
Early intervention program	44,891,000	44,891,000	55,000,000	44,891,000	50,000,000	50,000,000	D
Subtotal, Ryan White AIDS programs	220,553,000	220,553,000	246,819,000	289,165,000	280,000,000	280,000,000	
Subtotal, AIDS	261,129,000	261,129,000	283,366,000	326,194,000	316,829,000	316,829,000	
Program management including AIDS	98,548,000	100,851,000	103,700,000	98,548,000	103,700,000	103,700,000	D
Total, Health resources and services	2,108,742,000	2,018,500,000	2,137,533,000	2,389,822,000	2,360,841,000	2,360,841,000	
MEDICAL FACILITIES GUARANTEE AND LOAN FUND:							
Interest subsidy program	20,000,000	19,000,000	19,000,000	19,000,000	19,000,000	19,000,000	M
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):							
New loan subsidies	---	21,813,000	30,000,000	30,000,000	30,000,000	30,000,000	M
Liquidating account	---	35,502,000	48,000,000	48,000,000	48,000,000	48,000,000	M
HEAL loan limitation (non-add)	(260,000,000)	(185,000,000)	(260,000,000)	---	(290,000,000)	(290,000,000)	NA
Subtotal	---	57,315,000	78,000,000	78,000,000	78,000,000	78,000,000	
Program management	1,400,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	D
Total, HEAL	1,400,000	58,815,000	79,500,000	79,500,000	79,500,000	79,500,000	
VACCINE INJURY COMPENSATION:							
Pre - FY89 claims (appropriation)	79,920,000	---	80,000,000	80,000,000	80,000,000	80,000,000	M
Post - FY88 claims (trust fund)	154,080,000	84,920,000	84,920,000	84,920,000	84,920,000	84,920,000	M
HRSA administration (trust fund)	2,500,000	2,000,000	2,500,000	2,500,000	2,500,000	2,500,000	M
Subtotal, Vaccine injury compensation	236,500,000	86,920,000	167,420,000	167,420,000	167,420,000	167,420,000	
Total, Health Resources and Services Administration	2,366,642,000	2,183,235,000	2,403,453,000	2,655,742,000	2,626,761,000	2,626,761,000	
CENTERS FOR DISEASE CONTROL							
DISEASE CONTROL 1/							
Preventive Health Services Block Grant	92,702,000	107,472,000	92,702,000	150,000,000	135,000,000	135,000,000	D
Prevention centers	4,367,000	3,949,000	4,367,000	6,000,000	5,184,000	5,184,000	D
Lead poisoning prevention	7,790,000	14,949,000	7,790,000	25,000,000	23,000,000	23,000,000	D
Sexually transmitted diseases:							
Grants	73,638,000	77,638,000	73,638,000	77,638,000	77,638,000	77,638,000	D
Direct operations	11,330,000	11,910,000	11,330,000	11,910,000	11,620,000	11,620,000	D
Subtotal, Sexually transmitted diseases	84,968,000	89,548,000	84,968,000	89,548,000	89,258,000	89,258,000	

1/ Budget and House bill include delayed obligation of $94,000,000 until Sept. 19, 1992.
Senate bill delays obligations of $94,000,000 until 9/30/92 through 10/30/92.
Conference agreement assumes a total of $134,000,000 of delayed obligations until 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Immunization:							
Grants	182,004,000	208,865,000	248,865,000	223,865,000	238,865,000	238,865,000	D
Additional appropriation 9/30/92	---	---	---	10,000,000	10,000,000	10,000,000	D
Direct operations	30,129,000	46,510,000	46,510,000	51,510,000	46,510,000	46,510,000	D
Vaccine stockpile	2,928,000	---	---	---	---	---	D
Adverse events reporting	2,470,000	2,470,000	2,470,000	2,470,000	2,470,000	2,470,000	D
Subtotal, Immunization programs	217,531,000	257,845,000	297,845,000	287,845,000	297,845,000	297,845,000	
Infectious disease excluding AIDS/TB	43,689,000	45,179,000	45,179,000	49,579,000	47,379,000	47,379,000	D
Tuberculosis grants	9,109,000	12,334,000	13,334,000	17,334,000	15,334,000	15,334,000	D
Chronic & environmental disease prevention	51,408,000	56,664,000	56,664,000	76,264,000	71,264,000	71,264,000	D
Breast and cervical cancer screening	29,259,000	50,000,000	50,000,000	50,000,000	50,000,000	50,000,000	D
Injury control	24,036,000	26,066,000	26,066,000	28,066,000	28,066,000	28,066,000	D
Occupational Safety and Health (NIOSH):							
Research	86,508,000	86,508,000	86,508,000	97,886,000	95,600,000	95,600,000	D
Training	10,472,000	10,472,000	10,472,000	10,972,000	10,972,000	10,972,000	D
Subtotal, NIOSH	96,980,000	96,980,000	96,980,000	108,858,000	106,572,000	106,572,000	
National Center for Health Statistics:							
Program operations	48,301,000	48,301,000	48,301,000	48,301,000	48,301,000	48,301,000	D
Program support	3,105,000	3,105,000	3,105,000	3,105,000	3,105,000	3,105,000	D
1% evaluation funds (non-add)	(19,000,000)	(33,800,000)	(25,000,000)	(33,800,000)	(29,400,000)	(29,400,000)	NA
Subtotal, health statistics	51,406,000	51,406,000	51,406,000	51,406,000	51,406,000	51,406,000	
Epidemic services	68,714,000	78,228,000	73,714,000	79,728,000	76,000,000	76,000,000	D
Buildings and facilities	31,951,000	8,338,000	6,338,000	38,338,000	25,600,000	25,600,000	D
Program management	3,016,000	3,309,000	3,309,000	3,016,000	3,016,000	3,016,000	D
Acquired Immune Deficiency Syndrome (AIDS)	494,660,000	494,660,000	480,000,000	480,000,000	480,000,000	480,000,000	D
Total, Disease Control	1,311,586,000	1,396,927,000	1,390,662,000	1,540,982,000	1,504,924,000	1,504,924,000	
NATIONAL INSTITUTES OF HEALTH (INCLUDES AIDS) 1/							
National Cancer Institute:							
Regular program	1,676,507,000	1,772,560,000	1,793,257,000	1,788,331,000	1,792,026,000	1,792,026,000	D
Research training	37,252,000	37,670,000	37,252,000	37,252,000	37,252,000	37,252,000	D
Additional appropriation 9/30/92 1/	---	---	---	184,647,000	160,000,000	160,000,000	D
Subtotal	1,713,759,000	1,810,230,000	1,830,509,000	2,010,230,000	1,989,278,000	1,989,278,000	
National Heart, Lung, and Blood Institute	1,080,251,000	1,162,725,000	1,155,707,000	1,143,705,000	1,152,707,000	1,152,707,000	D
Research training	46,691,000	47,199,000	46,691,000	46,691,000	46,691,000	46,691,000	D
Subtotal	1,126,942,000	1,209,924,000	1,202,398,000	1,190,396,000	1,199,398,000	1,199,398,000	
National Institute of Dental Research	142,867,000	154,771,000	155,184,000	152,215,000	154,442,000	154,442,000	D
Research training	6,051,000	6,168,000	6,051,000	6,051,000	6,051,000	6,051,000	D
Subtotal	148,918,000	160,939,000	161,235,000	158,266,000	160,493,000	160,493,000	
National Institute of Diabetes, Digestive, and Kidney Diseases	590,853,000	633,863,000	643,401,000	628,442,000	639,661,000	639,661,000	D
Research training	24,419,000	24,694,000	24,419,000	24,419,000	24,419,000	24,419,000	D
Subtotal	615,272,000	658,557,000	667,820,000	652,861,000	664,080,000	664,080,000	
National Institute of Neurological Disorders and Stroke	528,398,000	569,838,000	570,010,000	570,041,000	570,033,000	570,033,000	D
Research training	13,345,000	13,517,000	13,345,000	13,345,000	13,345,000	13,345,000	D
Subtotal	541,743,000	583,355,000	583,355,000	583,386,000	583,378,000	583,378,000	

1/ Budget and House bill include delayed obligation of $400,000,000 until Sept. 19, 1992. Senate bill delays obligations of $606,647,000 until 9/30/92 through 10/30/92. Conference agreement assumes delayed obligation of $575,000,000 until 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
National Institute of Allergy and Infectious Diseases.	887,089,000	955,581,000	952,643,000	945,765,000	950,924,000	950,924,000	D
Research training	20,187,000	21,130,000	20,187,000	20,187,000	20,187,000	20,187,000	D
Subtotal	907,276,000	976,711,000	972,830,000	965,952,000	971,111,000	971,111,000	
National Institute of General Medical Sciences	667,930,000	738,292,000	728,080,000	723,078,000	726,830,000	726,830,000	D
Research training	92,080,000	94,888,000	92,080,000	92,080,000	92,080,000	92,080,000	D
Subtotal	760,010,000	833,180,000	820,160,000	815,158,000	818,910,000	818,910,000	
National Institute of Child Health and Human Development	462,584,000	503,137,000	508,289,000	507,454,000	508,080,000	508,080,000	D
Research training	16,372,000	17,447,000	16,372,000	16,372,000	16,372,000	16,372,000	D
Subtotal	478,956,000	520,584,000	524,661,000	523,826,000	524,452,000	524,452,000	
National Eye Institute	245,947,000	264,767,000	264,966,000	259,935,000	263,708,000	263,708,000	D
Research training	7,294,000	7,493,000	7,294,000	7,294,000	7,294,000	7,294,000	D
Subtotal	253,241,000	272,260,000	272,260,000	267,229,000	271,002,000	271,002,000	
National Institute of Environmental Health Sciences	230,122,000	243,472,000	244,006,000	239,967,000	242,996,000	242,996,000	D
Research training	10,906,000	11,012,000	10,906,000	10,906,000	10,906,000	10,906,000	D
Subtotal	241,028,000	254,484,000	254,912,000	250,873,000	253,902,000	253,902,000	
National Institute on Aging	313,969,000	338,664,000	352,745,000	365,393,000	362,231,000	362,231,000	D
Research training	9,783,000	9,894,000	9,783,000	9,783,000	9,783,000	9,783,000	D
Additional appropriation 9/30/92 1/	---	---	---	22,000,000	15,000,000	15,000,000	D
Subtotal	323,752,000	348,558,000	362,528,000	397,176,000	387,014,000	387,014,000	
National Institute of Arthritis and Musculoskeletal and Skin Diseases	186,393,000	197,859,000	198,123,000	196,222,000	197,648,000	197,648,000	D
Research training	6,854,000	6,938,000	6,854,000	6,854,000	6,854,000	6,854,000	D
Subtotal	193,247,000	204,797,000	204,977,000	203,076,000	204,502,000	204,502,000	
National Institute on Deafness and Other Communication Disorders	130,950,000	142,287,000	140,510,000	147,623,000	145,845,000	145,845,000	D
Research training	3,985,000	4,034,000	3,985,000	3,985,000	3,985,000	3,985,000	D
Subtotal	134,935,000	146,321,000	144,495,000	151,608,000	149,830,000	149,830,000	
National Center for Research Resources	332,589,000	318,230,000	306,534,000	314,561,000	312,554,000	312,554,000	D
Research training	2,666,000	2,745,000	2,666,000	2,666,000	2,666,000	2,666,000	D
Subtotal	335,255,000	320,975,000	309,200,000	317,227,000	315,220,000	315,220,000	
National Center for Nursing Research	35,330,000	39,247,000	38,751,000	41,488,000	40,804,000	40,804,000	D
Research training	4,392,000	4,500,000	4,392,000	4,392,000	4,392,000	4,392,000	D
Subtotal	39,722,000	43,747,000	43,143,000	45,880,000	45,196,000	45,196,000	
National Center for Human Genome Research	83,309,000	105,178,000	89,006,000	105,200,000	101,152,000	101,152,000	D
Research training	4,109,000	5,309,000	4,109,000	4,109,000	4,109,000	4,109,000	D
Subtotal	87,418,000	110,487,000	93,115,000	109,309,000	105,261,000	105,261,000	
John E. Fogarty International Center	17,519,000	19,922,000	19,922,000	19,922,000	19,922,000	19,922,000	D

1/ Budget and House bill include delayed obligation of $400,000,000 until Sept. 19, 1992. Senate bill delays obligations of $606,647,000 until 9/30/92 through 10/30/92. Conference agreement assumes delayed obligation of $575,000,000 until 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
National Library of Medicine:							
Regular program	66,251,000	73,308,000	74,408,000	75,392,000	75,146,000	75,146,000	D
Medical library assistance	14,691,000	16,309,000	14,691,000	14,691,000	14,691,000	14,691,000	D
Biotechnology information	10,466,000	10,937,000	10,466,000	10,466,000	10,466,000	10,466,000	D
Subtotal	91,408,000	100,554,000	99,565,000	100,549,000	100,303,000	100,303,000	
Office of the Director	97,651,000	95,176,000	149,176,000	125,724,000	143,313,000	143,313,000	D
Buildings and facilities	168,687,000	104,125,000	108,625,000	89,485,000	103,840,000	103,840,000	D
Total N.I.H.:							
Regular program including training	8,276,739,000	8,774,886,000	8,824,886,000	8,771,486,000	8,835,405,000	8,835,405,000	
Additional appropriation 9/30/92	---	---	---	206,647,000	175,000,000	175,000,000	
Total	8,276,739,000	8,774,886,000	8,824,886,000	8,978,133,000	9,010,405,000	9,010,405,000	
ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION							
ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH 1/ (INCLUDES AIDS)							
National Institute of Mental Health:							
Research	455,500,000	491,754,000	491,754,000	531,754,000	505,754,000	505,754,000	D
Instrumentation grants	1,323,000	1,338,000	1,323,000	1,338,000	1,323,000	1,323,000	D
Research training	26,942,000	27,701,000	26,942,000	27,701,000	26,942,000	26,942,000	D
Clinical training	13,670,000	---	8,000,000	13,670,000	10,835,000	10,835,000	D
Community support demonstrations	24,885,000	25,880,000	24,885,000	25,880,000	24,885,000	24,885,000	D
Prevention demonstrations	4,880,000	5,075,000	4,880,000	6,075,000	5,478,000	5,478,000	D
Grants to States for the homeless (PATH)	26,153,000	43,116,000	26,153,000	43,153,000	30,000,000	30,000,000	D
Homeless services demonstrations	5,861,000	---	5,861,000	5,861,000	5,861,000	5,861,000	D
Homeless research demonstrations	---	20,000,000	---	---	---	---	D
Protection and advocacy	15,614,000	---	15,614,000	19,500,000	19,500,000	19,500,000	D
Direct operations	40,982,000	43,982,000	43,982,000	40,982,000	43,982,000	43,982,000	D
Subtotal, mental health	615,810,000	658,846,000	649,394,000	715,914,000	674,560,000	674,560,000	
National Institute on Drug Abuse:							
Research	257,896,000	284,624,000	270,000,000	275,000,000	270,000,000	270,000,000	D
Instrumentation grants	504,000	524,000	504,000	524,000	504,000	504,000	D
Research training	6,783,000	7,020,000	6,783,000	7,020,000	6,783,000	6,783,000	D
Treatment demonstrations	45,465,000	46,955,000	46,955,000	46,955,000	46,955,000	46,955,000	D
AIDS demonstrations	73,193,000	71,550,000	71,550,000	71,550,000	71,550,000	71,550,000	D
Direct operations	32,186,000	35,552,000	35,552,000	32,186,000	35,552,000	35,552,000	D
Subtotal, drug abuse	416,027,000	446,225,000	431,344,000	433,235,000	431,344,000	431,344,000	
National Institute on Alcoholism and Alcohol Abuse:							
Research	138,849,000	149,932,000	149,932,000	154,932,000	152,432,000	152,432,000	D
Instrumentation grants	575,000	581,000	575,000	581,000	575,000	575,000	D
Research training	3,542,000	3,666,000	3,542,000	3,666,000	3,542,000	3,542,000	D
Substance abuse homeless demonstrations	15,983,000	---	15,983,000	15,983,000	15,983,000	15,983,000	D
Direct operations	11,789,000	12,596,000	12,596,000	11,789,000	12,596,000	12,596,000	D
Subtotal, alcoholism	170,738,000	166,775,000	182,628,000	186,951,000	185,128,000	185,128,000	
Office for Treatment Improvement:							
Alcohol, Drug Abuse & Mental Health block grant	1,268,670,000	1,268,670,000	1,235,000,000	1,405,670,000	1,360,000,000	1,360,000,000	D
Treatment grants to crisis areas	31,296,000	32,548,000	31,296,000	35,986,000	35,986,000	35,986,000	D
Treatment improvement grants	83,363,000	86,698,000	83,363,000	83,363,000	83,363,000	83,363,000	D
Capacity expansion program 2/	---	68,000,000	---	---	---	---	D
Treatment waiting list grants reappropriation	38,545,000	---	---	---	---	---	D
Direct operations	5,209,000	7,718,000	7,718,000	5,209,000	7,718,000	7,718,000	D
Subtotal, Treatment improvement	1,427,083,000	1,463,634,000	1,357,377,000	1,530,228,000	1,487,067,000	1,487,067,000	

1/ Conference agreement assumes delayed obligations of $164,100,000 until 9/30/92.

2/ Budget proposes additional $31 million transfer from forfeiture fund.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Office for Substance Abuse Prevention:							
Prevention programs	112,003,000	125,505,000	112,003,000	135,500,000	130,000,000	130,000,000	D
Community youth activity program	20,162,000	---	15,162,000	4,669,000	9,916,000	9,916,000	D
Community prevention grants	99,118,000	113,852,000	99,118,000	107,183,000	99,151,000	99,151,000	D
Transfer to DOL Departmental Management	---	---	---	2,000,000	---	---	D
Training	25,986,000	25,986,000	25,986,000	20,986,000	20,986,000	20,986,000	D
Direct operations	14,200,000	16,237,000	16,237,000	14,200,000	16,237,000	16,237,000	D
Subtotal, Substance Abuse Prevention	271,469,000	281,580,000	268,506,000	284,538,000	276,290,000	276,290,000	
Treatment outcome evaluations	8,134,000	8,598,000	8,598,000	8,598,000	8,598,000	8,598,000	D
Buildings and facilities	7,775,000	7,775,000	5,000,000	5,000,000	5,000,000	5,000,000	D
Office of the Administrator	11,368,000	14,895,000	14,895,000	11,368,000	13,132,000	13,132,000	D
Total, Alcohol, Drug Abuse & Mental Health	2,928,404,000	3,048,328,000	2,917,742,000	3,175,832,000	3,081,119,000	3,081,119,000	
ST. ELIZABETHS HOSPITAL	11,711,000	---	---	---	---	---	D
Total, Alcohol, Drug Abuse & Mental Health Admin	2,940,115,000	3,048,328,000	2,917,742,000	3,175,832,000	3,081,119,000	3,081,119,000	
ASSISTANT SECRETARY FOR HEALTH							
OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH 1/							
Population affairs:							
Adolescent family life	7,789,000	12,000,000	---	---	7,789,000	7,789,000	D
Health Initiatives:							
Office of Disease Prevention and Health Promotion	4,577,000	4,577,000	4,027,000	5,000,000	4,514,000	4,514,000	D
Physical fitness and sports	1,443,000	1,443,000	1,443,000	1,443,000	1,443,000	1,443,000	D
Minority health	14,470,000	15,016,000	15,016,000	15,016,000	15,016,000	15,016,000	D
National vaccine program	9,631,000	2,300,000	12,500,000	2,300,000	8,000,000	8,000,000	D
Health Service Management	21,020,000	21,220,000	21,770,000	21,770,000	21,770,000	21,770,000	D
Acquired Immune Deficiency Syndrome (AIDS)	8,238,000	8,773,000	8,773,000	8,773,000	7,503,000	7,503,000	D
Undistributed	---	---	5,789,000	---	---	---	D
Total, OASH	67,168,000	65,329,000	69,318,000	54,302,000	66,035,000	66,035,000	
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS							
Retirement payments	95,717,000	104,303,000	104,303,000	104,303,000	104,303,000	104,303,000	M
Survivors benefits	5,926,000	6,650,000	6,650,000	6,650,000	6,650,000	6,650,000	M
Dependent's medical care	19,230,000	20,499,000	20,499,000	20,499,000	20,499,000	20,499,000	M
Military Services Credits	3,399,000	3,222,000	3,222,000	3,222,000	3,222,000	3,222,000	M
Total, Retirement pay and medical benefits	124,272,000	134,674,000	134,674,000	134,674,000	134,674,000	134,674,000	
AGENCY FOR HEALTH CARE POLICY AND RESEARCH							
Health services research:							
Research	25,424,000	5,329,000	25,424,000	5,329,000	26,224,000	26,224,000	D
Trust funds	(1,012,000)	(1,050,000)	(1,012,000)	(1,050,000)	(1,012,000)	(1,012,000)	TF*
AIDS	10,252,000	10,800,000	10,252,000	10,800,000	10,252,000	10,252,000	D
Program support	2,274,000	2,330,000	2,274,000	2,330,000	2,274,000	2,274,000	D
Subtotal including trust funds	38,962,000	19,509,000	38,962,000	19,509,000	39,762,000	39,762,000	
1% evaluation funding (non-add)	(13,444,000)	(39,544,000)	(13,444,000)	(34,544,000)	(13,444,000)	(13,444,000)	NA
Medical treatment effectiveness:							
Federal funds	57,806,000	15,824,000	57,806,000	50,824,000	63,120,000	63,120,000	D
Trust funds	(4,880,000)	(36,723,000)	(4,880,000)	(6,723,000)	(4,880,000)	(4,880,000)	TF*
Subtotal, Medical treatment effectiveness	62,686,000	52,547,000	62,686,000	57,547,000	68,000,000	68,000,000	
1% evaluation funding (non-add)	---	(10,400,000)	---	(15,400,000)	---	---	NA

1/ Budget proposes delayed obligation of $4,000,000 until Sept. 19, 1992.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Total, Health Care Policy and Research:							
Federal Funds	95,756,000	34,283,000	95,756,000	69,283,000	101,870,000	101,870,000	
Trust funds	(5,892,000)	(37,773,000)	(5,892,000)	(7,773,000)	(5,892,000)	(5,892,000)	
Total, 1% evaluation funding (non-add)	(13,444,000)	(49,944,000)	(13,444,000)	(49,944,000)	(13,444,000)	(13,444,000)	
Total, Health Care Policy and Research (non-add)	(115,092,000)	(122,000,000)	(115,092,000)	(127,000,000)	(121,206,000)	(121,206,000)	NA
PHS travel reduction	---	---	-8,000,000	---	-8,000,000	-8,000,000	D
Total, Public Health Service:							
Federal Funds	15,182,278,000	15,637,662,000	15,828,491,000	16,608,948,000	16,517,788,000	16,517,788,000	
Trust funds	(5,892,000)	(37,773,000)	(5,892,000)	(7,773,000)	(5,892,000)	(5,892,000)	
HEALTH CARE FINANCING ADMINISTRATION							
GRANTS TO STATES FOR MEDICAID							
Medicaid current law benefits	48,794,085,000	56,712,895,000	56,712,895,000	56,712,895,000	56,712,895,000	56,712,895,000	M
State and local administration	2,760,865,000	3,186,254,000	3,186,254,000	3,186,254,000	3,186,254,000	3,186,254,000	M
Proposed legislation	---	-91,500,000	---	---	---	---	D
Subtotal, Medicaid program level, FY 1992	51,554,950,000	59,807,649,000	59,899,149,000	59,899,149,000	59,899,149,000	59,899,149,000	
Less funds advanced in prior year	-10,400,000,000	-13,500,000,000	-13,500,000,000	-13,500,000,000	-13,500,000,000	-13,500,000,000	M
Total, current request, FY 1992	41,154,950,000	46,307,649,000	46,399,149,000	46,399,149,000	46,399,149,000	46,399,149,000	
New advance, 1st quarter, FY 1993	13,500,000,000	17,100,000,000	17,100,000,000	17,100,000,000	17,100,000,000	17,100,000,000	M
PAYMENTS TO HEALTH CARE TRUST FUNDS							
Supplemental medical insurance	34,730,000,000	38,684,000,000	38,684,000,000	38,684,000,000	38,684,000,000	38,684,000,000	M
Hospital insurance for uninsured	559,000,000	584,000,000	584,000,000	584,000,000	584,000,000	584,000,000	M
Federal uninsured payment	46,000,000	37,000,000	37,000,000	37,000,000	37,000,000	37,000,000	M
Program management	---	116,485,000	116,485,000	96,083,000	116,485,000	116,485,000	M
Proposed legislation	---	-20,402,000	---	---	---	---	M
Total, Payment to Trust Funds	35,335,000,000	39,401,083,000	39,421,485,000	39,401,083,000	39,421,485,000	39,421,485,000	
PROGRAM MANAGEMENT							
Research, demonstration, and evaluation:							
Regular program, trust funds	(35,621,000)	(36,000,000)	(45,621,000)	(45,621,000)	(45,621,000)	(45,621,000)	TF*
Rural hospital transition demonstrations, trust funds	(24,398,000)	---	(21,000,000)	(25,000,000)	(23,000,000)	(23,000,000)	TF*
Essential access community hospitals, trust funds	(9,759,000)	---	(9,759,000)	(9,759,000)	(9,759,000)	(9,759,000)	TF*
Subtotal, research, demonstration, & evaluation	(69,778,000)	(36,000,000)	(76,380,000)	(80,380,000)	(78,380,000)	(78,380,000)	
Medicare Contractors (Trust Funds):							
Operating funds, current	(1,493,959,000)	(1,457,000,000)	(1,457,000,000)	(1,457,000,000)	(1,457,000,000)	(1,457,000,000)	TF*
Contingency reserve fund	(58,210,000)	(100,000,000)	(257,000,000)	(257,000,000)	(257,000,000)	(257,000,000)	TF
Subtotal, Contractors	(1,552,169,000)	(1,557,000,000)	(1,714,000,000)	(1,714,000,000)	(1,714,000,000)	(1,714,000,000)	
State Certification:							
Medicare certification, trust funds	(159,497,000)	(160,000,000)	(160,000,000)	---	(150,000,000)	(150,000,000)	TF*
Proposed legislation, user fees, trust funds	---	(-160,000,000)	---	---	---	---	TF*
Subtotal, State certification	(159,497,000)	---	(160,000,000)	---	(150,000,000)	(150,000,000)	
Federal Administration:							
Trust funds	(301,409,000)	(333,006,000)	(331,752,000)	(188,598,000)	(331,752,000)	(331,752,000)	TF*
Less current law user fees	(-248,000)	(-77,000)	(-77,000)	(-77,000)	(-77,000)	(-77,000)	TF*
Proposed legislation, user fees, trust funds	---	(-34,902,000)	---	---	---	---	TF*
EMERGENCY FUND	---	---	---	(306,804,000)	---	---	NA
Subtotal, Federal Administration	(301,161,000)	(298,027,000)	(331,675,000)	(188,521,000)	(331,675,000)	(331,675,000)	
Total, Program management	(2,082,605,000)	(1,891,027,000)	(2,282,055,000)	(1,982,901,000)	(2,274,055,000)	(2,274,055,000)	
Total, Health Care Financing Administration:							
Federal funds	89,989,950,000	102,808,732,000	102,920,634,000	102,900,232,000	102,920,634,000	102,920,634,000	
Current year, FY 1992	(76,489,950,000)	(85,708,732,000)	(85,820,634,000)	(85,800,232,000)	(85,820,634,000)	(85,820,634,000)	
New advance, 1st quarter, FY 1993	(13,500,000,000)	(17,100,000,000)	(17,100,000,000)	(17,100,000,000)	(17,100,000,000)	(17,100,000,000)	
Trust funds	(2,082,605,000)	(1,891,027,000)	(2,282,055,000)	(1,982,901,000)	(2,274,055,000)	(2,274,055,000)	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
SOCIAL SECURITY ADMINISTRATION							
PAYMENTS TO SOCIAL SECURITY TRUST FUNDS	46,958,000	40,968,000	40,968,000	40,968,000	40,968,000	40,968,000	M
SPECIAL BENEFITS FOR DISABLED COAL MINERS							
Benefit payments	837,511,000	813,000,000	813,000,000	813,000,000	813,000,000	813,000,000	M
Administration	7,081,000	7,336,000	7,336,000	7,336,000	7,336,000	7,336,000	M
Subtotal, Black Lung, FY 1992 program level	844,592,000	820,336,000	820,336,000	820,336,000	820,336,000	820,336,000	
Less funds advanced in prior year	-215,000,000	-203,000,000	-203,000,000	-203,000,000	-203,000,000	-203,000,000	M
Total, Black Lung, current request, FY 1992	629,592,000	617,336,000	617,336,000	617,336,000	617,336,000	617,336,000	
New advance, 1st quarter, FY 1993	203,000,000	198,000,000	198,000,000	198,000,000	198,000,000	198,000,000	M
SUPPLEMENTAL SECURITY INCOME							
Federal benefit payments	16,184,751,000	16,105,000,000	16,105,000,000	16,105,000,000	16,105,000,000	16,105,000,000	M
Beneficiary services	32,517,000	39,100,000	39,100,000	39,100,000	39,100,000	39,100,000	M
Research demonstration	8,275,000	11,000,000	11,000,000	14,000,000	14,000,000	14,000,000	M
Administration	1,183,378,000	1,321,391,000	1,321,391,000	1,321,391,000	1,321,391,000	1,321,391,000	D
Zebley administration	232,000,000	---	---	---	---	---	D
Subtotal, SSI FY 1992 program level	17,640,921,000	17,476,491,000	17,476,491,000	17,479,491,000	17,479,491,000	17,479,491,000	
Less funds advanced in prior year	-3,157,000,000	-3,550,000,000	-3,550,000,000	-3,550,000,000	-3,550,000,000	-3,550,000,000	M
Total, SSI, current request, FY 1992	14,483,921,000	13,926,491,000	13,926,491,000	13,929,491,000	13,929,491,000	13,929,491,000	
New advance, 1st quarter, FY 1993	3,550,000,000	5,240,000,000	5,240,000,000	5,240,000,000	5,240,000,000	5,240,000,000	M
LIMITATION ON ADMINISTRATIVE EXPENSES (Trust Funds) 1/	(3,510,774,000)	(3,834,000,000)	(3,834,000,000)	(3,752,200,000)	(3,834,000,000)	(3,834,000,000)	TF
Zebley administration 2/	(232,000,000)	---	---	---	---	---	TF
Portion treated as budget authority	(600,150,000)	(648,000,000)	(648,000,000)	(639,800,000)	(648,000,000)	(648,000,000)	TF*
Subtotal, LAE operating level	(4,342,924,000)	(4,482,000,000)	(4,482,000,000)	(4,392,000,000)	(4,482,000,000)	(4,482,000,000)	
(Contingency reserve)	(46,385,000)	(50,000,000)	(100,000,000)	(50,000,000)	(100,000,000)	(100,000,000)	TF
Subtotal, LAE	(4,389,309,000)	(4,532,000,000)	(4,582,000,000)	(4,442,000,000)	(4,582,000,000)	(4,582,000,000)	
Total, Social Security Administration: Federal funds	18,913,471,000	20,022,795,000	20,022,795,000	20,025,795,000	20,025,795,000	20,025,795,000	
Current year FY 1992	(15,160,471,000)	(14,584,795,000)	(14,584,795,000)	(14,587,795,000)	(14,587,795,000)	(14,587,795,000)	
New advances, 1st quarter FY 1993	(3,753,000,000)	(5,438,000,000)	(5,438,000,000)	(5,438,000,000)	(5,438,000,000)	(5,438,000,000)	
Trust funds	(4,389,309,000)	(4,532,000,000)	(4,582,000,000)	(4,442,000,000)	(4,582,000,000)	(4,582,000,000)	
ADMINISTRATION FOR CHILDREN AND FAMILIES							
FAMILY SUPPORT PAYMENTS TO STATES							
Aid to Families with Dependent Children (AFDC)	11,296,000,000	12,135,000,000	12,135,000,000	12,135,000,000	12,135,000,000	12,135,000,000	M
Payments to territories	16,346,000	16,346,000	16,346,000	16,346,000	16,346,000	16,346,000	M
Emergency assistance	191,600,000	176,900,000	176,900,000	176,900,000	176,900,000	176,900,000	M
Repatriation	5,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	M
State and local welfare administration	1,448,200,000	1,512,800,000	1,512,800,000	1,512,800,000	1,512,800,000	1,512,800,000	M
Work activities / child care	317,000,000	433,000,000	433,000,000	433,000,000	433,000,000	433,000,000	M
At risk child care	150,000,000	300,000,000	300,000,000	300,000,000	300,000,000	300,000,000	M
Proposed regulatory savings	---	-38,900,000	-38,900,000	---	---	---	M
Subtotal, Welfare payments	13,424,146,000	14,536,146,000	14,536,146,000	14,575,046,000	14,575,046,000	14,575,046,000	
Child Support Enforcement: State and local administration	1,181,000,000	1,309,000,000	1,309,000,000	1,309,000,000	1,309,000,000	1,309,000,000	M
Federal incentive payments	296,000,000	332,000,000	332,000,000	332,000,000	332,000,000	332,000,000	M
Less federal share collections	-906,000,000	-1,015,000,000	-1,015,000,000	-1,015,000,000	-1,015,000,000	-1,015,000,000	M
Subtotal, Child support	571,000,000	626,000,000	626,000,000	626,000,000	626,000,000	626,000,000	
Total, Payments, FY 1992 program level	13,995,146,000	15,162,146,000	15,162,146,000	15,201,046,000	15,201,046,000	15,201,046,000	
Less funds advanced in previous years	-3,000,000,000	-3,300,000,000	-3,300,000,000	-3,300,000,000	-3,300,000,000	-3,300,000,000	M
Total, Payments, current request, FY 1992	10,995,146,000	11,862,146,000	11,862,146,000	11,901,046,000	11,901,046,000	11,901,046,000	
New advance, 1st quarter, FY 1993	3,300,000,000	4,000,000,000	4,000,000,000	4,000,000,000	4,000,000,000	4,000,000,000	M

1/ Budget, House bill, and conference agreement include delayed obligation of $80,000,000 until Sept. 19, 1992.

2/ Available FY 91-93.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
PAYMENTS TO STATES FOR AFDC WORK PROGRAMS	1,000,000,000	1,000,000,000	1,000,000,000	1,000,000,000	1,000,000,000	1,000,000,000	M
ENERGY ASSISTANCE PROGRAMS							
LOW INCOME HOME ENERGY ASSISTANCE:							
Regular program	1,340,445,000	875,000,000	950,000,000	1,094,393,000	1,014,393,000	1,014,393,000	D
Congressional emergency	---	---	---	---	80,000,000	80,000,000	D
Additional appropriation 9/30/92	74,610,000	50,000,000	50,000,000	405,607,000	405,607,000	405,607,000	D
Emergency allocation 1/	---	---	(600,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	NA
ENERGY EMERGENCY CONTINGENCY FUND	195,180,000	100,000,000	---	---	---	---	D
Total, Energy assistance programs	1,610,235,000	1,025,000,000	1,000,000,000	1,500,000,000	1,500,000,000	1,500,000,000	
Total including emergency	(1,610,235,000)	(1,025,000,000)	(1,600,000,000)	(1,800,000,000)	(1,800,000,000)	(1,800,000,000)	
REFUGEE AND ENTRANT ASSISTANCE							
Cash and medical assistance 2/	234,216,000	---	117,600,000	117,600,000	117,600,000	117,600,000	D
Additional appropriation 9/30/92	---	---	---	116,616,000	116,616,000	116,616,000	D
Social services	82,952,000	---	82,952,000	82,952,000	82,952,000	82,952,000	D
Voluntary agency program	39,036,000	---	39,036,000	39,036,000	39,036,000	39,036,000	D
Preventive health	5,631,000	---	5,631,000	5,631,000	5,631,000	5,631,000	D
Targeted assistance	48,795,000	---	48,795,000	48,795,000	48,795,000	48,795,000	D
Undistributed	---	410,630,000	---	---	---	---	D
Total, Refugee Resettlement	410,630,000	410,630,000	294,014,000	410,630,000	410,630,000	410,630,000	
STATE LEGALIZATION IMPACT ASSISTANCE GRANTS							
Current year	-566,854,000	-1,122,992,000	-1,122,992,000	-1,122,992,000	-1,122,992,000	-1,122,992,000	D
Advance funding	583,934,000	---	1,122,992,000	1,122,992,000	1,122,992,000	1,122,992,000	D
Total	17,080,000	-1,122,992,000	---	---	---	---	
COMMUNITY SERVICES BLOCK GRANT							
Grants to States for Community Services	349,372,000	---	349,372,000	370,000,000	360,000,000	360,000,000	D
Homeless services grants	33,181,000	---	25,000,000	30,181,000	25,000,000	25,000,000	D
Discretionary funds:							
Community economic development 3/	20,494,000	---	21,500,000	22,000,000	22,000,000	22,000,000	D
Rural housing 3/	4,099,000	---	4,099,000	4,099,000	4,099,000	4,099,000	D
Farmworker assistance 3/	3,025,000	---	3,025,000	3,025,000	3,025,000	3,025,000	D
National youth sports	10,832,000	10,832,000	12,000,000	12,832,000	12,000,000	12,000,000	D
Technical assistance	244,000	---	244,000	244,000	244,000	244,000	D
Subtotal, discretionary funds	38,694,000	10,832,000	40,868,000	42,200,000	41,368,000	41,368,000	
Community Partnerships	4,050,000	---	---	4,050,000	4,050,000	4,050,000	D
Community Food and Nutrition	2,440,000	---	5,484,000	7,000,000	7,000,000	7,000,000	D
Total, Community services	427,737,000	10,832,000	420,724,000	453,431,000	437,418,000	437,418,000	
GRANTS TO STATES FOR CHILD CARE							
Block grants to States 4/	731,925,000	731,925,000	825,000,000	825,000,000	825,000,000	825,000,000	D
FY 91 rescission	---	---	-144,925,000	---	---	---	D
Subtotal, block grants	731,925,000	731,925,000	680,075,000	825,000,000	825,000,000	825,000,000	
Licensing grants to States	13,000,000	13,000,000	25,000,000	13,000,000	---	---	D
Total, Child care grants	744,925,000	744,925,000	705,075,000	838,000,000	825,000,000	825,000,000	

1/ Available only upon submission of a formal budget request designating the need for funds as an emergency as defined by the BEA.

2/ House bill makes funding available only through 3/31/92. Conference agreement does not include termination date.

3/ Conference agreement assumes delayed obligation until 9/30/92. The Senate bill delayed obligation of $22,000,000 of Community economic development funding until 9/25/92.

4/ FY91 total makes available Sept. 7, 1991. FY 1992 request, House & Senate bills include delayed obligation of these funds until 9/19/92. House bill assumes rescission of $144,925,000 of FY91 funds. Conference agreement makes total available on 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
PROGRAM ADMINISTRATION							
Federal Administration	76,093,000	81,000,000	81,000,000	76,093,000	81,000,000	81,000,000	D
Research & evaluation	10,735,000	6,500,000	6,500,000	13,735,000	11,500,000	11,500,000	D
Total, program administration	86,828,000	87,500,000	87,500,000	89,828,000	92,500,000	92,500,000	
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	2,800,000,000	2,800,000,000	2,800,000,000	2,800,000,000	2,800,000,000	2,800,000,000	M
HUMAN DEVELOPMENT SERVICES							
Programs for Children, Youth, and Families:							
Head start:							
Regular grants	1,951,800,000	2,051,800,000	1,963,800,000	1,951,800,000	1,951,800,000	1,951,800,000	D
Transfer from "Educational Excellence"	---	---	(250,000,000)	(250,000,000)	(250,000,000)	(250,000,000)	NA
Subtotal	(1,951,800,000)	(2,051,800,000)	(2,213,800,000)	(2,201,800,000)	(2,201,800,000)	(2,201,800,000)	
Child development associate scholarships	1,397,000	1,397,000	1,397,000	1,397,000	1,397,000	1,397,000	D
Family crisis program:							
Child abuse state grants	19,518,000	19,518,000	19,518,000	21,518,000	20,518,000	20,518,000	D
Child abuse challenge grants	5,367,000	5,367,000	5,367,000	5,367,000	5,367,000	5,367,000	D
Runaway and homeless youth	35,132,000	35,132,000	35,132,000	36,370,000	35,751,000	35,751,000	D
Family violence	10,735,000	10,735,000	10,735,000	21,470,000	20,000,000	20,000,000	D
Abandoned infants assistance	12,557,000	12,557,000	12,557,000	12,557,000	12,557,000	12,557,000	D
Emergency protection grants - substance abuse	19,518,000	19,518,000	19,518,000	19,518,000	19,518,000	19,518,000	D
Subtotal, family crisis	102,827,000	102,827,000	102,827,000	116,800,000	113,711,000	113,711,000	
Dependent care planning and development	13,175,000	13,175,000	13,175,000	13,175,000	13,175,000	13,175,000	D
Child welfare services	273,911,000	273,911,000	273,911,000	273,911,000	273,911,000	273,911,000	D
Less amounts derived by transfer	-27,352,000	---	---	---	---	---	D
Subtotal, child welfare services	246,559,000	273,911,000	273,911,000	273,911,000	273,911,000	273,911,000	
Subtotal, Program for Children, Youth, and Families	2,315,758,000	2,443,110,000	2,355,110,000	2,357,083,000	2,353,994,000	2,353,994,000	
Programs for the Aging: 1/							
Grants to States:							
Supportive services and centers	290,818,000	290,818,000	290,818,000	324,000,000	317,000,000	317,000,000	D
Ombudsman activities	5,367,000	5,367,000	5,367,000	11,367,000	8,367,000	8,367,000	D
Nutrition:							
Congregate meals	361,083,000	361,083,000	361,083,000	373,000,000	367,000,000	367,000,000	D
Home-delivered meals	87,831,000	87,831,000	87,831,000	91,831,000	89,831,000	89,831,000	D
Federal Council on Aging	181,000	181,000	181,000	181,000	181,000	181,000	D
Grants to Indians	14,639,000	14,639,000	14,639,000	15,224,000	15,124,000	15,124,000	D
Frail elderly in-home services	6,831,000	6,831,000	6,831,000	7,000,000	6,916,000	6,916,000	D
White House Conference on Aging	976,000	---	---	3,400,000	2,000,000	2,000,000	D
Undistributed	---	---	---	-3,400,000	-2,000,000	-2,000,000	D
Subtotal, Aging programs	767,726,000	766,750,000	766,750,000	822,603,000	804,419,000	804,419,000	
Developmental disabilities program:							
State grants	64,409,000	64,409,000	64,409,000	71,773,000	67,706,000	67,706,000	D
Protection and advocacy	20,982,000	20,982,000	20,982,000	24,080,000	22,500,000	22,500,000	D
Subtotal, Developmental disabilities	85,391,000	85,391,000	85,391,000	95,853,000	90,206,000	90,206,000	
Native American Programs	33,376,000	33,376,000	33,376,000	34,376,000	34,126,000	34,126,000	D
Human services research, training & demonstration:							
Comprehensive child development centers	24,398,000	24,398,000	45,000,000	24,398,000	24,398,000	24,398,000	D
Transfer from "Educational excellence"	---	---	---	(20,000,000)	(20,000,000)	(20,000,000)	NA
Subtotal, Comprehensive Child Development	(24,398,000)	(24,398,000)	(45,000,000)	(44,398,000)	(44,398,000)	(44,398,000)	
Child abuse discretionary activities	14,639,000	14,638,000	14,639,000	14,639,000	14,639,000	14,639,000	D
Runaway youth - transitional living	9,939,000	9,939,000	12,000,000	12,000,000	12,000,000	12,000,000	D
Runaway youth activities - drugs	14,786,000	14,786,000	14,786,000	15,786,000	15,286,000	15,286,000	D
Youth gang substance abuse	14,786,000	14,786,000	7,100,000	14,786,000	10,943,000	10,943,000	D
Temporary childcare/crisis nurseries	11,055,000	11,055,000	11,055,000	11,055,000	11,055,000	11,055,000	D

1/ Senate bill included delayed obligation of $25,000,000 until Feb. 1, 1992. Conference assumes delayed obligation of $25,000,000 until Sept. 30, 1992.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Child welfare training	3,559,000	3,559,000	3,559,000	3,559,000	3,559,000	3,559,000	D
Child welfare research	6,652,000	7,807,000	6,652,000	6,652,000	6,652,000	6,652,000	D
Adoption opportunities	12,687,000	12,687,000	12,687,000	12,687,000	12,687,000	12,687,000	D
Aging research, training and special projects	25,941,000	25,941,000	25,941,000	25,941,000	25,941,000	25,941,000	D
Social services research	2,879,000	3,879,000	7,879,000	12,879,000	10,379,000	10,379,000	D
Developmental disabilities special projects	3,025,000	3,025,000	3,025,000	3,325,000	3,248,000	3,248,000	D
Developmental disabilities university affiliated programs	13,907,000	13,907,000	15,407,000	16,407,000	16,030,000	16,030,000	D
Total, Human Services Res. Trng & demonstration	158,253,000	160,407,000	179,730,000	174,114,000	166,817,000	166,817,000	
Program direction	73,906,000	88,000,000	88,000,000	79,034,000	88,000,000	88,000,000	D
Total, Human Development Services	3,434,410,000	3,577,034,000	3,508,357,000	3,563,063,000	3,537,562,000	3,537,562,000	
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE							
Foster care	1,813,186,000	2,223,668,000	2,223,668,000	2,223,668,000	2,223,668,000	2,223,668,000	M
Adoption assistance	189,832,000	201,861,000	201,861,000	201,861,000	201,861,000	201,861,000	M
Independent living	60,000,000	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000	M
Prior year claims	520,911,000	118,476,000	118,476,000	118,476,000	118,476,000	118,476,000	M
Transfer to child welfare service	27,352,000	---	---	---	---	---	M
Total, Payments to States	2,611,281,000	2,614,005,000	2,614,005,000	2,614,005,000	2,614,005,000	2,614,005,000	
Total, Administration for Children and Families	27,438,272,000	27,009,080,000	28,291,821,000	29,170,003,000	29,118,161,000	29,118,161,000	
Current year	(23,554,338,000)	(23,009,080,000)	(23,168,829,000)	(24,047,011,000)	(23,995,169,000)	(23,995,169,000)	
FY 1993	(3,883,934,000)	(4,000,000,000)	(5,122,992,000)	(5,122,992,000)	(5,122,992,000)	(5,122,992,000)	
OFFICE OF THE SECRETARY							
GENERAL DEPARTMENTAL MANAGEMENT:							
Federal funds	78,944,000	91,673,000	86,673,000	79,444,000	91,673,000	91,673,000	D
Trust funds	(22,451,000)	(22,786,000)	(19,111,000)	(22,310,000)	(22,786,000)	(22,786,000)	TF
Portion treated as budget authority	(7,899,000)	(8,215,000)	(6,890,000)	(8,040,000)	(8,215,000)	(8,215,000)	TF*
Total, Departmental management	109,294,000	122,674,000	112,674,000	109,794,000	122,674,000	122,674,000	
OFFICE OF THE INSPECTOR GENERAL:							
Federal funds	51,918,000	63,842,000	63,842,000	58,191,000	58,191,000	58,191,000	D
Trust funds	(19,202,000)	(20,476,000)	(16,363,000)	(16,333,000)	(16,363,000)	(16,363,000)	TF
Portion treated as budget authority	(23,467,000)	(26,871,000)	(21,470,000)	(21,500,000)	(21,470,000)	(21,470,000)	TF*
Total, Inspector General	94,587,000	111,189,000	101,675,000	96,024,000	96,024,000	96,024,000	
OFFICE FOR CIVIL RIGHTS:							
Federal funds	17,066,000	18,524,000	18,524,000	18,524,000	18,524,000	18,524,000	D
Trust funds	(97,000)	(99,000)	(99,000)	(99,000)	(99,000)	(99,000)	TF
Portion treated as budget authority	(3,807,000)	(3,901,000)	(3,901,000)	(3,901,000)	(3,901,000)	(3,901,000)	TF*
Total, Civil Rights	20,970,000	22,524,000	22,524,000	22,524,000	22,524,000	22,524,000	
POLICY RESEARCH	8,928,000	5,037,000	5,037,000	5,037,000	5,037,000	5,037,000	D
Total, Office of the Secretary:							
Federal funds	156,856,000	179,076,000	174,076,000	161,196,000	173,425,000	173,425,000	
Trust funds	(76,923,000)	(82,348,000)	(67,834,000)	(72,183,000)	(72,834,000)	(72,834,000)	
Total, Office of the Secretary	(233,779,000)	(261,424,000)	(241,910,000)	(233,379,000)	(246,259,000)	(246,259,000)	
UNDISTRIBUTED SALARIES AND EXPENSES REDUCTION	---	---	-116,000,000	-53,099,000	-134,349,000	-134,349,000	D
UNDISTRIBUTED TRAVEL REDUCTION	---	---	---	-9,492,000	-9,492,000	-9,492,000	D
Total, Department of Health and Human Services:							
Federal Funds	151,680,827,000	165,657,345,000	167,121,817,000	168,803,583,000	168,611,962,000	168,611,962,000	
Current year FY 1992	(130,543,893,000)	(139,119,345,000)	(139,460,825,000)	(141,142,591,000)	(140,950,970,000)	(140,950,970,000)	
FY 1993	(21,136,934,000)	(26,538,000,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	
Trust funds	(6,554,729,000)	(6,543,148,000)	(6,937,781,000)	(6,504,857,000)	(6,934,781,000)	(6,934,781,000)	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
TITLE III - DEPARTMENT OF EDUCATION							
COMPENSATORY EDUCATION FOR THE DISADVANTAGED 1/							
Grants for the Disadvantaged (Chapter 1):							
Grants to local educational agencies:							
Basic grants	5,001,975,000	5,001,975,000	5,805,000,000	5,176,575,000	5,387,000,000	5,387,000,000	D
Additional appropriation 9/30/92	---	---	---	138,000,000	138,000,000	138,000,000	D
Concentration grants	555,775,000	674,775,000	645,000,000	575,175,000	596,000,000	596,000,000	D
Additional appropriation 9/30/92	---	---	---	14,000,000	14,000,000	14,000,000	D
Subtotal, grants to LEA's	5,557,750,000	5,676,750,000	6,450,000,000	5,903,750,000	6,135,000,000	6,135,000,000	
Capital expenses for private school children	36,108,000	36,108,000	38,000,000	42,108,000	40,054,000	40,054,000	D
Even start	49,771,000	60,000,000	100,000,000	54,500,000	70,000,000	70,000,000	D
State agency programs:							
Migrant	294,596,000	294,596,000	322,000,000	294,596,000	308,298,000	308,298,000	D
Neglected and delinquent	36,108,000	36,108,000	36,000,000	36,108,000	36,054,000	36,054,000	D
State administration	59,140,000	59,140,000	64,500,000	59,140,000	61,820,000	61,820,000	D
State program improvement grants	14,785,000	30,000,000	32,250,000	18,000,000	25,125,000	25,125,000	D
Evaluation and technical assistance 2/	13,175,000	17,000,000	17,000,000	13,175,000	15,088,000	15,088,000	D
Rural technical assistance centers 2/	4,463,000	4,463,000	5,000,000	5,000,000	5,000,000	5,000,000	D
Total, Chapter 1	6,065,896,000	6,214,165,000	7,064,750,000	6,426,377,000	6,696,439,000	6,696,439,000	
Migrant education:							
High school equivalency program 2/	7,807,000	8,135,000	8,500,000	8,119,000	8,310,000	8,310,000	D
College assistance migrant program 2/	1,952,000	2,034,000	2,500,000	2,030,000	2,265,000	2,265,000	D
Subtotal, migrant education	9,759,000	10,169,000	11,000,000	10,149,000	10,575,000	10,575,000	
Total, Compensatory Education programs	6,075,655,000	6,224,334,000	7,075,750,000	6,436,526,000	6,707,014,000	6,707,014,000	
Subtotal, forward funded	(6,048,258,000)	(6,192,702,000)	(7,042,750,000)	(6,408,202,000)	(6,676,351,000)	(6,676,351,000)	
IMPACT AID							
Maintenance and operations:							
Payments for "a" children	585,540,000	588,540,000	585,540,000	588,540,000	588,540,000	588,540,000	D
Payments for "b" children	136,626,000	---	136,626,000	136,626,000	136,626,000	136,626,000	D
Payments for Federal property (Section 2)	16,590,000	16,590,000	16,590,000	16,590,000	16,590,000	16,590,000	D
Payments related to decreased activity (Sec. 3e)	1,952,000	---	---	1,952,000	1,952,000	1,952,000	D
Subtotal	740,708,000	605,130,000	738,756,000	743,708,000	743,708,000	743,708,000	
Disaster assistance (Section 7)	13,663,000	---	---	---	---	---	D
Construction	26,349,000	15,000,000	26,000,000	26,000,000	26,000,000	26,000,000	D
Additional appropriation 9/30/92	---	---	---	2,000,000	2,000,000	2,000,000	D
Total, Impact aid	780,720,000	620,130,000	764,756,000	771,708,000	771,708,000	771,708,000	
SCHOOL IMPROVEMENT PROGRAMS 4/							
Educational improvement (Chapter 2):							
State and Local Programs:							
State block grants 3/	448,914,000	448,914,000	450,000,000	450,000,000	450,000,000	450,000,000	D
Evaluation	976,000	---	---	---	---	---	D
Subtotal	449,890,000	448,914,000	450,000,000	450,000,000	450,000,000	450,000,000	
National programs:							
Inexpensive book distribution (RIF)	9,271,000	9,271,000	10,000,000	10,000,000	10,000,000	10,000,000	D
Arts in education:							
Regular program	4,392,000	4,392,000	3,700,000	8,600,000	8,600,000	8,600,000	D
Initial forward funding (House only) 3/	---	---	4,900,000	---	---	---	D
Law - related education	5,855,000	---	6,000,000	6,000,000	6,000,000	6,000,000	D
Subtotal, National programs	19,518,000	13,663,000	24,600,000	24,600,000	24,600,000	24,600,000	
Total, Chapter 2	469,408,000	462,577,000	474,600,000	474,600,000	474,600,000	474,600,000	

1/ $200 million originally requested within this account for Choice Schools considered under the Educational Excellence account.

2/ Current funded.

3/ Forward funded.

4/ Many activities previously funded in this account transferred to Education Research & Improvement.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Civics education	---	---	3,000,000	3,800,000	3,800,000	3,800,000	D
Drug-free schools and communities:							
State grants 1/	497,709,000	497,709,000	497,709,000	517,617,000	507,663,000	507,663,000	D
School personnel training	23,395,000	23,395,000	23,395,000	24,331,000	23,863,000	23,863,000	D
National programs:							
Regular programs	60,914,000	60,914,000	60,914,000	63,351,000	62,133,000	62,133,000	D
Emergency grants	24,331,000	49,500,000	25,000,000	30,304,000	30,304,000	30,304,000	D
Subtotal, drug-free schools	606,349,000	631,518,000	607,018,000	635,603,000	623,963,000	623,963,000	
Strengthening teaching and administration:							
Eisenhower mathematics and science education State grants 1/	202,011,000	239,011,000	240,000,000	240,000,000	240,000,000	240,000,000	D
Christa McAuliffe fellowships	1,954,000	2,036,000	2,000,000	2,000,000	2,000,000	2,000,000	D
Other school improvement programs:							
Magnet schools, desegregation program	109,977,000	109,977,000	110,000,000	110,000,000	110,000,000	110,000,000	D
Education for homeless children & youth 1/	7,313,000	---	37,000,000	25,000,000	25,000,000	25,000,000	D
Women's educational equity	1,995,000	500,000	2,000,000	500,000	500,000	500,000	D
Training and advisory services (Civil Rights IV-A)	21,329,000	21,329,000	22,000,000	22,000,000	22,000,000	22,000,000	D
Dropout prevention demonstrations	34,064,000	29,214,000	50,000,000	35,427,000	40,000,000	40,000,000	D
General assistance to the Virgin Islands	4,366,000	4,366,000	4,500,000	4,500,000	4,500,000	4,500,000	D
Ellender fellowships/Close up 1/	4,101,000	---	4,100,000	4,500,000	4,300,000	4,300,000	D
Follow through	7,265,000	---	10,000,000	7,265,000	8,632,000	8,632,000	D
Native Hawaiian Education	6,366,000	---	6,400,000	6,400,000	6,400,000	6,400,000	D
Foreign Language Assistance 1/	4,880,000	---	5,000,000	12,000,000	10,000,000	10,000,000	D
Subtotal, other school improvement programs	201,656,000	165,386,000	251,000,000	227,592,000	231,332,000	231,332,000	
National writing project	1,952,000	---	---	3,000,000	2,500,000	2,500,000	D
School year extension study commission	976,000	---	---	---	---	---	D
Total, School improvement programs	1,484,306,000	1,500,528,000	1,577,618,000	1,586,595,000	1,578,195,000	1,578,195,000	
Subtotal, forward funded	(1,164,928,000)	(1,185,634,000)	(1,238,709,000)	(1,249,117,000)	(1,236,963,000)	(1,236,963,000)	
EDUCATIONAL EXCELLENCE / AMERICA 2000							
Educational Excellence:							
New generation of American schools	---	180,000,000	---	---	---	---	D
Merit schools	---	100,000,000	---	---	---	---	D
Governors' academies for teachers	---	70,000,000	---	---	---	---	D
Governors' academies for school leaders	---	22,500,000	---	---	---	---	D
Assistance for parental choice programs	---	200,000,000	---	---	---	---	D
Choice demonstrations of national significance	---	30,000,000	---	---	---	---	D
Alternative teacher and principal certification	---	25,000,000	---	---	---	---	D
Commission on time, study, learning, and teaching	---	1,000,000	---	---	---	---	D
Subtotal, Educational excellence	---	628,500,000	---	---	---	---	
Vocational and Adult Education:							
Regional literacy resource centers	---	5,000,000	---	---	---	---	D
Literacy initiatives	---	5,000,000	---	---	---	---	D
Higher Education: Endowment grants for HBCUs	---	10,000,000	---	---	---	---	D
Assessment, Statistics, Research and Improvement:							
World class standards/achievement tests	---	12,400,000	---	---	---	---	D
Goals panel: National report card	---	2,000,000	---	---	---	---	D
America on line	---	5,000,000	---	---	---	---	D
Assessing workplace literacy skills	---	2,000,000	---	---	---	---	D
Statistics: Expansion of the adult literacy survey	---	1,100,000	---	---	---	---	D
Assessment: Preparing interim tests	---	5,000,000	---	---	---	---	D
Fund for the Improvement and Reform of Schools and Teaching	---	10,700,000	---	---	---	---	D
Subtotal, ASRI	---	38,200,000	---	---	---	---	

1/ Forward funded.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Departmental Management: Program administration	---	3,300,000	---	---	---	---	D
Head start 1/	---	---	250,000,000	250,000,000	250,000,000	250,000,000	D
Community and migrant health centers 1/	---	---	---	55,000,000	55,000,000	55,000,000	D
Comprehensive child development centers 1/	---	---	---	20,000,000	20,000,000	20,000,000	D
Consolidated funds - regular appropriations 1/	---	---	250,000,000	---	100,000,000	100,000,000	D
Consolidated funds - by transfer 1/	---	---	---	(100,000,000)	---	---	NA
Total, Educational excellence	---	690,000,000	500,000,000	325,000,000	425,000,000	425,000,000	
BILINGUAL AND IMMIGRANT EDUCATION							
Bilingual education:							
Bilingual programs	121,039,000	123,814,000	171,000,000	123,814,000	147,407,000	147,407,000	D
Support services	11,632,000	11,632,000	12,000,000	12,000,000	12,000,000	12,000,000	D
Training grants	36,066,000	36,066,000	36,000,000	36,000,000	36,000,000	36,000,000	D
Immigrant education	29,277,000	29,277,000	30,000,000	30,000,000	30,000,000	30,000,000	D
Total	198,014,000	200,789,000	249,000,000	201,814,000	225,407,000	225,407,000	
SPECIAL EDUCATION							
State grants:							
EHA grants to States part ''b''	1,854,210,000	1,976,095,000	1,976,095,000	1,976,095,000	1,976,095,000	1,976,095,000	D
Chapter 1 handicapped grants	148,861,000	125,661,000	135,661,000	148,861,000	143,000,000	143,000,000	D
Preschool grants	292,770,000	295,920,000	295,920,000	320,000,000	320,000,000	320,000,000	D
Grants for infants and families	117,108,000	128,819,000	175,000,000	175,000,000	175,000,000	175,000,000	D
Subtotal, State grants	2,412,949,000	2,526,495,000	2,582,676,000	2,619,956,000	2,614,095,000	2,614,095,000	
Special purpose funds:							
Deaf-blindness	12,849,000	12,849,000	13,000,000	13,000,000	13,000,000	13,000,000	D
Severe disabilities	7,869,000	7,869,000	8,000,000	8,000,000	8,000,000	8,000,000	D
Serious emotional disturbance	1,952,000	1,952,000	4,000,000	4,000,000	4,000,000	4,000,000	D
Early childhood education	24,202,000	24,202,000	25,000,000	25,000,000	25,000,000	25,000,000	D
Secondary and transitional services	14,639,000	14,639,000	17,000,000	19,000,000	19,000,000	19,000,000	D
Postsecondary education	8,559,000	8,559,000	9,000,000	9,000,000	9,000,000	9,000,000	D
Innovation and development	20,174,000	20,174,000	24,000,000	21,000,000	21,000,000	21,000,000	D
Media and captioning services	16,424,000	16,424,000	17,000,000	17,000,000	17,000,000	17,000,000	D
Technology applications	5,593,000	5,593,000	10,000,000	10,000,000	10,000,000	10,000,000	D
Special studies	3,904,000	3,904,000	4,000,000	4,000,000	4,000,000	4,000,000	D
Personnel development	69,289,000	69,289,000	89,800,000	89,800,000	89,800,000	89,800,000	D
Parent training	9,759,000	9,759,000	10,200,000	12,000,000	12,000,000	12,000,000	D
Clearing houses	1,525,000	1,525,000	2,000,000	2,000,000	2,000,000	2,000,000	D
Regional resource centers	6,620,000	6,620,000	7,000,000	7,000,000	7,000,000	7,000,000	D
Subtotal, Special purpose funds	203,358,000	203,358,000	240,000,000	240,800,000	240,800,000	240,800,000	
Total, Special education	2,616,307,000	2,729,853,000	2,822,676,000	2,860,756,000	2,854,895,000	2,854,895,000	
REHABILITATION SERVICES AND DISABILITY RESEARCH							
Vocational rehabilitation State grants:							
Grants to States	1,632,625,000	---	1,735,480,000	1,788,000,000	1,788,000,000	1,788,000,000	M
Supported employment State grants	29,150,000	---	29,150,000	31,065,000	31,065,000	31,065,000	M
Client assistance	8,310,000	---	8,310,000	9,141,000	9,141,000	9,141,000	M
Subtotal, State grants	1,670,085,000	---	1,772,940,000	1,828,206,000	1,828,206,000	1,828,206,000	
Special purpose funds:							
Special demonstration programs	18,368,000	---	18,368,000	25,103,000	31,103,000	31,103,000	M
Supported employment projects	10,023,000	---	10,023,000	10,423,000	10,423,000	10,423,000	M
Recreational programs	2,617,000	---	2,617,000	2,617,000	2,617,000	2,617,000	M
Migratory workers	1,060,000	---	1,060,000	1,060,000	1,060,000	1,060,000	M
Projects with industry	19,445,000	---	19,445,000	20,390,000	20,390,000	20,390,000	M
Helen Keller National Center	5,367,000	---	5,367,000	5,867,000	5,867,000	5,867,000	M

1/ To be made available on July 1, 1992.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Independent living:							
Comprehensive services	13,619,000	---	13,619,000	14,200,000	14,200,000	14,200,000	M
Centers	27,579,000	---	27,579,000	29,000,000	29,000,000	29,000,000	M
Services for older blind	5,914,000	---	5,914,000	6,505,000	6,505,000	6,505,000	M
Protection & advocacy for severely disabled	976,000	---	976,000	1,074,000	1,074,000	1,074,000	M
Subtotal, Independent living	48,088,000	---	48,088,000	50,779,000	50,779,000	50,779,000	
Training	33,353,000	---	33,353,000	36,688,000	36,688,000	36,688,000	M
National Institute on Disability & Rehabilitation Research	58,924,000	---	58,924,000	61,000,000	61,000,000	61,000,000	M
Technology assistance	20,982,000	27,340,000	27,340,000	28,000,000	28,000,000	28,000,000	M
Evaluation	976,000	---	976,000	1,025,000	1,025,000	1,025,000	M
Subtotal, Special purpose funds	219,203,000	27,340,000	225,561,000	242,952,000	248,952,000	248,952,000	
Consolidated request, new legislation	---	1,976,040,000	---	---	---	---	M
Total, Rehabilitation services	1,889,288,000	2,003,380,000	1,998,501,000	2,071,158,000	2,077,158,000	2,077,158,000	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES							
AMERICAN PRINTING HOUSE FOR THE BLIND	6,136,000	6,136,000	5,500,000	6,600,000	5,900,000	5,900,000	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF:							
Operations	36,884,000	36,884,000	38,500,000	39,097,000	39,097,000	39,097,000	D
Endowment grant	328,000	342,000	---	342,000	342,000	342,000	D
Subtotal, NTID	37,212,000	37,226,000	38,500,000	39,439,000	39,439,000	39,439,000	
GALLAUDET UNIVERSITY:							
University programs	47,623,000	47,623,000	48,473,000	50,480,000	50,480,000	50,480,000	D
Precollege programs 1/	21,223,000	21,223,000	21,223,000	22,560,000	22,560,000	22,560,000	D
Endowment grant	976,000	1,000,000	976,000	1,000,000	1,000,000	1,000,000	D
Construction	2,440,000	1,000,000	2,500,000	2,500,000	2,500,000	2,500,000	D
Subtotal, Gallaudet University	72,262,000	70,846,000	73,172,000	76,540,000	76,540,000	76,540,000	
Total, Special Institutions for Disabled	115,610,000	114,208,000	117,172,000	122,579,000	121,879,000	121,879,000	
VOCATIONAL AND ADULT EDUCATION							
Vocational education:							
Basic grants	856,503,000	890,656,000	1,077,000,000	897,500,000	900,000,000	900,000,000	D
Additional appropriation 9/30/92	---	---	---	50,000,000	50,000,000	50,000,000	D
Community education employment centers	---	---	---	7,500,000	---	---	D
Supplemental grants, equipment	---	---	100,000,000	---	---	---	D
Additional appropriation 9/30/92	---	---	---	10,000,000	10,000,000	10,000,000	D
Community - based organizations	11,711,000	11,711,000	12,000,000	12,000,000	12,000,000	12,000,000	D
Consumer and homemaking education	33,352,000	---	38,000,000	33,352,000	35,000,000	35,000,000	D
State councils	8,783,000	8,783,000	9,000,000	9,000,000	9,000,000	9,000,000	D
Tech Prep	63,434,000	63,434,000	100,000,000	65,971,000	90,000,000	90,000,000	D
Tribally controlled post-secondary vocational institutions 2/	2,440,000	2,440,000	2,500,000	2,500,000	2,500,000	2,500,000	D
National programs:							
Research	6,831,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	D
Technical assistance, sec. 404 (d)	---	---	2,000,000	---	2,000,000	2,000,000	D
Demonstrations	12,970,000	9,000,000	12,000,000	14,000,000	14,000,000	14,000,000	D
Data systems (NOICC/SOICC)	4,880,000	4,880,000	5,000,000	5,000,000	5,000,000	5,000,000	D
Subtotal, national programs	24,681,000	23,880,000	29,000,000	29,000,000	31,000,000	31,000,000	
Bilingual vocational training	2,888,000	2,888,000	3,000,000	3,000,000	3,000,000	3,000,000	D
Subtotal, Applied technology education	1,003,792,000	1,003,792,000	1,370,500,000	1,119,823,000	1,142,500,000	1,142,500,000	

1/ Kendall Elementary and Model Secondary Schools.

2/ Senate bill and conference agreement make funding available 10/1/91.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Adult education:							
State Programs	201,035,000	221,500,000	250,000,000	221,500,000	235,750,000	235,750,000	D
National programs	7,807,000	9,000,000	9,000,000	9,000,000	9,000,000	9,000,000	D
Literacy training for homeless adults	9,759,000	---	---	9,759,000	9,759,000	9,759,000	D
Workplace literacy partnerships	19,251,000	19,251,000	20,000,000	19,251,000	19,251,000	19,251,000	D
English literacy grants	976,000	976,000	1,000,000	1,000,000	1,000,000	1,000,000	D
State literacy resource centers	---	---	---	10,000,000	5,000,000	5,000,000	D
Prison literacy training program	---	---	---	10,000,000	5,000,000	5,000,000	D
Subtotal, adult education	238,828,000	250,727,000	280,000,000	280,510,000	284,760,000	284,760,000	
Technology education demonstrations	964,000	---	1,000,000	---	---	---	D
Commercial truck driver training	1,952,000	---	---	3,000,000	2,500,000	2,500,000	D
Total, Vocational and adult education	1,245,536,000	1,254,519,000	1,651,500,000	1,403,333,000	1,429,760,000	1,429,760,000	
STUDENT FINANCIAL ASSISTANCE 2/							
Pell Grants: Academic year 1992 - 1993 1/	5,374,282,000	5,775,121,000	5,350,000,000	5,360,000,000	5,360,000,000	5,360,000,000	D
Contingency	---	---	100,000,000	100,000,000	100,000,000	100,000,000	D
Presidential Scholarships, new legislation	---	170,000,000	---	---	---	---	D
Supplemental educational opportunity grants	520,155,000	346,945,000	570,000,000	570,000,000	577,000,000	577,000,000	D
Additional appropriation 9/30/92	---	---	---	62,000,000	---	---	D
Work-study	594,689,000	396,615,000	595,000,000	618,476,000	615,000,000	615,000,000	D
Income contingent loans	4,880,000	10,000,000	5,000,000	4,880,000	4,880,000	4,880,000	D
Perkins loans:							
Federal capital contributions	156,144,000	---	156,000,000	156,000,000	156,000,000	156,000,000	D
Loan cancellations	---	15,000,000	13,000,000	15,000,000	---	---	D
Subtotal, Perkins loans	156,144,000	15,000,000	169,000,000	171,000,000	156,000,000	156,000,000	
State student incentive grants	63,531,000	---	64,000,000	76,000,000	72,000,000	72,000,000	D
Total, Student Financial Assistance	6,713,681,000	6,713,681,000	6,853,000,000	6,962,356,000	6,884,880,000	6,884,880,000	
GUARANTEED STUDENT LOANS (LIQUIDATING)							
Contract authority to liquidate pre-1992 loan subsidies	(4,209,818,000)	(3,075,711,000)	(3,075,711,000)	(3,075,711,000)	(4,190,459,000)	(4,190,459,000)	NA
Appropriation, including shortfalls (non-add)	(5,381,422,000)	(3,105,711,000)	(3,105,711,000)	(3,105,711,000)	(4,220,459,000)	(4,220,459,000)	NA
GUARANTEED STUDENT LOANS PROGRAM							
Guaranteed Student Loans:							
New loan subsidies (contract authority)	---	2,655,636,000	2,655,636,000	2,655,636,000	2,655,636,000	2,655,636,000	M
Mandatory admin expenses (contract authority)	---	164,611,000	164,611,000	164,611,000	164,611,000	164,611,000	M
Total	---	2,820,247,000	2,820,247,000	2,820,247,000	2,820,247,000	2,820,247,000	
GSL LOAN ADMINISTRATION	34,671,000	46,433,000	46,433,000	40,000,000	45,000,000	45,000,000	D
HIGHER EDUCATION							
Aid for institutional development:							
Strengthening institutions	87,831,000	87,831,000	90,000,000	87,831,000	87,831,000	87,831,000	D
Strengthening historically black colleges & univ.	87,831,000	87,831,000	100,000,000	87,831,000	100,000,000	100,000,000	D
Strengthening historically black grad institutions	11,711,000	11,711,000	12,000,000	11,711,000	11,711,000	11,711,000	D
Endowment grants	17,462,000	7,462,000	7,500,000	7,500,000	7,500,000	7,500,000	D
Subtotal, Institutional development	204,835,000	194,835,000	209,500,000	194,873,000	207,042,000	207,042,000	
Program development:							
Fund for the Improvement of Postsec. Education	14,639,000	14,639,000	15,000,000	15,000,000	15,000,000	15,000,000	D
Minority science improvement	5,855,000	6,101,000	6,000,000	6,000,000	6,000,000	6,000,000	D
Innovative projects for community services	1,464,000	6,830,000	1,463,000	1,463,000	1,463,000	1,463,000	D
Student Literacy Corps	5,367,000	---	5,367,000	5,367,000	5,367,000	5,367,000	D
International educ & foreign language studies:							
Domestic programs	28,670,000	28,670,000	34,000,000	30,170,000	30,000,000	30,000,000	D
Additional appropriation 9/30/92	---	---	---	4,000,000	4,000,000	4,000,000	D
Overseas programs	5,855,000	5,855,000	6,000,000	6,000,000	6,000,000	6,000,000	D

1/ 1991 includes prior year shortfall and contingency.

2/ Conference agreement assumes $62,000,000 of the total is not made available until 9/30/92.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Foreign language & area studies fellowships VI	11,342,000	11,342,000	13,000,000	13,000,000	13,000,000	13,000,000	D
Subtotal, International education	45,867,000	45,867,000	53,000,000	53,170,000	53,000,000	53,000,000	
Cooperative education	13,175,000	13,175,000	14,000,000	14,000,000	14,000,000	14,000,000	D
Law school clinical experience	5,855,000	---	8,000,000	8,000,000	8,000,000	8,000,000	D
Subtotal, Program development	92,222,000	86,612,000	102,830,000	103,000,000	102,830,000	102,830,000	
Construction:							
Interest subsidy grants, prior year construction	20,396,000	19,412,000	19,412,000	19,412,000	19,412,000	19,412,000	D
Academic facilities	4,197,000	---	---	---	---	---	D
Subtotal, Construction	24,593,000	19,412,000	19,412,000	19,412,000	19,412,000	19,412,000	
Special grants:							
Assistance to Guam	488,000	---	500,000	500,000	500,000	500,000	D
Margaret Chase Smith Library	976,000	---	---	---	---	---	D
John McCormack Institute	2,928,000	---	---	---	---	---	D
Robert A. Taft Institute	683,000	550,000	550,000	550,000	550,000	550,000	D
Magnuson Endowment	2,928,000	---	---	2,000,000	2,000,000	2,000,000	D
Model Law Center, Seton Hall University	5,367,000	---	---	---	---	---	D
Bethune-Cookman	---	---	300,000	300,000	300,000	300,000	D
Urban Community Service	---	---	---	10,000,000	8,000,000	8,000,000	D
Subtotal, Special grants	13,370,000	550,000	1,350,000	13,350,000	11,350,000	11,350,000	
Aid for students:							
Special programs for the disadvantaged (TRIO plus)	333,758,000	---	385,249,000	385,249,000	365,249,000	365,249,000	D
Additional appropriation 9/30/92	---	---	---	20,000,000	20,000,000	20,000,000	D
Consolidated undergrad outreach (proposed leg)	---	384,249,000	---	---	---	---	D
McNeir graduate outreach (proposed leg)	---	10,826,000	---	---	---	---	D
Undergraduate scholarships:							
Byrd honors scholarships	9,271,000	9,271,000	9,271,000	9,642,000	9,642,000	9,642,000	D
National science scholars	976,000	10,000,000	4,500,000	4,500,000	4,500,000	4,500,000	D
Douglas teacher scholarships	14,639,000	14,639,000	15,000,000	15,000,000	15,000,000	15,000,000	D
Subtotal, Undergraduate scholarships	24,886,000	33,910,000	28,771,000	29,142,000	29,142,000	29,142,000	
Graduate fellowships:							
Harris graduate fellowships	17,566,000	---	17,600,000	17,600,000	17,600,000	17,600,000	D
Harris public service fellowships	3,198,000	---	3,200,000	3,200,000	3,200,000	3,200,000	D
Javits fellowships	7,807,000	---	8,000,000	8,000,000	8,000,000	8,000,000	D
Graduate assistance in areas of national need	24,885,000	---	30,000,000	25,000,000	28,000,000	28,000,000	D
Minority participation in graduate education	5,953,000	---	5,826,000	5,953,000	5,953,000	5,953,000	D
National graduate fellowships (proposed leg)	---	54,107,000	---	---	---	---	D
Subtotal, Graduate fellowships	59,409,000	54,107,000	64,626,000	59,753,000	62,753,000	62,753,000	
Veterans' education outreach	2,733,000	---	2,700,000	2,733,000	2,700,000	2,700,000	D
Legal training for the disadvantaged (CLEO)	2,928,000	---	3,000,000	3,045,000	3,045,000	3,045,000	D
School, college & university partnerships	3,904,000	---	4,000,000	4,000,000	4,000,000	4,000,000	D
Total, Higher education	762,638,000	784,501,000	821,438,000	834,557,000	827,523,000	827,523,000	
HOWARD UNIVERSITY							
Academic program	153,515,000	153,515,000	153,515,000	158,515,000	153,515,000	153,515,000	D
Endowment grant	2,928,000	4,500,000	2,928,000	4,500,000	2,928,000	2,928,000	D
Research	4,616,000	4,616,000	4,616,000	4,616,000	4,616,000	4,616,000	D
Howard University Hospital	28,301,000	28,301,000	28,301,000	29,500,000	28,301,000	28,301,000	D
Emergency construction	5,855,000	---	23,600,000	2,000,000	23,000,000	23,000,000	D
Total, Howard University	195,215,000	190,932,000	212,960,000	199,131,000	212,360,000	212,360,000	

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS (LIQUIDATING):							
Borrowing authority	29,277,000	---	---	---	---	---	D
Interest subsidy payments	8,449,000	3,598,000	3,598,000	3,598,000	3,598,000	3,598,000	M
Total, College Housing Liquidating	37,726,000	3,598,000	3,598,000	3,598,000	3,598,000	3,598,000	
COLLEGE HOUSING AND ACADEMIC FACILITIES PROGRAM							
New loan subsidies	---	---	---	7,539,000	7,539,000	7,539,000	D
Federal administration	---	---	---	566,000	566,000	566,000	D
Loan limitation	---	---	---	(30,000,000)	(30,000,000)	(30,000,000)	NA
Total, College Housing Program	---	---	---	8,105,000	8,105,000	8,105,000	
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT							
Research	64,714,000	74,296,000	71,000,000	71,500,000	71,000,000	71,000,000	D
High technology demonstration program	---	---	8,000,000	---	---	---	D
Statistics	44,313,000	51,974,000	50,000,000	44,313,000	47,313,000	47,313,000	D
Assessment (NAEP)	19,211,000	28,086,000	28,000,000	20,000,000	29,900,000	29,900,000	D
Fund for Innovation in Education	27,737,000	27,737,000	19,000,000	27,737,000	24,000,000	24,000,000	D
Fund for the Improvement and Reform of Schools and Teaching:							
Grants for schools and teachers	5,284,000	1,880,000	5,284,000	5,495,000	5,495,000	5,495,000	D
Family-school partnerships	3,611,000	927,000	3,611,000	3,755,000	3,755,000	3,755,000	D
Eisenhower mathematics & science educ national program	11,711,000	14,711,000	14,000,000	18,000,000	16,000,000	16,000,000	D
(Clearinghouse non-add)	---	---	---	(6,000,000)	(3,500,000)	(3,500,000)	NA
Math Science consortium	---	---	---	15,000,000	12,000,000	12,000,000	D
National Diffusion Network	14,151,000	14,151,000	14,000,000	14,700,000	14,700,000	14,700,000	D
Blue ribbon schools	885,000	885,000	---	885,000	---	---	D
Javits gifted and talented students education	9,732,000	9,732,000	9,732,000	9,732,000	9,732,000	9,732,000	D
Star schools	14,417,000	10,000,000	---	17,404,000	17,417,000	17,417,000	D
Additional appropriation 9/30/92	---	---	---	1,000,000	1,000,000	1,000,000	D
Educational partnerships	4,233,000	4,233,000	4,233,000	4,233,000	4,233,000	4,233,000	D
Territorial teacher training	1,769,000	1,769,000	1,769,000	1,769,000	1,769,000	1,769,000	D
Leadership in educational administration (LEAD)	3,831,000	370,000	370,000	370,000	370,000	370,000	D
Midcareer teacher training	987,000	---	---	---	---	---	D
National council on educational goals	1,952,000	---	---	---	---	---	D
Innovations in teacher education, new legislation	---	20,000,000	---	---	---	---	D
Subtotal	228,538,000	260,751,000	228,999,000	255,893,000	258,684,000	258,684,000	
National board for professional teacher standards	4,880,000	---	4,880,000	4,880,000	4,880,000	4,880,000	D
Total, ERSI	233,418,000	260,751,000	233,879,000	260,773,000	263,564,000	263,564,000	
LIBRARIES							
Public libraries:							
Services	83,898,000	35,000,000	83,898,000	83,898,000	83,898,000	83,898,000	D
Construction	19,218,000	---	14,218,000	19,218,000	16,718,000	16,718,000	D
Interlibrary cooperation	19,908,000	---	19,908,000	19,908,000	19,908,000	19,908,000	D
Training 1/	651,000	---	5,000,000	5,000,000	5,000,000	5,000,000	D
Research and demonstrations	325,000	---	325,000	325,000	325,000	325,000	D
Research libraries	5,855,000	---	5,855,000	5,855,000	5,855,000	5,855,000	D
Library literacy programs	8,163,000	---	8,163,000	8,163,000	8,163,000	8,163,000	D
College library technology	3,904,000	---	3,904,000	6,404,000	6,404,000	6,404,000	D
Foreign language materials (Title V-LSCA, VI-HEA)	976,000	---	1,476,000	976,000	1,476,000	1,476,000	D
Total, Libraries	142,898,000	35,000,000	142,747,000	149,747,000	147,747,000	147,747,000	

1/ Training funds requested under Higher Education.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
DEPARTMENTAL MANAGEMENT							
PROGRAM ADMINISTRATION	284,595,000	303,567,000	301,952,000	284,008,000	299,000,000	299,000,000	D
OFFICE FOR CIVIL RIGHTS, SALARIES AND EXPENSES	48,405,000	56,000,000	56,000,000	51,691,000	55,000,000	55,000,000	D
OFFICE OF THE INSPECTOR GENERAL, SALARIES AND EXPENSES	24,837,000	28,521,000	26,932,000	26,530,000	26,932,000	26,932,000	D
UNDISTRIBUTED SALARIES AND EXPENSES REDUCTION	---	---	-10,000,000	-3,785,000	-10,660,000	-10,660,000	D
Total, Departmental management	357,837,000	388,088,000	374,884,000	358,444,000	370,272,000	370,272,000	
Total, Department of Education	22,883,520,000	26,580,972,000	28,266,159,000	27,416,427,000	27,774,312,000	27,774,312,000	
Total including Guaranteed Student Loans	(27,093,338,000)	(29,656,683,000)	(31,341,870,000)	(30,492,138,000)	(31,964,771,000)	(31,964,771,000)	
TITLE IV - RELATED AGENCIES							
Action (Domestic Programs):							
Volunteers in Service to America:							
VISTA operations	30,287,000	35,803,000	32,693,000	34,683,000	32,688,000	32,688,000	D
VISTA Literacy Corps	4,621,000	4,930,000	4,621,000	4,930,000	4,776,000	4,776,000	D
Student Community Service	976,000	976,000	976,000	976,000	976,000	976,000	D
Subtotal	35,884,000	41,709,000	38,290,000	40,589,000	38,440,000	38,440,000	
Special Volunteer Programs:							
Drug programs	2,191,000	1,451,000	1,000,000	1,451,000	1,225,000	1,225,000	D
Older Americans Volunteer Programs:							
Foster Grandparents Program	62,946,000	62,946,000	62,946,000	65,590,000	65,590,000	65,590,000	D
Senior Companion Program	27,569,000	27,569,000	27,569,000	28,727,000	28,727,000	28,727,000	D
Retired Senior Volunteer Program	33,425,000	33,425,000	33,425,000	34,830,000	34,128,000	34,128,000	D
Subtotal, Older Volunteers	123,940,000	123,940,000	123,940,000	129,147,000	128,445,000	128,445,000	
Inspector General	976,000	1,017,000	920,000	976,000	954,000	954,000	D
Program Support	28,301,000	30,435,000	29,528,000	29,528,000	29,528,000	29,528,000	D
Total, Action	191,292,000	198,552,000	193,678,000	201,691,000	198,592,000	198,592,000	
Corporation for Public Broadcasting: 1/							
FY 1994 (current request)	253,309,000	260,000,000	253,309,000	284,000,000	275,000,000	275,000,000	D
FY 1993 satellite replacement	65,327,000	---	---	---	---	---	D
Subtotal, Corporation for Public Broadcasting	318,636,000	260,000,000	253,309,000	284,000,000	275,000,000	275,000,000	
Federal Mediation and Conciliation Service	27,037,000	28,145,000	28,118,000	29,118,000	28,118,000	28,118,000	D
Federal Mine Safety and Health Review Commission	4,189,000	4,719,000	4,357,000	4,357,000	5,143,000	5,143,000	D
National Commission on Acquired Immune Deficiency Syndrome	2,928,000	3,000,000	2,000,000	3,000,000	1,750,000	1,750,000	D
National Commission on Children	1,073,000	---	---	950,000	950,000	950,000	D
National Commission on Libraries and Information Science	732,000	911,000	750,000	911,000	831,000	831,000	D
National Commission to Prevent Infant Mortality	390,000	---	390,000	440,000	440,000	440,000	D
National Council on Disability	1,439,000	1,642,000	1,497,000	1,642,000	1,569,000	1,569,000	D
National Labor Relations Board	147,461,000	162,000,000	162,000,000	162,000,000	162,000,000	162,000,000	D
National Mediation Board	6,514,000	7,008,000	6,775,000	6,775,000	6,775,000	6,775,000	D
Occupational Safety and Health Review Commission	6,247,000	6,711,000	6,497,000	6,497,000	6,711,000	6,711,000	D
Physician Payment Review Commission (trust funds)	(3,778,000)	(4,495,000)	(4,300,000)	(4,495,000)	(4,398,000)	(4,398,000)	TF*
Prospective Payment Assessment Commission (trust funds)	(3,875,000)	(4,210,000)	(4,030,000)	(4,030,000)	(4,030,000)	(4,030,000)	TF*
Railroad Retirement Board:							
Dual benefits payments account	326,927,000	315,000,000	315,000,000	319,100,000	319,100,000	319,100,000	D
Interest payment	---	---	9,000,000	---	---	---	D
Less income tax receipts on dual benefits	-16,000,000	-18,000,000	-18,000,000	-18,000,000	-18,000,000	-18,000,000	D
Subtotal, dual benefits	310,927,000	297,000,000	306,000,000	301,100,000	301,100,000	301,100,000	
Federal payment to the Railroad Retirement Account	400,000	400,000	400,000	400,000	400,000	400,000	M

1/ FY 1991 approp. adv. in FY89 is $298,870,000.
FY 1992 approp. adv. in FY90 is $327,280,000.
FY 1993 approp. adv. in FY91 is $318,636,000.

FY 1992 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

	FY 1991 Comparable	FY 1992 Budget Request	H.R. 2707 House Bill	H.R. 2707 Senate Bill	H.R. 2707 Conference	New Bill	Mand Disc
Limitation on administration:							
(Retirement)	(69,936,000)	(74,037,000)	(74,037,000)	(73,287,000)	(72,287,000)	(72,287,000)	TF*
(Unemployment)	(15,287,000)	(17,263,000)	(17,263,000)	(17,263,000)	(17,263,000)	(17,263,000)	TF*
Subtotal, administration	(85,223,000)	(91,300,000)	(91,300,000)	(90,550,000)	(89,550,000)	(89,550,000)	
(Special Management Improvement Fund) 1/	---	(13,910,000)	(3,264,000)	(3,264,000)	(3,264,000)	(3,264,000)	TF*
Total, limitation on administration	(85,223,000)	(105,210,000)	(94,564,000)	(93,814,000)	(92,814,000)	(92,814,000)	
(Inspector General)	(5,855,000)	(7,700,000)	(6,089,000)	(6,700,000)	(6,395,000)	(6,395,000)	TF*
Soldiers' and Airmen's Home (trust fund limitation):							
Operation and maintenance	40,581,000	42,123,000	40,581,000	42,123,000	41,352,000	41,352,000	D
Capital outlay	11,223,000	4,220,000	4,220,000	4,220,000	4,220,000	4,220,000	D
United States Institute of Peace	8,393,000	8,911,000	8,393,000	11,918,000	11,000,000	11,000,000	D
United States Naval Home (trust fund limitation):							
Operation and maintenance	---	10,055,000	10,055,000	10,055,000	10,055,000	10,055,000	D
Capital program	---	1,253,000	1,253,000	1,253,000	1,253,000	1,253,000	D
White House Conference on Library and Information Services	488,000	---	---	---	---	---	D
UNDISTRIBUTED SALARIES AND EXPENSES REDUCTION	---	---	---	-2,367,000	---	---	D
Total, Title IV, Related Agencies:							
Federal Funds (all years)	1,079,950,000	1,036,650,000	1,030,273,000	1,070,083,000	1,057,259,000	1,057,259,000	
Current year, FY 1992	(761,314,000)	(776,650,000)	(776,964,000)	(786,083,000)	(782,259,000)	(782,259,000)	
FY 1994	(318,636,000)	(260,000,000)	(253,309,000)	(284,000,000)	(275,000,000)	(275,000,000)	
Trust funds	(98,731,000)	(121,615,000)	(108,983,000)	(109,039,000)	(107,637,000)	(107,637,000)	
SUMMARY							
Title I - Department of Labor:							
Federal Funds	7,541,537,000	7,336,447,000	7,435,073,000	7,485,176,000	7,476,230,000	7,476,230,000	
Current year	(7,541,537,000)	(7,336,447,000)	(7,435,073,000)	(7,485,176,000)	(7,288,530,000)	(7,288,530,000)	
1993 advance	---	---	---	---	(187,700,000)	(187,700,000)	
Trust Funds	(3,345,157,000)	(3,398,136,000)	(3,512,648,000)	(3,537,331,000)	(3,509,301,000)	(3,509,301,000)	
Title II - Department of Health and Human Services:							
Federal Funds (all years)	151,680,827,000	165,657,345,000	167,121,817,000	168,803,583,000	168,611,962,000	168,611,962,000	
Current year	(130,543,893,000)	(139,119,345,000)	(139,460,825,000)	(141,142,591,000)	(140,950,970,000)	(140,950,970,000)	
1993 advance	(21,136,934,000)	(26,538,000,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	(27,660,992,000)	
Trust Funds	(6,554,729,000)	(6,543,148,000)	(6,937,781,000)	(6,504,857,000)	(6,934,781,000)	(6,934,781,000)	
Title III - Department of Education:							
Federal Funds	22,883,520,000	26,580,972,000	28,266,159,000	27,416,427,000	27,774,312,000	27,774,312,000	
Total including Guaranteed Student Loans	(27,093,338,000)	(29,656,683,000)	(31,341,870,000)	(30,492,138,000)	(31,964,771,000)	(31,964,771,000)	
Title IV - Related Agencies:							
Federal Funds (all years)	1,079,950,000	1,036,650,000	1,030,273,000	1,070,083,000	1,057,259,000	1,057,259,000	
Current year	(761,314,000)	(776,650,000)	(776,964,000)	(786,083,000)	(782,259,000)	(782,259,000)	
1994 advance	(318,636,000)	(260,000,000)	(253,309,000)	(284,000,000)	(275,000,000)	(275,000,000)	
Trust Funds	(98,731,000)	(121,615,000)	(108,983,000)	(109,039,000)	(107,637,000)	(107,637,000)	
Total, all titles:							
Federal Funds (all years)	183,185,834,000	200,611,414,000	203,853,322,000	204,775,269,000	204,919,763,000	204,919,763,000	
Current year	(161,730,264,000)	(173,813,414,000)	(175,939,021,000)	(176,830,277,000)	(176,796,071,000)	(176,796,071,000)	
1993 advance	(21,136,934,000)	(26,538,000,000)	(27,660,992,000)	(27,660,992,000)	(27,848,692,000)	(27,848,692,000)	
1994 advance	(318,636,000)	(260,000,000)	(253,309,000)	(284,000,000)	(275,000,000)	(275,000,000)	
Trust Funds	(9,998,617,000)	(10,062,899,000)	(10,559,412,000)	(10,151,227,000)	(10,551,719,000)	(10,551,719,000)	

1/ Request available for FY 1992 - FY 1996: House and Senate bill and conference agreement available for FY 1992 only.

The text of H.R. 3839 is as follows:

H.R. 3839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1992, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $73,980,000, together with not to exceed $56,952,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act, $3,861,338,000, plus reimbursements, to be available for obligation for the period July 1, 1992, through June 30, 1993, of which $63,000,000 shall be for carrying out section 401, $77,644,000 shall be for carrying out section 402, $9,120,000 shall be for carrying out section 441, $1,848,000 shall be for the National Commission for Employment Policy, $5,400,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under the Job Training Partnership Act, and $3,900,000 shall be for service delivery areas under section 101(a)(4)(A)(iii) of the Job Training Partnership Act in addition to amounts otherwise provided under sections 202 and 251(b) of the Act; and, in addition, $187,700,000 is appropriated for part B of title II of the Job Training Partnership Act, as amended, in addition to amounts otherwise provided herein for part B of title II, to be available for obligation for the period October 1, 1992 through June 30, 1993; and, in addition, $73,000,000 is appropriated for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers, as authorized by the Job Training Partnership Act, in addition to amounts otherwise provided herein for the Job Corps, to be available for obligation for the period July 1, 1992 through June 30, 1995; and, in addition, $50,000,000 is appropriated for Clean Air Employment Transition Assistance under part B of title III of the Job Training Partnership Act, to be available for obligation for the period October 1, 1991 through June 30, 1993; and, in addition, $9,312,000 is appropriated for activities authorized by title VII, subtitle C of the Stewart B. McKinney Homeless Assistance Act: *Provided*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further*, That funds appropriated under this heading in Public Law 100-436 to continue acquisition, rehabilitation, and construction of six new Job Corps centers shall be available for obligation through June 30, 1993.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $308,241,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $86,940,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and payments as authorized by title II of Public Law 95-250, as amended, and of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapter B, chapter 2, title II of the Trade Act of 1974, as amended, $226,250,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That amounts received or recovered pursuant to section 208(e) of Public Law 95-250 shall be available for payments.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-491-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 225, 231-235 and 243-244, title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212 (a), (5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out the Targeted Jobs Tax Credit Program under section 51 of the Internal Revenue Code of 1986, and section 221(a) of the Immigration Act of 1990, $24,038,000 together with not to exceed $3,148,655,000 (including not to exceed $2,080,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December 31, 1992, and of which $18,427,000 of the amount which may be expended from said trust fund shall be available for obligation for the period April 1, 1992, through December 31, 1992, for automation of the State activities under title III of the Social Security Act, as amended (42 U.S.C. 502-504 and 5 U.S.C. 8501-8523), and of which $21,838,000 together with not to exceed $799,770,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1992, through June 30, 1993, to fund activities under section 6 of the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which $12,500,000 of the amount which may be expended from said trust fund shall be available for obligation for the period September 30, 1992, through June 30, 1993, for automation of the State activities under section 6 of the Act of June 6, 1933, as amended, and of which $440,703,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: *Provided*, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1992 is projected by the Department of Labor to exceed the 3.24 million level assumed in the President's fiscal year 1992 Budget Request, based on the Administration's December 1990 economic assumptions, an additional $30,000,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund. The Appropriations Committees shall be notified immediately of any request by the Department to the Office of Management and Budget to apportion any of these funds.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1993, $236,990,000.

LABOR-MANAGEMENT SERVICES

SALARIES AND EXPENSES

For necessary expenses for Labor-Management Services, $95,340,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1992, for such Corporation: *Provided*, That not to exceed $47,787,000 shall be available for administrative expenses of the Corporation: *Provided further*, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as nonadministrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $231,326,000, together with $1,035,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative ex-

penses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $192,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That such sums as are necessary may be used for a demonstration project under section 8104 of title 5, United States Code, in which the Secretary may reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements from Federal Government agencies unobligated on September 30, 1991, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1992.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, $917,192,000, of which $861,135,000, shall be available until September 30, 1993, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7), of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which $30,145,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and $25,579,000 for transfer to Departmental Management, Salaries and Expenses, and $333,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to June 15 of the current year: *Provided further*, That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $304,157,000, including $66,344,000, which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, order or administrative action under the Occupational Safety and Health Act of 1970 affecting any work activity by reason of recreational hunting, shooting, or fishing: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost work day case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $185,364,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $256,924,000, together with not to exceed $50,399,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of 5 sedans, and including $4,409,000 for the President's Committee on Employment of People With Disabilities, $141,053,000, together with not to exceed $332,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

Funds received for services rendered to any entity or person for use of Departmental facilities, including associated utilities and security services, shall be credited to and merged with this fund.

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $174,759,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 2001–10 and 2021–26.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $46,320,000, together with not to exceed $4,357,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 100. (a) Notwithstanding any other provision of law, on or before December 1, 1991, the Secretary of Labor, acting under the Occupational Safety and Health Act of 1970, shall promulgate a final occupational health standard concerning occupational exposure to bloodborne pathogens. The final standard shall be based on the proposed standard as published in the Federal Register on May 30, 1989 (54 FR 23042), concerning occupational exposures to the hepatitis B virus, the human immunodeficiency virus and other bloodborne pathogens.

(b) In the event that the final standard referred to in subsection (a) is not promulgated by the date required under such subsection, the proposed standard on occupational exposure to bloodborne pathogens as published in the Federal Register on May 30, 1989 (54 FR 23042) shall become effective as if such proposed standard had been promulgated as a final standard by the Secretary of Labor, and remain in effect until the date on which such Secretary promulgates the final standard referred to in subsection (a).

(c) Nothing in this Act shall be construed to require the Secretary of Labor (acting through the Occupational Safety and Health Administration) to revise the employment accident reporting regulations published at 29 C.F.R. 1904.8.

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

SEC. 102. None of the funds appropriated under this Act shall be used to grant variances, interim orders or letters of clarification to employers which will allow exposure of workers to chemicals or other workplace hazards in excess of existing Occupational Safety and Health Administration standards for the purpose of conducting experiments on workers health or safety.

SEC. 103. Notwithstanding any other provision of this Act, no funds appropriated by this Act may be used to execute or carry out any contract with a non-governmental entity to administer or manage a Civilian Conservation Center of the Job Corps.

SEC. 104. None of the funds appropriated in this Act shall be used by the Job Corps program to pay the expenses of legal counsel or representation in any criminal case or proceeding for a Job Corps participant, unless certified to and approved by the Secretary of Labor that a public defender is not available.

This title may be cited as the "Department of Labor Appropriations Act, 1992".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles III, VII, VIII, X, XII, XIX, XXVI, and XXVII of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, Public Law 101-527, Public Law 100-579, and the Native Hawaiian Health Care Act of 1988, $2,360,841,000, of which $450,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided*, That of the funds made available under this heading, $125,000,000, of which $25,000,000 shall be for the Healthy Start program, shall not become available for obligation until September 30, 1992: *Provided further*, That when the Department of Health and Human Services administers or operates an employee health program for any Federal department or agency, payment for the full estimated cost shall be made by way of reimbursement or in advance to this appropriation: *Provided further*, That user fees authorized by 31 U.S.C. 9701 may be credited to appropriations under this heading, notwithstanding 31 U.S.C. 3302.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $19,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of guaranteed loans authorized by title VII of the Public Health Service Act, as amended, such sums as may be necessary to carry out the purpose of the program: *Provided*, That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed $290,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, $1,500,000.

VACCINE INJURY COMPENSATION

For payments from the Vaccine Injury Compensation Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $2,500,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

For compensation of claims resolved by the United States Claims Court related to the administration of vaccines before October 1, 1988, $80,000,000, to remain available until expended.

CENTERS FOR DISEASE CONTROL

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles III, section 794 of title VII, XV, XVII, XIX, and section 1102 of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $1,504,924,000, of which $25,600,000 shall remain available until expended for equipment and construction and renovation of facilities: *Provided*, That of the funds made available under this heading, $134,000,000 shall not become available for obligation until September 30, 1992: *Provided further*, That training of private persons shall be made subject to reimbursement or advances to this appropriation for not in excess of the full cost of such training: *Provided further*, That funds appropriated under this heading shall be available for payment of the costs of medical care, related expenses, and burial expenses hereafter incurred by or on behalf of any person who had participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health and Human Services and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That collections from user fees may be credited to this appropriation: *Provided further*, That amounts received by the National Center for Health Statistics from reimbursable and interagency agreements and the sale of data tapes may be credited to this appropriation and shall remain available until expended: *Provided further*, That in addition to amounts provided herein, up to $29,400,000 shall be available from amounts available under section 2711 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further*, That employees of the Public Health Service, both civilian and Commissioned Officer, detailed to States or municipalities as assignees under authority of section 214 of the Public Health Service Act in the instance where in excess of 50 percent of salaries and benefits of the assignee is paid directly or indirectly by the State or municipality, and employees of the National Center for Health Statistics, who are assisting other Federal organizations on data collection and analysis and whose salaries are fully reimbursed by the organizations requesting the services, shall be treated as non-Federal employees for reporting purposes only.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $1,989,278,000: *Provided*, That of the funds made available under this heading, $223,446,000 shall not become available for obligation until September 30, 1992: *Provided further*, That the Director of the National Institutes of Health, within thirty days of enactment of this Act, may transfer such portion of $160,000,000 which becomes available on September 30, 1992 as she deems appropriate to other Institutes for research directly related to the prevention, treatment or cure of cancer: *Provided further*, That within the funds provided under this heading the Institute shall establish a Matsunaga-Conte Prostate Cancer Research Center.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out sections 301 and 1105 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $1,199,398,000: *Provided*, That of the funds made available under this heading, $54,555,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $160,493,000: *Provided*, That of the funds made available under this heading, $7,903,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney diseases, $664,080,000: *Provided*, That of the funds made available under this heading, $28,457,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $583,378,000: *Provided*, That of the funds made available under this heading, $27,357,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $971,111,000: *Provided*, That of the funds made available under this heading, $45,627,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

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

to general medical sciences, $818,910,000: *Provided*, That of the funds made available under this heading, $48,104,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $524,452,000: *Provided*, That of the funds made available under this heading, $27,368,000 shall not become available for obligation until September 30, 1992: *Provided further*, That funds made available under this heading shall not be used to conduct the SHARP survey of adult sexual behavior and the American Teenage Survey of adolescent sexual behavior.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $271,002,000: *Provided*, That of the funds made available under this heading, $12,504,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311, and title IV of the Public Health Service Act with respect to environmental health sciences, $253,902,000: *Provided*, That of the funds made available under this heading, $8,846,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $387,014,000: *Provided*, That of the funds made available under this heading, $31,308,000 shall not become available for obligation until September 30, 1992: *Provided further*, That the Director of the National Institutes of Health, within thirty days of enactment of this Act, may transfer such portion of $15,000,000 which becomes available on September 30, 1992 as she deems appropriate to other Institutes for research directly related to Alzheimer's disease.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, and musculoskeletal and skin diseases, $204,502,000: *Provided*, That of the funds made available under this heading, $7,593,000 shall not become available for obligation until September 30, 1992.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $149,830,000: *Provided*, That of the funds made available under this heading, $7,486,000 shall not become available for obligation until September 30, 1992.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $315,220,000: *Provided*, That of the funds made available under this heading, $15,000,000 shall not become available for obligation until September 30, 1992.

NATIONAL CENTER FOR NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $45,196,000: *Provided*, That of the funds made available under this heading, $2,646,000 shall not become available for obligation until September 30, 1992.

NATIONAL CENTER FOR HUMAN GENOME RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $105,261,000: *Provided*, That of the funds made available under this heading, $10,000,000 shall not become available for obligation until September 30, 1992.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $19,922,000: *Provided*, That of the funds made available under this heading, $800,000 shall not become available for obligation until September 30, 1992.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $100,303,000: *Provided*, That of the funds made available under this heading, $3,500,000 shall not become available for obligation until September 30, 1992.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $143,313,000, of which $25,000,000 shall be for the support of the women's health study and shall remain available until September 30, 1993: *Provided*, That of the funds made available under this heading, $12,500,000 shall not become available for obligation until September 30, 1992: *Provided further*, That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only: *Provided further*, That $7,500,000 of this amount shall be available for extramural facilities construction grants if awarded competitively: *Provided further*, That the Director may direct up to 1 percent of the total amount made available in this Act to all National Institutes of Health appropriations to emergency activities the Director may so designate: *Provided further*, That no such appropriation shall be increased or decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer.

BUILDINGS AND FACILITIES

For construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $103,840,000 to remain available until expended.

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health, drug abuse, alcohol abuse, and alcoholism, section 3521 of Public Law 100-690, section 612 of Public Law 100-77, and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, $3,081,119,000: *Provided*, That of the funds made available under this heading, $164,100,000 shall not become available until September 30, 1992, of which $5,000,000 for renovation of government owned or leased intramural research facilities shall remain available until expended.

ASSISTANT SECRETARY FOR HEALTH

OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

For the expenses necessary for the Office of the Assistant Secretary for Health and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, $66,035,000, and, in addition, amounts received by the Public Health Service from Freedom of Information Act fees, reimbursable and interagency agreements and the sale of data tapes shall be credited to this appropriation and shall remain available until expended.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

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

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $101,870,000 together with not to exceed $4,880,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 1142 of the Social Security Act and not to exceed $1,012,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; and, in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $13,444,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $46,399,149,000, to remain available until expended.

For making, after May 31, 1992, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1992 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1993, $17,100,000,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $39,421,485,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social

Security Act, title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, section 4360 of Public Law 101-508, and section 4005(e) of Public Law 100-203, not to exceed $2,274,055,000 to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided*, That $257,000,000 of said trust funds shall be expended only to the extent necessary to meet unanticipated costs of agencies or organizations with which agreements have been made to participate in the administration of title XVIII and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That the use of the term "unanticipated costs" in the foregoing proviso refers only to costs associated with unanticipated workloads: *Provided further*, That the Secretary shall make a recommendation upon enactment of this Act and thereafter prior to the first day of each following quarter of the fiscal year, about the extent to which contingency funds may be necessary to be expended: *Provided further*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation: *Provided further*, That all funds collected in accordance with section 353 of the Public Health Service Act are to be credited to this appropriation to remain available until expended.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, and section 274A(d)(3)(E) of the Immigration and Nationality Act, $40,968,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, including the payment of travel expenses on an actual cost or commuted basis, to an individual, for travel incident to medical examinations, and when travel of more than 75 miles is required, to parties, their representatives, and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, $617,336,000, to remain available until expended: *Provided*, That monthly benefit payments shall be paid consistent with section 215(g) of the Social Security Act.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1993, $198,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out the Supplemental Security Income Program, title XI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $13,929,491,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further*, That for fiscal year 1992 and thereafter, all collections from repayments of overpayments shall be deposited in the general fund of the Treasury.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out the Supplemental Security Income Program for the first quarter of fiscal year 1993, $5,240,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, not more than $4,582,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That travel expense payments under section 1631(h) of such Act for travel to hearings may be made only when travel of more than seventy-five miles is required: *Provided further*, That $100,000,000 of the foregoing amount shall be apportioned for use only to the extent necessary to process workloads not anticipated in the budget estimates, for automation projects and their impact on the work force, and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of titles XVI and XVIII and section 221 of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That of the total amount provided, $80,000,000 shall not become available for obligation until September 19, 1992.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), $11,901,046,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1993, $4,000,000,000, to remain available until expended.

PAYMENTS TO STATES FOR AFDC WORK PROGRAMS

For carrying out aid to families with dependent children work programs, as authorized by part F of title IV of the Social Security Act, $1,000,000,000.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,500,000,000, of which $80,000,000 is hereby designated by Congress to be an emergency requirement pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, and of which $405,607,000 shall become available for making payments on September 30, 1992.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional $300,000,000: *Provided*, That all funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), $410,630,000: *Provided*, That of the funds made available under this heading for State cash and medical assistance, $116,616,000 shall not become available for obligation until September 30, 1992: *Provided further*, That when sufficient funds have been made available to reimburse all allowable fiscal year 1991 claims for refugee cash assistance, refugee medical assistance, unaccompanied minors, and State and local administrative costs, fiscal year 1991 funds appropriated for cash and medical assistance may be used to supplement insufficient fiscal year 1990 grants to States for the programs of refugee cash assistance and refugee medical assistance.

INTERIM ASSISTANCE TO STATES FOR LEGALIZATION

Section 204(a)(1)(C) of the Immigration Reform and Control Act of 1986 is amended by striking "1992" and inserting in its place "1993".

Section 204(b) of the Immigration Reform and Control Act of 1986 is amended by adding the following paragraph:

"(5) For fiscal year 1993, the Secretary shall make allotments to States under paragraph (1) no later than October 15, 1992.".

COMMUNITY SERVICES BLOCK GRANT

For making payments under the Community Services Block Grant Act and the Stewart B. McKinney Homeless Assistance Act, $437,418,000, of which $41,368,000 shall be for carrying out section 681(a) of the Community Services Block Grant Act, $4,050,000 shall be for carrying out section 408 of Public Law 99-425, and of which $7,000,000 shall be for carrying out section 681A of said Act with respect to the community food and nutrition program: *Provided*, That $29,124,000 made available under this heading shall not become available for obligation until September 30, 1992.

PAYMENTS TO STATES FOR CHILD CARE ASSISTANCE

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981, $825,000,000, which shall not become available for obligation until September 19, 1992. For carrying out section 402(g)(6) of the Social Security Act, no funds are provided for fiscal year 1992.

PROGRAM ADMINISTRATION

For necessary administrative expenses to carry out titles I, IV, X, XI, XIV, and XVI of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, section 204 of the Immigration Reform and Control Act of 1986,

title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, Public Law 100-77, and section 126 and titles IV and V of Public Law 100-485, $92,500,000, together with such sums as may be collected, which shall be credited to this account as offsetting collections, from fees authorized under section 453 of the Social Security Act: *Provided*, That of the funds appropriated in Public Law 101-166 for the Commission on Interstate Child Support, $400,000 shall remain available through September 30, 1992.

SOCIAL SERVICES BLOCK GRANT

For monthly payments to States for carrying out the Social Services Block Grant Act, $2,800,000,000.

HUMAN DEVELOPMENT SERVICES

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Older Americans Act of 1965, the Developmental Disabilities Assistance and Bill of Rights Act, the State Dependent Care Development Grants Act, the Head Start Act, the Child Development Associate Scholarship Assistance Act of 1985, the Child Abuse Prevention and Treatment Act, chapters 1 and 2 of subtitle B of title III of the Anti-Drug Abuse Act of 1988, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Comprehensive Child Development Act, the Abandoned Infants Assistance Act of 1988, section 10404 of Public Law 101-239 (volunteer senior aides demonstration) and part B of title IV and section 1110 of the Social Security Act, $3,537,562,000, of which up to $6,225,000 shall remain available until expended for information resources management: *Provided*, That of the funds made available under this heading for carrying out the Older Americans Act of 1965, $25,000,000 shall not become available for obligation until September 30, 1992: *Provided further*, That of the amounts provided under this heading $2,000,000 shall be for the White House Conference on Aging, which shall only become available for obligation upon enactment into law of authorizing legislation and shall remain available until expended.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For carrying out part E of title IV of the Social Security Act, $2,614,005,000, of which $118,476,000 shall be for payment of prior years' claims.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, $91,673,000, together with $31,001,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $60,794,000, together with not to exceed $37,833,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein: *Provided*, That funds appropriated for the Office of the Inspector General are further reduced by an additional $2,603,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $18,524,000, together with not to exceed $4,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $5,037,000.

GENERAL PROVISIONS

SEC. 201. None of the funds made available by this Act for the National Institutes of Health, except for those appropriated to the "Office of the Director", may be used to provide forward funding or multiyear funding of research project grants except in those cases where the Director of the National Institutes of Health has determined that such funding is specifically required because of the scientific requirements of a particular research project grant.

SEC. 202. Appropriations in this or any other Act shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed 2,400 commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; expenses for medical care for civilian and commissioned employees of the Public Health Service and their dependents assigned abroad on a permanent basis in accordance with such regulations as the Secretary may provide; rental or lease of living quarters (for periods not exceeding five years), and provision of heat, fuel, and light and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376.

SEC. 203. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 204. Funds advanced to the National Institutes of Health Management Fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 327A of the Public Health Service Act.

SEC. 205. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 206. Amounts received from employees of the Department in payment for room and board may be credited to the appropriation accounts which finance the activities of the Public Health Service.

SEC. 207. None of the funds made available by this Act shall be used to provide special retention pay (bonuses) under paragraph (4) of 37 U.S.C. 302(a) to any regular or reserve medical officer of the Public Health Service for any period during which the officer is assigned to the clinical, research, or staff associate program administered by the National Institutes of Health or the Alcohol, Drug Abuse, and Mental Health Administration.

SEC. 208. Funds provided in this Act may be used for one-year contracts which are to be performed in two fiscal years, so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

SEC. 209. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 210. For the purpose of insuring proper management of federally supported computer systems and data bases, funds appropriated by this Act are available for the purchase of dedicated telephone service between the private residences of employees assigned to computer centers funded under this Act, and the computer centers to which such employees are assigned.

SEC. 211. None of the funds appropriated by this title shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or subject of such program, project, or course, without the written, informed consent of each participant or subject, or a participant's parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section.

SEC. 212. None of the funds appropriated in this title for the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of $125,000 per year.

SEC. 213. No funds appropriated under this Act shall be used by the National Institutes of Health, or any other Federal agency, or recipient of Federal funds on any project that entails the capture or procurement of chimpanzees obtained from the wild. For purposes of this section, the term "recipient of Federal funds" includes private citizens, corporations, or other research institutions located outside of the United States that are recipients of Federal funds.

SEC. 214. Travel expenses of the Department of Health and Human Services are

hereby reduced by $9,492,000: *Provided*, That the reduction for travel costs shall be from the amounts set forth therefor in the budget estimates submitted for the appropriations.

SEC. 215. During the twelve-month period beginning October 1, 1991, none of the funds made available under this Act may be used to impose any reductions in payment, or to seek repayment from or to withhold any payment to any State under part B or part E of title IV of the Social Security Act, by reason of a determination made in connection with any review of State compliance with the foster care protections of section 427 of such Act for any Federal fiscal year preceding fiscal year 1992.

SEC. 216. Section 499A(c)(1)(C) of the Public Health Service Act (42 U.S.C. 289i(c)(1)(C)) is amended—

(1) by striking out "9" in the matter preceding clause (i) and inserting in lieu thereof "11"; and

(2) by striking out "3" in clause (iii) and inserting in lieu thereof "5".

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1992".

TITLE III—DEPARTMENT OF EDUCATION

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For carrying out the activities authorized by chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended, and by section 418A of the Higher Education Act, $6,707,014,000, of which $152,000,000 shall become available on September 30, 1992 and shall remain available through September 30, 1993 and $6,524,351,000 shall become available on July 1, 1992 and shall remain available through September 30, 1993: *Provided*, That $5,525,000,000 shall be available for basic grants under section 1005, $610,000,000 shall be available for concentration grants under section 1006, $70,000,000 shall be available for the Even Start program under part B, of which not to exceed 2 percent shall be available for a national evaluation and not to exceed 5 percent shall be available for State administration, $308,298,000 shall be available for migrant education activities under subpart 1 of part D, $36,054,000 shall be available for delinquent and neglected education activities under subpart 3 of part D, $61,820,000 shall be for State administration under section 1404, and $25,125,000 shall be for program improvement activities under section 1405: *Provided further*, That no State shall receive less than $340,000 from the amounts made available under this appropriation for concentration grants under section 1006: *Provided further*, That no State shall receive less than $375,000 from the amounts made available under this appropriation for State administration grants under section 1404.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools as authorized by Public Laws 81-815 and 81-874, as amended, $771,708,000, of which $588,540,000 shall be for payments under section 3(a), $136,626,000 shall be for payments under section 3(b), $16,590,000 shall be for Federal property payments under section 2, $1,952,000, to remain available until expended, shall be for payments for decreases in Federal activities under section 3(e), $2,000,000 for section 10, which shall become available on September 30, 1992 and remain available until expended, and $26,000,000, to remain available until expended, shall be for construction and renovation of school facilities including $10,000,000 for awards under section 10, $10,000,000 for awards under sections 14(a) and 14(b), and $6,000,000 for awards under sections 5 and 14(c): *Provided*, That none of the funds available for section 3 shall be used for payments under section 5(b)(2): *Provided further*, That funds available for section 2 may be used for payments under section 5(b)(2) of 50 percent of a local educational agency's payment for the prior fiscal year based on its entitlement established under section 2: *Provided further*, That all payments under section 3 shall be based on the number of children who, during the prior fiscal year, were in average daily attendance at the schools of a local educational agency and for whom such agency provided free public education: *Provided further*, That notwithstanding the provisions of section 3(d)(3)(A), aggregate current expenditure and average daily attendance data for the third preceding fiscal year shall be used to compute local contribution rates: *Provided further*, That notwithstanding the provisions of sections 3(d)(2)(B), 3(d)(3)(B)(ii), and 3(h)(2), eligibility and entitlement determinations for those sections shall be computed on the basis of data from the fiscal year preceding each fiscal year described in those respective sections for fiscal year 1991: *Provided further*, That none of the previous provisos related to revisions in the use of prior year data in determining payment amounts provided for under this account or related to preliminary payments shall be effective for fiscal year 1992 and preliminary payments shall be authorized on the same basis as provided for prior to the enactment of Public Law 102-103.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out the activities authorized by chapter 2 of title I and titles II, III, IV, V, without regard to sections 5112(a) and 5112(c)(2)(A), and VI of the Elementary and Secondary Education Act of 1965, as amended; the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; title V of the Higher Education Act, as amended; title IV of Public Law 100-297; title II of Public Law 102-62; and the Follow Through Act, $1,578,195,000, of which $1,236,963,000 shall become available on July 1, 1992, and remain available through September 30, 1993: *Provided*, That of the amount appropriated, $24,600,000 shall be for national programs under part B of chapter 2 of title I, $3,800,000 shall be for civic education programs under section 4609, $30,304,000 shall be for emergency grants under section 5136, up to $2,000,000 shall be available for the national evaluation of the dropout prevention demonstration program under title VI, and $240,000,000 shall be for State grants for mathematics and science education under part A of title II of the Elementary and Secondary Education Act of 1965, as amended.

EDUCATIONAL EXCELLENCE

(INCLUDING TRANSFER OF FUNDS)

For carrying out educational improvement activities authorized in law, including activities under the Head Start Act, sections 329 and 330 of the Public Health Service Act (Migrant and Community Health Centers), and section 670T of the Comprehensive Child Development Act, $425,000,000 which shall become available on July 1, 1992, and remain available through September 30, 1993: *Provided*, That the allocation of these funds, which may be transferred as necessary to other Department of Education accounts, shall be determined by the Secretary of Education in consultation with the Congress based on authorizing legislation enacted into law as of December 31, 1991: *Provided further*, That none of these funds shall be allocated to initiate programs proposed by the President in his budget amendments of June 7, 1991 unless these activities shall be specifically authorized during 1991: *Provided further*, That not less than $250,000,000 of these funds shall be transferred to the Head Start program, not less than $55,000,000 of these funds shall be transferred to the Community and Migrant Health Centers programs, not less than $20,000,000 shall be transferred to the Comprehensive Child Development Centers and $100,000,000 shall be for new America 2000 educational excellence activities, if enacted into law: *Provided further*, That the December 31, 1991 deadline for enacting new authorizations for the America 2000 initiatives may be delayed by the Secretary until April 1, 1992 if he determines that sufficient progress is being made towards final approval of such legislation except that this delay shall not apply to programs administered by the Department of Health and Human Services.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, title VII and part D of title IV of the Elementary and Secondary Education Act, $225,407,000, of which $36,000,000 shall be for training activities under part C of title VII.

SPECIAL EDUCATION

For carrying out the Individuals With Disabilities Education Act and title I, chapter 1, part D, subpart 2 of the Elementary and Secondary Education Act of 1965, $2,854,895,000, of which $1,976,095,000 for section 611, $320,000,000 for section 619, $175,000,000 for section 685 and $143,000,000 for title I, chapter 1, part D, subpart 2 shall become available for obligation on July 1, 1992, and shall remain available through September 30, 1993.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, Public Law 100-407, and the Helen Keller National Center Act, as amended, $2,077,158,000, of which $31,103,000 shall be for special demonstration programs under sections 311 (a), (b), and (c), including $6,000,000, to remain available until expended, for a grant to a hearing research center to support applied and basic research activities, which shall be awarded competitively, and $6,000,000 for grants to establish regional comprehensive head injury prevention and rehabilitation centers, which shall be awarded competitively: *Provided*, That, until October 1, 1992, the funds appropriated to carry out section 711 of the Rehabilitation Act of 1973 (29 U.S.C. 796e) shall be used to support entities currently receiving grants under the section.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $5,900,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles II and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $39,439,000, of which $342,000 shall be for the endowment program as authorized under section 408 and shall be available until expended.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $76,540,000, of which $1,000,000

shall be for the endowment program as authorized under section 407 and shall be available until expended, and $2,500,000 shall be for construction and shall be available until expended.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the Stewart B. McKinney Homeless Assistance Act, $1,429,760,000 of which $3,000,000, to remain available until expended, shall be for the national assessment of vocational education, $2,500,000 shall become available on October 1, 1991, for tribally controlled postsecondary vocational institutions under title III, part H, and $60,000,000 shall become available on September 30, 1992 and remain available through September 30, 1993 and the remainder shall become available for obligation on July 1, 1992 and shall remain available through September 30, 1993: *Provided*, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, $29,000,000 shall be for national programs under title IV, including $12,000,000 for research, of which $6,000,000 shall be for the National Center for Research on Vocational Education and $2,000,000 shall be for technical assistance under section 404(d); $14,000,000 for demonstrations and $5,000,000 for data collection: *Provided further*, That of the amounts made available under the Adult Education Act, $1,000,000 shall be available only for demonstration programs under section 372(d), $4,000,000 shall be for national programs under section 383, $5,000,000 shall be for literacy clearinghouse activities under section 384, $5,000,000 shall be for State Literacy Resource Centers under the National Literacy Act of 1991, and $5,000,000 shall be for prison literacy activities as authorized under section 601 of the National Literacy Act of 1991, as amended by Public Law 102-103.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 2, and 3 of part A and parts C, D, and E of title IV of the Higher Education Act, as amended, $62,000,000, which shall become available on September 30, 1992 and remain available through September 30, 1993, together with $6,822,880,000, which shall remain available through September 30, 1993, and of which $100,000,000 shall only be available if such funds are necessary to pay a maximum grant of $2,400 during the 1992-1993 program year, which shall be the maximum Pell grant that a student may receive: *Provided*, That notwithstanding section 479A of the Higher Education Act of 1965, as amended, student financial aid administrators shall be authorized, on the basis of adequate documentation, to make necessary adjustments to the cost of attendance and the expected student or parent contribution (or both) and to use supplementary information about the financial status or personal circumstances of eligible applicants only for purposes of selecting recipients and determining the amount of awards under subpart 2 of part A, and parts B, C, and E of title IV of the Act: *Provided further*, That notwithstanding section 411F(1) of the Higher Education Act of 1965, as amended, the term "annual adjusted family income" shall, under special circumstances prescribed by the Secretary, mean the sum received in the first calendar year of the award year from the sources described in that section: *Provided further*, That notwithstanding section 411(b)(6) of the Higher Education Act of 1965, no Pell grant for award year 1992-1993 shall be awarded to any student who is attending an institution of higher education on a less than half-time basis.

GUARANTEED STUDENT LOANS

(LIQUIDATION OF CONTRACT AUTHORITY)

For payment of obligations incurred under contract authority entered into pursuant to title IV, part B, of the Higher Education Act, as amended, $3,105,711,000.

GUARANTEED STUDENT LOANS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, including administrative costs other than Federal administrative costs, as authorized by title IV, part B, of the Higher Education Act, as amended, such sums as may be necessary to carry out the purposes of the program: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended. In addition, for administrative expenses to carry out the guaranteed loan program, $45,000,000. In addition to amounts appropriated in this Act for liquidation of contract authority in the "Guaranteed Student Loans (Liquidation)" account, there is also provided for payment of obligations incurred under contract authority entered into pursuant to title IV, part B, of the Higher Education Act, as amended, $1,114,748,000 which shall be transferred to the Guaranteed Student Loans (Liquidation) account.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV, V, VI, VII, VIII, IX, X, XI-B, and XII of the Higher Education Act of 1965, as amended, the Mutual Educational and Cultural Exchange Act of 1961, the Excellence in Mathematics, Science and Engineering Education Act of 1990, and title XIII, part H, subpart 1 of the Education Amendments of 1980, and section 140(a) of Public Law 100-202, $827,523,000 of which $24,000,000 shall become available on September 30, 1992 and of which $7,500,000 for endowment activities under section 332 of part C of title III of the Higher Education Act, $2,000,000 for section 140(a) of Public Law 100-202, and $19,412,000 for interest subsidies under part D of title VII of the Higher Education Act shall remain available until expended and $300,000 shall be for section 775, part G, title VII: *Provided*, That $9,642,000 provided herein for carrying out subpart 6 of part A of title IV shall be available notwithstanding sections 419G(b) and 419I(a) of the Higher Education Act of 1965 (20 U.S.C. 1070d-37(b) and 1070d-39(a)): *Provided further*, That $1,450,000 of the amount provided herein for subpart 4 of part A of title IV of the Higher Education Act shall be for an evaluation of Special Programs for the Disadvantaged to examine the effectiveness of current programs and to identify program improvements: *Provided further*, That funds appropriated for Special Programs for Students from Disadvantaged Backgrounds may be allocated notwithstanding section 417D(d)(6)(B) (20 U.S.C. 1070d) to the Ronald E. McNair Post-Baccalaureate Achievement Program.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $212,360,000, of which $2,928,000, to remain available until expended, shall be for a matching endowment grant to be administered in accordance with the Howard University Endowment Act (Public Law 98-480), and $23,000,000, to remain available until expended, shall be for emergency construction needs.

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year. For the fiscal year 1992, no new commitments for loans may be made from the fund established pursuant to title VII, section 733 of the Higher Education Act, as amended (20 U.S.C. 1132d-2).

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

(LIQUIDATING)

Pursuant to title VII, part F of the Higher Education Act, as amended, for necessary expenses of the college housing and academic facilities loans program, the Secretary shall make expenditures, contracts, and commitments without regard to fiscal year limitation.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For the costs of direct loans, as authorized by title VII, part F, of the Higher Education Act, as amended, $7,539,000: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 and that these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed $30,000,000: *Provided further*, That obligated balances of these appropriations will remain available until expended, notwithstanding the provisions of 31 U.S.C. 1552(a), as amended by Public Law 101-510. In addition, for administrative expenses to carry out the direct loan program, $566,000.

COLLEGE HOUSING LOANS

Pursuant to title VII, part F of the Higher Education Act, as amended, for necessary expenses of the college housing loans program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs for inspections and site visits, shall be available for the operating expenses of this account.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out the activities authorized by section 405 and section 406 of the General Education Provisions Act, as amended; section 1562, section 2012, section 2016, and title IV of the Elementary and Secondary Education Act of 1965, as amended; part B of title III of Public Law 100-297; title V of the Higher Education Act, as amended; title IX of the Education for Economic Security Act; and section 6041 of Public Law 100-418, $258,684,000, of which $25,300,000 shall be for research centers; $35,049,000 shall be for regional laboratories including $10,000,000 for rural initiatives; $7,175,000 shall be for the Educational Resources Information Center; $976,000 shall be for field-initiated studies; $47,313,000 shall be for education statistics; $29,900,000 shall be for national assessment activities; $24,000,000 shall be for activities under the Fund for Innovation in Education, including $6,000,000 for a high technology demonstration grant, including equipment,

which shall be awarded competitively; $5,495,000 shall be for Grants for Schools and Teachers under subpart 1, and $3,755,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100-297; $14,700,000 shall be for national diffusion activities under section 1562; $16,000,000 shall be for national programs under section 2012, including $3,500,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); $12,000,000 shall be for regional consortia under section 2016; $9,732,000 shall be for Javits gifted and talented students education; $18,417,000 shall be for star schools, of which $1,000,000 shall become available for obligation on September 30, 1992, and of which $4,000,000 shall be to establish a demonstration of a statewide, two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions, and housing a point of presence in every county, which shall be awarded competitively; $4,233,000 shall be for educational partnerships; $1,769,000 shall be for territorial teacher training; and $370,000, which shall remain available until September 30, 1993, shall be for Leadership in Educational Administration.

In addition to these amounts $4,880,000 shall be available for teaching standards activities under the same terms, conditions and limitations applicable to funding made available for this purpose in fiscal year 1991.

LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, III, IV, V, and VI of the Library Services and Construction Act (20 U.S.C. ch. 16), and titles II and VI of the Higher Education Act, $147,747,000 of which $2,500,000 shall be for a biotechnology information education demonstration project under the Higher Education Act, title II, part D, $16,718,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and $5,000,000 shall be for section 222 and $325,000 shall be for section 223 of the Higher Education Act.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $299,000,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $55,000,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $26,932,000.

GENERAL PROVISIONS

SEC. 301. Funds appropriated in this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, and Gallaudet University shall be subject to financial and program audit by the Secretary of Education and the Secretary may withhold all or any portion of these appropriations if he determines that an institution has not cooperated fully in the conduct of such audits.

SEC. 302. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 303. (a) No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

(b) No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 304. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 305. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 306. Subsection (e) of section 1321 of the Higher Education Act of 1965 (20 U.S.C. 1221-1(e)) is amended by inserting at the end thereof the following new paragraph:

"(7) GIFTS AND DONATIONS.—The Commission may accept, use, and dispose of money, gifts or donations of services or property.".

This title may be cited as the "Department of Education Appropriations Act, 1992".

TITLE IV—RELATED AGENCIES

ACTION

OPERATING EXPENSES

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $198,592,000: *Provided*, That $32,688,000 shall be available for title I, section 102, and $1,225,000 shall be available for title I, part C.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1994, $275,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles, and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), $28,118,000.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $4,357,000.

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME

For expenses necessary for the National Commission on Acquired Immune Deficiency Syndrome as authorized by subtitle D of title II of Public Law 100-607, $1,750,000.

NATIONAL COMMISSION ON CHILDREN

SALARIES AND EXPENSES

For necessary expenses of the National Commission on Children, as established by section 9136 of the Omnibus Reconciliation Act of 1987, Public Law 100-203, $950,000 to remain available through December 31, 1992.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-845), $831,000.

NATIONAL COMMISSION TO PREVENT INFANT MORTALITY

For necessary expenses of the National Commission to Prevent Infant Mortality, established by section 203 of the National Commission to Prevent Infant Mortality Act of 1986, Public Law 99-660, $440,000, which shall remain available until expended.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $1,569,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, $162,000,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the mainte-

nance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $6,775,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For the expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $6,497,000.

PHYSICIAN PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, $4,398,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, $4,030,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $319,100,000 which shall include amounts becoming available in fiscal year 1992 pursuant to section 224(c)(1)(B) of Public Law 98–76: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $400,000, to remain available through September 30, 1993, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, $3,264,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, $72,287,000 to be derived from the railroad retirement accounts: *Provided*, That $200,000 of the foregoing amount shall be available only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the existing limitation has been achieved: *Provided further*, That notwithstanding any other provision of law, no portion of this limitation shall be available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 231–231u).

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than $17,263,000 shall be apportioned for fiscal year 1992 from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $6,395,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Armed Forces Retirement Home Trust Fund, $41,352,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction and renovation of the physical plant, to be paid from the Armed Forces Retirement Home Trust Fund, $4,220,000, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $11,000,000.

UNITED STATES NAVAL HOME

OPERATION AND MAINTENANCE

For operation and maintenance of the United States Naval Home, to be paid from funds available to the Naval Home in the Armed Forces Retirement Home Trust Fund, $10,055,000, to remain available until September 30, 1993.

CAPITAL PROGRAM

For construction and renovation of the physical plant to be paid from funds available to the Naval Home in the Armed Forces Retirement Home Trust Fund, $1,253,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

SEC. 501. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 502. No part of any appropriation contained in this Act shall be expended by an executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract in full compliance with such Act and regulations promulgated thereunder.

SEC. 503. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376.

SEC. 504. Appropriations contained in this Act, available for salaries and expenses, shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 505. Appropriations contained in this Act, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

SEC. 506. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curricula, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 507. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 508. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 509. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 510. The Secretaries of Labor and Education are each authorized to make available not to exceed $7,500 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman

of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 511. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

SEC. 512. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 513. (a) Notwithstanding any other provision of this Act, funds appropriated for salaries and expenses of the Department of Labor are hereby reduced by $31,991,000; salaries and expenses of the Department of Education are hereby reduced by $10,660,000; and salaries and expenses of the Department of Health and Human Services are hereby reduced by $142,349,000, including $8,000,000 of funds appropriated in this Act for travel costs of the Public Health Service: *Provided*, That the reduction for travel costs shall be from the amounts set forth therefor in the budget estimates submitted for the appropriations.

(b) Notwithstanding any other provision of this Act, there are hereby appropriated an additional $214,000 for "Salaries and expenses, Occupational Safety and Health Review Commission" and an additional $786,000 for "Salaries and expenses, Federal Mine Safety and Health Review Commission".

(c) Notwithstanding any other provision of this Act, appropriations in this Act for carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 shall not become available for obligation until September 30, 1992.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1992".

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, November 21, 1991, the gentleman from Kentucky [Mr. NATCHER] will be recognized for 1 hour, and the gentleman from Michigan [Mr. PURSELL] will be recognized for 1 hour.

The Chair recognizes the gentleman from Kentucky [Mr. NATCHER].

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of the bill, H.R. 3839, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

□ 1220

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

Mr. Speaker, it is always an honor to follow the distinguished gentleman from Kentucky [Mr. NATCHER], who has been my mentor, teacher, and leader for many years.

It is almost 2 months now since October 1, the deadline for all 13 appropriations bills to be on the President's desk. I am disappointed that this bill was not completed months ago.

Mr. Speaker, this bill is a good bill. I want to thank the staff again. This is the third time we have been on the floor this year. I am just sorry that the bill did not pass last time and was not signed by the President. But today is a new day, and this is an opportunity to present a good bill, a clean bill that has so many excellent programs for all of us to support. I am sure the majority of Members of our party will support this bill. It is filled with good programs to assist the poor and the elderly, the sick and the unemployed, and programs to educate our children. These programs are expensive, but they are an investment in our future.

I would like to present some of the highlights of the bill that we did not have an opportunity to address the last time we were on the floor. In the Health and Human Services category, probably the crown jewel in the Labor-HHS appropriations bill is the National Institutes of Health. There are curently 13 institutes, and we are going to create the 14th. Senator KENNEDY called me a couple of weeks ago and told me that the Senate is going to adopt the Pursell amendment that will create the National Institute for Nursing. We look forward to this outstanding new Institute that will continue the work of the National Center for Nursing Research.

Within the Center for Disease Control in Atlanta will receive $1.5 billion, an increase of $193 million. It is actually a 15-percent increase over the last year. Why do we do this? Because of the tremendous need and the shortage of Federal dollars over the previous years for critical areas such as preventive health.

There is $298 million for immunization of our young children to prevent disease and to save lives. That is one of the important aspects of this entire appropriation bill, to save lives. Twenty-three million dollars is designated for lead poisoning prevention, a new initiative that I thank the committee for approving.

There is $50 million new for breast and cervical cancer screening, and we want to thank many women Members of Congress who supported this effort. The women's health initiative will be funded at $100 million, including $25 million for a new women's health study; $10 million for National Institutes of Health women's health grants; $30 million for the National Institutes of Health breast cancer research.

Thanks to LOUIE STOKES and other members of the committee there are some exciting new programs to address minority health concerns.

The subcommittee responded to a request from Secretary Alexander and President Bush and appropriated $100 million for the President's America 2000 Program to help with local efforts to attain our national education goals, if authorized by April 1, 1992. I want to thank the committee for that effort. The bill provides $2.3 billion for Head Start. I think this has been a joint effort on both sides of the aisle, a bipartisan effort, to insure that all children start school ready to learn.

There is $70 million for Even Start, a salute to the gentleman from Pennsylvania [Mr. GOODLING] and his able leadership over the years. It also provides in this bill $623 million for drug-free schools and communities so that every school can offer a disciplined environment that is conducive to learning, without drugs. It also includes $6.9 billion for student financial aid, an increase of $171 million.

If we look at the various student aid programs, work study, GSL, Pell grants, and all of our combined student aid programs, we see that over 6 million students in America will benefit and have the needed assistance to attend college.

So in closing, I would have preferred the Labor-HHS-Education bill that was vetoed by the President. However, I strongly support this bill.

Mr. Speaker, I look forward to a lively and informed debate on the labor, health and education needs of this Nation. America needs this bill and I recommend very highly that we support it.

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

Mr. NATCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN], the chairman of the Appropriations Committee.

□ 1230

Mr. WHITTEN. Mr. Speaker, I rise in support of this bill. I am very proud indeed of the work of my colleagues on the Labor-HHS Appropriations Subcommittee. Our chairman, the gentleman from Kentucky [Mr. NATCHER], the ranking minority member, the gentleman from Michigan [Mr. PURSELL], and other members of the subcommittee have done a very good job indeed on a difficult bill.

This bill affects all Americans. It looks after the poor, the sick, the elderly, the unemployed, our children, and the national interest, and our committee stays within the budget ceiling.

When we are looking around the world for places to spend our money, it is absolutely essential that we start at home and take care of our own people, on whom all else depends. We have got to give our country that attention, because of our country is all that is be-

hind our money. An educated, healthy population with adequate housing, food, and nutrition from a strong agricultural base, provides the foundation for our national strength and future.

Mr. Speaker, this bill includes funds for all phases of education, both higher and secondary, including universities, colleges and community colleges, vocational education, disadvantaged education, adult education, and historically black colleges, including Mississippi Valley State University at Itta Bena, MS.

I congratulate the gentleman from Kentucky and all my fellow members on this subcommittee for producing an excellent bill which looks after our own country.

OUR SITUATION IS SERIOUS

Let me say for the record, I truly believe we face a situation in our Nation's history more serious than any other unless it be the Revolutionary War and the great, or rather the terrible Depression of the late 1920's and 1930's, where our financial system broke down completely.

Our Nation owes a greater debt than any nation in the history of the world—$4 trillion—but not, may I say, because of our committee. For our Committee on Appropriations, since 1945, has held the total of appropriations bills $180.8 billion below the recommendation of our Presidents. It is entitlements and binding contracts, which bypass our committee's discretion, which has done us in.

WE MAY ASK, HOW DID WE GET INTO THIS FIX?

Enactment of the 1981 Tax Act has cost us over $2.4 trillion in income.

We have sustained an increase of over $1.1 trillion in our trade deficit since 1980, first, because we have given away a large share of our domestic markets and thereby destroyed many of our farmers and businesses, and second, because we have failed to retain our normal share of foreign markets.

The trade deficit by year since 1981 follows:

[In billions of dollars]

1981	34.6
1982	38.4
1983	64.2
1984	122.4
1985	133.6
1986	155.1
1987	170.3
1988	137.1
1989	129.4
1990	123.4

Our financial system is in a dangerous condition. Our money is not backed by gold and silver. It is backed only by our promise to pay, and by our country itself. I have pointed out how our promises are overextended. We need to look at what we are letting happen to our country.

We must distinguish the difference between paper money and material wealth.

We are neglecting our real wealth, the country itself, many of our dams, harbors, reservoirs, and other public structures are being neglected. In my judgment, we face a real need for a jobs bill; not only to find a place for our troops upon their return, but also for the thousands and thousands who are being laid off in all types of industry all across our country.

We need to protect and restore our country, for it is the wealth and strength of our country that we must look to in the years ahead.

We need to stop charging investment spending up to the year in which it is spent and start spending it over the useful life of the asset.

We have reached the point where we must realize we live in a competitive world. We had better quit letting our own country down in order to curry favor with other nations of the world.

APPROPRIATIONS BILL STATUS

Mr. Speaker, I would also like to point out that action on this bill brings us very close to completing the regular 1992 appropriations cycle.

The total of these bills has also once again been under the amount requested by the President, and we are within all the limits. Many Members don't know that since 1945, we have held the total of all appropriations bills $180.8 billion below the total requested by the Presidents.

Of the 13 regular bills, 10 have been signed into law. The Defense conference report, which passed the House earlier this week, and this labor-HHS bill are in the final legislative stages. The remaining bill, foreign operations, which passed the House on June 19, has been held in the Senate at the request of the President until the next session and is carried until March 31 under restrictive rates in the continuing resolution.

COMMITTEE ON APPROPRIATIONS IS DOING THE JOB

Mr. Speaker, we all can take great pride in the work of the 59 Members who serve on the Committee on Appropriations. All members of our committee put in extremely long hours and give much time and thought to the difficult decisions we must make. And they do it with little fanfare.

This year, our 13 subcommittees heard more than 5,200 witnesses in 271 hearing days of testimony which totaled over 98,000 printed pages. These hearings, which began on the day that the President's budget was submitted to Congress, February 4, are not usually exciting, but they are extensive and necessary for making the tough spending choices we must make.

This was a difficult year. When we started out in February, our staff had identified over $8.7 billion in additional immediate needs for our domestic programs that could not be met under the budget caps.

Our committee had to roll up its sleeves and make some very difficult choices to meet the needs of our country as fairly and responsibly as possible. And I believe we have succeeded.

SPENDING PRIORITIES MUST CHANGE

Mr. Speaker, I have to say that I wish we could have done more to invest in our country than what the budget summit caps allowed us to do. It is through our appropriations bills that we make the public investments in roads, bridges, harbors, airports, science, education, research and development, law enforcement, housing, environmental protection, and many other important areas that will keep our country growing and prospering into the 21st century.

The figures show we have been starving our domestic discretionary appropriations throughout the 1980's in favor of consumer spending through entitlements, which though necessary, do not add to the real wealth of our country.

Mr. Speaker, I note that it is now once again in style to talk about tax cuts to spur private investment in this country. As important as that is, we must not forget that it is just as important to the economic future of this country to have an adequate public investment base. It does little good to throw all our eggs in the private investment basket if our industries do not have a good transportation network to get their goods to market, or do not have an educated and healthy work force, or safe and drug-free workplaces, or clean water and air.

It is pennywise and pound foolish to starve the domestic discretionary budget—which is our investment budget—in favor of expanding entitlement spending or paying for additional tax cuts. We must have balance.

APPROPRIATIONS BILLS ARE SETTING NATIONAL PRIORITIES

Mr. Speaker, within the tight limits imposed on us, the Committee on Appropriations has done its best to focus the more than $720 billion in our jurisdiction on programs that meet three basic goals: First, to enhance America's economic competitiveness into the 21st century; second, to improve the quality of life for all Americans; and third, to protect America's national security.

To do this, appropriations bills continued to give priority to such important areas as: Lasting capital investments, science/civilian research and development, education, environmental protection, nutrition and health, law enforcement/drug abuse prevention, veterans programs, housing, and parks/natural resources/conservation.

I am taking the time to point these areas out because our committee looks after these programs year in and year out, whether they are in the public eye or not. Each year, we seem to have different areas in our budget that some Members and some of the media want to reward with little concern for and at the expense of other domestic programs. One year it is drug abuse, an-

other it is the homeless, another it is education or child care. These are all worthy objectives that deserve support. My point is that we must be fair and we must have the resources to sustain a variety of very important programs—not just what is the hot topic in any given year.

Mr. Speaker, I am proud to serve on the Committee on Appropriations which recognizes these facts and does a yeoman's job to look after our country in these very difficult times.

At this point, I would like to submit for the RECORD a list highlighting some of the accomplishments in our 1992 appropriations bills.

HIGHLIGHTS OF ACCOMPLISHMENTS

DOMESTIC PRIORITIES

The "Budget Summit Agreement" limited annual growth in new discretionary budget authority for 1992 to 5.5 percent for domestic programs. It also foreclosed the option of paying for domestic increases with reductions in foreign aid or military spending. Under these constraints, the Committee on Appropriations has identified an immediate 1992 shortfall of at least $8.7 billion in fully justified domestic needs that cannot be met.

Funds available for domestic programs in 1992 were focused on the following priority areas:

Lasting Capital Investments

$18.65 billion (obligational authority) for Federal highway capital spending, an increase of $2.4 billion (+15%) over 1991, and an increase of $2.2 billion over the President's request. This will be the amount within which the FY 1992 authorized program levels will be set in the highway reauthorization bill.

$4.29 billion for FAA aviation capacity expansion and modernization programs, an increase of $399 million (+10%) over 1991.

$3.767 billion for mass transportation programs, an increase of $497 million over 1991 and an increase of $438 million over the President's request.

$3.172 billion for Corps of Engineers water resources development activities, an increase of $233 million over 1991 and $88 million more than the President's request.

$2.288 billion for Rural Electrification Administration electric and telephone loans, $493 million (+28%) more than 1991 and $861 million over the President's request.

$985 million for rural water and sewer loans and grants, $150 million (+18%) more than 1991, and $335 million over the President's request.

$257 million for the Economic Development Administration $80 million (+45%) more than 1991, and $237 million more than the President's request.

$3.40 billion for the Department of Housing and Urban Development's community development grants program, $200 million more than 1991, and $480 million above the President's request.

$823 million for Bureau of Reclamation water resource development and irrigation activities, a decrease of $66 million from 1991, but $18 million more than the President's request.

Science/Civilian Research and Development

$14.32 billion form the National Aeronautics and Space Administration, $452 million (+3%) more than provided in 1991, but $2.273 billion (+19%) more than the amount provided in 1990.

$2.578 billion for programs of the National Science Foundation, an increase of $261 million (+11%) over 1991. This includes $465 million for science education activities—an increase of $143 million (+44%) above 1991 and $75 million above the President's request.

$247 million for the National Institute of Standards and Technology, $31 million more than 1991.

$1.637 billion for research of the Department of Agriculture, including basic and applied research in the fields of livestock, plant sciences, entomology, soil and water conservation, nutrition, and agricultural engineering. This is an increase of $122 million (+8%) over 1991, and $108 million over the President's request.

$2.962 billion for energy supply, research and development activities of the Department of Energy, an increase of $435 million (+17%) over FY 1991, and $40 million more than the President's request.

$444 million for fossil energy research and development, an increase of $217 million above the President's request.

$536 million for energy conservation programs, an increase of $41.2 million (+8%) over 1991, and $211 million more than the President's request.

$218 million for Federal Aviation Administration aviation research, engineering and development programs, an increase of $13 million over 1991, and $8 million more than the President's request.

$1.731 billion for the fisheries development, weather service, marine and environmental research programs of the National Oceanic and Atmospheric Administration, $257 million (+17%) more than 1991.

Education

$31.965 billion for programs at the Department of Education, an increase of $4.871 billion (+18%) over 1991. This includes $22.873 billion for discretionary eduction programs which is an increase of $1.888 billion over 1991, and an increase of $1.120 billion above the amount requested by the President. The major increases over 1991 include $631 million for compensatory education activities under Chapter I; $139 million for vocational education; $239 million for education of the handicapped; and $171 million for student financial assistance. In addition to these increases for existing education programs, $100 million would be appropriated to carry out new education initiatives which may be authorized during 1991. The bill also fully funds the guaranteed student loan program which is expected to provide more than $11 billion in new loans to students in 1992.

$2.202 billion for Head Start, an increase of $250 million (+13%) over 1991, and $162 million over the President's request.

Environmental Protection

$6.669 billion for programs of the Environmental Protection Agency, an increase of $574 million (+8%) over 1991 and $457 million more than the President's request. This includes $2.40 billion for EPA construction grants/State resolving funds, an increase of $500 million above the President's request; $51.25 million for non-point source water pollution grants, $27.5 million more than the President's request; $37 million for asbestos in schools loans and grants, the President requested no funds for this program; and $50 million for the National Institute of Environmental Health Sciences for hazardous waste research and training, an increase of $29.2 million above the President's request.

$86 million for the Corps of Engineers regulatory program, an increase of $15 million (+21%) above 1991.

Nutrition and Health

$32.690 billion for domestic food and nutrition programs of the Agriculture Department such as WIC, Food Stamps, Child Nutrition, and emergency food assistance. This is an increase of $3.573 billion (+12%) over 1991.

$9.01 billion for biomedical research at the National Institutes of Health, $734 million (+9%) over 1991 and $236 million more than the President's request. Funds provided will support at least 6,000 new grants. This amount includes an increase of $276 million over 1991 for the National Cancer Institute. About $100 million of the NIH increase over 1991 is targeted to women's health issues, including breast and ovarian cancer, reproductive problems, heart disease, and osteoporosis. The President's budget made no similar request for women's health issues.

$75 million for grants to provide a wide range of pre-natal services in areas where infant mortality rates are very high. This is an increase of $50 million over the 1991 level.

$298 million for childhood immunization, an increase of $80 million (+37%) over 1991 and $40 million over the President's request.

$1.921 billion for AIDS research, education, and care, $106 million more than the amount expected to be spent on similar AIDS-related activities in 1991. Included in this total is $280 million for the Ryan White AIDS CARE programs, an increase of $59 million (+27%) over 1991.

$1.7 billion for Indian health needs, an increase of $128 million (+8%) over 1991, and $282 million above the President's request.

$760 million for the Food and Drug Administration, an increase of $69 million (+10%) over 1991, and $187 million over the President's request.

Law Enforcement/Drug Abuse Prevention

$11.67 billion for the Justice Department and the Judiciary for law enforcement and administration of justice, an increase of $1.143 billion (+11%) over 1991. This includes over $532 million in program increases for the war on drugs and crime and the administration of justice.

$1.472 billion for the U.S. Customs Service, an increase of $207 million (+14%) over 1991.

$475 million for the U.S. Secret Service, an increase of $64 million (+16%) over 1991.

$6.674 billion for the Internal Revenue Service, an increase of $566 million (+8%) over 1991.

$336 million for the Bureau of Alcohol, Tobacco and Firearms, an increase of $32 million (+9%) over 1991.

Veterans Programs

$32.616 billion for activities of the Department of Veterans Affairs, a net increase of $343 million over 1991, and $312 million more than the President's request. This includes a $1.267 billion (+10%) increase for veterans medical care, $316 million more than the President's request.

Housing

$9.82 billion (including $1.75 billion of recaptures in the elderly and handicapped programs) for the Department of Housing and Urban Development's annual contributions for assisted housing account, $295 million more than 1991 and $754 million above the President's request. In addition, $1.861 billion is provided for two new housing programs—HOME investment partnerships program ($1.5 billion) and Homeownership and opportunity for people everywhere (HOPE) grants ($361 million).

$2.477 billion for rural housing loans, an increase of $498 million (+25%) over 1991, and $571 million more than the President's request.

Parks/Natural Resource/Conservation

$1.4 billion for the National Park Service, $39 million more than 1991 and $125 million

more than the President's request. This includes $953 million for Park Operations, an increase of nearly 9% over 1991.

$748 million for the Fish and Wildlife Service, including a $38 million increase (+8%) above 1991 for operations.

$910 million for the Bureau of Land Management, including an increase of $34 million over 1991 for operations.

$2.754 billion for Soil and Water Conservation programs of the Department of Agriculture, $427 million (+18%) more than 1991.

MILITARY SPENDING PRIORITIES

The "Budget Summit Agreement" specified that up to $291.361 billion in budget authority could be appropriated for military spending programs, an increase of $1.443 billion over the 1991 limit. The agreement also foreclosed the option of paying for domestic increases with reductions in military spending programs.

The 1992 appropriations bills provide a total of $290.936 billion in new budget authority, $750 million less than the President's request, and $425 million under the "Budget Summit" spending limit. This is in keeping with the traditions of the Committee and the Congress which have made a total net reduction of $154.5 billion in Presidential defense budget requests between 1980 and 1991. Military spending appropriations for 1992 were tailored to emphasize morale, readiness, mobility, deployability, and sustainability. Priority was given to keeping the current force ready and supplied with the proper equipment. Major highlights include:

$78.27 billion for military personnel, $21 million over 1991 and $249 million more than requested by the President.

$83.36 billion for operation and maintenance, $379 million less than 1991 and $2.04 billion under the President's request.

$39.40 billion for research, development, test and evaluation, $3.43 billion over 1991 and $180 million above the President's request.

$64.26 billion for procurement, $2.91 billion less than 1991 and $894 million more than the President's request.

$3.681 billion for environmental restoration and waste management at the Department of Energy's defense production complex, an increase of $636 million (+21%) over FY 1991.

$8.563 billion for military construction activities, an increase of $201 million over 1991, but $55 million below the President's request. This includes $759 million for two separate Base Closure Accounts.

Reallocation of funds in the President's request to enhance readiness including:

Strong National Guard and Reserve Forces:	
Personnel and Operation & Maintenance	+$500,000,000
Equipment	+1,900,000,000
Depot maintenance backlog	+468,000,000
Real property maintenance	+500,000,000
Sealift	+600,000,000
Landing Craft Air Cushion (LCAC) vessels	+238,000,000
V-22 Osprey	+625,000,000
Upgrade M1 tank	+266,000,000
Ammunition	+99,000,000
Multiple Launch Rocket System (MLRS) Rockets—maintain production line	+110,000,000
Marine Corps Intelligence—night vision enhancement	+55,000,000

Note: Rescissions of previously appropriated funds totaling $1.1 billion.

Mr. PURSELL. Mr. Speaker, I yield 7 minutes to the gentleman from Illinois [Mr. PORTER], an outstanding member on my side of the aisle.

Mr. PORTER. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, I want to begin by commending my chairman, the gentleman from Kentucky [Mr. NATCHER] who has done a magnificent job with this bill. I may not always agree with the gentleman's funding priorities, but his commitment to education, his dedication to the integrity of the budgeting and appropriations process mark him, Mr. Speaker, as one of the great legislators in this Congress.

Mr. Speaker, we have wonderful staff on the committee. They do an outstanding job for Members on both sides of the aisle and I commend them for their outstanding work as well.

I also want to thank my leader, the gentleman from Michigan [Mr. PURSELL] who did an outstanding job in his first year as ranking member. His staff, Dr. Dave Recker and Kevin Kraushaar gave me and my staff tremendous help throughout the appropriations process.

Mr. Speaker, I am, obviously, disappointed that we did not override the President's veto of the original version of this bill, which included my language to delay implementation of the gag rule. I thank my chairman, the gentleman from Kentucky [Mr. NATCHER] for his forebearance. I know he does not like to add provisions to the bill that are on controversial subjects like abortion counseling. He was willing to do so in this case and was greatly behind the original bill, and the conference report, and the override attempt.

I am obviously greatly concerned that the gag rule will now be implemented, interfering as it does with basic rights of the American people to know their rights under the Constitution and interfering as it does also with the basic physician-patient relationship and the rights of a doctor to properly counsel a patient regarding their medical options.

I am also concerned that it undermines my party, my party's adherence to the principle of individual liberty which is as old as the party itself. Nevertheless, we cannot hold up this bill any longer, and it must be passed.

The bill has great implications for the future of this institution. We have appropriated $100 million for the America 2000 Program which will revitalize our failing school systems and will create a new generation of schools that will provide all Americans with the education necessary to contribute to our society and our economy.

Unfortunately, this program has not yet been authorized. We put the money in for the authorizers to come forward. There is a deadline of next April. I would urge the authorizing committee to act and bring this program forward and allow this money to be spent in revitalizing education in America.

One of the provisions of the bill that I find most troubling, however, is the delayed obligations that rose to $4 billion in this appropriations bill, more delayed obligations than in any other measure, money that is not available during the course of the fiscal year, but only on the last day when it cannot be counted or scored against the allocation. It therefore looks like money that we are committing for programs that are important to our country and that are important to the American people, but, really, the money that is not there.

I believe this process is absolutely unconscionable. I know that the President proposed some delayed obligations in his budget. We included some of them in our version of the bill, but the amount has been hugely increased in this bill, and I think it is wrong. It is a travesty on the appropriations process. It is phony money and phony budgeting designed to evade the spending caps in the budget agreement and ultimately to undermine and abrogate that budget agreement.

For example, Mr. Speaker, we have included an additional, delayed obligation $200 million increase for cancer research in the bill, money that should give hope to millions of Americans. But that $200 million is phony money. It is a promise that will not be kept next year, a promise that might never be kept, because of the outlay squeeze. This is political posturing at its worst and simply should not be tolerated.

I want to say right now, Mr. Speaker, that if we are going to do this again next year, I will not be able to support the bill.

We have to be honest with the American people. We have to set the priorities, make the hard choices that we were sent down here to do; compromise, yes, between the House and the Senate, but then live with those tough decisions.

Mr. Speaker, I also want to comment on one priority that is not addressed adequately in the bill, and that is money for impact aid. Impact aid is a program that helps those communities to educate children whose parents live on military bases, and therefore pay no property taxes to help support local schools. We have level funded this program this year. It is not adequate. It is not sufficient. There are many areas in our country where the cost of educating those children is simply being pushed on to local taxpayers without the Federal Government paying its fair share of that amount.

In my own district, we have two school districts, each of which spends about $6,000 for each child per year for education where the share of the Federal Government is less than one-third, about $1,800 in one case, about $2,100 in another.

These school districts are going bankrupt. One of them Highland

Park—Highwood, District III, is presently over $7 million in debt because impact aid is inadequate. It is petitioning to go out of existence and be absorbed by surrounding school districts. The other, North Chicago Consolidated District 187 at the Great Lakes Naval Training Center, the largest naval training center in the United States, will go bankrupt next year. They have exhausted their tax base. They are in debt as high as they could possibly go. There is no place for them to go, and the reason is that the Federal Government is not living up to its obligation to pay for the education of those children. It is not even coming close to doing so.

Maybe there are some places in the United States where the costs of educating children are so low that impact aid may be a windfall; but believe me, Mr. Speaker, in the 10th District of Illinois where we spend a lot of money to educate children and where we put education at a high priority and where costs are high, the Federal Government is falling way, way short of its obligation, and we simply must correct this in next year's bill and put this at a higher place in our funding priorities.

Mr. Speaker, this bill contains money for many, many worthy projects. I commend my chairman, the gentleman from Kentucky [Mr. NATCHER], my ranking member, the gentleman from Michigan [Mr. PURSELL], and the other members of the committee on bringing forth a bill under difficult circumstances that we can all support.

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, usually it serves no useful purpose to say "I told you so," but I think it might serve a useful purpose today to say, as I said at the time we considered this bill in the full committee, when it was on the floor of the House, while the bill was in conference and after it came out of conference, it serves no useful purpose to hold this bill up with a legislative matter. The provision to delay the gag rule attached to this bill instead of moving a permanent repealer as a separate bill was the wrong tactic and has backfired, not only against those who oppose the gag rule but also against other programs in the bill.

The Commerce Committee or any other committee which would handle the repealer of the gag rule reported and we should have acted on permanent legislation, instead of the mere delay provision which held up this bill. But instead of that, those both in and out of the Congress who were interested in the gag rule or eliminating the gag rule decided to tie a temporary one-year delay onto this bill, instead of moving a permanent solution through the legislative process.

Now, no one has benefited from that procedure, and I hope they will not try that failed approach next year again. The people who were interested in getting rid of the gag rule, and I voted that way, the ones who were interested in getting rid of the gag rule merely took the pressure off the authorizing committee and the permanent legislation has not moved the bill yet.

In addition to that, even if the delay on implementation had succeeded, at most that delay would have been effective for 10½ months of fiscal year 1992 instead of 12 if it had been successful.

In addition to that, numerous other programs in this bill, are being denied the increase in funding they will receive in 1992 for six weeks of the fiscal year. The increase between 1991 and 1992 in this bill is $18 billion.

□ 1240

And the increased level for those various health programs, education programs, training programs is being denied to each one of those programs for this last 6 weeks because this emotional issue that is a legislative matter was on this bill.

This is no way to legislate. This is no way to treat the Committee on Appropriations. It is no way to treat the subcommittee of the Committee on Appropriations. That issue should be taken up and brought to the floor by the legislative committee. It would take the same number of votes to pass separate permanent legislation that it did to hook an amendment onto this bill. And there were adequate votes.

That issue, separated by itself, would have passed by more than a 2-to-1 majority—we all know that—in both Houses.

So I am taking the floor today to say this is an important bill, it is a $203 billion bill. It involves programs affecting people all the way from conception until after they die; children's programs, feeding programs, training programs, college programs, Social Security, even burial benefits.

Mr. Speaker, this bill should not be hung up by one emotional issue of this kind. It should be handled in the regular legislative manner.

So I say today let us pass this bill now, we are right where we would have been if the gag rule amendment had not been hooked onto this bill 2 or 3 months ago, except that dozens of programs lost 6 weeks of increased funding which they needed from the beginning of the fiscal year rather than 6 weeks into the fiscal year. So let us pass this bill again.

Vote for the bill today.

Mr. PURSELL. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from North Carolina [Mr. MCMILLAN], a member of the Committee on the Budget.

Mr. MCMILLAN of North Carolina. Mr. Speaker, I rise in opposition to this version of the Labor/HHS appropriations bill for fiscal year 1992, just as I have each time it has been presented to us.

Now that the language concerning the so-called gag rule has been removed, I hope that Members of this House will focus on the budget ramifications of this bill.

I might add that the authorizing committee with respect to the gag rule, the Committee on Energy and Commerce, has taken action on that legislation, and I supported it there, doing away with the gag rule.

There is a $4.2 billion fiscal time bomb just waiting to explode in our faces next year as we try to meet the very difficult domestic discretionary spending caps for fiscal year 1993. According to the CBO, our outlay caps for domestic discretionary spending for 1992 of $212 billion and $224 billion for 1993 are probably going to be revised downward due to lower inflation numbers by at least $1 billion in January and all in all for 1993 and I quote CBO on this:

> Domestic discretionary outlays might have to be cut between $4 billion and $8 billion below the baseline in fiscal year 1993 to stay within the cap.

That is before we throw in this increase from this bill today. My colleagues, that will mean a freeze in outlays between 1992 and 1993. Sure, the appropriations say this bill meets the spending targets for 1992. And congratulations are in order for meeting the most strict interpretation of the budget law and I say that out of the greatest respect for the members of the committee, the gentleman from Kentucky and the gentleman from Michigan.

But this by increasing budget authority by close to $4.2 billion on September 30, 1992, the very last day of the fiscal year, pushes at least $2 billion in outlays and possibly more in fiscal year 1993. That is a budget cul-de-sac that I thought we had put onto the trash heap of history last year when we adopted the Budget Enforcement Act. If we did not then, we should today. If you think it is tough to live by the budget disciplined of the three spending caps this year, passing this bill will only make the domestic spending caps that much tighter in 1993, to the tune of at least $2 billion in outlays.

Let me say again in order to meet the spending caps in fiscal 1993 which because of liberal accounting such as these obligational delays and inflation adjustments means domestic spending will have to be held at a virtual absolute freeze in comparison to 1992.

So we are going to have to find savings in other domestic discretionary programs to offset these. It is like the old commerical, "You can pay me now or you can pay me later." Only in this

case the very people who support this fiscal landmine in the domestic discretionary field of battle are going to be the first ones to scream bloody murder when they have to start cutting domestic programs to meet the fiscal years 1993 caps.

I have no illusions, my colleagues, but I would hope this bill could be defeated so we could send it back to the committee to be fixed—and it does not require more than a 2-percent adjustment—and I hope the President would veto it solely for budgetary reasons.

I urge my colleagues to be aware of what they are doing and vote "no" so we can straighten this out now rather than later.

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I thank the gentleman for yielding.

Mr. Speaker, I just wanted to simply take this time to engage in a colloquy with the subcommittee chairman, the gentleman from Kentucky [Mr. NATCHER].

Mr. Speaker, I want to take this opportunity to stress the importance that the conference committee placed on insuring that the Medicare contractor program be adequately funded; 36 million seniors and disabled Americans and the health care providers that participate in the Medicare Program expect to receive efficiently and timely delivered services and benefits.

As you know, the conferees were very concerned that the level of funding provided in the bill for the Medicare contractor budget was inadequate to maintain the current level of services to Medicare beneficiaries and providers. Specifically, the conferees were concerned about the Medicare beneficiary toll-free telephone service, the timely payment of Medicare bills, and maintaining current timeframes for resolving hearings and appeals, and urged the administration to make funds available from the contingency fund to prevent any disruptions in the Medicare Program.

Given those strong reservations regarding the adequacy of the Medicare contractor funding level, it would not be prudent, I am sure you would agree, for the Department to subject the Medicare contractor activity to any further reductions. This account is already $37 million below the fiscal year 1991 level, which represents a 2½-percent cut. Furthermore, we know that the number of Medicare claims is estimated to increase by 11 percent.

Specifically would you not agree it would be imprudent and inconsistent with legislative intent when implementing section 513(a) of the bill, which assigns specific dollar reductions to salaries and expenses of the Department of Labor, Health and Human Services, and Education, to reduce the Medicare contractors budget?

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

Mr. OBEY. I yield to the chairman.

Mr. NATCHER. I thank the gentleman for yielding to me.

Mr. Speaker, I agree with the gentleman from Wisconsin that it would be imprudent for the Department to use section 513(a) to further reduce funds for Medicare contractor activities provided for in the bill.

Mr. OBEY. I thank the chairman.

Mr. Speaker, I think it is important to make that point clear.

Mr. Speaker, in what time I have remaining I would simply like to urge that the House pass this bill as expeditiously as possible. I think it is unfortunate that this bill got involved in what in essence was an irrelevant issue because of the politicization of the title X program by the White House.

I think everyone here understood that there was absolutely nothing in those provisions that would have provided in any way, shape, or form for support for abortion services; certainly nothing which would have encouraged in any way persons to have abortions.

What was at stake here was very simply and very clearly the right of American citizens who use services provided by the Federal budget to receive full information without the censorship of the Government which is supposed to guarantee their right to information, not try to find ways to deny them that information.

Mr. PURSELL. Mr. Speaker, I yield 7 minutes to the gentleman from Florida [Mr. YOUNG], a distinguished leader on our subcommittee and a national leader on a particular program which I think he will describe to the Members of Congress today.

□ 1250

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I want to pay a special tribute to the gentleman from Michigan [Mr. PURSELL] and to Chairman NATCHER for the leadership they have shown on the subcommittee. They have put together a truly profamily bill. The legislation that we have before us today as an appropriation bill, I expect, touches the lives of more people directly than any other appropriation bill that we bring before this House.

Chairman NATCHER and the ranking member, the gentleman from Michigan [Mr. PURSELL] have done yeoman service and provided strong leadership, along with the tremendous staff support that we have had and support by all the members of the committee who are so dedicated to making these programs work.

Mr. Speaker, I rise in support of this bill. It spends a lot of money, but it spends the money on things that the American people need and deserve and want. This is a profamily bill.

Through the billions of dollars our subcommittee has included in the bill, we will learn more about, and hopefully cure, some of the diseases which claim millions of lives every year. Funding for all forms of cancer research, including breast, cervical, and testicular cancer are funded in this legislation. Research programs will continue to study heart and lung diseases and to determine how we can reduce the risk of heart attack and stroke. Miraculous genetic research will continue to diagnose and one day cure such childhood killers as cystic fibrosis and juvenile diabetes.

Medical research initiatives are funded to better understand the causes and potential treatments for Alzheimer's disease, hearing loss, and blindness which afflict so many older Americans.

There is $300 million in this bill, Mr. Speaker, for vaccinations. It is almost a tragedy to have to report that right here in a our Nation's Capital, in the District of Columbia, a recent Washington Post survey found that 44 percent of the children of the age at which they should be vaccinated have not been vaccinated. Mr. Speaker, following my remarks I would like to include this story so my colleagues can understand the magnitude of the problem. Measles has reared its ugly head here in the District of Columbia and throughout America because vaccinations have not been delivered to the people who need them. We included funding for the National Vaccine Program to improve vaccines and to better distribute them. These diseases are measles, mumps, whooping cough, diseases that we thought we had totally defeated but are coming back. This bill addresses that issue and provides money for the vaccine program.

This bill is also an education bill. Along with many other items relating to medical research and medical care, it also provides money for education. There is a 10-percent increase this year in discretionary spending for education, much of which will be very important to our local school districts. This bill funds math and science instruction, where we have felt for such a long time that we were not doing as well as we should. It covers vocational training and handicapped services. The Head Start Program is funded in this bill, as well as assistance for students who want to go on to college. Pell grants, student loans, and work-study programs help offset the cost of rising tuition. The National Youth Sports is also funded in this bill. It is a program that many folks have not heard about, but it is a program that children off the streets during the summer, children who have had no opportunity for any exposure to a real education. It gives them something to do in the summer, and it gives them exposure to higher education. The program has been highly successful in getting these

students to go on to more education rather than dropping out of school.

Older Americans Act programs are funded in this bill. Mr. Speaker, these include the Meals on Wheels and Congregate Care Programs, which are vital to communities such as Pinellas County, FL, which I represent. The Senior Community Services Employment Program is funded by this bill to not only provide employment opportunities for seniors, but through their work, to benefit community programs such as our schools, libraries, police, and fire fighters.

Funds to administer the Social Security Administration and the Medicare Program are all in this bill. We have included specific directions to the Secretary of Health and Human Services to ensure that Medicare claims continue to be processed in a timely manner and that the toll free telephone lines, which provide a cost effective way for beneficiaries to receive quick access to information about the program and their eligibility to services, remain operational without disruption.

Mr. Speaker, the list is long, and it goes on and on, covering the items included in this bill and funded by this bill. But I want to take the remaining time that I have to speak about another program that has been so close to my heart now for some 6 years.

Six years ago I had the opportunity, the unfortunate opportunity, to be with a young 10-year-old girl who died of a form of leukemia. It was a difficult evening as we walked out of that hospital and as I spoke with doctor Jerry Barbosa, I said, "What could we have done? What could anyone have done to save Brandy's life?"

He said, "If we could have had a bone marrow transplant for her, she probably could have lived."

I knew nothing about bone marrow transplants and did not even know what he was talking about. So I inquired. He said, "What we need in America is a registry, a central location of the names of people who are willing to be bone marrow donors for others who are going to die without a bone marrow transplant."

I said, "That doesn't sound like it should be too hard to accomplish."

When I came back to Washington, however, I found it was not as easy as I thought it is was going to be. But the Members of this House and, more specifically, the members of this Appropriation Subcommittee and the Appropriation Subcommittee on National Defense supported my every effort to establish this registry, and today I can report, Mr. Speaker, that nearly every American who needs a life-saving transplant today is able to find a donor.

Without the support of Chairman NATCHER, Chairman JACK MURTHA of the Defense Appropriations Subcommittee, our committee's ranking member JOE MCDADE, CARL PURSELL, and every member of the committee, there would be no national registry. They supported my requests for appropriations 5 years ago to establish the national registry and they have enthusiastically supported every request I have made since then to provide for the needs of the national registry, and most importantly, funding for donor education, recruitment, and testing.

The National Marrow Donor Program is different than many of the programs in this bill. It is not a program that we fund with the hope that it may lead to a cure for a disease. It is a program that works, that saves lives, and that gives patients and families hope for a disease-free life where there would have been little hope before its creation.

We have appropriated over the years a modest amount of funding for the program to cover only the most basic of costs for its establishment and operation. It is a well run and efficient program with no waste and little overhead. The return on the investment we have made in its creation and with our continuing support has meant life for hundreds of men, women, and children.

I brought two charts with me today to show the dramatic growth of this program which did not even exist 5 years ago. As you look at the charts—charts not reproducible in the RECORD—you might believe that they are the same, but they are really not. The first chart indicates the number of donors who have had their blood typed to become listed in the national registry. This chart shows 331,000-plus Americans in the register. However, this chart is several weeks old, and I am able to report that that 331,000 figure is now right at 500,000, a half million Americans who have had their blood typed to be listed in the national bone marrow registry as a possible donors to save the life of someone who needs a transplant.

With the funds we have included over the past 18 months, the national registry has more than doubled in size and we are well on our way to our goal of a national registry of at least one million donors.

The second chart shows the number of transplants we have done since this registry went into effect is 733. That is unrelated donors who have been identified for patients throughout our Nation and the world. That 733 in the last several weeks has gone up to nearly 1,000. I want to tell the Members about those thousand people. Before those thousand people had a bone marrow transplant, they had no hope for life. They had a terminal disease, and there was no hope for recovery because the disease they had was terminal. Whether it was a form of leukemia, or another form of blood cancer, or one of some 60 types of diseases that can be cured with a bone marrow transplant, without the transplant there is no hope for life.

Not all of those people made it, for one reason or another, but the vast majority of them have lived. Their donors gave them a second chance at life.

After being involved with this program for 5 years, my own daughter walked into my office one day and said, "Dad, I have leukemia." So I know first hand how it feels to have a child or someone in the family with that type of a terminal disease. The good news is that she had her transplant, she got her miracle, like so many others, and she is alive and well today.

Mr. Speaker, I just talked with some folks I know who are going through a transplant procedure in Kentucky. They had their transplant 2 weeks ago. They had a tough case, but they are doing well. They found their donor through our registry that was created here in the House of Representatives.

In St. Petersburg, FL, there is a young black American man who we searched for 3 years to find a donor. Because he was a minority, it was difficult to find him a donor because of the genetic makeup so important to the typing of the bone marrow and the blood. We finally found Grant Hartley a donor through this registry. Grant Hartley had his bone marrow transplant 2 weeks ago tomorrow. He is suffering today. He is hurting because it is not an easy procedure, but he is going to live. He has had his leukemia cured, and we believe he is going to go through this transplant successfully, with a chance for life.

One of the things we do in this program is set aside certain amounts of money for the recruiting of minority donors. With the success of our program, a Caucasian can normally find a donor today, but as I said earlier, a minority still finds it difficult to find a donor. We have provided money in this bill to expand the recruiting for minority donors.

With funds specifically earmarked for minority recruitment activities last year, we increased by more than threefold the number of minority donors in the national registry.

Because genetics play such an important role in finding a matched donor for a terminally ill patient, a black-American patient will more than likely find a donor from the black-American community. The same holds true for Hispanics, native Americans, Asian-Americans, and other minority groups. Before we kicked off this concerted minority recruitment effort last fall in St. Petersburg, FL, there was little if any hope for finding a matched donor for a minority patient.

With the dramatic increase in minority donors, we are seeing an equally dramatic increase in minority patients who are finding a matched donor and a second chance at life. The success of this effort and the entire National Marrow Donor Program was highlighted last month when we identified a

matched unrelated donor for Grant Hartley.

Mr. Speaker, saving lives is what this program, and this entire bill, is all about. It truly is pro-family legislation that every Member of this House can proudly support.

All in all, this is a good program, Mr. Speaker, and I urge my colleagues to support this program and this bill.

The article follows:

[From the Washington Post, Sept. 12, 1991]

MORE THAN 50 PERCENT HERE LACK IMMUNIZATIONS

(By Amy Goldstein)

More than half the children age 2 and younger in the Washington area have not received proper immunizations, leaving 93,000 infants and toddlers vulnerable to preventable diseases such as measles, polio and mumps, according to a regional study.

The study, sponsored by the Metropolitan Wahington Council of Governments and issued yesterday, represents the first analysis of how many children in the region recieve the vaccines that have long been recognized as keys to good health.

The figures indicate that the 175,000 children in the area who are 2 or younger are immunized less frequently than the national average. But the District's rate of 44 percent is comparable to that of other major U.S. cities, according to local and federal health officials.

The study found wide variations among local jurisdictions in the percentage of children who received recommended vaccines for measles, mumps, whooping cough, rubella and polio.

Montgomery County children had the highest vaccination rate, 76 percent, while those in Prince William County had the lowest, with only 35 percent having received proper vaccines, the study found.

"This is a big problem," said Acting D.C. Public Health Commissioner Georges C. Benjamin, who was chairman of the regional group of health officials that worked with COG staff to prepare the report, which was based on local health departments' data.

Benjamin and other health officials said vaccines are vital because some childhood diseases can be particularly dangerous—and occasionally, even fatal—in very young children, and because unimmunized babies can readily infect adults.

The release of the COG study coincides with the start of an intensive campaign during the next several months by local health officials to increase the number of childhood vaccinations.

The campaign will make use of an infusion of vaccine provided by the federal Centers for Disease Control in Atlanta and will focus on ways to reach children of immigrants, single parents and low-income families.

The regional initiative is beginning as health officials and researchers across the country express mounting concerns about a resurgence of some childhood diseases once thought to have been virtually eliminated in the United States by vaccines.

Measles cases in particular have soared during the last two years. Nearly 28,000 U.S. cases were reported in 1990, according to federal figures. The 89 deaths attributed to the disease last year represented the highest level in two decades.

The COG study found that more than 500 children in the Washington area contracted preventable diseases last year, including about 400 who developed mumps, 78 who caught measles and 51 who had whooping cough.

Measles outbreaks have occurred recently in several counties in the Washington area.

Last April, a Howard County high school wrestler appeared responsible for the largest measles outbreak in Maryland in a decade.

The same month, six children in Prince William day-care facilities came down with the disease.

Researchers now believe that the diseases' return is caused, in part, by parents' failure to make sure their infants and toddlers get recommended vaccinations.

The disease control center advises that children, by age 2, should have received four doses of vaccine for diptheria, tetanus and whooping cough; three for polio; and one each for measles, mumps and rubella.

In Prince William, Anne Wilburn, a nurse supervisor for the county health department, said the immunization rate there has plunged in the last year from about 43 percent to 35 percent, substantially lower than the regional rate of 47 percent. Nationally, the vaccination rate is 70 percent according to a recent study.

Wilburn said the drop puzzles local health officials, who have formed a group to analyze the problem and try to reach more children. She speculated that the drop may be caused by parents who bring children to local clinics for some vaccines, but do not return for a complete series.

A Centers for Disease Control study this year of nine large cities, including the District, found that the immunization rate for 2-year-olds varies from 12 percent in Houston to 46 percent in New Orleans. The District, with 44 percent, was tied for second, the study found.

The campaign that COG is sponsoring will include a drive to increase the number of properly vaccinated 2-year-olds by 40 percent by December.

"We want to get as much vaccine as we can into these kids—it's an all-out push," said Elin Gursky, the epidemiology and disease control director for the Prince George's County health department, a leader of the campaign.

All county health departments in the area provide free vcaccinations. To help them extend their reach, the disease control center has given the local departments enough doses to vaccinate 8,000 infants and toddlers.

Health experts said they have been hindered more by parents' failure to bring their children for periodic shots than by a shortage of vaccine.

"The problem isn't that the tool is inadequate," said Roger Bernier, assistant director for science of the disease control center's division of immunization. "The problem is, we don't make use of the tool we have."

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. EARLY].

Mr. EARLY. Mr. Speaker, I want to thank the chairman of our subcommittee for yielding time to me.

Mr. Speaker, I rise in strong support of this bill, and I would like to speak to one specific part of this bill, NIH.

Many Members, Mr. Speaker, state that there is a lot of money in this bill for the National Institutes of Health—$9 billion. However, as someone who has dedicated themselves to learning about the NIH and supporting the NIH, I submit to you that this level of funding is wholly inadequate.

There are over 44 clinical trials of new drugs and therapies that will not be funded because we did not provide enough money in this bill. What are these diseases? Cancer, Gaucher's disease, heart disease, asthma, multiple sclerosis, the flu, sexually transmitted diseases, and glaucoma to name a few.

With the money that we have provided in this bill, 73 percent of the research grants that have been approved by peer review panels will go unfunded because of lack of money. It is quite a paradox—we have the best and the brightest minds in the world who can do much to further medical research, but we are still unable to provide for them enough resources to do it with.

As Thomas Jefferson states: "You can promise yourself anything—but health—without which there is no happiness." The NIH is the jewel which will provide for this Nation health for this and future generations.

Medicine's past 100 years have been nothing less than miraculous.

Not only has life expectancy increased, the sheer amount of pain, discomfort and disability we must endure in our lifetime has been strikingly reduced.

We have found cures for many kinds of diseases, some of which have been erased from the face of the Earth, like polio. We have found vaccines to prevent diseases that use to kill our children, such as diphtheria and pertussis. We have engineered new cancer drugs, heart, drugs, discovered antibiotics, and transplanted organs from one person to give another person the gift of life.

We have done all of this and much, much more because of one thing—the National Institutes of Health. We have cured much disease and disability, and spared much human suffering, because of a public private partnership that we embarked on over 100 years ago when the Federal Government made the commitment to fund medical research.

It is the single most important commitment of this Member of Congress to continue this tradition and support the National Institutes of Health in this fine bill. This is the program that promises the greatest hope and wealth to all Americans—their health.

In fact, the mission statement of the NIH clearly states: "Science in pursuit of knowledge to extend health, life and reduce the burden of disease and suffering."

There is not one Member in this Chamber today whose own life has not been positively affected, or whose family has not benefited from the advances in medical research made by the NIH. I know that I have, as the father of eight children.

The National Institutes of Health is the agency that we rely on to find cures for diseases, to train our doctors, researchers and nurses, and to give us the tools to fight diseases such as AIDS, and cancer, and heart disease.

Today, the NIH is on the verge of the greatest breakthroughs in the history of medicine. Our past investment in medical research has placed in a new era—the era of molecular medicine.

Because of our advances in molecular medicine, we will be able to cure cancer, we will be able to cure cystic fibrosis; we will be able to cure genetic diseases. All of this and more is possible because of the research programs at the National Institutes of Health.

It is the NIH that has kept this Nation competitive in the international marketplace. We stand as the worldwide leader in the biological sciences because of the National Institutes of Health and every nation on the face of this earth looks to our researchers and our research efforts to set the pace.

The past investment in medical research funded through the National Institutes of Health has contributed much to the economy of this Nation. The fine work done by researchers at the NIH has given birth to the biotechnology industry. An industry which the Department of Commerce estimates will be a $2 billion industry in 1992; and a $40 billion industry by the year 2000.

Last year, the era of gene therapy was begun by the NIH. A 4-year-old child, born with an inherited illness that prevented her immune system from working, received an infusion of one billion cells into which the normal gene—that had been identified earlier because of medical research at the NIH—had been inserted. The infusion of this gene therapy took only 30 minutes, there were no side effects, and history was made quietly on the afternoon of September 14, 1990.

Scientists are calling this the fourth revolution of medicine. And this miraculous achievement represents the best of which the NIH is capable, and the culmination of year of support for the most basic of medical and clinical research.

SCIENTIFIC OPPORTUNITIES WITHIN THE NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES THAT WILL NOT BE FUNDED WITHIN THE FISCAL YEAR 1992 CONFERENCE LEVEL

1. The resurgence of Tuberculosis (TB) is a public health emergency that must be aggressively addressed immediately. A drug resistant strain of TB has emerged that public health officials universally agree could turn into an epidemic in immune suppressed individuals. This has been reported on recently in the New York Times. Resources are necessary for the NIAID to fund targeted drug and vaccine research to combat this threat.

2. Within the Conference allowance we will be able to provide only inflationary increases to our initiative to develop a multivalent single dose vaccine to protect children from the common diseases of childhood.

3. The incidence of AIDS in Women presents an important emerging opportunity. A Women's HIV Study is critical to determining those factors specifically related to Women that affect the progressions of HIV AIDS in this population.

4. Basic research and clinical studies to identify a vaccines for sexually transmitted diseases is an area of science with significant opportunities that will go unfunded within the Conference level for the NIAID.

5. The following clinical trials are ready to begin but will go unfunded at the Conference level. Clinical trials are of paramount importance if we are to translate the findings of basic research to clinical application.

(A) Prophylactic therapy for neonatal herpes infections.

(B) Treatment of Cryptosporidiosis with 566C80.

(C) Efficacy trial in infants for a conjugate pneumococcal vaccine.

(D) Efficacy trial of a Group B streptococcal directed IVIG in neonatal sepsis.

(E) Treatment of toxoplasmic encephalitis with azithromycin.

(F) Effect of protein-polysaccharide conjugate vaccines in pregnant women.

(G) Clinical trial to compare the efficacy of IVIG vs MAb in combination with acyclovir for the prophylaxis of CMV infections in renal transplant patients.

(H) Efficacy trial of antivirals including thymosin alpha 1 for treatment of chronic hepatitis.

(I) Clinical trial to assess the efficacy of intravenous ribavirin in severe influenza virus infections.

(J) Treatment of HIV infection with nonnucleoside analog reverse transcriptase inhibitors.

6. The development of a vaccine against HIV infection is one of the highest priorities of the NIAID. Resources are needed to develop the capacity to conduct trials on a nation-wide basis to ensure the speedy evaluation of candidate vaccines.

7. In the field of Transplantation the NIAID would like to be able to fund a nationwide study of African-American families to acquire minority specific serological tissue typing reagent. This research project would enable the NIAID to make strides in identifying those characteristics unique to African-Americans that result in a greater transplantation rejection rate than other population groups.

8. The potential exists to improve even further the diagnostic tools available to identify Lyme Borreliosis. Resources are required to expand the basic research activities related to this area.

□ 1300

PARLIAMENTARY INQUIRY

Mr. DANNEMEYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman will state it.

Mr. DANNEMEYER. Mr. Speaker, do the rules of the House say what size type these conference reports are supposed to be printed in?

The SPEAKER pro tempore. No; they do not.

Mr. DANNEMEYER. Mr. Speaker, I have been advised this one is size 6. You almost need a magnifying glass to read it.

The SPEAKER pro tempore. The Chair would announce this measure was printed and is being considered as a regular bill (H.R. 3839).

Mr. PURSELL. Mr. Speaker, this is 6-point type. As a former printer, I would say it is half the size of a regular typewriter.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, hallelujah! Hallelujah! Hallelujah! I am rejoicing over the fact that the House was finally able to put politics aside and offer a Labor-HHS-Education appropriations conference report that will benefit women, children, students and the workers of America.

Much of the discussion has been about women's rights, but what we failed to discuss were the needs of women in America. Today, we have a measure before us that addresses these needs. The conference report includes $50 million for the Breast and Cervical Cancer Control Program, which will enable States to develop effective breast and cervical cancer education programs for women and health care professionals.

In addition, $2 billion has been appropriated for the National Cancer Institute which will be used for research grants, updating research centers and the training of researchers. I have no doubt that NCI will take seriously the urging of Congress to increase attention to breast, ovarian, cervical and prostate cancer. With this dedication, I am hopeful that the NCI will come several steps closer to finding a cure for breast cancer, for which there is no cure, as well as the other cancers affecting women, men, and entire families.

Mr. Speaker, I am also pleased that the conference report appropriates $27.8 billion for the Department of Education, an increase of almost $5 billion over last year. I know many students in my district rely on the Compensatory Education Program, vocational education and special education programs, to name a few. Education is one of the most vital links between our society and the future. If we are truly serious about economic growth in our country, restoring our ability to compete with other industrial nations and providing an opportunity for all individuals to have a decent standard of living, then we must be concerned about the quality of education in our country.

Lastly, in a time of controversy about whether Congress is really helping the workers in America, I am pleased with the provisions of the bill which enhance our current job training, job corps, summer youth programs, and dislocated workers programs. I believe a better, stronger work force in America will result.

Hallelujah, Mr. Speaker, we have done it. We will pass a bill in which Congress and the President will show pride, but most importantly, it is a bill in which the citizens of America will show pride. I urge all of my colleagues to vote for the Labor-HHS-Education conference report.

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I rise today to express my strong support of H.R. 3839.

This bill provides $204 billion for many of the programs which provide the fuel for an aching American economy. These programs help to ensure that Americans are healthy, educated, and employed. Every American, infants to the elderly are beneficiaries of this bill.

I want to commend the chairman Mr. NATCHER for the tenacity and commitment he has displayed in getting this bill through the Congress. It took 5 days of meetings for the House and Senate to resolve our differences in conference. Since being reported out of conference, this is the third time we have considered funding of these programs on the floor.

As we wrestle with the impact of the recession, it is time that we get this measure passed into law. Our school districts, hospitals, employment offices, universities, and many other programs need their fiscal year 1992 appropriations. The American public has waited long enough.

Specifically, this bill includes: $2.2 billion for Head Start, 13 percent more than the amount provided last year; $298 million for childhood immunization, 37 percent more than last year's level; $32 billion for education programs, $2.3 billion over the President's request and 9 percent over 1991 levels; $9 billion for National Institutes of Health biomedical research; $1.9 billion for AIDS research, education, and care, $106 million more than last year's level; $3.1 billion for alcohol, drug abuse and mental health programs; $2.3 billion for unemployment compensation operations, $114 more than last year's level; $4.6 billion for the Social Security Administration administrative expenses—$425 million more than 1991; and $1.5 billion for low income energy assistance, $475 million more than the President's request.

Mr. Speaker, passage of this bill today will provide a substantial part of the investment we need to ensure the future welfare of our Nation. From infant morality to Medicare this bill provides the broadest coverage of programs we need to move this country forward.

For these reasons, I ask my colleagues to join me in final passage of H.R. 3839.

Mr. PURSELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. DANNEMEYER].

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

Mr. Speaker, I have mixed feelings about this bill. On the one hand I am very pleased to find that we have convinced the people at Planned Parenthood that they are not going to be able to refer persons who come to their premises for abortions. They say they are not going to take $37 million in Federal funds. I would suggest that Congress may want to use that money to increase what we are spending on adolescent family life under title XX.

□ 1410

We find these programs in Illinois, sex respect; in the State of Georgia, postmorning sexual involvement; in Operation Get Down in Michigan have demonstrated success. And the whole premise of this adolescent family life program specifically encourages teenagers to postpone sexual activities and supports adoption as a viable and honorable alternative for pregnant teens.

That is the direction I would like to see our Federal funds expended for.

With respect to the totals, Congress, the House is again living in a dream world. When we look at these totals, the last fiscal year, $183 billion plus, this fiscal year $204 million plus. That is an increase of 11.8 percent in 1 year. The increase in the national debt this year is $480 billion.

The increased interest expense this Nation will have to pay is roughly 8 percent on that total. We cannot continue down a course whereby we are permitting any program to be expanded to the tune of 11.8 percent.

It is fiction. The money is not here. We are just digging the hole deeper all the time.

These are the reasons, as I said, I have mixed feelings about the bill. I congratulate the resolution that we adopted on the funds that were going to go to Planned Parenthood, but I am very much concerned about the level, the irresponsible level of spending in this bill. No appropriations bill should be getting out of this House that spends 1992 over 1991 more than 2.4 percent.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Kentucky [Mr. NATCHER] so much for understanding what the issue in this bill was all about. It was about free speech. It was about the very heart of the bill of rights, the first amendment.

It was about whether or not we are going to treat citizens as adults. To me on this 200th anniversary of the bill of rights, this is a shameful day.

I will vote for this bill because every program I really care about is in this bill, and the gentleman from Kentucky has helped us make so much progress on other issues. But it is with a very, very heavy heart.

For anyone who has tried to say abortions are inhumane, they are absolutely wrong.

Mr. Speaker, I think it is very important to point out that there is not one penny in here for abortions, not one penny, not even in the case of rape and incest. The issue is whether the "A" word can even be muttered in a family planning clinic that receives any Federal funding. That is why it is an issue of speech.

Will the "A" word be able to be muttered in any college that gets any Federal funding? Can the "A" word be muttered in any hospital that gets Medicare and Medicaid funds?

This can go on and on and on. And beyond the "A" word, we can move on everything else.

With Federal funds comes a gag, comes a gag. How tragic.

But let me tell my colleagues what many American women hear. What they hear is that this body thinks that if a woman even hears the "A" word, they will run right out to get an abortion. No. No. What an awful view of women.

I think the other thing that we hear is everyone seems to think that pregnancies are like a 9-month cruise. No. They can be very difficult for women. And what we are saying is the medical profession cannot even look at the woman's condition.

Mr. Speaker, this is a sad day. I am sorry that free speech is dying in front of our very eyes.

Mr. PURSELL. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, in an Associated Press story and in a front page Washington Times story we were informed that an attempted dismemberment abortion in New York—most likely a D&E abortion—ripped the arm off an unborn baby girl—who then, miraculously, survived the abortion.

The little 3-pound girl—Ana Rosa Rodriguez—absent her right arm, is now finally getting the compassion and health care that no abortionist ever gives. In their goodness, people are rushing forward to help her. Even a fund has just been established to assist with the medical bills.

I would just note parenthetically, Mr. Speaker, can you imagine her mother or anyone trying to explain to Ana how she came to be without her right arm? Can we imagine anyone saying to that little girl: "The abortionist messed up. His primary intention was to kill you, but he failed and there was a botched abortion. You are an abortion survivor." It makes you think—or at least it should.

Mr. Speaker, interestingly, the press labeled the abortion attempt a "botched abortion" yet we all know that had the abortion been successful and her life snuffed out, little Ana Rosa Rodriguez would have been just another nameless, faceless abortion statistic. Another life down the drain. There are over 1.5 million Ana Rosa Rodriguez who lose their lives each year to abortion, Mr. Speaker. The number of deaths from abortion is staggering—over 4,000 a day.

Sadly, Mr. Speaker, one title X recipient—and this is only one of many—Planned Parenthood—performs or refers for over 200,000 abortions. That is 200,000 kids who lost their lives, and continue to lose their lives to the abortionist's knife or poison as a result of this organization. That is 200,000 little people like Ana Rosa Rodriguez. All of these kids had a face, two arms, fingers and toes, and a beating heart. Yet, now they are dead.

Mr. Speaker, on previous occasions I've taken to the well of this House to suggest that in the not too distant future, I truly believe that historians will regard America's present day abortion culture—replete with tragedies like that inflicted upon little Ana Rosa Rodriguez—with a mix of curiosity, sorrow, incredulity, and contempt.

They will wonder how a society that paid so much attention to civil rights at home and human rights abroad could have allowed—even promoted through taxpayer subsidies—the violent destruction of over 26 million children, and the number is growing, under the guise of women's rights and preserving a right to privacy.

They will wonder how the shallow, skin deep rhetoric of choice could have provided cover to so many, for so long—as if an unborn child were merely an object or property or a thing or a consumer good—rather than a baby.

They will weigh the fashionable cliches, slogans, and euphemisms proffered today by the abortion crowd against the brutal reality of aborton—dismemberment of the baby, poison shots that chemically kill the baby—and wonder how an ostensibly sane, compassionate society could have been so thoroughly fooled and deceived.

Mr. Speaker, the issue of abortion counseling and referral in the Nation's federally funded family planning clinics is yet another chapter in the larger drama of a national abortion debate.

The title X issue turns on whether or not you believe an unborn child's life to be of sufficient importance that you are willing to end the taxpayer subsidies that treat the baby with no more respect than a diseased kidney or tumor. The issue is about abortion counseling and referral—the issue is about abortion advocacy. On the positive side, the Bush title X regulations require that pregnant women be referred for prenatal care. Prenatal care nurtures life—abortion destroys it.

Thus, Mr. Speaker, the President showed genuine compassion and moral courage of the rarest kind—even at the risk of being misperceived and ridiculed—in vetoing the Labor-HHS appropriations conference report because it reversed the title X regulations.

I would note that in his challenging commencement address at Harvard in 1978, Alexander Solzhenitzyn said, "The Western world has lost its civil courage, both as a whole and separately, in each country, each government, each political party . . ."

While this sad commentary has broad application in and out of government, it certainly does not apply to the President and the pro-life Members of the House who stood by their prolife convictions. Now the legislation, chock-full of vitally important funding, can be passed and signed into law.

Mr. Speaker, as in every abortion debate that has occurred on this floor, it's interesting to observe that the pro-abortion Members insist that the issue at hand isn't abortion. There's always at least one big diversion and a string of mitigating issues. This time it's free speech.

This diversion of attention on title X was predictable. This basic strategy has been used in every debate I've seen in my 11 years here.

For example, when the Hyde amendment is debated, we are told that the issue is one of providing health care to the poor that is readily available to the rich—it's rich versus poor, class warfare—not whether the children of the poor should be victimized by lethal injection or dismemberment.

When the abortion funding restriction, in the D.C. appropriations bill is debated, we are told that this is a home rule issue.

When the abortion funding restriction in the DOD bill is debated, we are told that it is an equal access to health care issue.

When the abortion restrictions in the foreign aid bill are debated, we are told that the issue is family planning—not abortion—even though not one penny in family planning moneys are reduced by the pro-life amendments.

And on and on.

In like manner, for months the abortion industry has marketed the notion that the salient issue at hand in the title X regs—is an issue of free speech, not abortion advocacy promotion—which simply isn't true. The common thread, of course, in all these debates is the obvious attempt to divert your attention and mine from the heart-wrenching reality of abortion.

But reality—the truth about abortion has a stubborn way of re-emerging. The truth won't be denied its day. Abortion survivor Ana Rosa Rodriguez is a fresh reminder of this.

Mr. Speaker and Members, please, wake up and take a long hard look at abortion methods—dismemberment and poison shots—and join us in helping protect, preserve, and enhance both the mothers and babies of our society.

□ 1320

Mr. NATCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, I rise in support of H.R. 3839.

Mr. Speaker, I rise today to clarify a small, but important, issue raised in this appropriations bill.

This bill includes report language denying the request of the Department of Labor for additional funds for the Wage and Hour Division to implement and administer regulations allowing the use of semiskilled helpers on Federal and federally assisted construction subject to Davis-Bacon. The report language asserts that the prohibition rider included in section 303, Public Law 102–27, the dire emergency supplemental appropriations of 1991 which forbid the Secretary of Labor from expending any funds for the implementation of the helper regulations was permanent.

Although the report language implies that the permanence of the prohibition is a settled question, there has been considerable disagreement on this point. In an effort to resolve this question, I asked the Congressional Research Service to review this issue and advise me of its opinion. I am inserting the memorandum that CRS sent in response to my request. Briefly, the memorandum stated that there were no "words of futurity" to overcome the presumption against permanence in appropriations acts. Therefore, in the opinion of the American Law Division of CRS, the prohibition on the regulation would likely be held to be temporary.

The appropriations bill includes $1,341,274,000 in funding for the Employment Standards Administration. Among the responsibilities of the Employment Standards Administration is to make prevailing wage determinations. The Federal district court in Washington has determined that the helper regulations are consistent with the Secretary of Labor's authority to make prevailing wage determinations. Accordingly, there is no statutory restraint preventing the Department of Labor from reissuing the regulations.

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, DC, June 18, 1991.

To: The Honorable Charles Stenholm, attention: Ed Lorenzen.

From: American Law Division.

Subject: Expiration Date of Prohibition on Funds to Implement Davis-Bacon Regulations in Appropriations Act.

This memorandum is in response to your letter of June 10, 1991, concerning section 303 of Public Law 102–27, the Dire Emergency Supplemental Appropriations Act of 1991, 105 Stat. 151. This section prohibits the expenditure of funds to administer or implement certain regulations relating to the Davis-Bacon Act and to apprenticeship programs:

Sec. 303. Notwithstanding any other provision of law, no funds shall be expended by the Secretary of Labor to implement or administer the regulations published at 54 Federal Register 4234–44 (January 27, 1989) to be codified at 1.7(d), 5.2(n)(4), 5.5(a)(1)(A) and 5.5(a)(4)(iv) of title 29 of the Code of Federal Regulations or to implement or administer any other regulation that would have the same or similar effect. No funds shall be expended by the Secretary of Labor to implement or administer revisions to part 29 of title 29 of the Code of Federal Regulations published at 55 Federal Register 34868–34876 (August 24, 1990) to the extent such revisions affect apprenticeship programs in the construction industry.

Your question is whether the prohibition is permanent or will expire at the end of the fiscal year covered by the Appropriation Act.

It should be noted at the outset that the rulings of the Comptroller General are final

and binding on officers of the Executive Branch with respect to the legality of expenditures from the United States Treasury. Accordingly, this memorandum is in the nature of an advisory opinion setting forth the factors to be considered, and the principles to be applied, by the Comptroller General in determining the scope and extent of a limitation or restriction on the use of appropriated funds.

In general, "it is well settled that Congress can amend substantive legislation by a provision in an appropriations act." 62 Comp. Gen. 54, 57 (1982). On the other hand, "[t]here is a presumption that any provision in an annual appropriation act is effective only for the covered fiscal year. . . . This is because appropriation acts are by their nature nonpermanent legislation. Thus, unless otherwise specified, the provisions of an appropriations act for a given fiscal year expire at the end of that fiscal year." 65 Comp. Gen. 588, 589 (1986). Accordingly," a provision contained in an appropriation act may not be construed as permanent legislation unless the language or nature of the provision makes it clear that such was the intent of Congress. 62 Comp. Gen. 54, 56 (1982); 10 Comp. Gen. 120, 121 (1930)." 65 Comp. Gen. 588, 589 (1986).

The Dire Emergency Supplemental Appropriations Act of 1991 makes supplemental appropriations for the "fiscal year ending September 30, 1991." Public Law 102-27, enacting clause, 105 Stat. 130, Apr. 10, 1991. The provision in question would therefore be presumed to expire on September 30, 1991.

"Permanency is indicated most clearly when the provision in question includes 'words of futurity' such as 'hereafter' or 'after the date of approval of this act.'" 65 Comp. Gen. 588, 589 (1986). The words "none of the funds appropriated by this Act or any other Act may be obligated or expended" do not constitute words of futurity in the view of the Comptroller General, but merely extend the effect to the provision to other appropriations available in that fiscal year. 65 Comp. Gen. 588, 589 (1986).

The provision in question contains no words of futurity to overcome the presumption of against permanence in appropriations acts.

The use of words of futurity is not essential where "the permanent character of the legislation is otherwise indicated." 9 Comp. Gen. 248, 249 (1929). "One indication of permanence is when the provision is of a general nature, bearing no relation to the objects of the appropriation act," 65 Comp. Gen. 588, 590 (1986). For example, if the provision restricts funding for a program which has been funded by the appropriations act itself, then it is presumed to be a nonpermanent nature.

The provision in question limits the expenditure of funds by the Secretary of Labor to implement or administer regulations pertaining to the Davis-Bacon Act. The Appropriations Act makes appropriations for the Department of Labor relating to state unemployment insurance and employment service operations, amends appropriation language pertaining to Pension Benefit Guaranty Corporation Fund, and makes available funds for veterans employment and training. The Act, however, does not appear to appropriate funds for the Davis-Bacon Act or for the offices which implement and administer that law in the Department of Labor.

This consideration is therefore ambiguous, since the provision "bears some relation to" the objects of the Act by making appropriations for the Department of Labor, but not for purposes of implementing or administering the Davis-Bacon Act. On balance, this aspect does not appear to be sufficient to overcome the presumption against permanence.

"Permanency of an appropriation act provision may also be indicated when the provision would be rendered or meaningless were it not interpreted to be permanent legislation. 62 Comp. Gen. 54, 56 (1982). This is a corollary of the rule of statutory construction that a statute should not be construed in a way which renders it wholly ineffective." 65 Comp. Gen. 588, 590 (1986). A provision will be held to be permanent where an interpretation that it is not permanent would "strip the section of any legal effect." 62 Comp. Gen. 54, 56 (1982).

The provision in question would not be rendered ineffective if it were held to be nonpermanent. It would still bar the expenditure of any funds until September 30, 1991.

The Comptroller General usually looks to the legislative history to confirm the interpretation of an appropriation act provision, but does not rely on legislative history alone to overcome the statutory presumption that provisions in appropriation acts do not constitute permanent legislation unless expressly provided otherwise. 56 Com. Gen. 588, 590 (1986). Where there are ambiguities and conflicting statements in the legislative history, that history is not conclusive in determining the intent of Congress with regard to the permanence of the provision. 56 Comp. Gen. 588, 593 (1986). Under principles of statutory construction, statements of the sponsor of a bill during deliberations on the bill are given consideration by the courts since other legislators look to the sponsor to be particularly well informed about the bill's purpose, meaning, and intended effect. 65 Comp. Gen. 352, 355 (1986).

The provision was added to the appropriations bill in committee. An amendment was offered on the floor to delete the provision from the bill, and debate ensued. 137 Cong. Rec. H1526 (Mar. 7, 1989). The sponsor of the provision, Representative Murtha, did not speak, but supporters were led by Representative Ford. Mr. Ford stated that changes in Davis-Bacon authorization legislation." He noted that legislation addressing the same issue had been adopted by the House, but that no amendments had been finally agreed upon by the Conference Committee, and that "authorizing legislation is the only appropriate vehicle for dealing with fundamental changes in the operation of the Davis-Bacon Act. I support the Murtha amendment because it protects the legislative prerogative in this important area." 137 Cong. Rec. H1528 (Mar. 7, 1989).

Mr. Ford also stated that the "Murtha amendment would simply prohibit the implementation of the proposed apprenticeship regulations as they affect the construction industry. . . . it would assure that these Davis-Bacon and apprenticeship regulations will not be permitted to take or remain in effect, in the absence of the proper approval in the course of legislative consideration." 137 Cong. Rec. H1528 (Mar. 7, 1989).

There appears to be nothing in these statements to indicate that the provision was intended to be permanent. There is no express statement that the provision was intended to be permanent, and the remarks are not inconsistent with position that the provision was a temporary measure designed to preserve the status quo until further legislative consideration could be given to the issue in the authorizing process.

During the debate, some of the statements by opponents of the provision implied that it might be more than a merely temporary measure. It was stated that if the provision were allowed to stand, "it will cost us $600 million a year every year for the next umpteen years, as it has been costing us in the past," and that it "will save $600 million a year for the next however many years until we bring this up." 137 Cong. Rec. H1526 (Mar. 7, 1989) (Statement of Mr. Stenholm).

Other statements by opponents appeared to question the provisions relationship to the underlying appropriations bill. Members were asked "to strike out a portion of this supplemental appropriation that ought not to have been inserted in the first place. It has no business here . . . This ban on Davis-Bacon helpers is no emergency, has no place in an appropriation . . ." 137 Cong. Rec. H1527 (Mar. 7, 1989) (statement of Mr. Dickinson). In a letter urging disapproval of the provision, the Secretary of Labor opposed "legislating substantive labor policy in an appropriations bill. An appropriations bill is not the appropriate vehicle for introducing significant reversals in established governmental policies." Letter from Lynn Martin, Secretary of Labor, to Joseph Moakley, Chairman, House Rules Committee, Mar. 6, 1991, reprinted at 137 Cong. Rec. H1527-28 (Mar. 7, 1989) (Statement of Mr. Pursell).

While the statements of the opponents to the provision express some concern that its effect may be permanent, the general principle of statutory construction is that views of the opponents of a bill usually are discounted; a bill opponent's disagreement with the sponsors, floor manager, or the committee report ordinarily will not be given interpretational weight. *NLRB* v. *Fruit & Vegetable Packers*, 377 U.S. 58, 66 (1964); *Schwegmann Bros.* v. *Calvert Distillers Corp.*, 341 U.S. 384, 394-95 (1951); Costello, *Average Voting Members and Other "Benign Fictions,"* 1990 Duke Law Journal 39, 54 (1990).

The legislative history of the provision in question does not appear to be clear and unambiguous enough to overcome the statutory presumption that provisions in appropriations acts are not permanent legislation unless it is clearly provided otherwise.

In summary, the Comptroller General has ruled that a provision contained in an annual appropriations act may *not* be construed to be permanent legislation unless the language and the nature of the provision make it clear that such was the intent of the Congress. Both the language (words of futurity) and the nature of the provision (no direct relation to the object of the appropriations act) should indicate the intent by the Congress to make the provision permanent legislation, and that intent should be supported by the legislative history. 65 Comp. Gen. 352, 354 (1986). Moreover, a provision will be construed to be permanent if construing it as nonpermanent would strip it of meaning. 62 Comp. Gen. 54, 56 (1982).

Applying these principles to the provision in question, it appears on balance that the Comptroller General would be likely to find that the provision relating to Davis-Bacon and apprenticeships will expire at the end of the fiscal year ending September 30, 1991. This conclusion is based on (1) the absence of words of futurity and (2) the fact that the provision, which limits expenditures by the Labor Department, does not appear to be unrelated to the purpose of the Appropriations Act, which provides funds for that Department. Further, (3) the legislative history, read in accordance with conventional standards of statutory construction, is not inconsistent with this conclusion. Finally, (4) it is not necessary to construe the provision as a

permanent law in order to give it legal effect.

VINCENT E. TREACY,
Legislative Attorney.

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, this is one of the most important pieces of legislation this body considers every year, the funding bill for the Departments of Labor, Health and Human Services, and Education. It is, as the gentleman from Kentucky [Mr. NATCHER] and the gentleman from Michigan [Mr. PURSELL] refer to it, the people's bill in the people's House. H.R. 2707, however, was a better bill. At least 276 Members of this House and arguably 353 Members of this House thought that to be the case. I believe the overwhelming majority of Americans believe that the previous bill was a better bill. I think perhaps even that the President, in his heart, believes that it was a better bill.

I am disappointed that the President remains unconvinced that government-mandated restrictions on a health care facility's responsibility to provide information, not to perform abortions but to provide information, to women on legally available options is unfair, discriminatory, and pernicious. The medical community believes that and the polls reflect that Americans believe that. Seventy-four percent of Americans opposed the gag rule upheld in Rust versus Sullivan. Sixty-three percent believe government interference in this area can seriously damage the quality of medical care in America. Seventy-eight percent favor passage of a bill permitting full discussion of options in federally financed clinics; not a procedure, but a discussion.

Yes, H.R. 2707 was a better bill, but this is a good bill. I want, if I may, Mr. speaker, to speak about one facet of this bill, our concern and the bill's protections for children.

Immunizing our children against preventable childhood diseases has for too long been too low a priority. This bill, like its predecessor, H.R. 2707, includes $298 million, or a 37 percent increase over the total appropriated last year.

Mr. Speaker, these funds will improve America's ability to take care of those children who have been left out. The United States nonwhite vaccination rate for polio is 56th in the world. This bill seeks to overcome that and similar deficits.

In 1979, Mr. Speaker, the Surgeon General set the goal of immunizing 90 percent of the nation's 2-year-olds by 1990. But by 1990, there are still 30 percent of the 2-year-olds in the richest Nation on the face of the Earth who are not immunized against diseases that we can defeat.

This is a good bill. Mr. Speaker, there are so many facets of this bill that call out for our strong support. I have said often that there are some bills which have been subjected to across-the-board cuts. This bill, I believe, should be subjected to an across-the-board increase for every program.

Mr. Speaker, the Labor-Health Committee is as bipartisan a committee as we have in the Congress. We are all advocates. Do we have our differences? yes. Are they reflected to some degree on the floor of this House? Yes.

But in providing for the education and the health care of the American people, or to quote the chairman of this committee who so eloquently states, "if you take care of the education of our people and the health of our people, we will continue to live in the strongest Nation on the face of the Earth," we all agree. That is what this bill seeks to do, and I rise proudly as a member of this committee to support this bill, notwithstanding my disappointment that we have omitted a provision that I thought was critically important, a provision allowing women to receive the same kind of medical advice that all of us who are males in this body are able to receive in terms of full disclosure and discussion of all our options in health care.

This is a good bill. let us pass it overwhelmingly.

Mr. PURSELL. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I was going to speak on the bill from another perspective but I cannot help but come back to the old debate based on the title X free speech between doctor and patient argument just made.

It amazes me that the proponents of abortion constantly try to cloud the free-speech issue. This is not a free-speech argument. If it were a free-speech argument, advocates of abortion would not be pushing for restrictions on abortion alternatives.

I will give the Members two court cases, for instance. One is *Akron* v. *Akron Center for Reproductive Health, Inc.*, 462 U.S. at 446–49, where advocates of abortion have vigorously sought to have laws that would require physicians to counsel their patients about the risk of abortion declared unconstitutional.

In the case, *Bowen* v. *Kendrick*, 487 U.S. 589 (1988), where advocates of abortion sought to restrict recipients of Federal funds from counseling teenagers about alternatives to abortion. Where is their free-speech argument on these two cases? To illustrate my point, let me quote women who regret the counseling received from title X clinics in the public comment period for the regulation.

This is what one woman asserted: "Please indulge me a little longer to say this, they lied to me * * * I asked and she lied to me * * *."

Another woman declared:

Since Planned Parenthood is the foremost abortion provider in the United States, they have a responsibility to tell women the truth about fetal development and subsequent risks involved in pursuing abortion as an option. I know for a fact that they do not. The baby is dehumanized as much as possible by being termed a "blob," "products of conception," or "uterine contents." Not even the term fetus is used by the counselors. The very risky surgery is then passed over as safe and harmless and there is no mention of emotional or physical aftereffects. The counselors are told that any information on fetal development is distasteful (and) should not be used to avoid making the woman feel guilty.

This is an argument over using Federal funds for Planned Parenthood to continue their abortion practices, and if the Members do not believe me, they ought to see and read one of the clinic's brochures. I happen to have one from Planned Parenthood of Houston and southeast Texas.

□ 1330

This brochure is heavily weighted with advocacy for abortion, not just abortion, unrestricted abortion.

I quote from their own brochure:

No consent should be required from a spouse, a court, a parent or any other person or institution in order for a woman to have an abortion.

They want unrestricted abortion. This is out of Planned Parenthood's own brochure.

What they want to do is to make contraceptives easily available and establish family life education programs in schools. You ought to see these programs, and I urge, Mr. Speaker, for parents to look at these programs to go in and have girls put condoms on the fingers of boys to demonstrate how to use condoms in front of each other. It becomes even worse than that: showing films on how to accurately perform foreplay, using an adult man and an adult woman to show foreplay.

The issue has nothing to do with free speech. What it has to do with is the opportunity to continue abortion practices and have the American taxpayer pay for those abortion practices. That is the real issue, because if it was free speech, they would not try to stop people from giving the alternative view of the horrors of abortion.

Mr. Speaker, I include the following material:

[From the Federal Register, Feb. 2, 1988]

PUBLIC COMMENTS

Public comments received by the Department on the proposed regulations further demonstrate the problems inherent in "nondirective counseling" and lend weight to concerns raised by the OIG audit and GAO report. Many comments argued that the practice or nondirective counseling has been the subject of widespread abuse, with many providers foregoing any balanced discussion of options in favor of pressuring women, particularly teenagers, into obtaining abortions. Numerous comments were received from women who said that they were never presented with any favorable or neutral in-

formation on any other option. Many of these commenters specifically mentioned experiences with particular Title X grantees or projects. A typical complaint was that the counseling that they had received was one-sided, with the fetus dehumanized as a "lump of tissue," "fetal tissue," or "uterine contents," and with no information presented as to gestational characteristics and stage of development, so that they were not given adequate information on which to make an informed choice regarding abortion. These commenters typically stated that they had experienced severe and long-lasting regret over the decision to abort, and also stated that they were given no counseling at the time they made their decision to abort as to the remorse and guilt they might later feel:

I have experienced the one-sidedness of * * *'s "counseling" and have seen the consciences of friend's (sic) shattered by what they now know was the wrong choice. Too many people are literally encouraged to use abortion as a birth control device because of its availability * * * has never discussed the alternative side with anyone I know. I don't feel guilty or presumptive calling their efforts exploitive.

"These clinics do not provide adequate information to pregnant women. There is no 'choice' involved in regard to abortion. It is the only solution offered. I know this from experience and have spoken to many women who have shared that experience.

"Please indulge me a little longer to say this, they lied to me. My third abortion required hospitalization and this was not done for the others. So I pointedly asked why? Her response. 'No—well, it's the same.' Now I have learned I submitted to a dilitation (sic) and evacuation—second trimester abortion. I never knew this until three years ago. But I asked and she lied to me. * * * The family planners holler about (and I quote from their Action Alert here in * * * N.Y.) 'Medical professionals have an obligation to give patients information and referrals on all options, and patients have a right to make an informed decision (fully informed). Where was mine?

"Since Planned Parenthood is the foremost abortion provider in the U.S., they have a responsibility to tell women the truth about fetal development and subsequent risks involved in pursuing abortion as an option. I know for a fact that they do not. The baby is dehumanized as much as possible by being termed a 'blob,' 'products of conception,' or 'uterine contents.' Not even the term fetus is used by the counselors. The very risky surgery is then passed over as safe [and] harmless [and] there is no mention of emotional or physical after affects. The counselors are told that any information on fetal development is distasteful [and] should not be used to avoid making the woman feel guilty. * * * Since my abortion, I have had 2 miscarriages.

"If I had been given proper information as to the development of my 12 week old child and if I had been presented with options to abortion rather than just abortion (given by the F.P. clinic) I would have had my baby.

"I had an abortion at the age of 16 years with the full encouragement of * * * in * * *, CA. They even called and made my first appt. to see the Dr. who would perform my abortion. There was no encouragement to consider adoption or to keep my baby. They helped me to get rid of my baby as quickly as possible.

"I was not given a complete picture of my situation. Therefore the decision I made for abortion was no decision at all. It was a coercion. Sixteen year old girls do not have the wherewithal to make such a life threatening, life changing decision especially when the choices given are so deceitfully incomplete. If I had known the reality of what I chose I would not have chosen an abortion. I killed my baby! How would you feel/react if someday several years after abortion you saw pictures of a 12 week old fetus and learned this was the picture of a perfectly formed human being. Hmmm—* * * [they] told me it was a 'blob!' I was devastated beyond all description.

"I was a seventeen year old who had just found out I was pregnant. * * * I couldn't get out of school to visit * * *, so they sent a nurse to see me. She blew my spirit down so much. * * * I expected her to help me and she wanted to destroy a little, innocent baby for convenience. She said, 'There's no way you can bring a child into this world and take care of it on your own. It isn't fair to the baby. People will speak badly of you. How can you let a baby be born with no father and no name? What about school? You can't finish 12th grade walking around pregnant. What kind of life would that be? * * *' Then she suggested an abortion. I started crying. All I could feel was why would anyone want to kill * * * her own flesh and blood * * * and why was she urging me to do this?"

FAMILY LIFE (SEXUALITY AND AIDS) EDUCATION

THE ISSUE

In Texas, 14 of every 100 females ages 15–19 will get pregnant, compared with the national rate of 11 of every 100. The average teen pregnancy rate in other developed countries is 5 of every 100 families.

U.S. girls under age 15 are at least five times more likely to give birth than young adolescents in any other developed country. Texas has the highest incidence of birth to girls 14 and under of any of the United States.

Nearly one-third of all teenagers who give birth will have another baby within the next two years.

About half the adolescents who become pregnant each year have their babies. 38% of teenage pregnancies end in abortion.*

The social, economic, and health costs associated with teenage pregnancy—greater with welfare dependency, limited educational and employment opportunities for teenage parents, school dropout, increased health risk for teenage parents and their infants—have long-term implications for state budgets and policy. Sexually transmitted diseases (STDs) take an awesome toll on the health and fertility of our young people. Added to these problems, we now have what may be the most devastating epidemic of all times—AIDS.

65% of all sexually transmitted diseases occur in people younger than 25. STDs cause severe health consequences and serious damage to the female reproductive system.

Today the AIDS virus has infected an estimated one to three million Americans. By 1991, as many as five to ten million Americans may be infected—a truly shattering number if even half of those people later develop the disease and die.

Education is a necessary first step and an essential element in any comprehensive effort directed at primary prevention of adolescent pregnancy, sexually transmitted diseases, and AIDS. Our young people not only need to know the "facts of life." They also need to learn about family life and human relationships. Our young people need self-esteem. They must learn to be competent decision-makers. They need "social resistance" to the risk-taking behaviors associated with high rates of unwanted pregnancy and disease. They need our help.

Sexuality education courses do not increase the level of sexual activity among teenagers. In fact, participation in family life education may help kids postpone sexual activity or may prevent students from becoming more liberal in their attitudes toward premarital sex.

PUBLIC OPINION

76 percent of adults surveyed in Houston favor having birth control advice and supplies distributed in schools according to a Houston Post-Rice University Survey conducted by Stephen Klineburg in 1988.

In 1986, a poll for Time by Yankelovich et al. found that 86 percent favored sexuality education in the schools.

In a Louis Harris poll in 1986, 85 percent agreed that sexuality education should be taught in public schools.

In 1986, a survey conducted by the LBJ School of Public Affairs and the University of Texas-Austin School of Social Work found that 78 percent of Texas voters believed that sexuality education should be in schools.

A Texas poll in 1987 found that 74 percent favored more education in grade school about sexually transmitted diseases, including the use of condoms.

PLANNED PARENTHOOD'S POSITION

Texas needs sexuality/family life education as a part of every young person's basic core of knowledge.

We believe that a developmentally appropriate, required program of sexuality/family life education, as an essential element beginning in kindergarten and continuing through all the years of public school education, can help reverse these tragic trends—trends affecting not only the quality of our young people's future, but in many cases the possibility of any future at all.

NOTES

*Statistics from the Texas Family Planning Association.

ABORTION

THE ISSUE

Abortion has been legal since the *Roe* v. *Wade* Supreme Court Decision in 1973. Since this decision, the Supreme Court has consistently upheld a woman's constitutional right to have an abortion in a number of other cases. More recently, the U.S. Supreme Court's *Webster* decision (1989) has given states some opportunity to restrict access to abortion.

History has shown us that women everywhere, in many circumstance of family income and education, have sought abortions—even when doing so meant risking their lives. It is crucial that abortion remain a constitutionally guaranteed right, and that services be available to all women.

Poor women do not have the same access to abortion services as more wealthy women. The Hyde Amendment denies federal funds for abortions for poor women except to save the life of the mother.

TEXAS LAW ON ABORTION

Under current Texas law regulating abortion:

Abortions must be performed by licensed physicians.

All abortions done in Texas are reported to the Texas Department of Health.

Texas Department of Health sets clinical standards for abortion providers to insure safe medical care.

Abortions are prohibited in the third trimester of pregnancy except to save the physical or mental health of the mother or in cases of severe fetal abnormality.

THE FACTS

Today, a legal abortion is five times safer than childbirth.

There were 79,213 abortions performed in Texas in 1988. The average Texas woman seeking an abortion is single, in her early twenties and pregnant for the first time. (T.D.H. statistics)

Since 1973, women have been obtaining abortions earlier in their pregnancies, when health risks are minimal. In Texas in 1988, 87% of abortions were performed in the first trimester, and .01% were performed in the third trimester.

There is no provider of abortions to poor women in Harris County. Although abortion is legal, thousands of poor women are currently denied access to them, because the Hyde Amendment denies federal funds for abortions, unless the woman's life is in danger. The Harris County Hospital District only provides abortion to save the life of the mother.

PLANNED PARENTHOOD'S POSITION

Provision of family planning services is the best way to prevent the need for abortions. In Texas in 1981, approximately 56,000 pregnancies were averted as a result of federal and state funding for contraceptive services.

The decision to have an abortion is an intensely personal decision which is best made by the woman involved, without government restrictions.

No woman should be denied abortion services solely because of her age or her economic circumstances.

Public funds should be made available to subsidize abortion services for poor women.

No consent should be required from a spouse, a court, a parent or any other person or institution, in order for a woman to have an abortion.

PUBLIC OPINION

90 percent of Americans think abortion should be available under some or all circumstances (1).

By a margin of more than two to one, Americans think that a woman who is three months or less pregnant should have the right to decide, with her doctor's advice, whether or not to have an abortion (1).

A 59 percent majority of Texans believe most women should retain the right to choose an abortion. (Houston Chronicle poll, 1989)

A 56 percent majority of Houstonians polled believe Texas lawmakers should make no changes in current Texas abortion law. (Houston Chronicle poll, 1989)

NOTES

"Public Attitudes About Sex Education, Family Planning, and Abortion in the United States," conducted for the Planned Parenthood Federation of America, Inc., by Louis Harris and Associates, Inc., New York, Aug.-Sept. 1985.

TEENAGE PREGNANCY

THE ISSUE

Approximately 1.1 million American teenagers become pregnant every year, more than 80 percent unintentionally (1). This situation represents a tragedy for the young people themselves and for all Americans. For the teens involved it often means having to decide between abortion or dropping out of school, leaving home, or becoming dependent on welfare. For society, it means a staggering amount of money—more than $18 billion spent in 1986 (2). In Texas the same year, $51 million was spent on deliveries, 38% of which were to teenagers, and $19 million was spent on AFDC payments to teen mothers (12). Worst of all, it presents an almost insurmountable obstacle to the creative and productive potential of our greatest asset, our youth.

THE CRITICAL FACTS

Texas leads the nation in number of births to girls 14 years of age and younger (1) (13).

Texas claims 1/10th of all of the pregnancies in the U.S. to girls 14 and under (1) (13).

Texas ranks fourth in the United States in the pregnancy rate for girls between the ages of 15 and 19 (1) (13).

83 percent of males and 74 percent of females in the United States will have had sexual intercourse by age 19 (3).

Only 33 percent of sexually active teens aged 12-17 use contraceptives every time they have sex. Over one-fourth never use them (5).

Many teens never visit family planning clinics; and of those who do, only 12 percent do so before they initiate intercourse. Most wait more than a year after first intercourse (6).

One in eight births in the United States occurs to a teenager. Teens account for 27.5 percent of all abortions annually (7).

Adolescent childbearing is one of the leading causes of welfare dependency in the U.S. (1).

U.S. TEEN PREGNANCY RATE HIGHEST IN DEVELOPED WORLD

A 1985 study found that the rate of teen pregnancy in the United States is two to seven times higher than that in other comparable industrialized nations—despite similar rates of sexual activity (8). Several factors were found to influence lower pregnancy rates in other developed countries:

rational and unambivalent societal attitudes toward sexuality and sexual development,

frank discussion of sexual issues in the family and in the media,

comprehensive, government-sanctioned school sexuality education,

widely available, confidential, low- or no-cost contraceptives.

The findings of this study provide a virtual blueprint for solutions to the adolescent pregnancy problem in America and in Texas.

PRACTICAL SOLUTIONS

Fund comprehensive sexuality education in every school district in the nation.

Help Americans accept and become comfortable with sexuality. Teens suffer from our society's dangerous hypocrisy of hyping sex through advertising and the media while repressing frankness and realism about sexuality.

Eliminate all barriers to confidential, inexpensive or free contraceptive services for teenagers who are sexually active.

Increase funding to develop new, more effective, more acceptable birth control methods.

Promote a balanced and realistic treatment of sexual topics in the media, rather than the overly romanticized sex and too frequent sexual imagery used to sell products.

PUBLIC OPINION

76 percent of Houstonians favor having birth control advice and supplies distributed in schools (14).

84 percent of American adults agree that teenage pregnancy is a serious problem (9).

Houstonians have, for years, favored sex education in schools (14).

70 percent of parents agree that their teens should be able to buy contraceptives without their knowledge (10).

82 percent of American adults believe that contraceptive advertising on television would encourage sexually active teens to use contraception (11).

NOTES

(1) The Alan Guttmacher Institute.

(2) The Center for Population Options.

(3) "Risking the Future: Adolescent Sexuality, Pregnancy, and Childbearing." National Research Council. Washington, DC: National Academy Press, 1987.

(4) Hofferth, Sandra L., et al., "Premarital Sexual Activity Among U.S. Teenage Women Over the Past Three Decades," "Family Planning Perspective," Vol. 19, No. 2, March/April 1987.

(5) "American Teens Speak: Sex, Myths, TV, and Birth Control." Conducted for Planned Parenthood Federation of America, Inc., by Louis Harris and Associates, Inc., New York, Sept.-Oct. 1986.

(6) Kisker, Ellen E., "The Effectiveness of Family Planning Clinics in Serving Adolescents," "Family Planning Perspectives," Vol. 16, No. 5, Sept./Oct. 1984.

(7) Henshaw, Stanley K., "Characteristic of U.S. Women Having Abortions, 1982-1983," "Family Planning Perspectives," Vol. 19, No. 1, Jan./Feb. 1987.

(8) The Alan Guttmacher Institute, "Teenage Pregnancy in Developed Countries: Determinants and Policy Implications," New York, 1985.

(9) "Public Attitudes About Sex Education, Family Planning, and Abortion in the United States." Conducted for the Planned Parenthood Federation of America, Inc., by Louis Harris and Associates, Inc., New York, Aug.-Sept. 1985.

(10) People magazine poll, April 1987.

(11) "Attitudes About Television, Sex and Contraceptive Advertising." Conducted for the Planned Parenthood Federation of America, Inc., by Louis Harris and Associates, Inc., New York, Feb. 1987.

(12) Texas Department of Human Services.

(13) National Center for Health Statistics.

TITLE XX

It has been said that the dollar spent for family planning is the most cost-effective dollar a community or government can spend. The subsequent reduction in unwanted pregnancy reduces demands on most health and human service agencies and the criminal justice system as well.

Title XX represents the Texas state commitment to insure that voluntary family planning services are available to all who seek them. The program is administered through the Texas Department of Human Services. Medical services provided include complete contraceptive care, including sterilization (except for teenagers). Across the state, women and men who qualify can receive family planning and reproductive health care from agencies which have Title XX contracts with T.D.H.S.

TITLE XX SAVES TAXPAYERS MONEY

Preventing unwanted pregnancies helps to reduce infant and maternal mortality and morbidity rates, as well as saving the taxpayer the enormous cost of supporting the woman and her child.

The taxpayers of Texas must pay approximately $8,200 to a mother and child who go on AFDC as the result of an out of wedlock birth in the first year alone. This estimate

includes birth-related costs, AFDC and Medicaid payments, and Food Stamp allotments (1). In fact, in 1988, Texas taxpayers spent almost $21 million in AFDC payments for teenage mothers age 19 and younger (2).

By contrast, the average per client cost for Title XX family planning services to teens was only $78 (3).

TITLE XX FUTURE

Within the past year, long-overdue increases to some Title XX contracts have enabled agencies to serve more women and families in need of family planning services.

NOTES

(1), (2), (3) Texas Department of Human Resources.

(4) Texas Department of Health.

TITLE X

Title X of the Public Health Service Act, the federal family planning program, was enacted by Congress and signed into law by President Nixon in 1970. Title X is the major source of funding for 4,500 family planning clinics nationwide that served nearly five million poor women and teenagers in 1983, the last year for which figures are available. (In 1978, in recognition of the growing problem of adolescent pregnancy, Congress amended Title X to specifically require the provision of services to teens.) Funding for Title X services for fiscal 1988 is $136 million, decreased 15 percent from fiscal 1981.

TITLE X SERVES THE NEEDIEST

About 80 percent of clients who use Title X-funded clinics have incomes below 150 percent of the poverty level, and one-third are teens.

Title X has been crucial to the establishment and maintenance of clinics in geographical areas that are medically underserved.

TITLE X PREVENTS UNPLANNED PREGNANCIES AND THE NEED FOR ABORTION

A federally supported study found that Title X-funded services averted more than 800,000 unplanned pregnancies in a single typical year (1981)—425,000 among teens, for whom Title X is the single major source of family planning funding. If these unplanned pregnancies had occurred, they would have resulted in an estimated additional 282,000 births and 433,000 abortions. (The remaining pregnancies would have ended in miscarriages.)

TITLE X SAVES TAXPAYERS MONEY

The same study showed that, during the 1970s, each government dollar invested in family planning in any one year yielded savings of at least two dollars in health and welfare costs associated with unintended births in the following year. This cost-benefit ratio is even greater for services to teenagers—$2.90 saved for every dollar spent—since teen's pregnancies and births are more likely to be medically problematic and costly, and teen parents more likely to need public assistance.

FAMILY PLANNING PROGRAM THREAT

Until 1981, Title X enjoyed strong bipartisan support in Congress. However, the Reagan administration has launched increasingly vehement attacks on the program—including efforts to cut funding, impose crippling restrictions (such as the "squeal rule"), and even repeal title X outright. Most of the maneuvers have been blocked by Congress or the courts.

But on February 2, 1988, the Reagan administration published new restrictions that, unless overturned, will devastate the family planning program:

(1) The regulations eliminate the Title X requirement that grantees provide information on all options for dealing with an unplanned pregnancy. Instead, clinics are required to provide a pregnant woman with information on prenatal health care, as well as a list of prenatal and social service providers which "promote the welfare of the mother and unborn child." However, clinics are strictly forbidden from counseling here on the option or availability of abortion—even if the woman specifically requests such information, and even if withholding the information would endanger her health.

This "gag rule" is the most extreme anti-family planning proposal yet. It grossly contradicts not only medical ethics, but also the well-established principle of informed consent by the patient. In so doing, it violates the voluntary participation stipulated by Title X. Moreover, the proposal would violate a woman's right to choose abortion and to receive unimpeded information from her physician about abortion. A federal judge in Missouri upheld these constitutional principles in striking down a similar state law in 1987.

The regulations are clearly designed to benefit agencies that were formerly ineligible for Title X funds because they do not provide information on all options available to pregnant women. In fact, the regulations require that the list of providers furnished to pregnant women include facilities that do not offer abortion information, referrals, or services. The regulations do not acknowledge that most such agencies are ideologically biased, sometimes coercive, anti-abortion centers.

(2) The regulations require the Title X family planning services by "physically and financially separate" from privately funded abortion services offered by the same agency. The President's stated purpose of erecting a "wall of separation" between these services is baseless.

In a 1986 U.S. Supreme Court case (*Babbitt v. Planned Parenthood of Central and Northern Arizona*, 107 S.Ct. 391), the state of Arizona conceded that it could not prove that physical separation was necessary for ensuring separation of privately and governmentally funded activities. Since its inception, Title X has focused on preventive services to avert unintended pregnancies, and has barred the use of federal funds for abortion services. Repeated government audits have found no violation of this law.

INTERNATIONAL FAMILY PLANNING

THE ISSUE

Half the women in the developing world do not have access to family planning services. Where such services are offered, they are being used to capacity. Where they are not yet available, millions of women and their families suffer indescribable hardship as a result of too-early and too-frequent childbearing. Illegal, often self-induced, abortion is a leading killer of women of childbearing age in the developing world. Conservative estimates indicate that as many as 200,000 women die each year from complications of illegal abortions.

Although federal funds have not been used for abortion since the passage of the Helms Amendment in 1973, the administration has recently attempted to withhold funds from any foreign agency that spends its own money on abortion activities. The administration's "Mexico City policy" (named after the city where it was announced at the 1984 United Nations International Conference on Population), bars most non-governmental foreign recipients of U.S. government family planning funds from underwriting any program that performs, advocates, refers, or counsels for abortions—even when those activities are paid for entirely with non-U.S. government funds, and are performed in countries where such activities are legal.

The policy is embodied as a clause in all new grants and cooperative agreements that the Agency for International Development (AID) signs with private domestic agencies which support foreign family planning projects.

The Mexico City policy endangers contraceptive programs that drastically reduce the need for abortion; poses additional health risks by denying women information on the availability of abortion, even in countries where abortion is legal; cuts off access to abortion where it is safe and legal; and prevents efforts to reform restrictive laws that make abortion illegal and dangerous in the developing world. The policy also violates the First Amendment rights of American citizens overseas to free speech and association.

Each year, Family Planning International Assistance (FPIA), Planned Parenthood's international program, provides contraceptive services and supplies to nearly four million individuals in 41 developing nations. Funded primarily by a cooperative agreement with AID, FPIA supports projects designed and implemented by indigenous agencies to increase access to voluntary contraception, train family planning personnel, and educate women and men about sexuality and contraception. FPIA has been rated by federally sponsored evaluators as one of the most effective, efficient, and creative of all international family planning agencies.

Despite this glowing appraisal, the administration is threatening to defund FPIA through the Mexico City policy. Planned Parenthood, whose agreement with AID was due to expire on December 31, 1987, negotiated an extension of the agreement through December 1988. Withdrawal of funds from FPIA would result in 380,000 additional unintentional pregnancies, 69,000 additional abortions, and 1,200 deaths from complications of childbirth, miscarriage, and septic abortion according to a recent study by the University of Michigan School of Public Health.

PUBLIC OPINION

Most Americans recognize the critical need for increased family planning services in developing nations and support U.S. aid for such programs. Recent polls show that:

81 percent of Americans think health service programs carried out by developing countries should include family planning (1)

78 percent of American adults favor U.S. aid for birth control in developing nations (2); by a margin of almost three to one, Americans favor aid to countries where abortion is legal (1)

In fact, a third of the American people think the U.S. should fund both family planning and abortion projects in developing nations (1)

91.5 percent of Americans polled in 1984 either did not know or incorrectly guessed the percentage of total U.S. foreign assistance allocated to family planning. When informed that the correct figure was approximately five percent, 40 percent of those who voiced an opinion thought this was too little; less than ten percent of those polled thought the allocation should be reduced (1). Yet the Reagan administration continually cut this allocation, which now stands at 1.8 percent of total foreign assistance appropriations.

By a two-to-one margin, Americans disapprove of the U.S. providing foreign assistance to developing countries to strengthen their military defense capabilities (1); yet in 1987, the U.S. government allocated 64.2 percent of its total foreign assistance budget of $13.4 billion to military and security assistance, but only 1.8 percent to family planning.

NOTES

(1) "U.S. Population Assistance to Developing Countries." Conducted for the Rockefeller Foundation by The Gallup Organization, Inc., Princeton, N.J., July 1984.

(2) "Public Attitudes About Sex Education, Family Planning, and Abortion in the United States." Conducted for The Planned Parenthood Federation of America, Inc., by Louis Harris and Associates, Inc., New York, N.Y., Aug.-Sept. 1985.

HEALTH CARE PROVIDERS

According to a study by the Boston University Schools of Medicine and Public Health, the regulations subject patients to serious health risks and providers to substantial legal liability risks. While presented by the Reagan administration as an antiabortion initiative, the regulations could in fact increase the number of abortions in the U.S. by drastically reducing access to contraceptives. Many health care providers, unwilling to compromise their medical ethics or to risk liability for negligence, may be forced to give up a major portion of their funding and to cut back on services accordingly. The brunt of such a cutback would fall heaviest on the low-income women and teens served by Title X. These clients may lose what is for most of them their only source of contraceptive information and services—treatment that will remain readily available to women who can afford private consultations.

Even without the new restrictions, Title X has not yet fully met the needs of millions of low-income women and teens: 56 percent of the nation's 9.5 million low-income women and 69 percent of the five million sexually active teens did not receive medically supervised contraceptive care in 1983. That more than half of the six million pregnancies occurring each year are unintended is clear testimony to the need for expanded services and the disastrous effects threatened by the new restrictions.

Although in October 1987 the U.S. Senate passed an amendment that would have blocked the regulations, the Conference Committee of the House and Senate later deleted the amendment in response to the threat of a presidential veto of the entire spending bill. Instead, in the report accompanying the bill, the conferees stressed the importance of making changes in the Title X program legislatively.

Lawsuits in three jurisdictions have been brought challenging the legality and constitutionality of the regulations. A federal district court judge in Denver has granted a preliminary injunction in a suit brought by Planned Parenthood, ruling that the regulations violate the intent of Congress and the constitutional rights of women and providers. Federal courts in New York City and Boston have also enjoined the regulations.

PLANNED PARENTHOOD'S POSITION

Congress and the courts should block the administration's new assault on Title X, as they have others in the past, and preserve the original intent of Title X mandated by Congress in 1970: to reduce abortions by expanding access to contraception for those who need it most.

Planned Parenthood will vigorously oppose the new regulations through all legal avenues, to ensure that comprehensive, confidential family planning services are available to all who want them, regardless of their ability to pay.

To fulfill the promise of Title X—extending services to those still unserved, particularly teens—the current funding level of $136 million must be increased at least to the 1981 level of $161 million. In addition, $10 million is needed to speed the development of new, more effective contraceptive methods, and $10 million to fund education and information programs directed at vulnerable teens to reduce their rates of unintended pregnancy and sexually transmitted diseases, including AIDS.

PUBLIC OPINION

Opposition to the new Title X regulations has been expressed by at least 36 state governments, the deans of all 25 of the nations' schools of public health, and more than 80 national medical, religious, legal, and civil rights organizations, including: the American Medical Association, the American College of Obstetricians and Gynecologists, the National Education Association, the National Council of Churches, the League of Women Voters, the American Civil Liberties Union, the National Urban League, and the Young Women's Christian Association.

TITLE X

Title X was signed into law in 1970. It is the only federal program specifically earmarked for family planning. It has been effective and scandal-free for over 20 years. Unfortunately, Title X has been attacked by groups and individuals opposed to federal support for contraception as well as abortion.

Title X authorizes grants to non-profit agencies for the provision of preventive services to include natural family planning and infertility services, excluding abortion.

Five million women a year receive family planning services from Title X funding.

69% of these women are white, and 8 in 10 have incomes below 150% of the poverty level.

There are 5,000 family planning sites across the country.

More than 800,000 unintended pregnancies a year are averted as a direct result of the federally funded family planning program, more than one half of them among teenagers.

More than half of these 800,000 would end in abortion.

Each dollar invested in family planning by the government yields a saving of $4.40 in health and welfare costs in the following year alone.

Sexual activity among teenagers has been increasing in the U.S. and elsewhere in the developed world for several decades. However, the availability of contraception has not caused this increase: 88% of teenagers come to family planning clinics after they have been sexually active, often for more than a year.

Western European countries with teenager sexual activity levels as high as those in the U.S. have far lower teen pregnancy rates.

Title X legislation has been used as the political trial balloon in the abortion controversy. Although Federal audits continually support the fact that Title X money has not been and is not being used for abortion, misinformation and debilitating proposed amendments draw attention to abortion and force family planning providers to spend a great deal of energy fighting the amendments.

THE TITLE X GAG RULE

The Title X "gag rule" was promulgated under President Reagan and continued by the Bush administration. The government is withholding information about abortion from title X clients. A pregnant client in a Title X program must be denied information about abortion and referral to abortion services, and can only be given referral for prenatal care. Failure to comply with this resolution will result in program defunding.

Currently, some Title X programs are protected from the "gag rule" by federal injunction as appeals make their way toward the Supreme Court.

New legislation—the Title X Pregnancy Counseling Act—would restore poor women's right to receive information about all pregnancy options.

CHOICE

Planned Parenthood is committed to a prochoice position. We believe that a woman must have access to all reproductive health options—contraception, prenatal care, abortion, adoption. We believe that it is a woman's right to make reproductive choices for herself as guaranteed by the constitutional right to privacy.

We are also committed to reducing the number of abortions, recognizing that abortion is a last resort.

Family planning is the best way to reduce the number of abortions. Prevention of unintended pregnancy is the primary service offered by family planning providers. Quality reproductive health care, education and contraception are consistent services that can directly impact the abortion rate.

In 1981, more than 800,000 unintended pregnancies, 425,000 among teenagers, were averted nationally as a result of family planning providers. In Texas, an estimated 56,000 pregnancies were averted in 1981 as a result of federal and state funding for contraceptive services.

It is estimated that before legalization of abortion, 720,000 illegal abortions were performed each year. (Fam. Plann. Persp., 1976)

Poor women who would choose abortion are denied access to those services. During the year before and after the Hyde Amendment eliminated federal funding of abortion, the fertility rate among Medicaid-eligible Texas women increased 4.2% and 12% respectively. Birth rates for non-Medicaid-eligible Texas women those same years increased 1.6% and .6%.

In Texas, of reported women obtaining abortions in 1988, 55% were Anglo, 75% were single, 86% were in the first 12 weeks of pregnancy.

Those who sincerely seek to reduce the number of abortions might work actively and more effectively to:

Make contraceptives easily available.

Establish family life education programs in schools.

Increase involvement of men in family planning issues.

Support research for new and better birth control methods.

Create a better environment for our children.

Mr. NATCHER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, we are back again to debate the most important bill that comes before this House every year, a bill that takes into consideration the real needs of individuals in our society and families, the elderly,

the sick, and the young who are so vulnerable today in this age in which economic advance has come to a dead standstill.

It is tragic that this President has made a decision to put all of the important programs at risk because of his inability to compromise just one iota on the whole question of letting people know what their reproductive rights are in the traditional manner in which every health provider and every patient have always been able to operate under.

We have heard a lot of talk from the other side today about abortion, but there is not one dime for public-funded abortions in this bill. In fact, in all the vetoes that have been cast by this President in the last year and others he has threatened have not been on publicly funded abortions.

The other folks are afraid just to even talk about sexuality and to deal with the reality that sometimes women's lives are seriously endangered by pregnancy. It is not always a successful event in the life of a woman. It is big Government. It is nannyism in the *n*th degree, an insult to those in our society who are women and deserve an equal chance, an equal opportunity to have a say about their lives.

I think what is really tragic is that we have not really effectively put a coalition together even now to fight for change. This fight that comes appropriately in this bill to an end today will continue in many other venues and on other legislation still to come.

The gentleman from Kentucky [Mr. NATCHER] is doing the right thing. We are not holding anybody hostage today because we differ with the President, that almost two-thirds of us here in the House and over 70 percent of us in this country, but we are letting the word go forth today that the issue will be fought in every home, in every town and village and city in this country, every State in America.

We are putting together a coalition, not just health professional groups, the people you might expect to be involved—like the American Medical Association, the American Nurses Association, the American Psychiatric Association, the American College of Obstetrics and Gynecology—but we are going to be getting the PTA's involved.

We are going to be getting the other community-based groups that are sensitive to the needs of women, and we are going to put Members of Congress from both sides of the aisle in this organization. We are going to be bipartisan. We are going to be committed. We are going to fight for the principles that this effort to repeal the gag rule embodies and when we come back to title X, when we come back to this bill again, we will have the two-thirds majority to make sure the American people have their way in the House of Representatives.

Mr. Speaker, I rise in support of H.R. 2707, the revised Labor, Health and Human Services and Related Agencies conference report.

It is indeed tragic that this President, who governs by veto, has rejected our largest domestic bill—the bill that funds basic benefits and services for American families. At the height of this Republican recession, he has put in jeopardy 205 billion dollars' worth of funding for education, from Head Start to college loans. He has risked funding for childhood immunization, the foster care and adoption assistance program, child care, Aid to Families with Dependent Children, and infant mortality initiatives. He has threatened funding for cancer research and women's health programs.

He has placed these—and more—vital programs at risk all because on the issue of choice he is wedded to the extreme position, one that is at odds with the vast majority of the American people. He has done this all because he is incontrovertibly committed to his oppressive gag rule policy, which prevents doctors in federally funded family planning clinics from even discussing abortion with their patients. This is an affront against all women. It not only denies women dependent on Federal funding the right to know all of their options but implies that they are unable, if so informed, to make sound, responsible decisions.

Even if a woman's health is seriously endangered by her pregnancy, this gag rule prevents her doctor from telling her the truth about her choices.

This restraint is even more alarming because it goes beyond interference with a woman's reproductive health care. This onerous regulation is a direct assault on our first amendment right to freedom of speech. The gag rule is unprecedented Government interference with the confidential doctor-patient relationship and has been denounced by every major medical group, including the American Medical Association and the American Nurses Association. The gag rule dictates to our Nation's medical community what they can and cannot talk about with their own patients. The gag rule blocks women knowing about their legal medical options.

For this reason, those of us here in Congress who believe in the confidentiality of the doctor-patient relationship are going to form a coalition with the medical profession in a campaign to overturn this heinous regulation. We have the support of the majority of the medical community, including the American Medical Association, the American Nurses Association, the American Psychiatric Association, the National Medical Association, and the American College of Obstetrics and Gynecology.

The President has struck a devastating blow aimed directly at American families and American women just to appease a single interest group. This is one of the worst examples of governing by special interest politics.

And now, in order to protect this crucial investment in our health care system and our families provided in this bill, Chairman NATCHER has appropriately stripped the gag rule language from his bill and brought it back to the floor of the House.

We cannot buy into the President's political game. We must have our priorities straight—even if he does not. I urge my colleagues on both sides of the aisle to support passage of the revised Labor, Health and Human Services and Related Agencies conference report. A vote for H.R. 2707 is a vote for American families and for the quality of our lives.

Mr. PURSELL. Mr. Speaker, I yield 4 minutes to my friend and top gun and leader from California, the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, I thank my friend and colleague for yielding me this time.

Mr. Speaker, one of the Presidential candidates in our country in two different Presidential races, who is a leader in this Nation, a liberal leader, he misread the polls, I mean that sincerely, misread loaded biased polling and switched on this life issue. I am convinced that someday he will return to the truth, because he is a Protestant Minister.

Here are his words from January 1977, before a thousand people at a pro-life gathering 4 years after Roe versus Wade. Listen to the burning truth of these words. I will jump four paragraphs ahead and then come back to the opening.

> Life is the highest human good not on its own naturalistic merits, but because life is supernatural, a gift from God. Therefore, life is the highest human good because life is sacred.

Here is his opening:

> The question of 'life' is The Question of the 20th century.

And by the way, as a footnote, that is why this issue keeps coming back in appropriations bills where it should not be fought. It should be in the authorization process, and why it is going to be with us whoever among us is longest in his career, with or without term limits, 12, 15, 25, 30 years from today, this issue will not go away because it is the question of the 20th and probably the 21st century.

Back to this Reverend, a great leader and political Presidential candidate, maybe again, probably not this year:

> Race and poverty are dimensions of the life question, but discussions about abortion have brought the issue into focus in a much sharper way. How will we respect and understand the nature of life itself is the overriding moral issue, not of the Black race, but of the human race.
>
> The question of abortion confronts me in several different ways. First, although I do not profess to be a biologist, I have studied biology and know something about life from the point of view of the natural scientist. Second, I am a minister of the gospel and, therefore, feel that abortion has a religious and moral dimension that I must consider. Third, I was born out of wedlock—

And so was his mother, by the way—

> and against the advice that my mother received from her doctor—

Early-planned parenthood types—

> and therefore abortion is a personal issue for me.
>
> From my perspective, human life is the highest good, the summum bonum. Human life itself is the highest human good and God is the Supreme good because, He is the giver

of life. That is my philosophy. Everything I do proceeds from that religious and philosophical premise. Life is the highest good and therefore you fight for life, using every means consistent with that end.

And I repeat that paragraph I opened with:

Life is the highest human good, not on its own naturalist merits, but because life is supernatural, a gift from God. Therefore, life is sacred.

That is the Reverend Jesse Jackson, January, 1977, and I know, Reverend Jackson, someday you will come back to the ringing truth of those burning and eternal words.

Here is yesterday's headline in one of the papers in town, "Failed Abortion Leaves Baby Without An Arm." That is the front page. That is a conservative newspaper.

Here is the New York Times, deep in the B section, and it is a New York issue: "Abortion Doctor Held As Baby Loses Arm."

The flesh wound was consistent with the arm being severed. The arm was not found in the mother's womb.

It is interesting that this abortionist is also up on sex abuse charges for harassing a woman at her first checkup after an abortion.

We are discussing life issues in this bill and it is because the majority still misreads the polls. Most Americans are against most abortions. Try to contradict that. You cannot, that is a fact. That is modern history.

Mr. Speaker, I include the articles above referred to, as follows:

FAILED ABORTION LEAVES BABY WITHOUT AN ARM

(By Joyce Price)

A New York doctor has been charged with performing an illegal and unsuccessful eighth-month abortion in which, police say, the baby's right arm was sheared off just below the shoulder.

The infant, a 3½-pound girl, was born alive the day after the botched abortion. Now 4 weeks old, she is in good health except for the injury.

Dr. Abu Hayat, 61, an obstetrician-gynecologist licensed in New York since 1973, "categorically denies having performed or having attempted to perform an abortion" on the baby's mother, Rosa Rodriguez, his attorney, Jeffrey M. Rubin, said yesterday.

Dr. Hayat was charged with "second-degree abortion." He was charged last month with sexually abusing a female patient during a follow-up examination after she had an abortion at his office, police said.

Miss Rodriguez, 20, told Dr. Hayat she believed she was three or four months pregnant, said her attorney, Jeffrey Lichtman. Rather than do a sonogram, the standard method to determine gestation, Mr. Lichtman said, Dr. Hayat merely "performed a routine pelvic examination" on Miss Rodriguez and gave her "a pat on the tummy."

New York state law prohibits abortions after 24 weeks of pregnancy except in cases where the life of the mother is endangered. Mr. Lichtman said Miss Rodriguez was in her 32nd week of pregnancy and in "good health."

The abortion clinic was described as "filthy" in a report in yesterday's New York Post.

Both pro-life and pro-choice advocates expressed horror at the report.

Pro-choicers acknowledged "mistakes are made" in some abortions but said cases like this are "extremely rare," less than 1 percent.

Pro-lifers agreed that nightmare situations like the Rodriguez case are probably not common. But some charged that abortion-related deaths and serious injuries occur more frequently than most people are aware.

For example, Tim Alexander of the American Rights Coalition cited two cases this month—one in Las Vegas and one in Houston—in which young women died shortly after undergoing legal abortions.

According to a report in the Houston Post, the 17-year-old victim there was 22 weeks pregnant and started bleeding after an abortion she had in the morning. By 6:30 p.m. she was dead.

In the Las Vegas case, a 21-year-old woman who underwent an abortion died after blood collected in her stomach as a result of a perforated ulcer, according to the Las Vegas Review-Journal.

Complications are greatest in third-trimester abortions. Barbara Radford, executive director of the National Abortion Federation, said they constitute "significantly less than 1 percent" of all the nearly 1.4 million abortions performed in this country annually.

Such abortions are "performed primarily for serious health reasons and serious fetal anomalies," according to Stanley Henshaw, deputy director of research for the Alan Guttmacher Institute, a family planning research organization.

But he acknowledged that "a lot of mistakes are made about gestational age," which undoubtedly results in some third-trimester abortions performed for non-medical reasons.

Both Mr. Henshaw and Ms. Radford said they'd never heard of anyone performing an eighth-month abortion and had to believe it was not intentional. "If he'd used sonography, he would have been pretty aware of gestational age," Mr. Henshaw said.

Carol Everett of Dallas, a former participant in second- and third-trimester abortions who is now an avid pro-lifer, said Miss Rodriguez's baby undoubtedly was injured during an abortion procedure known as dilation and evacuation.

She said cases of infants surviving such abortions with missing limbs are "pretty uncommon." But she insists a lot of third-trimester abortions are being performed secretly. The average price of late-term abortions, she and others said, is about $1,500—three to five times more than the fee for abortions in the first trimester.

The American Rights Coalition has a toll-free number people can call to report abortion-related deaths and injuries. Mr. Alexander said that in the past month, he has received calls from 8 women who suffered perforated uteruses, 5 who required hysterectomies and 25 who developed infections as a result of fetal tissue left behind in an incomplete abortion.

From those reports and from newspaper stories and medical journals, Mr. Alexander estimates 200 to 300 abortion-related deaths in the United States this year, with injuries "in the thousands."

HOW WE RESPECT LIFE IS OVERRIDING MORAL ISSUE

(By the Rev. Jesse L. Jackson)

The question of "life" is The Question of the 20th century, Race and poverty are dimensions of the life question, but discussions about abortion have brought the issue into focus in a much sharper way. How we will respect and understand the nature of life itself is the over-riding moral issue, not of the Black race, but of the human race.

The question of abortion confronts me in several different ways. First, although I do not profess to be a biologist, I have studied biology and know something about life from the point of view of the natural sciences. Second, I am a minister of the Gospel and therefore, feel that abortion has a religious and moral dimension that I must consider. Third, I was born out of wedlock (and against the advice that my mother received from her doctor) and therefore abortion is a personal issue for me.

From my perspective, human life is the highest good, the summun bonun. Human life itself is the highest human good and God is the supreme good because He is the giver of life. That is my philosophy. Everything I do proceeds from that religious and philosophical premise. Life is the highest good and therefore you fight for life, using means consistent with that end.

Life is the highest human good not on its own naturalistic merits, but because life is supernatural, a gift from God. Therefore, life is the highest human good because life is sacred. Biologically speaking, thousands of male sperms are ejaculated into the female reproductive tract during sexual intercourse but only once in a while do the egg and sperm bring about fertilization. Some call that connection accidental but I choose to call it providential. It takes three to make a baby: a man, a woman and the Holy Spirit.

I believe in family planning. I do not believe that families ought to have children, as some people did where I was growing up, by the dozens. I believe in methods of contraception—prophylactics, pills, rhythm, etc. I believe in sex education. We ought to teach it in the home, the school, the church, and on the television. I think that if people are properly educated sexually they will appreciate the act and know its ultimate function, purpose and significance.

Only the name has changed.

In the abortion debate one of the crucial questions is when does life begin. Anything growing is living. Therefore human life begins when the sperm and egg join and drop into the fallopian tube and the pulsation of life take place. From that point, life may be described differently (as an egg, embryo, fetus, baby, child, teenager, adult), but the essence is the same. The name has changed but the game remains the same.

Human beings cannot give or create life by themselves, it is really a gift from God. Therefore, one does not have the right to take away (through abortion) that which he does not have the ability to give.

Some argue, suppose the woman does not want to have the baby. They say the very fact that she does not want the baby means that the psychological damage to the child is reason enough to abort the baby. I disagree. The solution to that problem is not to kill the innocent baby, but to deal with her values and her attitude toward life—that which has allowed her not to want the baby. Deal with the attitude that would allow her to take away that which she cannot give.

Some women argue that the man does not have the baby and will not be responsible for the baby after it is born, therefore it is all right to kill the baby. Again the logic is off. The premise is that the man is irresponsible. If that is the problem, then deal with making him responsible. Deal with what you are

dealing with, not with the weak, innocent and unprotected baby. The essence of Jesus' message dealt with this very problem—the problem of the inner attitude and motivation of a person. "If in your heart . . ." was his central message. The actual abortion (effect) is merely the logical conclusion of a prior attitude (cause) that one has toward life itself. Deal with the cause not merely the effect when abortion is the issue.

PLEASURE, PAIN AND SUFFERING

Some of the most dangerous arguments for abortion stem from popular judgments about life's ultimate meaning, but the logical conclusion of their position is never pursued. Some people may, unconsciously, operate their lives as if pleasure is life's highest good, and pain and suffering man's greatest enemy. That position, if followed to its logical conclusion, means that that which prohibits pleasure should be done away with by whatever means are necessary. By the same rationale, whatever means are necessary should be used to prevent suffering and pain. My position is not to negate pleasure nor elevate suffering, but merely in argue against their being elevated to an ultimate end of life. Because if they are so elevated, anything, including murder and genocide, can be carried out in their name.

Often people who analyze and operate in the public sphere (some sociologists, doctors, politicians, etc.) are especially prone to argue in these ways. Sociologists argue for population control on the basis of a shortage of housing, food, space, etc. I raise two issues at this point: (1) It is strange that they choose to start talking about population control at the same time that Black people in America and people of color around the world are demanding their rightful place as human citizens and their rightful share of the material wealth in the world. (2) People of color are for the most part powerless with regard to decisions made about population control. Given the history of people of color in the modern world we have no reason to assume that whites are going to look out for our best interests.

Politicians argue for abortion largely because they do not want to spend the necessary money to feed, clothe and educate more people. Here arguments for inconvenience and economic savings take precedence over arguments for human value and human life. I read recently where a politician from New York was justifying abortion because they had prevented 10,000 welfare babies from being born and saved the state $15 million. In my mind serious moral questions arise when politicians are willing to pay welfare mothers between $300 to $1000 to have an abortion, but will not pay $30 for a hot school lunch program to the already born children of these same mothers.

I think the economic objections are not valid today because we are confronted with a whole new economic problem. The basic and historic economic problem has been the inability to feed everyone in the world even if the will were there to do so. They could not produce enough to do the job even if they wanted to. An agrarian and disconnected world did not possess the ability to solve the basic economic problem. That was tragic, but hardly morally reprehensible. Today, however, we do not have the same economic problem. Our world is basically urban, industrial, interconnected, and technological so that we now, generally speaking, have the ability to feed the peoples of the world but lack the political and economic will to do so. That would require basic shifts of economic and political power in the world and we are not willing to pay that price—the price of justice. The problem now is not the ability to produce but the ability to distribute justly.

Psychiatrists, social workers and doctors often argue for abortion on the basis that the child will grow up mentally and emotionally scared. But who of us is complete? If incompleteness were the criteria for taking life we would all be dead. If you can justify abortion on the basis of emotional incompleteness, then your logic could also lead you that killing for other forms of incompleteness—blindness, crippleness, old age.

Life is public and universal.

There are those who argue that the right to privacy is of higher order than the right to life. I do not share that view. I believe that life is not private, but rather it is public and universal. If one accepts the position that life is private, and therefore you have the right to do with it as you please, one must also accept the conclusion of that logic. That was the premise of slavery. You could not protest the existence or treatment of slaves on the plantation because that was private and therefore outside of your right to be concerned.

Another area that concerns me greatly, namely because I know how it has been used with regard to race, is the psycholinguistics involved in this whole issue of abortion. If something can be dehumanized through the rhetoric used to describe it, then the major battle has been won. So when American soldiers can drop bombs on Vietnam and melt the faces and hands of children into a hunk of rolling protoplasm and in their minds say they have not maimed or killed a fellow human being, something terribly wrong and sick has gone on in that mind. That is why the Constitution called us three-fifths human and then whites further dehumanized us by calling us "niggers." It was part of the dehumanizing process. The first step was to distort the image of us as human beings in order to justify that which they wanted to do and not even feel like they had done anything wrong. These advocates of taking life prior to birth do not call it killing or murder, they call it abortion. They further never talk about aborting a baby because that would imply something human. Rather they talk about aborting the fetus. Fetus sounds less than human and therefore can be justified.

In conclusion, even if one does take life by aborting the baby, as a minister of Jesus Christ I must also inform and/or remind you that there is a doctrine of forgiveness. The God I serve is a forgiving God. The men who killed President John F. Kennedy and Dr. Martin Luther King, Jr. can be forgiven. Everyone can come to the mercy seat and find forgiveness and acceptance. But, and this may be the essence of my argument, suppose one is so hard-hearted and so indifferent to life until he assumes that there is nothing for which to be forgiven. What happens to the mind of a person, and the moral fabric of a nation, that accepts the aborting of the life of a baby without a pang of conscience? What kind of a person, and what kind of a society will we have 20 years hence if life can be taken so casually?

It is that question, the question of our attitude, our value system, and our mind-set with regard to the nature and worth of life itself that is the central question confronting mankind. Failure to answer that question affirmatively may leave us with a hell right here on earth.

ABORTION DOCTOR HELD AS BABY LOSES ARM

(By the Associated Press)

A Manhattan doctor was arrested yesterday in connection with an attempted abortion that resulted in severing the arm of a child who was born alive, the police said.

Dr. Abu Hayat of 9 Avenue A, was arrested at his clinic in the Lower East Side at 12:30 P.M., said a police spokesman, Detective Joseph Gallagher.

The arrest followed an investigation that began Oct. 27, when Rosa Rodriquez, 20 years old, gave birth at Jamaica Hospital in Queens to a girl whose right arm was missing, Detective Gallagher said.

The premature child, who was between 30 and 32 weeks old at birth, was transferred to the New York Hospital, where she was in stable condition.

The flesh wound was consistent with the arm being severed," Detective Gallagher said. "The arm was not found in the mother's womb."

The mother told the police she had gone to an abortion clinic, where "someone attempted an abortion and the arm was severed," he said.

Dr. Hayat was charged with an act of abortion, attempting an abortion in the third trimester, said Officer Andrew McInnis, police spokesman. As a result of the investigation Dr. Hayat was also charged with third-degree sexual abuse as a result of a separate incident, the police said.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Speaker, this bill deserves our vote, but it was so much better before the President and a minority of this House removed freedom from it.

What does freedom mean? Freedom means all Americans are created equal under the law. Freedom means that all of us have the right to freedom of speech and freedom of religion.

The policy of this administration on health care does violence to our freedoms. This veto was a totalitarian veto. This President has ordered the gagging of our health care workers. They can no longer tell a woman that abortion is legal in our country.

□ 1340

Mr. Speaker, I listened to my good friend from California. I want to point out that physicians are now gagged in health care clinics, and even if a woman has been raped, that physician cannot tell her that abortion is legal in this country. The President says he is not gagging physicians. He has put out a policy that says he has not.

Ask the physicians. They say they are gagged. Who do you believe? The physicians are gagged.

Who is next? Teachers, writers, reporters, Members of Congress?

Women in health care clinics will not get equal treatment from their doctors, because their doctors are gagged. We need to stand up in this House as men and women, Republicans and Democrats, and give voice to those gagged professionals and the thousands of American women who are forced into ignorance.

This issue will not go away, because it is about the heart and soul of America. Our freedoms, our rights, our country.

We will keep it before the American people so that they understand that the party that says it wanted to get Government off the backs of the people has put itself smack in the middle of our lives.

What gives the President the right to do this? One-third of this Congress and a very cruel veto pen.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Speaker, I thank the gentleman from Kentucky [Mr. NATCHER], the chairman of the Subcommittee on Appropriations, for yielding this time to me.

I too intend to vote for this bill despite my deep disappointment that it has been gutted of a very important principle.

Mr. Speaker, I serve on the Committee on Education and Labor, and I know how important the funds are to the educational community. I have worked very hard to get special provisions in this bill with reference to women's health issues. I am concerned about labor issues and about children.

So there is no question that I must vote for this bill despite my disappointment.

But in all the years that I have practiced law and I have participated in politics, I believe there were two cardinal principles that could never be violated, and that was the right of privileged communication between a doctor and the patient and between lawyers and their clients.

We are, by yielding to the pressures that exist in our society, small minded, unthinking, unbelieving in the basic principles of our Bill of Rights, by cutting out and diminishing the protections of our law, of our common law, of our customs, of all the things that are part of our society, we are now destroying this very basic belief that what a doctor and a patient communicate to each other is privileged, is sacred, is private.

Henceforth, merely because Federal funds are going into a Planned Parent clinic, a doctor cannot exercise this freedom of having this relationship with their clients and being able to feel free that he or she, as a physician, can give the full benefit of his or her knowledge to this particular patient.

I wonder what is next. I think that all the women in this society need to think about what is next. Are they going to tell our schools, our colleges, all our other public health services that they too will be gagged next?

This is the caution that we have to carry to our constituents.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I would have preferred the original bill, and I want to compliment Chairman NATCHER; he was very courageous in offering that bill.

I want to say that I am proud of the fact that every Democratic woman in the House supported the original bill and supported the repeal.

But I do want to point out that there are some things in this bill some of us have worked very, very hard on, and I am very pleased that the chairman and others saw fit to put it in.

I had asked for $50 million for research for breast cancer, and the committee put in—it is confirmed—$42 million for more research for breast cancer. That may seem like a lot of money, but I have to tell you that in the last decade when we lost 100,000 people to AIDS—and I am a big supporter of AIDS research—we lost 400,000 women to breast cancer.

Well, we know 45,000 women are going to die of breast cancer this year. We know approximately 175,000 women in the United States will be diagnosed with breast cancer. It is an epidemic, and we do not treat it as an epidemic.

We were able to get mammography coverage in Medicare, and we think we may save 4,000 lives because of that early detection.

But we do not have mammography coverage in every public and private hospital plan in this country, and that is reprehensible to me. And I believe very strongly that until we see equity toward women's health issues, we will not stop in our pursuit of getting more money for ovarian cancer, osteoporosis, cervical cancer, and other female-dominated diseases and, yes, prostate cancer, which occurs more often in men.

So, Mr. Speaker, I say thank you to the chairman, I thank him for his good effort and for the bill that we have at hand.

Mr. PURSELL. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. I thank the gentleman for yielding this time to me.

Mr. Speaker, the reason I interrupted the gentleman from Texas [Mr. DELAY]—and I am sorry he did not have more time—but I wanted to ask him if he would, with respect to the letter that he was reading from and the materials from Planned Parenthood, that he was quoting, if he would put those in the RECORD. I think sometimes we have the feeling that there is some misconstruction being put upon such documentation, and I wonder if the gentleman would just put it in the RECORD and share that for all those who may read the RECORD.

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

Mr. EMERSON. I yield to the gentleman from Texas.

Mr. DELAY. I thank the gentleman for yielding to me.

Mr. Speaker, I would be glad to do that.

PARLIAMENTARY INQUIRY

Mr. DELAY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DELAY. Mr. Speaker, may I insert in the RECORD this material under the general rules during the period of my speech?

The SPEAKER pro tempore. Not with illustrations, but text may be included.

Mr. DELAY. I have no illustrations, just the text for the RECORD during my speech.

The SPEAKER pro tempore. Without objection the gentleman from Texas may insert the material in the RECORD.

There was no objection.

Mr. EMERSON. Mr. Speaker, I rise to support the passage of the Labor/HHS/Education appropriations bill. We finally have a bill that the President will sign—and it's high time. This bill is the culmination of many months of hard work by Chairman NATCHER, ranking member PURSELL, and the rest of the Appropriations Subcommittee. This is a good bill, and I commend my colleagues who worked so long and so well.

I am pleased to be able to support this bill which funds cancer and Alzheimer's research, Head Start, and impact aid; which directs the National Cancer Institute to prioritize on prostate, ovarian, breast, and cervical cancer; and which funds vocational education, chapter 1 programs, immunization programs, and energy assistance for low-income folks. It's a shame that such a good bill was held hostage for so long by abortion supporters. If abortion supporters in Congress had not insisted on using taxpayer dollars to refer women to abortion mills, this bill would have been law long ago.

□ 1350

Let us pass the bill today, send it to the President for his signature. We have waited too long for cancer funding, for health, and for education.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Mr. Speaker, I rise in support of the Labor-HHS conference report.

They don't call this America's bill for nothing.

As usual, Chairman NATCHER has crafted a bill on which our entire Nation relies for improving education for quality health care and for programs that will aid our families and spur our economy at this time of recession.

Every single taxpaying citizen in our Nation will be touched by this bill, and they all owe a debt of gratitude to Mr. NATCHER and the entire subcommittee for the fine work that they have done.

It was tragic when the President ignored the pleas of American citizens who are desperately in need of assistance and vetoed this bill, which contains antirecession tonic and healing relief for our families.

But it was even more tragic when the President insisted on a policy that is illegal, immoral, and insulting to every woman in America.

That policy is the gag rule—a rule which gags free speech, deprives women and doctors of their fundamental rights, and even worse, threatens the health and the very lives of women across this Nation.

The women of America are not simply disappointed that the President continues to insist on this policy, we are enraged.

And today, as Congress approves much-needed health and education legislation, absent the antigag rule provisions, we are here to say: We are not going to forget, we are not going to forgive, and we are going to prevail.

When the President wielded his veto pen for the 24th time, it was his own doing, and it was his own undoing. He abandoned the women of America and the women of America will not stand for it.

We will fight unceasingly for our fundamental freedoms, for quality medical care, and for new leadership that does not ignore the needs of America's women.

Mr. Speaker, this bill is excellent and much needed. But it is also a milestone, a milestone by which we will mark our slow but certain progress toward overturning the President's veto and overturning the gag rule.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana [Ms. LONG].

Ms. LONG. Mr. Speaker, I rise today in reluctant support of the Labor-HHS-Education appropriation bill. I thank the committee for their hard work to bring this bill to the floor. But I am dismayed that the bill we will approve later today limits the first amendment rights of American women and their doctors. This bill prohibits health care providers from telling the truth. And that is unconscionable.

For more than 200 years, American men and women have lost their lives defending their right to tell the truth, to speak out—as guaranteed in our Nation's Constitution.

Yet, last week, a minority of the Members of this body joined our President to tell competent, professional health care providers that they cannot tell their patients the truth. Or, they can tell their patients only a part of the truth, and then they must be silent—gagged by the very body that has sworn to "support and defend" our Constitution against all enemies, foreign and domestic. I am saddened that last week we failed to protect our Constitution from such a domestic enemy.

Mr. Speaker, many of my colleagues have tried to frame this debate as an abortion issue. But it is not. It is a free speech issue. It is about the Constitution. It is about the laws that govern our Nation. But, last week, the President and a minority of the Members of the House of Representatives severely restricted the rights of health care professionals in 4,000 title X funded clinics across the country. We told these doctors and nurses that they cannot tell the truth, they cannot give their patients all the medical options available.

But, Mr. Speaker, everyone is this Chamber knows that if a woman has money, has the funds available to pay for a private doctor, she will get all the information that affects her body. She can buy her choices. But the 4 million lower income women who depend on federally funded clinics for their health care cannot afford to buy their information, to buy the luxury of having a doctor tell them the truth. These 4 million women look to the staffs of their local health clinics for medical treatment and guidance—and what will they see? Doctors and nurses in white coats, with stethoscopes around their necks and zippers over their lips.

Mr. Speaker, this bill is the best this Congress can approve this year. But, Mr. Speaker, next year my colleagues and I will continue to work to ensure that lower income women have access to the same medical information and choices that upper income women enjoy. And we will work so that doctors and nurses can once again enjoy the freedom of speech, the freedom to tell the truth that our Constitution guarantees. And I promise that we will work to remove the gags that limits that speech and keep these professionals from telling the truth to their patients.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Kentucky [Mr. NATCHER] for yielding, and I thank him for his leadership in bringing this legislation to the floor. The chairman of the subcommittee has served this issue very well in helping us come out of the Committee on Appropriations to the committee with the bill that was the right bill for us to pass.

Unfortunately, Mr. Speaker, the President of the United States chose to veto that bill, and from our high school Latin we know what "veto" means.

"Veto" means "I forbid," and in vetoing the bill the President of the United States said, "I forbid women to have their medical options be known to them. I forbid poor women to have the same doctor-patient relationship that women of means have. I forbid women to be able to be treated with respect by receiving information that is necessary for their personal health. I forbid women to be told the truth."

Mr. Speaker, I will support this legislation, as I have said in the beginning, but I do so with the statement that we must in next year's bill make it very clear to the American people that women have the same constitutional rights as others.

Mr. Speaker, on this floor I cannot ever recall a time when we discussed or debated men's health issues, but, when it comes to women's health issues, the women of America want their word and their thinking to be respected on it. So, let it be very clear to the women of America that, while we support this bill and all of the great things it does for our country in terms of education and health, that we will not let this matter rest, that we must rectify this situation, and we must not let any President of the United States forbid the women of America to the rights they are entitled to under the Constitution of the United States.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, I rise in support of this very important bill, and I commend the chairman, the minority ranking member of the committee, particularly the chairman, for what he is bringing to the American public in this bill. After all, this bill handles the medical research, college loans and grants for students, so much that is important to every American man, woman, child, and family, and I commend the chairman particularly for his attempt to override the President's veto.

But while we celebrate what is in this bill, we also must lament what has been omitted because of that veto by the President. Women throughout the centuries have been held in bondage in one form or another. They have been sold off as wives or prostitutes, they have been cremated live on their husbands' funeral pyres, they have been prohibited from driving. In our own country women are no strangers to the bondage. They were denied the right to vote for too long, they were not allowed to own property or borrow money without their husbands' signature. This President wants to continue this history of bondage by keeping some women in ignorance.

Mr. PURSELL. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Michigan [Mr. PURSELL] for yielding this time to me.

Mr. Speaker, I am filled with mixed emotions about this bill. The health of the Nation is something that we all should be concerned about. We have a lot of problems to deal with, and this bill certainly deals with a lot of them in a very positive way.

But one of the things I have been harping on this whole past year has

been the budget deficit and what that is going to do to the economy of this country, and this particular bill goes $22 billion over last year. That is an increase of 11.8 percent, and, not only are we spending $22 billion more than last year, almost a 12-percent increase, but we are also, in addition, forward-funding into the next fiscal year about $4.3 billion.

□ 1400

That means that we are going beyond the budget agreement, that we are circumventing the budget agreement. This year we are going to have a 400-billion dollar deficit. At least that is what I have said time and time again, but it has been brought to my attention today that it is really going to be a 480-billion dollar deficit if we look at the true figures.

We have a $4 trillion national debt, and yet we are going $4.3 billion over this year's budget agreement into next year to make a hole we are going to have to fill later on. We cannot continue to do business like that.

Obviously, the health of the Nation is very important, but if we continue to spend beyond our means, as we have this year and in the past, if we continue to do that into the future, we are not going to have a health system and we are going to bankrupt the whole country.

So I just say to my colleagues, let us take a hard look and make priorities in spending. Let us prioritize the programs, not only in the area of health but in every area of Government. If we do not start prioritizing, if we continue throwing money at every single issue that we think is important, we will never get control of spending and the budget deficit will continue to escalate.

In 2 years we are going to have close to a 5-trillion dollar national debt. The interest on that will be $400 billion, just the interest alone, and we are not going to be able to deal with these astronomical figures. We are digging a tremendous hole for our children. They are going to have to deal with that, and I do not think the economy we are going to leave them is something they are going to be proud of, and they will certainly hold us accountable.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, we come here today to act on the Labor-HHS-Education appropriations bill. This is legislation that should be law. We have here $204 billion in vital programs for education, child support enforcement, foster care, and child care.

I really feel that we should say that the whole Nation knows that this vote was taken 2 days ago, on Tuesday, and, therefore, the record has to keep straight and we have to say that for 7 years family planning counselors were required to give their clients full information about pregnancy options, but in 1988, the Reagan administration barred health care providers in federally funded clinics from telling women what the law is in the United States of America.

This became known as the gag rule. Physicians and counselors may not tell a woman all her medical options. The ethical dilemma for health providers who have a professional responsibility to give their patients sound advice is staggering.

Mr. Speaker, I regret that we have stripped the language to overturn the gag rule from the legislation before us, but I also commend the many Members who understood that the gag rule debate was not about abortion but about the sanctity of the patient-provider relationship and freedom of speech.

Today, Mr. Speaker, we must act responsibly and pass this appropriation legislation. We all thank the gentleman from Kentucky [Mr. NATCHER] for his constant willingness to let us say what we have to say, and like the administration, we will not play games with the domestic programs of our Nation. Too many lives, too many jobs, and too many futures are at stake.

But we will be back, Mr. Speaker, because underprivileged American women deserve equal access to information.

Mr. PURSELL. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MAVROULES].

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

Mr. Speaker, I rise today in strong support of H.R. 3839, the fiscal year 1992 Labor-HHS-Education appropriations bill. I commend my colleague, the esteemed chairman of the subcommittee, Mr. NATCHER, for his efforts on behalf of cancer victims.

As many of you know, there are some 44,000 deaths a year attributed to breast cancer alone. My colleagues, what makes this more tragic is that some of these deaths could be prevented with early detection and monitoring. We have already approved limited Medicare coverage for mammography screening, but more needs to be done.

This bill urges the National Cancer Institute to make breast, prostate, ovarian, and cervical cancer one of its top priorities and treat these diseases with the utmost urgency. We have added about $133 million for breast cancer research in this bill, an increase of 46 percent.

Mr. Speaker, I believe this bill represents a major commitment on the part of the Government to improve the health care needs and prevention programs for all women. This bill provides an overall increase of approximately a quarter of a billion dollars for the National Cancer Institute. However, we must continue to do more so we will hopefully reduce the number of cancer victims and improve the quality of their lives.

Mr. Speaker, it is also important to note that H.R. 3839 has wide support from those in the education community, and there is good reason for their blessing. This bill ensures that millions of disadvantaged children will be rendered vital services by providing a $1.8 billion increase in educational funding.

This bill will provide access for an additional 600,000 children who will be eligible for reading and math instruction.

Furthermore, a $171 million increase in student aid and a $52 million boost to the TRIO programs will permit more students to receive financial aid and increase access to a college education.

Mr. Speaker, the future prosperity of our country depends heavily on an educated public. This bill goes a long way in our effort toward restoring America as the world leader in all fields of education.

Mr. NATCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. FORD], who is chairman of the Committee on Education and Labor. Let me say to the gentleman that we appreciate his help, and every day during the year he does help us.

Mr. FORD of Michigan. Mr. Speaker, I thank the chairman of the subcommittee for yielding time to me, and I thank him for those kind words. It is a real pleasure to work with a Member like the gentleman from Kentucky, someone who is so strongly committed to education.

I said last week when we voted on the veto override that the President was making it difficult for me to keep my pledge to do everything I could as chairman of the Committee on Education and Labor to help him become the education President that he wants to be. I have moved education legislation out of my committee, to the dismay of a majority of my Democratic members, I might say, in a way that has left me in some difficulty over there, trying to cooperate with the President.

The gentleman from Kentucky, in his anxiety to be cooperative with the President, has put in this bill money that will be available, when we get the other body to act, to get money started out there to fund the President's education initiatives early next year.

All of that went down the tubes with the veto the other day, and it is very sad.

I agree with the Members who have been talking here about how outrageous it is to have a gag rule applied to young women of any kind any place in this country who are being denied essential information, and I pledge to join with them when we get separate legislation out here to take that issue on head-on and let people go home and

explain their votes on that issue. The President used that as his excuse to veto this bill.

Whatever his excuse, the plain facts of life are that this bill increases expenditures for education for the next fiscal year by 9 percent. The President recommended 3.5 percent, which effectively, because of the CPI being higher than that, was a cut in the education commitment, and I cannot make him the education President by cutting funding for education.

If Members want to help him, they should vote for this bill and give him a chance to sign it and take some credit that he will have coming to him and let him take his lumps for the reason he vetoed the bill the last time.

As for the new money that is in here, I heard a Member from Indiana, I believe it was, talking about busting the budget. We amended the budget, as Members may remember, on this floor very early in this year to make room for new money in education. The Appropriations Committee came through and appropriated within the budget numbers that this House voted overwhelmingly to adopt. This money is all within the budget.

□ 1410

There will be 600,000 disadvantaged children who will not get training in reading and writing if this bill is not passed. If we go to a continuing resolution, we will not reach 600,000 people with reading and writing at a time when everybody tells us that is what we ought to be doing.

Over 3 million young people who are already seeking a college education will be placed in jeopardy with Pell grants. As many as 66,000 children that would otherwise be prepared to start school in Head Start would be denied that opportunity, because that is the difference we make. That is where the chairman put the new money that we got in the budget. I think he spent it for us wisely, and we should support the committee and support this resolution.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Speaker, I intend to support the appropriations bill that provides essential funding for critical education and health care programs. I certainly join in all the commendations that have been extended to our chairman for crafting a very significant piece of legislation. But I must express my profound disappointment that it has been necessary to strip out the language that would have blocked the implementation of the gag rule.

In his insistence on preserving the gag rule, President Bush is playing with women's lives. Let us be clear: the gag rule does not present a test of one's position on abortion. What is at issue is whether a pregnant woman will be able to receive the medical information she requires in order to make an informed choice. What is at issue is whether health care providers will be required to violate the ethics of their own profession.

Mr. Speaker, under the gag rule even if a woman has been raped or is a victim of incest or finds her health seriously threatened by her pregnancy, she would not be able to hear the truth about her options. The President, in imposing this gag rule, is engaging in an act of remarkable callousness and insensitivity.

Mr. Speaker, the fight to lift the gag rule can and must continue.

Mr. PURSELL. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota [Mr. WEBER], a member of the subcommittee.

Mr. WEBER. Mr. Speaker, I rise in strong support of H.R. 2707, the Labor-Health and Human Services-Education appropriations conference report for fiscal year 1992. This is a fiscally responsible measure providing much-needed funding for programs meeting the basic needs of the American people.

I would like to take this opportunity to again thank our subcommittee chairman, BILL NATCHER, and our ranking Republican member, CARL PURSELL, for their excellent work in developing this appropriations measure. We faced an extraordinarily tough funding situation in our subcommittee this year, necessitating hard choices among worthy, competing programs and needs. With the leadership of Congressmen NATCHER and PURSELL, I believe we are bringing a balanced measure to the floor today, one that serves the American people well and makes wise use of taxpayers' dollars.

This measure puts our Nation's children first. We have provided $65 million to fund Secretary Sullivan's Healthy Start initiative to attack the serious problem of infant mortality in our inner-city and rural areas. For every dollar we invest in prenatal care, we save 3 dollars in health care costs for low-birthweight babies. We have also included an increase of $66.8 million for childhood immunization programs, realizing that for every dollar we spend on immunizations, we save 10 dollars in health care costs.

Mr. Speaker, we do a lot for education. The first of the education goals announced at the education summit is that every child starts school ready to learn. To help realize this goal, we have provided a $250 million increase for the Head Start Program.

One of the major concerns of rural Americans is access to health care. In Minnesota and many other rural areas, severe and growing shortages of physicians, nurses, physician assistants, and allied health professionals are seriously eroding access to primary care and forcing hospitals to close. I wish to particularly express my appreciation to our chairman and ranking member and to my colleagues on the subcommittee for agreeing to increase funding for the National Health Service Corps scholarship and loan forgiveness programs by $10 million—an almost 20-percent increase. That is a big increase, but it will go to good use. These programs provide highly effective, immediate, and long-term relief to our rural communities most severely affected by health professions shortages and will help us achieve our goal of eliminating shortage areas by the year 2000.

In addition, the measure before us restores funding for other programs important to maintaining and improving access to care in rural areas, including the rural health care transition grant program, health professions education programs, and nursing education.

I am very pleased that we were able to restore funding for the Low-Income Home Energy Assistance Program and provide $1.5 billion to ensure that individuals and families will not be faced with the choice of putting food on their tables or heating their homes.

Another national priority, I have worked with my colleagues on the subcommittee and Congressman TOM COLEMAN to meet, is math and science education. The number of our talented college graduates choosing graduate studies in math and science and careers as researchers and educators is sharply declining, placing the quality of math and science education in our elementary, secondary, and postsecondary schools and our Nation's progress and international competitiveness at grave risk.

The measure before us provides a $3 million increase for the Coleman Fellowships, which provide assistance to graduate students in the sciences and math who are needy and who are planning careers in research and education.

I urge my colleagues to join me in voting for this appropriations measure. This measure merits your support. It is a fair and balanced bill which meets pressing domestic needs and makes wise use of taxpayers' dollars.

Mr. Speaker, I rise in strong support of H.R. 2707. That is a statement that I have wanted to make at other times in this process and been unable to because of my disagreement with what the subcommittee and the conference committee ultimately did on the issue of title X.

But I am pleased to be able to rise today and say that it is a continuing pleasure, really one of the hallmarks when I think of my service in this body, to be able to work with Chairman NATCHER and my good friend, the gentleman from Michigan [Mr. PURSELL], our ranking member.

This is a good bill. It is a fiscally responsible bill. I am proud of the programs that are in it. I do not intend to make mention of all of them, but I want to mention a few of them.

I think it is important to note that this measure does put our Nation's children first. We provided $65 million to fund Secretary Sullivan's Healthy Start initiative, and an increase of $66.8 million for childhood immunization programs. We are making good on the promise to put kids first.

Mr. Speaker, we also do a lot in this bill for education. The first of the education goals announced at the education summit is that every child start school ready to learn. To help realize this goal we have provided a $250 million increase for the Head Start Program, something we can all be proud of.

Speaking on behalf of a rural constituency, this bill is good for rural health care. We fund programs for rural physicians and for allied health professionals through the National Health Service Corps to try to address some of the health profession shortages that we feel—certainly across the country—but especially in rural areas.

I would also like to specifically thank the chairman and the ranking member for funding the Rural Health Transition Grant Program and the Low-Income Energy Assistance Program, important to my part of the country.

Mr. Speaker, it is a good bill. It deserves the support of the body.

I had not intended to speak one more time on the issue of the title X regulations, but as I sat and listened to the debate, the magnitude of the disinformation and misinformation spewing out on this issue has made it impossible for me not to once more address that issue.

First of all, I would like to say I must compliment the majority. In just a few days they managed to have worked magic. A few days ago we were all on this floor, and Member after Member said if we sustain the President's veto, there will be no funding for cancer research, no funding for education, the funding will be all gone.

Voila! Within hours, the majority has worked its magic. All those programs, with the snap of a finger, are back before us again. I do not know how they did it, but it was magic.

Mr. Speaker, I want to compliment the majority.

Indeed, not one nickel in any of those programs was at risk. We all knew it that day and now we can see it.

One of the finest Members of this body, the gentlewoman from Connecticut, made some reference to the history of the title X regulations. It is important when we consider this issue to remember that, but to remember a little more than that. The reason the Reagan administration suggested the title X regulation was because analysis of the implementation of these programs showed, clearly, that the title X clinics were becoming a funnel for pregnant women into abortion clinics. Up to 90 percent of the pregnant women that were walking into title X clinics were ending up in abortion clinics. That was the rationale for the title X regulations, the reason we had to put something into law, to establish a wall between the family planning programs—which we all support—which, after all, deal with women who are not yet pregnant, and the practice of abortion, which this body does not want to subsidize.

Mr. Speaker, let me also say that Member after Member has talked about the fact that doctors are gagged. I do not know how often we can come to this floor and again state the facts. The President has made clear, the Secretary of Health and Human Services has made clear, doctors are not gagged. Doctors have full freedom to discuss a woman's medical condition with her if she walks into a title X clinic.

Mr. Speaker, what we are simply doing today is the right thing. We are funding programs for women. We are funding family planning programs. We are keeping the wall of separation between family planning and abortion, and we are preventing the establishment of a nationwide taxpayer-subsidized abortion-referral system.

Mr. Speaker, I am proud to vote for the bill today.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, I am envious of my colleagues who see the issue of abortion in absolute and unequivocal terms. I have struggled with this issue personally for 20 years. I am sure I will continue to struggle with it so long as I am in public life.

But the Bush gag rule goes far beyond the challenging issue of abortion. The Bush gag rule inhibits one of the most sacred ethical relationships, the relationship between a doctor and patient.

Seldom in recorded history has a government been so despotic as to stand between a patient and his doctor. Seldom has any government forced its political philosophy into a doctor's office or surgical theater.

Mr. Speaker, this debate also goes beyond the issue of abortion. If we ever should decide as a Nation or as a Congress to have national health insurance program, we must make certain that the architects of this gag rule do not dictate or inhibit the relationship between doctors and patients across the United States.

Today the Bush administration gags doctors with poor patients. Will this political victory embolden the President to extend this rule to every American?

No health reform is worth that loss of freedom or the loss of our right to a confidential and professional relationship with our doctor.

President Bush may win today, but his gag rule is a shameful display of the brutal power of Government over poor women seeking all the information they need to make an informed consent to critical medical care.

The SPEAKER pro tempore (Mr. MCNULTY). The Chair would announce that the gentleman from Michigan [Mr. PURSELL] has 7½ minutes remaining, and the gentleman from Kentucky [Mr. NATCHER] has 7 minutes remaining.

Mr. PURSELL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GOODLING], the ranking member on the Committee of Education and Labor.

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

Mr. Speaker, I had hoped that we would all come to the floor today and hoped the press gallery would be full, and somehow or another we would be able to get the message across to the American people that we are voting on $205 billion of the most important programs we have in this country, the most important programs that are ever funded.

Mr. Speaker, do you realize what they are going to get from what they hear again today is nothing about the fact that this is $205 billion for every program I have ever fought for as far as education is concerned, and as far as nutrition is concerned. They will know nothing about medical research. They will know nothing about cancer research. They will not know any of those things, because we are falling right into the trap they seem to want us to fall in.

Mr. Speaker, I am here to congratulate the two Members sitting out here, the ranking member from Michigan [Mr. PURSELL] and the wonderful chairman from Kentucky [Mr. NATCHER], for all of the effort they have put forth, not only this year, but over the years, to make sure that we have proper funding for education, proper funding for nutrition, proper funding for health research, and proper funding for health entities.

□ 1420

I just came back from a White House luncheon where the private foundation was funding all sorts of intergenerational programs dealing with illiteracy. I thought, as I sat there, when I think of what this subcommittee does in relationship to illiteracy and what they are doing as the private sector, joining the two together, we can beat all the problems that there are in this country if we just understand that intergenerational illiteracy is the problem that is preventing us from becoming a greater Nation than we have ever been in the past.

I just thank the ranking Member and I thank the chairman for their efforts and for standing tall to bring to Americans the kinds of things that we need in education and we need in health.

Again, I thank both of them very much.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I rise in very strong support of this Labor, Health and Human Services appropriations bill because of what it does include. The members of the Committee on Appropriations should certainly be commended for the work that they have done. In particular, it reflects the big heart and the strong character of the gentleman from Kentucky [Mr. NATCHER].

The bill includes $2.2 billion for the Head Start Program and extends the

program to more than 39,000 additional children. It contains $1.9 billion in funding for AIDS education and research to help fight a deadly disease which we have seen can strike anyone at any time.

It contains $1.4 billion in vocational and adult education programs, which will help unemployed Americans become more productive citizens. Finally, it reflects a recognition that women's health research, particularly in the area of breast cancer research, has been too long neglected.

We need this legislation right now more then ever before.

What I and many of my colleagues regret about this legislation is what it cannot include because of the President's opposition. This May, the Supreme Court upheld an unfair and discriminatory gag rule that the administration placed on women receiving medical counseling through family planning clinics. The Congress acted swiftly to overturn this gag rule, using this bill as a vehicle.

The President vetoed this legislation, though, solely because it would have given pregnant women dependent upon public health care providers the same professional advice and care that they would get if they could pay for private care.

We may have lost this first battle, but we will not lose the war. We rose up against this gag rule because it set separate standards of medical treatment and counseling based solely on a woman's economic status; in the other words, on her dependency upon a publicly financed health care provider.

Frankly, I agree that the passage of this legislation is, and should be, of the utmost concern of every Member of this body. But I, and over 270 of our colleagues, will not let this issue die. I plan to introduce legislation that will ensure that an individual is not prohibited from receiving all of the information about her conditions, treatment, and options, regardless of her means of payment.

Mr. NATCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I am going to vote for this bill today. I am voting for it because our economic future depends on providing our children a better education; because the hundreds of thousands of people now out of work need job training; because our seniors need better health care; and because biomedical research will save many, many lives.

Each of the provisions in this bill have a personal, human dimension; without funding for medical research, I would not be here today. With that help I was able to fight ovarian cancer and prevail.

But I cannot vote for this bill without warning this body that what we are doing today sets a dangerous precedent. In order to pass this bill we have stripped it of a provision that would protect the free speech of people who counsel women about a difficult and painful choice.

In allowing the gag rule to stand, we have abridged the freedom of speech. We have abandoned American women. We have curtailed a principle that is fundamental to what this country represents. The gag rule sets a dangerous precedent, and we should be well aware that we have purchased victory for this bill at the cost of defeat for free speech.

I stand here today to urge the silence imposed by the President be broken and this House act soon. Until then, what good we have done today will be tainted by the precedent that we have set.

Mr. NATCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, I rise in support of H.R. 3839.

Mr. Speaker, I rise today in support of the H.R. 3839, the Labor-HHS-Education appropriations for fiscal year 1991. This will benefit those Americans who need assistance the most. It will assist the elderly, the poor, America's children and the unemployed. It will help those that are unable, or in need of some assistance, to help themselves. The gentleman from Kentucky [Mr. NATCHER] calls the bill the people's bill. He is correct. But more specifically, it is the family and the children's bill. We assist the elderly through programs for the aging. We save lives with NIH funding. We protect small children with prevention block grants and childhood immunizations. We are making America stronger by giving the children an opportunity for Head Start, student loans for those students that are continuing their education ongoing to college and will provide funding for adult and handicapped education. We are focusing our attention on women's health issues by appropriating funds for breast cancer screening and including funding for increased research through the National Institutes of Health for breast and cervical cancer. There will be funds for increased research efforts to find a cure for Alzheimer's disease and other diseases. Mr. Speaker, I believe this bill is the people's bill, and strongly urge my colleagues to join with me in support of this very important legislation that is for the People.

Mr. NATCHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. BLACKWELL].

Mr. BLACKWELL. Mr. Speaker, 2½ weeks ago the voters of Pennsylvania went to the polls to tell this Nation that adequate health care is a basic right for everyone. By supporting this Labor-HHS-Education appropriation bill, we are letting the voters of Pennsylvania and the Nation know that we have heard you loud and clear. This bill will provide funding to give dislocated workers help in putting their lives back together. It will give youths job training and summer employment opportunities, and it will offer older Americans a real chance to continue working. This bill even gives babies and children a better chance for a full, productive and healthy life. Mr. Speaker, it is time for Congress to tell the unemployed, the young and old, women and children that we care. It is time to commit to taking care of our own first and foremost.

Mr. PURSELL. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I wish I had more time to praise the gentleman from Michigan [Mr. PURSELL] and the gentleman from Kentucky [Mr. NATCHER] for the incredibly fine job they have done on this complicated legislation. But I really do not have adequate time but I certainly honor them.

I am embarrassed by hearing some of my colleagues talk about this legislation. They know so many things that just are not so. There is no gag rule on doctors. The doctor-patient relationship is unimpaired. Repeat, the doctor-patient relationship is unimpaired.

A doctor can give any advice he wants to a pregnant woman, medical advice. There is no gag rule on the doctor.

Have my colleagues not read the President's letter, the directive to Secretary Sullivan? There is no gag rule.

Health Care professionals, that is something else. Those are the receptionist, the counselors, who are largely untrained volunteers. Do my colleagues want them giving medical advice to a woman about her most sensitive condition? Do they want them practicing medicine without a license? I dare say not.

So the problem is, there is no gag rule on the doctor, the M.D., the only person qualified by education and training to give medical advice. The so called gag rule is only on nondoctors giving medical advice, where it ought to be. So please understand that.

Now, lets talk about free speech. The U.S. Supreme Court handed down a decision, Rust versus Sullivan, that said these regulations are not an abridgment of free speech. Do we care not what the Supreme Court says? Why do we come in the well and talk about the abridgment of free speech when the Supreme Court has said it is not an abridgment of free speech? So much for that.

The difficulty is, you all are fighting for the autonomy of the woman to do whatever she wants with her unborn child, her sovereignty, and that is an important issue. Yes, it is. A woman should have autonomy and sovereignty over her body.

The problem comes when we talk about an unborn child, which may be of a different gender, a different blood type, and that is not her body, it is merely attached to her body.

That pre-born child is another tiny member of the human family getting

nourishment and shelter from the mother.

What about the unborn? We on this side want to protect that tiny member of the human family. I am going to let my colleagues in on something. I have debated with myself about this, but I must tell my colleagues, the other day a Member on the Democratic side who voted to support the President the other day, and I knew what pressure he was under and I went up to him and I will not tell my colleagues his name.

I said, "Thank you very much for supporting the President. I know the pressure you were under."

And he leaned over to me and he said, "Listen, when I die and Almighty God says to me, 'Why didn't you defend the unborn,' what do I tell him? I got a call from the Speaker?"

□ 1430

I want to revive a word that is rather old-fashioned. It is called conscience, conscience. Now you have to understand as we understand. It is a matter of conscience with you, the sovereignty of the woman, and I understand that. Try to understand our consciences which say that the human life of the unborn deserves respect, respect. It is not a nothing. It is not a tumor. It is not an abscessed appendix. It is a tiny member of the human family, and it ought not to be thrown away like a beer can. We respect your point of view; try to understand our point of view.

The language of civil liberties gets debased. You hide behind phrases like "choice, choice." The man that shot the woman in the car in Anacostia the other night exercised choice. He decided to shoot somebody in a car and he did. That was choice. What you mean or what you ought to mean is responsible choice, and exterminating an unborn child is irresponsible.

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

Mr. HYDE. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I just want to make clear that there are Members on this side of the aisle also that believe that a fetus is a human being and should be protected. I want to make that clear.

Mr. HYDE. I know that, and I know the gentleman is one of them, and I see several of them within my vision, and they are brave Members because they had to put up with a lot of political pressure, which is very unfortunate. Edmund Burke said a Parliamentarian owes his constituency total fidelity, but he owes his conscience to nobody, and I salute the gentleman and gentleladies on either side of the aisle for exercising their conscience.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Mr. Speaker, I thank the gentleman for yielding me the time. As a former Kentuckian I express my pride in Mr. NATCHER, for his understanding and his extraordinary good work on this bill. I shall support it because there are wonderful things in this bill, and some of them I have fought for, such as the education of homeless children.

But December 15, will be the 200th anniversary of the first amendment to the Bill of Rights of the Constitution and a lot of us may be home and we may well mark it or maybe we will not. But if Members do celebrate I want them to remember that we are also the Congress that took great liberties with the first amendment and decided that it really did not matter so much. The first President in history has violated the amendment.

There is a supreme irony here to me in that within this legislation, we for the first time acknowledge that women's health has been grossly ignored, and we have included for the first time some money for breast cancer research and for ovarian cancer research, for osteoporosis, and yet in this very same bill we say, women may not be told what all of their medical rights are because, after all, they are a protected class who do not really know what is good for them.

I want all Members to recall one other thing too, and that is that the major debate this year has been over national health. I do not know about your districts, but in mine the calls are coming in. "Does this mean that now my doctor cannot tell me everything?"

I am hearing from universities, "are we going to be told if we take any Federal money what we can teach and what we can say?"

And what about museums, what about research? This has opened a Pandora's box ladies and gentlemen, make no mistake about it.

Are our poor people now on Medicaid not to be told there is a possibility of open heart transplant because the Government has decided it is too expensive and they do not want them to know about it? Or will there be people in Congress, as there are now, who decide that they alone know what is best for their fellow woman, not their fellow man, but their fellow woman, because again, once again; as it has been in the lack of research money for women, just as it has been in family and medical leave, it is the women of the United States who have been determined to be second class. We will fight another day because their injustice can not stand.

Mr. NATCHER. Mr. Speaker, I yield the balance of my time, 1 minute, to the gentleman from North Carolina [Mr. HEFNER].

The SPEAKER pro tempore (Mr. MCNULTY). The Chair advises the gentleman from Kentucky [Mr. NATCHER] that he does have the right to close debate. The gentleman from Michigan [Mr. PURSELL] still has 30 seconds remaining if he wishes to use them.

Mr. PURSELL. Mr. Speaker, I am happy to yield those 30 seconds to the gentleman from North Carolina [Mr. HEFNER].

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. HEFNER] is recognized for 1½ minutes.

Mr. HEFNER. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, this bill has been one which has had extensive debate. I am one of those who voted to override the President's veto, and I saw this as freedom of speech, and as the gentleman from Illinois made the statement that someone said to him that God would engage him in conversation, I would maintain that when we all stand before the judgment bar of God, God may take us all to task and may ask some questions about how did we vote for children, how did we vote for aid for dependent children if we are talking about the political arena. God might also ask did we support the poor, and the homeless, and those who were helpless among us other than children. God might have a lot of questions to ask us when we stand before the judgment bar of God on judgment day.

So to make a joke of this I think is absolutely beneath this debate at this particular time.

Mr. MCDADE. Mr. Speaker, I rise in support of H.R. 3839, making appropriations for the Departments of Labor, Health and Human Services and Education for fiscal year 1992, and congratulate the subcommittee chairman, BILL NATCHER, the ranking Republican, CARL PURSELL, and all the subcommittee members in bringing this bill to the floor.

We now have a bill that will be signed into law and will provide a total of $205 billion to assist America's poor, its infirm, its students, its homeless, and its elderly. Among the highlights are: $9.7 billion for college tuition assistance; $9 billion for research on cancer, heart disease, AIDS and other crippling diseases, including new emphasis on breast ovarian, and prostate cancer; $6.7 billion, an increase of 9 percent, for needy students in elementary schools; $3.5 billion, a 9 percent increase, for unemployment compensation administration, including enough funds for the new extended benefits program that Congress just passed; $2.2 billion for Head Start, an increase of 11 percent; $1.5 billion for low income energy assistance, a program that we had to fight very hard to preserve; and $900 million for black lung payments.

From Older Americans Act programs, to significant increases in lead poisoning prevention, immunizations, and prenatal care, to job training, mine safety and veterans training, and a new program for trauma care, this bill meets many, many needs, and ought to be approved overwhelmingly.

I wanted to shed some light on one objection that has been raised against this bill, the $4.5 billion in new delayed obligations that has been added to this bill. The effect of this is to allow about $1.7 billion that would otherwise be spent this year to be delayed until next year. What is needed most is context.

Spending in appropriations bills in general, and this bill in particular, does not all occur in

the year in which the funding is provided. In this bill, only 43 percent of the total discretionary spending of $59 billion gets spent in the current fiscal year. This is due to a number of reasons—but in large part due to the face that program authorizations allow money to be spent out over a period that extends beyond the current fiscal year. For instance, funding for many education programs, totaling some $12 billion, by statute does not become available until July 1 of the current fiscal year and extends until June 30 of the next fiscal year.

In that context, delaying an additional $1.7 billion on top of the more than $30 billion that already will get spent in future years is a relatively small amount.

Many of the delays have programmatic justifications. For instance, rather than rescind $1 billion in State legalization grants as proposed by the administration, the committee delays making those funds available until next year, which is when States will be in need of reimbursement for their expenses. The $825 million for the Child Care Program that is delayed until September 19 carries forward a program cycle that was created last year, when first year funding was made available on the same date. The delay of $80 million in the Social Security Administration was requested by the administration because the computer modernization program is behind schedule. In this light, delayed obligations can be seen as a management tool, to match the expenditure of funds to the time frame in which they are needed.

Delaying $400 million in low income energy funds until the last day of the fiscal year was the only way the conferees could find to keep the program from suffering drastic and devastating cuts this year. In this light, the use of delayed obligations is a means to provide urgently needed funds in lieu of declaring the program a budget emergency.

Other programs, to be sure, are given increases in funding that cannot be spent until later because they are high priority programs, and there wasn't room under the tight spending caps to pay for them this year. Some of these were requested by the administration.

The impact of these delayed obligations is that there will be a small increase in the amount of discretionary funds spent in a given year that result from commitments made in previous years. A slightly lesser amount of funding in a given year will be available for those programs funded on a current year basis than would otherwise be the case, and puts those programs at greater risk. How much of a problem this will be depends on how tight the overall budget caps and the allocations for a particular subcommittee are.

Over the long term, this probably creates an incentive to continue and perhaps increase the amount of funds that are provided in the future through delayed obligations. As a trend, this does raise cautionary flags, although it probably pales in comparison to the rate at which uncontrollable mandatory and entitlement spending is increasing.

But I do not believe that the actions taken by the subcommittee in this bill are so out of line as to cause Members to oppose this bill on that basis. I intend to support the bill, and I urge my colleagues to support it as well.

Mr. GREEN. Mr. Speaker, I rise today to voice my support for the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1992. I shall vote for the bill because in addition to providing necessary funding for programs such as elementary and secondary education, student loans, breast and cervical cancer research, low-income energy assistance, child care, and job training, it contains significantly increased funding for my No. 1 priority, the Ryan White programs that provide targeted assistance to those communities most affected by the AIDS crisis. However, despite the satisfaction that I feel from the $1.9 billion that is included for AIDS programs, $280 million of which is designated for Ryan White programs, I must say that my enthusiasm for the bill will be diminished because it does not contain the provision delaying implementation of the gag rule.

The gag rule, which refers to regulations that were issued by the administration in 1988, prevents health care personnel in federally funded family planning clinics from advising a woman on all of her legal options in the event of an unplanned pregnancy. The President vetoed the original Labor-HHS appropriations bill because it included a provision overturning the gag rule and, despite the best efforts of prochoice Members, the House was unable to muster the two-thirds majority needed to override the President's veto. This is a dangerous precedent for the Government to set and I shall remain committed to the fight to ensure that women who are dependent on the Federal Government for their health care will receive the same information from their doctors as do women who can afford private health care.

But now I wish to return to the issue of AIDS funding. Approximately 10 years ago a group of constituents brought the AIDS problem to my attention. It was clear to me, from their descriptions of the then-mysterious disease that was killing gay men, that research was needed to find out what was happening. I joined with the gentleman from California [Mr. ROYBAL], who was also beginning to see the epidemic in his community, and approached the gentleman from Kentucky [Mr. NATCHER], the chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, and the gentleman from Massachusetts, the late Mr. Conte, its ranking minority member, to tell them of the AIDS epidemic and the need for research funds.

The positive response of that subcommittee resulted in the first appropriations to investigate this epidemic and how to deal with it. We now know how the disease is transmitted and we also know some treatments for it. Unfortunately, we do not yet have a preventative vaccine or a cure, although we hope that further research will yield those results. As that research continues, we struggle to provide prevention services to slow and, I hope stop, the transmission of HIV, early intervention services for people who are HIV-positive but are not yet afflicted by the disease, and treatment for those who have full-blown AIDS. The Ryan White Act authorizes the funding for those necessary programs, and ever since its enactment I have been a strong advocate of full funding. Fiscal constraints have not allowed for full funding but with this bill we are heading in the right direction.

Once again, the gentleman from Kentucky [Mr. NATCHER] has been tremendously responsive to the call for more funding for AIDS research, education, and prevention efforts and I thank him.

Because the AIDS crisis in our urban areas is a harbinger of things to come in suburban and rural areas unless we remain committed to education, prevention and treatment efforts, I should also like to express my gratitude to the gentleman from Michigan [Mr. PURSELL] who back in June of this year accepted my invitation to visit Beth Israel Hospital in New York's 15th Congressional District to see first hand the extent of the AIDS problem in New York City. The gentleman from Michigan [Mr. PURSELL] does not have a serious AIDS problem in his district, but I believe the visit to Beth Israel had an impact on him and is reflected in the higher level of AIDS funding in this bill.

I shall vote for the Labor, Health and Human Services, and Education Appropriations bill for fiscal year 1992 because it moves us further down the road in our struggle to address effectively the AIDS problem, and I urge my colleagues to do likewise.

Ms. SNOWE. Mr. Speaker, it is with mixed feelings I vote today in favor of the Labor, Health and Human Services, Education appropriations bill.

On the one hand, this bill makes significant headway in women's health research. For decades, research has been lacking on diseases specific to women, and women have been shamelessly omitted from clinical research trials. Finally, Congress has recognized and is working to eliminate the gender inequities in medical data and services.

In this vein, the bill contains significant increases in funding for the National Cancer Institute with a directive to make research on breast, prostate, cervical, and ovarian cancer top priorities. Additionally, the bill provides $10.3 million for the National Institutes of Health Office for Research on Women's Health. And, the women's health initiative, a long-term study on women's health, received $25 million for the first year of study.

But as Congress gives with one hand, it takes away with the other. By stripping the provision that repeals the gag rule from this bill, Congress also says to women, and women only, that they are undeserving of complete and accurate medical information. While men maintain a private doctor-patient relationship, women have the Government's morality invading their medical privacy.

I will not accept regulations gagging medical information for any American woman. The fight is not over to remove these derogatory, misguided regulations. The women of this country will not tolerate second rate health care nor second-class citizenship.

Mr. SMITH of New Jersey. Mr. Speaker, today I rise in strong support of H.R. 3839, the Department of Labor, Health and Human Services, Education and Related Agencies appropriations bill. The bill has many extremely important provisions which will provide millions of Americans with improved health care, education, and job opportunities.

One of the most important aspects of the bill is the appropriation of funds to the Department

of Health and Human Services to carry out medical research, maternal and child care programs, child immunizations, alcohol and drug abuse programs, mental health programs, programs for the aged, foster care, and adoption services—to name a few.

The 1992 appropriations bill contains funding increases for the majority of these services and most importantly, focuses new money on the research of breast, ovarian, and cervical cancer. Through an increase of $275,519,000 for the National Cancer Institute [NCI], H.R. 3839 directs the National Institute of Health to devote greater resources to the study of these life-threatening diseases. The NCI funding level allows for a 67-percent increase in ovarian cancer research and a 37-percent increase for cervical cancer research.

The need for increased research in these areas is overwhelming. As you may know, in recent years the incidence and rate of new breast cancer diagnoses has risen dramatically. Over 175,000 women will be diagnosed with the disease and over 45,000 women will die this year. The 1992 appropriation for the National Cancer Institute is approximately $1.989 billion. This provides for a $42 million increase for breast cancer research—a 46-percent increase over the 1991 level. Though we have a long way to go in this area, and additional funds could be effectively used, this 46 percent increase in 1992 funding is encouraging and finally begins to address the seriousness of breast cancer in our country.

This legislation, Mr. Speaker, is also vitally important to the children of America. It provides $825 million for child care, more than $2 billion for Head Start programs, close to $32 billion for education, $650 million for maternal and child health care grants, and $298 million for childhood immunizations.

I might say parenthetically that I have participated in and seen first hand the success of childhood immunization programs. In Trenton, NJ, a new program at the Henry J. Austin Health Center—Kids Night Out—was initiated this summer as a means of expanding the availability of immunizations for preschool children and children entering school. With the use of State and Federal funds, the center was able to expand its hours to increase access to the center and enable more working parents to bring their children to the health facility for immunizations and examinations.

In the area of AIDS, H.R. 3839 provides $1,921,000,000 in funding for health personnel training, renovation grants, and pediatric demonstration projects. Also funded by the bill, the Ryan White AIDS Program directs grants to areas with a high incidence of AIDS, provides community-based services, insurance coverage, and early AIDS intervention services.

In addition, H.R. 3839 appropriates $141 million over 1991 levels to conduct research on mental illness and substance addictions. The funds will be used to develop treatment and prevention programs as well as in providing direct therapy for affected individuals.

The legislation also provides an additional $17 million over the 1991 level for health care for the homeless and $193.3 million over last year's level for the Center for Disease Control [CDC]. The CDC conducts important research, training, and disease control programs, in addition to collecting important health statistics for the Nation.

Under the bill, the Department of Education receives $2.31 billion over the administration's request for compensatory education for the disadvantaged, school improvement programs, rehabilitation and education for the handicapped, vocational and adult education, student financial assistance, and guaranteed student loans.

The Department of Labor receives $7.5 billion plus $3.5 in trust funds for labor management services, training and employment services, occupational safety programs, data collection, and unemployment compensation. The unemployment compensation appropriation is $114 million more than 1991 levels.

Also very important in this bill is a 2.5 percent increase in funding for ACTION. As most of you know, ACTION is responsible for the administration of numerous volunteer programs throughout the country. Among these programs is the very successful Retired Senior Volunteer Program, Foster Grandparents, and Senior Companions. These programs draw senior citizens into the volunteer network and in turn provide essential services to individuals in need.

H.R. 3839 goes further in addressing the needs of senior citizens by appropriating $17,000,000 for a health care campaign directed at seniors using the Meals-on-Wheels programs, senior centers, and congregate meal sites.

Mr. Speaker, H.R. 3839 no longer contains abortion-related funding and instead channels our Federal funds to life-affirming programs—some of the most important programs in the nation. I support the bill and urge my colleagues to vote in support of the legislation.

Mr. LAGOMARSINO. Mr. Speaker, I rise to express my continued opposition to the Labor/HHS appropriations bill because it's devastating to the State of California. This bill denies California over $400 million in State legalization impact assistance grants [SLIAG] during fiscal year 1992.

However, I should mention that several important programs such as Heat Start, the alcohol, drug abuse, and mental health, especially mental health research, which I believe to be the key to curing this disease, and the Office of Research on Women's Health were adequately funded by the bill. I support these programs, am pleased the committee fully funded them and want to express my appreciation to the chairman and ranking member.

Unfortunately, increases in other less essential programs raised overall spending and forced the Appropriations Committee cut $1.2 billion in SLIAG money from the bill. Although the committee agreed to allocate SLIAG funds in fiscal year 1993, there is no guarantee that it will be included in the fiscal year 1993 appropriations bill. As we all know, it will be even more difficult next year to bring spending in line with the budget agreement. I am not willing to risk California's $400 million on the chance that it may be available next year.

Governor Wilson and the California Legislature planned on having the $400 million when they battled over the 1992 State budget. Because H.R. 2707 does not include SLIAG funds, this bill will automatically put California's budget $400 million in the red. California needs the money now in order to continue essential medical and education services.

There are those who believe I voted against H.R. 2707 solely because of the Porter amendment overturning the President's abortion counseling regulations. It's clear that many special interest groups would like the American public to believe this bill was only a referendum on the gag rule. That was never the case. While I opposed the Porter amendment, a vote for H.R. 2707 last week was also a vote to take $400 million from the State of California. Even though the Porter amendment has been removed from H.R. 2707 I am still going to vote against the bill. Thousands of needy Californians depend on the services provided by SLIAG funds, and I am not going to vote to take it away from them.

Mr. WEISS. Mr. Speaker, I rise in support of H.R. 3839, the Labor-HHS-Education appropriations for 1992, but I do so with a sad heart. This measure provides important funding, within the constraints of the budget agreement, for federally supported education, job assistance, and health programs. Unfortunately, due to a Presidential veto, the bill does nothing to rectify the callous and draconian gag-rule.

We are witnessing the slow death of our most cherished Bill of Rights protection, the right to speak freely. Frankly, I am disgusted that an American President, who has so consistently attacked the despotic control over acceptable speech in former Communist bloc countries, could so blithely proscribe speech here in the United States.

Whether we are talking about doctors providing critical information relating to the health of their patients, or the freedom of artists to express themselves creatively, the Bush administration and other right wing Members of Congress have staked their ground: Some speech is more protected than others. I would argue that this is a fundamentally repugnant stance that is absolutely antithetical to the principles upon which our Nation was founded.

The President claims that he was elected with a mandate to oppose abortion. In fact, the same electorate that voted in George Bush also has supported a women's right to choose by a majority. Mr. Bush's disingenuous fallback on mandates obscures the threat posed by abridging freedom of speech. The title X restrictions will have the immediate effect of placing the health of thousands of poor women in jeopardy.

For economically vulnerable women, federally funded clinics are the only affordable option when it comes to reproductive health counselling. Lest we forget, abortion is still a legal medical procedure, one that thousands of women continue to choose every year. But the gag rule further illustrates the discriminatory policies of this administration. If you have the money to afford private health care, you can be informed of your constitutionally guaranteed options. If you unfortunately rely on Government assistance for health services, your access to information is severely curtailed. By forbidding the candid discussion of abortion as an option, the President's restrictions attempt to deny the legal reality of this procedure.

The proscription of speech to achieve political ends is, quite simply, a hallmark of totalitarian government. It is one thing to deny reality—as the President has sought to do with

the current recession, for example; it is quite another thing indeed to forbid the mention of reality—in this case that abortion is a safe and legal choice for women. I can only say that we acquiesce in this Comstockery at great peril, both to the health of our people, and to the health of our domestic principles.

Due to the very tight domestic budget and last year's ill-conceived budget summit agreement, this bill does not adequately satisfy all of our very pressing domestic needs. Nevertheless, we must support the measure before us today because it does provide monies for a broad array of essential social programs—including $9 billion for NIH, a $733 million increase which will enable expanded research for breast cancer and prostate cancer, Alzheimer's, cystic fibrosis, heart, and other diseases.

The bill also provides $825 million for the child care block grant which will add 40,000 slots for working families, a $141 million increase over fiscal year 1991 for drug abuse and mental health programs, and a $577 million increase over last year's funding for chapter 1 grants to local education agencies. I urge my colleagues to support this vital funding by overwhelmingly approving H.R. 3839.

Mr. SERRANO. Mr. Speaker, maybe to some who are more fortunate, it helps not to see the faces and identify with those who are less fortunate and downtrodden. Maybe it is easier to walk by a homeless mother and child on our streets without making eye contact with them and ignore their condition. The President vetoed this bill that would give $56 million for health care for the homeless, and $650 million for maternal and child health care.

Mr. Speaker, the President has held hostage an additional 40,000 preschoolers who would be served by added funds to the Head Start Program under this appropriation bill. The same President will not fully fund the successful Head Start Program, but claims he is the Education President. Today, the Head Start Program still serves less than half the eligible children in this Nation.

The President says he is concerned about the plight of people with AIDS, yet he continues to throw a little money at the problem while failing to take a leadership role in educating Americans about the plight of over 1 million persons infected with the AIDS virus. Mr. Speaker, maybe it is easier for the President to draft a national sports celebrity as the Nation's new leader in the battle against the deadly AIDS virus, than for the President to assume the role of a statesman.

There are those who are arrogant enough to believe that they have the right to govern what are life-giving decisions for another human being. I do not as such, and instead believe that I should respond to the needs of my constituents.

Mr. Speaker, we must look beyond this contemptible veto of such vital legislation and today pass this bill to help educate and heal the people of our Nation.

Mr. LEVINE of California. Mr. Speaker, I rise today in reluctant support of the fiscal year 1992 authorization bill for the Departments of Labor and Health and Human Services. While this legislation contains desperately needed funding for a number of important programs, it does not contain language to halt the implementation of the administration's gag rule on doctors.

It might be most useful to review at this point exactly what the regulations actually say. So let me read them to you. "In cases in which emergency care is required, the title X project shall be required only to refer the client immediately to an appropriate provider of medical emergency services." They do not say that a patient with terminal cancer will get information about abortion. They do not say that any patient will be referred to another clinic that will discuss the option of abortion with her. They leave far too much up to the whims of the administration and however, it feels about abortion on a given day.

The administration's effort to put a less onerous face on this legislation is nothing more than a smoke screen. It does not change the content or meaning of the gag rule one iota. Women still cannot be informed of their options by a title X clinic, regardless of their health condition.

The administration and its allies are asking women to rely on their compassion and understanding in the implementation of these guidelines. It is hard to believe that an administration which has refused to show any compassion even to women who have become pregnant as the result of such violent crimes as rape and incest can suddenly be trusted to do the right thing.

What these regulations have done is to force doctors and clinics to choose between receiving Federal funds and serving their clients. As a result, clinics across the country are announcing that they will no longer accept Federal funding. They are not willing to succumb to the Orwellian notions of the supporters of the gag rule. I find it among the most repugnant regulations ever promulgated by the Federal Government.

The vast majority of the public and my colleagues share that view. The administration knows that the public opposes the gag rule. That is why the supporters of the gag rule have sought to minimize its impact and to characterize it as something other than a blatant effort to stifle the ability of doctors to provide their patients with the medical advice they believe to be appropriate. The public is perceptive enough to recognize this rule as extremist and dangerous.

That is why I have cosponsored legislation to repeal the gag rule. These bills, H.R. 392 and H.R. 3090, must be passed by Congress if women are to regain the rights which they lost in the Supreme Court's ruling in the Rust versus Sullivan.

It is my hope that repeal of the gag rule will be one of the first items on Congress' agenda when we reconvene next year.

That said, there are a number of reasons to vote for this bill. Namely, it increases funding for Head Start and vocational education. Increasing the participation of young people in Head Start is vital if we are to make significant progress in improving the education of our disadvantaged children.

Similarly, in the fast changing and dynamic world of the 1990's and the 21st century, vocational education must receive greater emphasis. The $1.1 billion contained in this bill will provide critical support for these programs. We have given vocational education short shrift for too long in this country. It is my hope that the increased funding for such programs in this bill signals a long overdue change in that attitude.

Finally, this legislation contains crucial funding to fight the AIDs epidemic in this country. It is currently estimated that more than 1 million people in this country are infected with the AIDS virus. The $1.9 billion in this bill is desperately needed. My only regret is that more money could not have been included.

These are just a few of the important programs funded by this bill. They all deserve the support of the House.

The battle over the gag rule is far from over. It will resume next year. I am confident that those of us who believe in free speech and who are committed to protecting the health of women will ultimately succeed in killing this outrageous regulation.

Mr. POSHARD. Mr. Speaker, I rise in strong support of H.R. 3839, the Labor-HHS-Education appropriations bill for fiscal year 1992.

I started my career in public service as a schoolteacher. There's probably no finer profession in America, and no finer mission for this institution than to provide educational opportunities for our people. This bill addresses those needs in a meaningful way, and our investment will in return improve the quality of life for all Americans.

This bill means job training for youth and adults who need skills and a chance to make it on their own. And it obligates hundreds of millions of dollars for people who suffer from black lung, an insidious condition which is known all too well in the coal mining region of southern Illinois.

It provides financial assistance for community health centers, child care programs, vital research into the killing diseases that threaten our people, and a host of other health care programs. In southern Illinois we have a tremendous need for quality, affordable health care, and this bill meets a portion of that need.

To try and list all of the excellent programs in this bill puts me at risk of omitting one of them, for this is broad and much needed investment in our most important domestic needs. So allow me to say simply that I am proud to support this legislation because it accurately reflects my priorities and the priorities of this Nation. Providing essential health, educational and working opportunities for the American people is what we are all about. It is where we should focus our priorities. And I am pleased to say this bill rises to that challenge.

The SPEAKER pro tempore. All time has expired.

Pursuant to the order of the House of Thursday, November 21, 1991, the previous question is ordered.

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 a third time.

MOTION TO COMMIT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KOLBE. In its present form I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. KOLBE moves to commit the bill H.R. 3839 to the Committee on Appropriations with instructions that the Committee report the bill promptly back to the House with amendments reducing the excessive use of delayed obligations.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes in support of his motion to commit.

Mr. KOLBE. Mr. Speaker, let me begin by adding to the words of praise that I have heard here today earlier from members of the committee and others for the chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER], and for the ranking Republican, the gentleman from Michigan [Mr. PURSELL]. They have labored under very difficult circumstances as I think all of us know on this bill, and I think they have done very good work.

However, I rise today to oppose this bill in its present form and to urge us to commit it because I do not think in our rush to adjourn, we should adjourn leaving bad public policy in our wake, and the Labor and Health and Human Services bill, while funding vital programs, does make bad public policy. Mr. Speaker, I am not talking today about the gag rule. We have talked enough about that. My position on that is well known, and I am on the other side of the position of many of the Members on this side of the aisle.

I am talking rather, as my motion to commit suggests, about the excessive delayed obligations, the excessive forward funding that is in this bill. My motion to commit protects those delayed obligations that are necessary, and there are some in this bill that are necessary. Education is a good example of that where school districts have to know when they set their budgets next June or July, how much Federal dollars they are going to have in the coming school year, and that is why we have that forward funding in the legislation that exists. Those were in the bill. Some of those were asked for by the administration. Some of those were added by the committee. Some of them many might not have agreed with, but some of them are legitimate and needed.

But Mr. Speaker, the bill as it came out of the conference committee goes far beyond that, and it breaks the intent of the budget summit agreement that we had last year. These delayed obligations offered a political sense of false hope to those in this Nation who are suffering from a variety of social ailments. The bill seeks to offer a healing hand to those who are sick, those who seek nourishment for the hungry and those who need to help the neglected. But these delayed obligations are going to have to be paid for, and the bill for those is going to come due in fiscal year 1993. We are going to end up by hurting the people that we are trying to help, and at the same time we will deceive all Americans by ignoring the intent of last year's budget agreement and increasing the deficit.

The bill we are considering today, even under the constraints of the budget deal, received an allocation that was 14 percent higher than fiscal year 1991. Surely, surely the appropriators ought to be able to live with a 14 percent increase over even more spending. I hope so, because I do not think the American people want to do that.

My motion to commit brings some sense and some sanity back into this process. It preserves the budget agreement, an agreement we had last year. As poor as that discipline was, we ought to at least have the honesty to stick by that.

□ 1440

We ought to have the honesty to make some of the tough choices that the gentleman from Illinois [Mr. PORTER] suggested earlier that this body needs to make.

My motion would do that, by sending it back to the committee and suggesting they take out those which are unneeded, which are unnecessary, the extensive use of these forward-funding delayed obligations, we will preserve those programs that are vital, but we will get rid of those for which we are only playing a charade. A charade is being played out on the American people by telling the Appropriations Committee, let us tell them to strike the delayed obligations, the pure and simple ignore the budget discipline, and pay lipservice to the sincerity, the promises made by Congress by our body last year to reduce the deficit.

Mr. Speaker, I urge your support for this motion to recommit.

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

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

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

I think the gentleman makes an excellent point and I would like to associate myself with the gentleman's remarks.

This is a wonderful bill. There is no question about it, but the only problem with it is the funding.

We, my colleagues, are running out of accounting gimmicks. I do not know what we plan to do next year when we come back here, because we are just flatly spending money well into the future. We are violating the spirit of the budget agreement, and I think we have to at some point say "no."

Mr. Speaker, I support the gentleman on his motion to commit.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for his comments. I think he has put his finger right on the point that this body has got to someday say "no" to the kind of budget gimmicks that we use now.

Mr. MCMILLAN of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from North Carolina.

Mr. MCMILLAN of North Carolina. Mr. Speaker, I would like to rise in support also of the motion to commit. None of us argues with the extreme importance of the vital programs in this $212 billion bill; but the fact is that most of it, a lot of it has to fall within the discretionary spending caps, which in this year are $212 billion according to the budget enforcement agreement and $224 billion in 1993, under the budget enforcement agreement, which is going to have to be adjusted for inflation at the end of 1991, and for economic forecasts in 1993.

Those adjustments, which total possibly $9 billion, mean that without this incremental delayed spending we virtually have to live within the discipline of a freeze.

Mr. Speaker, now is the time to face up to it, not next year.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for his comments. I urge support for the motion to commit.

Mr. GRADISON. Mr. Speaker, I rise in support of the motion to commit offered by my colleague on the Budget Committee, Mr. KOLBE.

There has been a great deal of debate on the issue of delayed obligational authority in this bill. There is no question the continued use of budgetary gimmicks like this violates the spirit, if not the letter, of the budget agreement.

Some in this House have approached this issue from the wrong perspective, arguing that the administration requested $1.3 billion in delayed obligations in this bill. But that request, which I think was ill-advised and poor budget policy, does not absolve the Congress of its responsibility. The House increased delayed obligations to $2.9 billion. The Senate raised the ante to $3.9 billion. The conference split the difference at over $4.2 billion. The conferees cannot have it both ways, blaming the administration while taking advantage of the opening.

At some point, Mr. Speaker, the fun and games must end. The continual tinkering with the budget agreement is a precursor to its collapse after the next election, if not before. We should not be jockeying for position on the budget, promising what we cannot deliver, and continuing to point the finger at each other while the deficit grows.

The Kolbe motion to commit is reasonable and I urge my colleagues to support it.

The SPEAKER pro tempore (Mr. MCNULTY). Is there a Member in opposition to the motion to commit?

Mr. NATCHER. Mr. Speaker, I rise in opposition to the motion to commit.

Mr. Speaker, during the time that I have been a Member of Congress, I have had the opportunity to serve with eight Presidents of the United States. At all

times, I have made every effort to get along with each of these men. President Bush sent us a budget for fiscal year 1992 containing $1,442 million in delayed obligations.

You know, during the debate on this matter several days ago, one of the best friends that I have in the House who sits on the other side of the aisle made the statement that delayed obligations might be a shell game. After that statement was made, I went over and sat with him. I like him so well, Mr. Speaker, that I decided that maybe at that particular time I should not get up and answer him.

I might say something to him that I would not like to have said next week or something he might not like that day. I showed him the amounts the President has sent us in his budget for 1992, delayed obligations of $1,442 million: health resources and services, $86 million; the Centers for Disease Control, $94 million; National Institutes of Health, $400 million; Social Security administrative costs, $80 million; low-income fuel legislation, $50 million, and child care state grants, $732 million.

That is a total of $1,442 million.

The author of this motion to commit is one of the able Members of the House. The gentleman from Arizona [Mr. KOBLE] is one of the able members of our committee. In his motion to commit, he says, that the excessive use of delayed obligations should be reduced—just reduce them a little bit.

Now, I will ask the gentleman from Arizona [Mr. KOLBE], where does the gentleman want to reduce them? Does the gentleman want to take it out of elementary and secondary education?

Does the gentleman want to take it out of higher education?

Does the gentleman want to take it out, I ask the gentleman from Arizona [Mr. KOBLE], out of the National Institutes of Health?

What about drug abuse, does the gentleman want to take it out of there?

Does the gentleman want to take it out of AIDS?

Does the gentleman want to take it out of the feeding program for the elderly?

You know, these people come in, they walk into these places where they have food. These are our people, Mr. Speaker, not foreign aid money that you send all around the world. These people are our people. They are hungry. They need help. They go in at noon to get something to eat.

I say to you, Mr. Speaker, we love them and we take care of them. Do you want to take some of it out of their program?

You know, when they talked the other day, and I am glad I did not get up and answer my friend. He is one of the ablest Members of this House, talking about delayed obligations. The President in his budget sent us $1,442 million in delayed obligations. We started our hearings with that before the subcommittee.

Mr. Speaker, I say this, I do not know where the gentleman would take it out, but I am not in favor of taking out one dollar of it, not a dollar that the President sent us, not a dollar that we added. Mr. Speaker, I respectfully request the Members of this House to turn this motion to commit down.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the motion to commit.

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

Mr. KOLBE. 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.

Pursuant to the provisions of clause 5, rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of the final passage of the bill, following the vote on the motion to commit.

The vote was taken by electronic device, and there were—yeas 148, nays 276, not voting 10, as follows:

[Roll No. 416]

YEAS—148

Allard	Grandy	Moorhead
Allen	Hancock	Nichols
Archer	Hansen	Nussle
Armey	Hastert	Orton
Baker	Hefley	Oxley
Ballenger	Henry	Packard
Barrett	Herger	Pallone
Barton	Hoagland	Panetta
Beilenson	Hobson	Pastor
Bennett	Holloway	Patterson
Bentley	Hopkins	Paxon
Bereuter	Houghton	Payne (VA)
Bliley	Huckaby	Pease
Boehner	Hughes	Penny
Bunning	Hunter	Petri
Burton	Hutto	Porter
Camp	Inhofe	Pursell
Campbell (CA)	Ireland	Ramstad
Carper	James	Regula
Chandler	Johnson (CT)	Rhodes
Coble	Johnson (TX)	Riggs
Coleman (MO)	Kasich	Ritter
Combest	Kennedy	Roberts
Condit	Klug	Rohrabacher
Cox (CA)	Kolbe	Ros-Lehtinen
Cunningham	Kostmayer	Roth
Dannemeyer	Kyl	Santorum
DeLay	Lagomarsino	Saxton
Dickinson	Lancaster	Schaefer
Dorgan (ND)	Leach	Schiff
Dornan (CA)	Lewis (CA)	Schulze
Dreier	Lewis (FL)	Sensenbrenner
Duncan	Lightfoot	Shaw
English	Lowery (CA)	Shays
Fawell	Luken	Shuster
Fields	Marlenee	Slattery
Franks (CT)	McCandless	Smith (OR)
Gallegly	McCollum	Smith (TX)
Gallo	McCrery	Solomon
Geren	McCurdy	Spence
Gilchrest	McEwen	Stearns
Gillmor	McMillan (NC)	Stenholm
Gingrich	Meyers	Stump
Glickman	Michel	Sundquist
Goss	Miller (OH)	Tauzin
Gradison	Miller (WA)	Taylor (NC)
Thomas (CA)	Walker	Zeliff
Thomas (WY)	Weber	Zimmer
Upton	Weldon	
Vucanovich	Wolf	

NAYS—276

Abercrombie	Gekas	Oakar
Ackerman	Gephardt	Oberstar
Alexander	Gibbons	Obey
Anderson	Gilman	Olin
Andrews (ME)	Gonzalez	Olver
Andrews (NJ)	Goodling	Ortiz
Andrews (TX)	Gordon	Owens (NY)
Annunzio	Green	Owens (UT)
Anthony	Guarini	Parker
Applegate	Gunderson	Payne (NJ)
Aspin	Hall (OH)	Pelosi
Atkins	Hall (TX)	Perkins
AuCoin	Hamilton	Peterson (FL)
Bacchus	Hammerschmidt	Peterson (MN)
Barnard	Harris	Pickett
Bateman	Hatcher	Pickle
Berman	Hayes (IL)	Poshard
Bevill	Hayes (LA)	Price
Bilbray	Hefner	Quillen
Bilirakis	Hertel	Rahall
Blackwell	Hochbrueckner	Rangel
Boehlert	Horn	Ravenel
Bonior	Horton	Ray
Borski	Hoyer	Reed
Boxer	Hubbard	Richardson
Brewster	Hyde	Ridge
Broomfield	Jacobs	Rinaldo
Browder	Jefferson	Roemer
Brown	Jenkins	Rogers
Bruce	Johnson (SD)	Rose
Bryant	Johnston	Rostenkowski
Bustamante	Jones (GA)	Roukema
Byron	Jones (NC)	Rowland
Callahan	Jontz	Roybal
Campbell (CO)	Kanjorski	Russo
Cardin	Kaptur	Sabo
Carr	Kennelly	Sanders
Chapman	Kildee	Sangmeister
Clay	Kleczka	Sarpalius
Clement	Kolter	Savage
Clinger	Kopetski	Sawyer
Coleman (TX)	LaFalce	Scheuer
Collins (IL)	Lantos	Schroeder
Collins (MI)	LaRocco	Schumer
Conyers	Laughlin	Serrano
Cooper	Lehman (CA)	Sharp
Costello	Lehman (FL)	Sikorski
Coughlin	Lent	Sisisky
Cox (IL)	Levin (MI)	Skaggs
Coyne	Levine (CA)	Skeen
Cramer	Lewis (GA)	Skelton
Darden	Lipinski	Slaughter
Davis	Livingston	Smith (FL)
de la Garza	Lloyd	Smith (IA)
DeFazio	Long	Smith (NJ)
DeLauro	Lowey (NY)	Snowe
Dellums	Machtley	Solarz
Derrick	Manton	Spratt
Dicks	Markey	Staggers
Dingell	Martin	Stallings
Dixon	Martinez	Stark
Donnelly	Matsui	Stokes
Dooley	Mavroules	Studds
Downey	Mazzoli	Swett
Durbin	McCloskey	Swift
Dwyer	McDade	Synar
Dymally	McDermott	Tallon
Early	McGrath	Tanner
Eckart	McHugh	Taylor (MS)
Edwards (CA)	McMillen (MD)	Thomas (GA)
Edwards (TX)	McNulty	Thornton
Emerson	Mfume	Torres
Engel	Miller (CA)	Torricelli
Erdreich	Mineta	Traficant
Espy	Mink	Traxler
Evans	Moakley	Unsoeld
Ewing	Molinari	Valentine
Fascell	Mollohan	Vander Jagt
Fazio	Montgomery	Vento
Feighan	Moody	Visclosky
Fish	Moran	Volkmer
Flake	Morella	Walsh
Foglietta	Morrison	Washington
Ford (MI)	Murphy	Waters
Ford (TN)	Murtha	Waxman
Frank (MA)	Nagle	Weiss
Frost	Natcher	Wheat
Gaydos	Neal (MA)	Whitten
Gejdenson	Nowak	Williams

Wilson	Wyden	Yatron
Wise	Wylie	Young (AK)
Wolpe	Yates	Young (FL)

NOT VOTING—10

Boucher	Edwards (OK)	Roe
Brooks	Mrazek	Towns
Crane	Myers	
Doolittle	Neal (NC)	

□ 1511

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

Messrs. WEBER, RAMSTAD, KOSTMAYER, CONDIT, KENNEDY, PASTOR, and HUCKABY changed their vote from "nay" to "yea."

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent Mr. MICHEL was allowed to speak out of order.)

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I ask for this time to again inquire of the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT] how he envisions the program unfolding for the balance of this day and possibly the weekend. Obviously we will have a vote on final passage after our exchange.

□ 1510

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

Mr. MICHEL. I yield to the majority leader.

Mr. GEPHARDT. Mr. Speaker, after the consideration of this legislation on the Labor appropriation, we will have the California desert bill, which we intend to take up, and that could take 5 hours after it starts. We should be finished at about 8 or 8:30.

On tomorrow, the House will meet at noon to consider suspensions. There will be a vote on the rule, if ordered. We can try to roll the suspension votes until Monday.

On Monday, we will meet at noon. There will be no 1-minutes, and we will be taking up campaign finance. There is the possibility of a bill on Medicaid. This is the bill which we considered before. That may come back.

Then we will have the RTC legislation. We would like to take that up as well. Then, of course, we have the FDIC conference report, if necessary, the highway bill conference report, and the crime bill conference report to complete before we can leave on Tuesday night or Wednesday morning.

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

Mr. MICHEL. I yield to the gentleman from new York.

Mr. FISH. Mr. Speaker, I would address a question to the distinguished majority leader.

Yesterday the crime bill conferees were appointed by the Speaker, and the minority conferees have been asking me as to when they can expect to meet. There has been no evidence yet, as I understand it, of an attempt to call the conference committee members together for the crime bill.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, it is my understanding there may be a meeting of the crime bill conference on tomorrow morning, and I am sure the chairman of the committee will be contacting the conferees or the staff will be contacting them, hopefully later today, to give them information about that.

Mr. FISH. I think it is only fair that those conferees be told before the close of legislative business today so they would know whether they have to be here tomorrow or not.

Mr. GEPHARDT. We will try to get that information to the Members.

Mr. FISH. Mr. Speaker, I thank the gentleman.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Speaker, I just want to make sure I understand this. The gentleman said that tomorrow there is a good possibility the only vote will be on the rule, and that votes on all the suspensions can be or will be rolled over until Monday?

Mr. GEPHARDT. Yes,

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

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

Mr. WALKER. Mr. Speaker, could we have some assurance that the foreign aid bill will not come on the calendar at any point tomorrow?

Mr. GEPHARDT. The foreign aid bill?

Mr. WALKER. Yes.

Mr. GEPHARDT. Yes.

Mr. WALKER. It would not come up at any point tomorrow?

Mr. GEPHARDT. Yes.

Mr. WALKER. Mr. Speaker, I thank the gentleman.

Mr. MICHEL. Mr. Speaker, I might also say to the gentleman that we had a previous conversation with the majority leader and we talked about the concern Members might have of any significant piece of legislation beyond suspensions, and I agreed that I thought we ought to do as many suspensions as we possibly could. They take up a lot of time, some of them are very noncontroversial, and some Members have got to make their pitch or whatever, but then that frees up Monday and Tuesday for us to do what we have to do in order to get out of here Tuesday night.

We are going to have a meeting with the Speaker, I think, about 4 o'clock, and hopefully we will get some of the principals together on the bank legislation. Then we will get some sense of feel as to how quickly we can make that move. So there are a number of things that have to fall in place in a very limited timeframe, and we hope that the Members will be cooperative in that effort.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Speaker, I apologize for asking this question again. I asked the majority leader if the votes would be rolled over until Monday. Let me ask a clearer question, because a number of my colleagues have been asking me this.

Will the votes on suspensions be rolled over until Monday?

Mr. GEPHARDT. Yes.

Mr. WEBER. Mr. Speaker, will the gentleman yield to me?

Mr. MICHEL. I yield to the gentleman from Minnesota.

Mr. WEBER. Mr. Speaker, I did not understand this. Which is the rule that we will be voting on before Monday?

Mr. GEPHARDT. We have to have a rule for the suspensions.

Mr. WEBER. I see. And that vote cannot be rolled over; is that what the gentleman is saying?

Mr. GEPHARDT. That is correct.

Mr. WEBER. Mr. Speaker, I thank the distinguished majority leader.

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

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

Mr. SHAW. Mr. Speaker, I thank the minority leader for yielding.

Could we on our side have a complete list of the suspensions so we know that there will not be anything that comes up that is not on that list prior to adjourning this evening?

Mr. GEPHARDT. Yes.

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

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

Mr. RUSSO. Mr. Speaker, would it be possible to ask unanimous consent to take up the rule tonight so that we will vote on the rule tonight and not have to miss any votes tomorrow?

Mr. GEPHARDT. We will check on that possibility. I do not know the answer to that question at this point.

Mr. MICHEL. Actually it requires a rule for taking up suspensions, as we would be doing tomorrow. I think quite frankly there is pretty much agreement around here to do what we have just outlined. That may be a possibility. I have not talked to the gentleman about it, and that is his call.

Mr. RUSSO. Mr. Speaker, if the gentleman will yield, it would seem to me that there is not much controversy about a rule to take up suspensions on votes which we are going to roll until Monday. So if the overwhelming majority of Members on both sides of the aisle feel that we ought to do that, even if we had to move it, we would

only need two-thirds to do it, so why should we not do it tonight? If we are going to stay until 8:30, let us stay another half hour and make it 9 o'clock, and then we can roll everything tomorrow?

Mr. MICHEL. Mr. Speaker, let me before responding yield to the distinguished gentleman from New York [Mr. SOLOMON], who is our ranking member on the Rules. There may be some special technicality involved.

Mr. SOLOMON. Mr. Speaker, if this is a rule that is being proposed to simply set up additional suspension days, of course, that would not be controversial. However, it is my understanding that the rule may go further and give the majority the right to bring any bill to the floor at any time.

Can some Member enlighten us as to what that rule might be, or what may be possible?

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield further, we will try to revisit this question later today when we have better information.

Mr. WEBER. Mr. Speaker, will the gentleman yield to me again?

Mr. MICHEL. I yield to the gentleman from Minnesota.

Mr. WEBER. Mr. Speaker, I would ask the distinguished majority leader, is it not true that if we were just going to take up the suspensions apropos of the question of the gentleman from Illinois, we really do not need a rule; we could simply ask unanimous consent to consider those suspensions tomorrow without a rule?

Mr. GEPHARDT. We would have to have assurances on that. We will visit that question with the minority leader.

Mr. WEBER. But procedurally, am I not correct that that procedure could work?

Mr. GEPHARDT. It might.

Mr. MICHEL. I think there is no question about that in my mind, and it is my understanding that if we were only going to be getting the kind of rule that would permit what we wanted to do tomorrow, maybe there would be another step we would want to take beyond that. The majority leader and I had a talk about that.

Then might I also inquire, what will be the convening time tomorrow?

Mr. GEPHARDT. Noon.

Mr. MICHEL. Mr. Speaker, I thank the majority leader, and I yield back the balance of my time.

□ 1520

The SPEAKER pro tempore (Mr. MCNULTY). 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.

RECORDED VOTE

Mr. PURSELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 364, noes 58, not voting 12, as follows:

[Roll No. 417]

AYES—364

Abercrombie	Engel	LaRocco
Ackerman	English	Laughlin
Alexander	Erdreich	Leach
Allen	Espy	Lehman (CA)
Anderson	Evans	Lehman (FL)
Andrews (ME)	Ewing	Lent
Andrews (NJ)	Fascell	Levin (MI)
Andrews (TX)	Fazio	Levine (CA)
Annunzio	Feighan	Lewis (CA)
Anthony	Fish	Lewis (GA)
Applegate	Flake	Lipinski
Aspin	Foglietta	Livingston
Atkins	Ford (MI)	Lloyd
AuCoin	Ford (TN)	Long
Bacchus	Frank (MA)	Lowery (CA)
Baker	Franks (CT)	Lowey (NY)
Barnard	Frost	Luken
Barrett	Gallo	Machtley
Bateman	Gaydos	Manton
Beilenson	Gejdenson	Markey
Bentley	Gekas	Marlenee
Bereuter	Gephardt	Martin
Berman	Geren	Martinez
Bevill	Gibbons	Matsui
Bilbray	Gilchrest	Mavroules
Bilirakis	Gillmor	Mazzoli
Blackwell	Gilman	McCloskey
Bliley	Gingrich	McCrery
Boehlert	Glickman	McCurdy
Bonior	Gonzalez	McDade
Borski	Goodling	McDermott
Boxer	Gordon	McGrath
Brewster	Goss	McHugh
Broomfield	Gradison	McMillen (MD)
Browder	Grandy	McNulty
Brown	Green	Meyers
Bruce	Guarini	Mfume
Bryant	Gunderson	Michel
Bustamante	Hall (OH)	Miller (CA)
Byron	Hall (TX)	Miller (WA)
Callahan	Hamilton	Mineta
Camp	Hammerschmidt	Mink
Campbell (CA)	Harris	Moakley
Campbell (CO)	Hastert	Molinari
Cardin	Hatcher	Mollohan
Carper	Hayes (IL)	Montgomery
Carr	Hayes (LA)	Moody
Chandler	Hefner	Moran
Chapman	Henry	Morella
Clay	Hertel	Morrison
Clement	Hoagland	Murphy
Clinger	Hobson	Murtha
Coleman (MO)	Hochbrueckner	Nagle
Coleman (TX)	Hopkins	Natcher
Collins (IL)	Horn	Neal (MA)
Collins (MI)	Horton	Nowak
Condit	Houghton	Oakar
Conyers	Hoyer	Oberstar
Cooper	Hubbard	Obey
Costello	Huckaby	Olin
Coughlin	Hughes	Olver
Cox (IL)	Hunter	Ortiz
Coyne	Hutto	Orton
Cramer	Hyde	Owens (NY)
Cunningham	Ireland	Owens (UT)
Darden	Jacobs	Panetta
Davis	James	Parker
de la Garza	Jefferson	Pastor
DeFazio	Jenkins	Patterson
DeLauro	Johnson (SD)	Paxon
Dellums	Johnston	Payne (NJ)
Derrick	Jones (GA)	Payne (VA)
Dickinson	Jones (NC)	Pease
Dicks	Jontz	Pelosi
Dingell	Kanjorski	Penny
Dixon	Kaptur	Perkins
Donnelly	Kasich	Peterson (FL)
Dooley	Kennedy	Peterson (MN)
Dorgan (ND)	Kennelly	Pickett
Downey	Kildee	Pickle
Duncan	Kleczka	Porter
Durbin	Klug	Poshard
Dwyer	Kolter	Price
Dymally	Kopetski	Pursell
Early	Kostmayer	Rahall
Eckart	LaFalce	Ramstad
Edwards (CA)	Lancaster	Rangel
Emerson	Lantos	Ravenel
Ray	Skaggs	Torricelli
Reed	Skeen	Traficant
Regula	Skelton	Traxler
Richardson	Slattery	Unsoeld
Ridge	Slaughter	Upton
Rinaldo	Smith (FL)	Valentine
Ritter	Smith (IA)	Vander Jagt
Roemer	Smith (NJ)	Vento
Rogers	Smith (OR)	Visclosky
Ros-Lehtinen	Smith (TX)	Volkmer
Rose	Snowe	Vucanovich
Rostenkowski	Solarz	Walsh
Roth	Spence	Washington
Roukema	Spratt	Waters
Rowland	Staggers	Waxman
Roybal	Stallings	Weber
Russo	Stark	Weiss
Sabo	Stearns	Weldon
Sanders	Stenholm	Wheat
Sangmeister	Stokes	Whitten
Sarpalius	Studds	Williams
Savage	Sundquist	Wilson
Sawyer	Swett	Wise
Saxton	Swift	Wolf
Scheuer	Synar	Wolpe
Schiff	Tallon	Wyden
Schroeder	Tanner	Wylie
Schulze	Tauzin	Yates
Schumer	Taylor (MS)	Yatron
Serrano	Taylor (NC)	Young (AK)
Sharp	Thomas (CA)	Young (FL)
Shays	Thomas (GA)	Zeliff
Sikorski	Thornton	
Sisisky	Torres	

NOES—58

Allard	Hansen	Packard
Archer	Hefley	Pallone
Armey	Herger	Petri
Ballenger	Holloway	Quillen
Barton	Inhofe	Rhodes
Bennett	Johnson (TX)	Riggs
Boehner	Kolbe	Roberts
Bunning	Kyl	Rohrabacher
Burton	Lagomarsino	Santorum
Coble	Lewis (FL)	Schaefer
Combest	Lightfoot	Sensenbrenner
Cox (CA)	McCandless	Shaw
Dannemeyer	McCollum	Shuster
DeLay	McEwen	Solomon
Dornan (CA)	McMillan (NC)	Stump
Dreier	Miller (OH)	Thomas (WY)
Fawell	Moorhead	Walker
Fields	Nichols	Zimmer
Gallegly	Nussle	
Hancock	Oxley	

NOT VOTING—12

Boucher	Edwards (OK)	Myers
Brooks	Edwards (TX)	Neal (NC)
Crane	Johnson (CT)	Roe
Doolittle	Mrazek	Towns

□ 1532

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROE. Mr. Speaker, due to a meeting away from the Capitol, I was unable to be present during roll call votes No. 416, motion to commit with instructions H.R. 3839 and No. 417, final passage of H.R. 3839, Labor-HHS-Education appropriations for 1992. Had I been present I would have recorded my strong support of this legislation by voting "nay" on roll call No. 416, the motion to recommit and by voting "yes" on roll call No. 417 final passage.

PERMISSION FOR COMMITTEE ON BANKING, FINANCE, AND URBAN AFFAIRS TO FILE REPORT ON H.R. 3435, RESOLUTION TRUST CORPORATION RESTRUCTURING ACT OF 1991

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs have until midnight tonight to file a report on the bill, H.R. 3435, the Resolution Trust Corporation Refinance and Restructuring and Improvement Act of 1991.

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

There was no objection.

GREER SPRING ACQUISITION AND PROTECTION ACT OF 1991

Mr. VOLKMER. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 3604) to direct acquisitions within the Eleven Point Wild and Scenic River, to establish the Greer Spring Special Management Area in Missouri, and for other purposes.

The Clerk read the title of the bill.

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

Mr. MORRISON. Mr. Speaker, reserving the right to object, I yield to the chairman of the subcommittee to explain the bill.

Mr. VOLKMER. Mr. Speaker, H.R. 3604, authorizing the acquisition of the Greer Spring Area in Missouri, was introduced by our colleague, Mr. EMERSON, and is cosponsored by the entire Missouri House delegation. The bill represents the culmination of years of effort to acquire and protect this valuable resource, and I am pleased to bring this legislation forward at this time.

H.R. 3604 authorizes and directs the Secretary of Agriculture to acquire, on a willing-seller basis, with funds that have already been appropriated, a certain tract of land in and adjacent to the Mark Twain National Forest in Missouri. The land, encompassing nearly 7,000 acres, includes outstanding natural resources, the most significant of which is Greer Spring, the second largest spring in the State and a primary source for the Eleven Point River, a designated component of the National Wild and Scenic Rivers System.

That portion of the tract that lies within the wild and scenic river corridor will be managed by the Forest Service under the Wild and Scenic River Act. The remainder of the tract is designated as a special management area, and will be managed to protect the area's natural and scenic resources and provide public recreation, including fishing and hunting.

The bill was introduced by Mr. EMERSON on October 22 and referred jointly to the Committee on Agriculture and the Committee on Interior and Insular Affairs. Our subcommittee on Forests, Family Farms, and Energy conducted a public hearing and business meeting on November 5, and the Agriculture Committee ordered the bill reported, as amended, on November 6.

The bill has also been reported by the Interior and Insular Affairs Committee, and I appreciate the cooperation we have received from Chairman VENTO, Chairman MILLER, and the ranking members, Mr. LAGOMARSINO and Mr. YOUNG of Alaska, in getting this bill to the floor in an expedited fashion.

This acquisition and designation is supported by the administration and conservation organizations, and will contribute significantly to the protection of this invaluable resource. I have visited the site, at the invitation of Representative EMERSON, and agree that this will be an appropriate addition to the Eleven Point Wild and Scenic River and the Mark Twain National Forest.

I have worked for several years with Congressman EMERSON, who has proven tireless in this effort, in attempting to arrive at an agreeable piece of legislation. The compromise that has been struck is a workable solution, and I commend those who were involved in these lengthy negotiations for their cooperative spirit and diligent efforts.

In addition to Representative EMERSON and his staff and the current landowner, Mr. Leo Drey, a number of people have played key roles in this matter: The previous landowners, the Denning family, who preserved the area most of this century; Missouri environmental organizations; former Senator Thomas Eagleton, who played a prominent role in obtaining the necessary appropriations; and most recently river network, which has been crucial in finalizing the negotiation of this agreement.

Through the hard work of those involved, and the generosity of Mr. Drey and the Anheuser-Busch Co., who each plan significant contributions toward the purchase of this tract, the American people stand to gain a truly remarkable natural gem.

I again wish to commend my colleague from Missouri, Mr. EMERSON, for taking a leading role in bringing this legislation to fruition.

Mr. MORRISON. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Missouri [Mr. EMERSON], the sponsor of the bill, and would mention that this is the culmination of a 4-year effort on the part of the gentleman from Missouri, and he introduces this with the full support of the Missouri delegation.

Mr. EMERSON. Mr. Speaker, I thank the gentleman from Washington [Mr. MORRISON] for yielding to me.

Mr. Speaker, I want to thank in particular the gentleman from Missouri [Mr. VOLKMER], chairman of the subcommittee, and the gentleman from Washington [Mr. MORRISON] for the outstanding cooperation that they and their outstanding staffs have provided throughout the extensive deliberations on this bill; also, the gentleman from Minnesota [Mr. VENTO], the chairman of the Subcommittee on National Parks and Public Lands of the Committee on Interior and Insular Affairs, for seeing this bill through that subcommittee expeditiously after it was reported from the House Committee on Agriculture.

I want also to pay tribute to the entire Missouri delegation and to all of the disparate elements who participated in the negotiations leading to culmination of this bill. I think this is a very good bill. I think it is a bill that is, while not the way everyone individually might have written it, I think it is a bill that is one that everyone is going to find quite amenable to live with.

Once again, I want to thank the gentleman from Missouri and the gentleman from Washington for their outstanding assistance in this matter. It is deeply appreciated by my constituency and by all Missourians.

This legislation is the culmination of more than 4 years of work among the Missouri delegation and what we have is a carefully crafted compromise before us today, strongly supported by the entire Missouri delegation, the Forest Service, the Agriculture Committee, the Interior Committee, the environmental community, and many other diverse individuals and organizations.

This issue is most important to my congressional district in southern Missouri and to Missouri as a whole. The Greer Spring tract, which includes the second largest spring in the State—is finally on its way to its rightful Federal designation as a component of the National Wild and Scenic River System and as a special management area.

Greer Spring is one of the most spectacular areas in all of Missouri and perhaps all of the Nation—indeed it is one of the crown jewels of the Ozarks. There is strong agreement among people with divergent interests about our common goals of protecting the unique beauty of this simple and untouched spring and surrounding properties. There has been a great deal of misinformation about my concerns about the shape of this legislation, and I want to make clear once and for all that my foremost concern has always been access to the river and the adjoining land by local residents. Through tireless hours, we have finally satisfactorily addressed that concern in this bill, and I now hope that the other body of this Congress will speedily take up consideration of this bill and pass it along to the President without delay.

This has been a long and arduous process for all who have been involved. I want to say once again a hearty thank you to my good friend and colleague, HAROLD VOLKMER, as well as his very capable staff for their diligent work in helping to craft this long-awaited compromise. Also, we are fortunate that several

private entities have agreed to donate a total of $1 million toward the purchase of the Greer Spring property, to reduce the cost to the Federal Government.

I am hopeful that we can keep the momentum moving forward on this legislation through the congressional process and see this legislation enacted in the very near future.

Mr. MORRISON. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I rise in support of H.R. 3604.

This bill would direct acquisition of certain lands within the Eleven Point Wild and Scenic River, and would establish the Greer Spring Special Management Area, in Missouri, to be managed by the Forest Service.

H.R. 3604 was introduced by my former Interior Committee colleague, Mr. EMERSON, and is cosponsored and supported strongly by the entire Missouri delegation. It would provide for the acquisition of a tract of land amounting to nearly 7,000 acres that is partly within the Mark Twain National Forest and also partly within the boundaries of a segment of the Eleven Point River that is a component of the National Wild and Scenic Rivers System.

This tract, known as the Denning or Greer Spring tract, is in single ownership. The owner desires to convey it intact to the United States, with the part within the river corridor to be managed under the Wild and Scenic Rivers Act and the rest to be managed by the Forest Service in a way that restricts timber harvesting and other activities that could adversely affect the natural, scenic, and environmental values of the lands.

The bill is intended to make possible this acquisition, and the sebsequent management of the lands in this manner.

At the hearing before the Subcommittee on National Parks and Public Lands, which I chair, the administration testified in support of the bill. They did suggest some technical amendments which have been included in the bill as it is now before the House.

Mr. Speaker, this is a noncontroversial measure that would assure that a special area will be managed so that future generations can enjoy its scenic and natural characteristics. I urge its approval by the House.

Mr. MORRISON. Mr. Speaker, this measure is also endorsed by the administration.

Continuing my reservation of objection, I yield to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I rise in support of this measure. This truly is a Missouri effort. I commend the gentleman from northeast Missouri for his leadership as chairman, and I commend the gentleman from southeast Missouri.

What we see on the floor of the House is really the culmination of a great deal of effort, work, not weeks, but months, of the gentleman from Cape Girardeau, MO, Mr. EMERSON.

I think this is a very valid, very well-put-together piece of legislation. He is to be commended.

Mr. COLEMAN of Missouri. Mr. Speaker, I rise today in strong support of H.R. 3604, the Greer Spring Acquisition and Protection Act of 1991. I am an original cosponsor of the bill, along with all other members of the Missouri delegation. The bill provides for the Secretary of Agriculture to acquire a 6,900-acre tract of land, known as the Dennig tract, which shall become a part of the Mark Twain National Forest. The Mark Twain National Forest already is one of Missouri's most popular and valuable natural areas, and the addition of the Dennig tract will only add to that value.

Part of the Dennig tract will be managed in accordance with the Wild and Scenic Rivers Act. The remaining land is designated as a special management area, which may be used for various recreational purposes such as fishing and hunting. In addition, the Secretary may permit appropriate timber harvests in this area. In essence, the special management area is intended to provide for various uses of the land, while at the same time maintaining the area's natural, archeological, and scenic resources.

Once again, I strongly support H.R. 3604, and I urge my colleagues also to support the bill. I commend the gentleman from Missouri [Mr. EMERSON] for sponsoring this bill and for his extensive work on it. I also commend Mr. VOLKMER, chairman of the Agriculture Committee's Forests, Family Farms and Energy Subcommittee for providing for quick consideration of the bill. Finally, I want to thank Mr. Leo Drey, who currently owns the Dennig tract, and Anheuser Busch for their financial support of the acquisition of the Dennig tract.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 3604, the Greer Spring Acquisition and Protection Act.

H.R. 3604 was introduced by my Agriculture Committee colleagues, Mr. EMERSON, Mr. VOLKMER, and Mr. COLEMAN, as well as by other members of the Missouri delegation, including the distinguished majority leader, Mr. GEPHARDT. As presented to the Members of the House today, this bill represents an excellent example of compromise and consensus building to protect a truly unique natural resource in the State of Missouri. I commend the authors for their leadership in bringing this measure to the floor.

Specifically, H.R. 3604 provides for the acquisition, subject to appropriations, of lands adjacent to the Mark Twain National Forest for the purpose of protecting the natural beauty of the area for present and future generations.

A portion of these newly acquired lands would be made part of the Eleven Point Wild and Scenic River Corridor. The remaining lands would be designated as the Greer Spring Special Management Area. All these lands are to be managed under the guidance of the USDA Forest Service in conjunction with the Mark Twain National Forest.

Mr. Speaker, the Subcommittee on Forests, Family Farms, and Energy of the Committee on Agriculture conducted a hearing and business meeting on November 5, 1991, and ordered H.R. 3604, as amended, favorably reported to the full committee. The Committee on Agriculture considered the bill on November 6, 1991, and approved the bill by voice vote.

It is my understanding that the administration has no objections to the bill and that H.R. 3604 would not be subject to pay-as-you-go scoring, nor would it require significant additional appropriations. Funds for the authorized land acquisition were previously appropriated.

Mr. Speaker, I recommend adoption of H.R. 3604.

Mr. MORRISON. Mr. Speaker, I encourage the House to approve this measure.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3604

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

SECTION 1. ACQUISITION OF THE DENNIG TRACT.

The Secretary of Agriculture (hereinafter referred to as "Secretary") is hereby authorized and directed, subject to appropriations, to acquire all of the lands, waters, and interests therein, on a willing seller basis only, within the area generally depicted on a map entitled "Dennig Tract", dated, numbered (hereafter referred to as "the map"). The map shall be on file and available for public inspection in the offices of the Forest Service, Department of Agriculture. Lands acquired pursuant to this Act shall become part of the Mark Twain National Forest. The Secretary is authorized to make any minor boundary adjustments to the Mark Twain National Forest necessitated by this acquisition.

SEC. 2. ELEVEN POINT WILD AND SCENIC RIVER.

The Secretary shall manage the lands, waters and interests therein within the area referred to on the map as "The Eleven Point Wild and Scenic Corridor", (hereinafter referred to as "the corridor") pursuant to the provisions of the Wild and Scenic Rivers Act (16 U.S.C. 1271–1287). Lands acquired pursuant to section 1 of this Act within the corridor shall not be counted against the average one-hundred-acre-per-mile fee limitation of Section 6(a)(1) of the Wild and Scenic Rivers Act, nor shall such lands outside the corridor be subject to the provisions of Section 6(a)(2) of the Wild and Scenic Rivers Act.

SEC. 3. GREER SPRING SPECIAL MANAGEMENT AREA.

(a) OBJECTIVES AND ESTABLISHMENTS.—In order to provide for public outdoor recreation use, including fishing and hunting, in a natural setting, and the enjoyment of certain areas within the Mark Twain National Forest, to protect those areas' natural, archaeological, and scenic resources, and to provide for appropriate resource management of those areas, there is hereby established the Greer Spring Special Management Area (hereinafter referred to as "the special management area."). The Secretary shall manage the special management area in accordance with this Act, and with provisions of law generally applicable to units of the National Forest System to the extent consistent with this Act.

(b) AREA INCLUDED.—The special management area shall consist of lands, waters, and interests therein within the area referred to on the map as "The Greer Spring Special Management Area". The Secretary is authorized to make minor revisions to the boundary of the special management area.

(c) TIMBER HARVESTING.—The Secretary shall permit the harvesting of timber within the special management area only in those cases where, in the judgment of the Secretary, the harvesting of timber is required in order to control insects or disease, for public safety, for salvage sales, or to accomplish the objectives of the special management area as described in subsection (a). To the extent practicable, timber harvesting shall be conducted only by the individual tree selection method.

(d) HUNTING AND FISHING.—The Secretary shall permit hunting and fishing on lands and waters within the special management area in accordance with applicable Federal and State law.

(e) MINING AND MINERAL LEASING.—Subject to valid, existing rights, lands within the special management areas are withdrawn from location, entry, and patent under the mining laws of the United States, and from the operation of the mineral and geothermal leasing laws of the United States.

(f) VEHICULAR ACCESS.—The Secretary shall construct and maintain only those roads within the special management area and corridor which are indicated on the map: *Provided*, That the Secretary shall provide access to such roads, or to timber harvesting pursuant to subsection (c), in such a manner as to minimize environmental impact.

SEC. 4. APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Missouri [Mr. VOLKMER].

The amendment in the nature of a substitute was agreed to.

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

HOUR OF MEETING ON SATURDAY, NOVEMBER 23, 1991

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Saturday, November 23, 1991.

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

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. VOLKMER

Mr. VOLKMER. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. VOLKMER: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Greer Spring Acquisition and Protection Act of 1991".

SEC. 2. ACQUISITION OF THE DENNIG TRACT.

(a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") is hereby authorized and directed, subject to appropriations, to acquire all of the lands, waters, and interests therein, on a willing seller basis only, within the area generally depicted on a map entitled "Dennig Tract", dated November 5, 1991 (hereinafter referred to as "the map"). The map, together with a legal description of such lands, shall be on file and available for public inspection in the offices of the Forest Service, Department of Agriculture. The boundaries of the Mark Twain National Forest are hereby modified to include the area denoted "Dennig Property Outside of National Forest Boundary" on the map. Such map and legal description shall have the same force and effect as if included in this Act, except that the correction of clerical and typographical errors in such map and legal description may be made by the Secretary.

(b) Such modified boundaries shall be considered as the boundaries in existence as of January 1, 1965, for the purposes of section 7 of the Land and Water Conservation Fund Act (16 U.S.C. 4601-9).

SEC. 3. ELEVEN POINT WILD AND SCENIC RIVER.

The Secretary shall manage the lands, waters, and interests therein within the area referred to on the map as "The Eleven Point Wild and Scenic Corridor" (hereinafter referred to as "the corridor"), pursuant to the provisions of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287). Lands acquired pursuant to section 2 of this Act within the corridor shall not be counted against the average one-hundred-acre-per-mile fee limitation of Section 6(a)(1) of the Wild and Scenic Rivers Act, nor shall such lands outside the corridor be subject to the provisions of Section 6(a)(2) of the Wild and Scenic Rivers Act.

SEC. 4. GREER SPRING SPECIAL MANAGEMENT AREA.

(a) OBJECTIVES AND ESTABLISHMENTS.—In order to provide for public outdoor recreation use, including fishing and hunting, in a natural setting, and the enjoyment of certain areas within the Mark Twain National Forest, to protect those areas' natural, archaeological, and scenic resources, and to provide for appropriate resource management of those areas, there is hereby established the Greer Spring Special Management Area (hereinafter referred to as "the special management area"). The Secretary shall manage the special management area in accordance with this Act, and with provisions of law generally applicable to units of the National Forest System to the extent consistent with this Act.

(b) AREA INCLUDED.—The special management area shall consist of lands, waters, and interests therein within the area referred to on the map as "The Greer Spring Special Management Area". The Secretary is authorized to make minor revisions to the boundary of the special management area.

(c) TIMBER HARVESTING.—The Secretary shall permit the harvesting of timber within the special management area only in those cases where, in the judgment of the Secretary, the harvesting of timber is required in order to control insects or disease, for public safety, for salvage sales, or to accomplish the objectives of the special management area as described in subsection (a). To the extent practicable, timber harvesting shall be conducted only by the individual tree selection method.

(d) HUNTING AND FISHING.—The Secretary shall permit hunting and fishing on lands and waters within the special management area in accordance with applicable Federal and State law.

(e) MINING AND MINERAL LEASING.—Subject to valid, existing rights, lands within the special management area are withdrawn from location, entry, and patent under the mining laws of the United States, and from the operation of the mineral and geothermal leasing laws of the United States.

(f) VEHICULAR ACCESS.—The Secretary shall construct and maintain only those roads within the special management area and corridor which are indicated on the map: *Provided*, That the Secretary shall provide access to such roads, or to timber harvesting pursuant to subsection (c), in such a manner as to minimize environmental impact.

SEC. 5. APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Mr. VOLKMER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

□ 1540

PROVIDING FOR CONSIDERATION OF H.R. 2929, CALIFORNIA DESERT PROTECTION ACT OF 1991

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 279 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 279

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. 2929) to designate certain lands in the California desert as wilderness, to establish the Death Valley, Joshua Tree, and Mojave National Parks, 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 Interior and Insular 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 Interior and Insular 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 as having been read, and all points of order against said substitute are hereby waived. No amendment to said substitute shall be in order except those printed in the report of the Committee on Rules. Said amendments shall be considered in the order and manner specified in the report and shall be considered as having been read. Said amendments shall be debatable for the period specified in the report, equally divided and controlled by the proponent and a Member opposed thereto. Said amendments shall not be subject to amendment except that pro forma amendments for the purpose of debate shall be in order if offered by the chairman or ranking minority member of the Committee on Interior and Insular Affairs. Where the report of the Committee on Rules specifies consideration of amendments en bloc, then said amendments shall be so considered, and such amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. It shall be in order at any time for the chairman of the Committee on Interior and Insular Affairs to offer amendments en bloc consisting of amendments, and modifications in the text of any amendment which are germane thereto, printed in the report of the Committee on Rules. Such amendments en bloc, except for any modifications, shall be considered as having been read and shall be debatable for not to exceed twenty minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. All points of order against the amendments en bloc are hereby waived. The original proponents of the amendments en bloc shall have permission to insert statements in the Congressional Record immediately before disposition of the amendments en bloc. Such amendments en bloc shall not be subject to amendment, or to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments in the report of the Committee on Rules are hereby waived. 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 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.

The SPEAKER pro tempore (Mr. MCNULTY). 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 House Resolution 279, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 279 is the rule providing for consideration of H.R. 2929, the California Desert Protection Act of 1991.

The rule provides 1 hour of general debate, which shall be confined to the bill, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. After general debate, the bill shall be considered for amendment under the 5-minute rule.

The rule makes in order the Interior Committee amendment in the nature of a substitute now printed in the bill as the original text for the purpose of amendment. All points of order against the substitute are waived.

Mr. Speaker, H.R. 2929 is a controversial bill and its provisions are very complex. For that reason, and to facilitate consideration of the measure, the rule makes in order the 12 amendments printed in the report to accompany the rule, including the Lewis substitute. The rule allows for consideration of all the amendments that were presented to the Rules Committee.

The amendments will be considered in the order and manner and for the amount of time specified in the report. Sixty minutes of debate time is provided for the Lewis amendment in the nature of a substitute and 10 minutes for all other amendments. Time for debate on each amendment is to be equally divided and controlled by the proponent and a Member in opposition.

The amendments are not subject to amendment except that, should the Interior Committee chairman and ranking minority member determine that more debate time is desirable, each may offer one pro forma amendment to each amendment to extend debate. Where the report specifies, amendments will be offered en bloc and are not subject to a demand for a division of the question in the House or in the Committee of the Whole.

Mr. Speaker, the rule also provides that the chairman of the Interior Committee may, at any time, offer amendments en bloc consisting of the text of any of the amendments printed in the report and germane modifications to those amendments.

The chairman's en bloc amendments, except for any modifications, shall be considered as having been read and shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Interior Committee.

The rule waives all points of order against the amendments en bloc and provides that they shall not be subject to amendment, or to a demand for a division of the question in the House or the Committee of the Whole. In addition, the rule provides that the original proponents of the en bloc amendments shall be permitted to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the en bloc amendments.

All points of order against the amendments in the report of the Committee on Rules are waived.

Finally, Mr. Speaker, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2929, the California Desert Protection act, seeks to protect and preserve some of the loveliest spots in the fragile California desert. I must say, Mr. Speaker, the California desert is one of the truly rich and scenic areas not only of my State, but of our entire country. Far from being a vast and useless wasteland, the rugged desert mountains and adjacent lowland terrain provide the habitat for some of this country's most unusual species of plants and wildlife.

The area is also a museum of human history—perhaps the most valuable in North America because much of it has, up until recent years, been untouched for thousands of years. Unfortunately, the desert's historical and natural treasures are now being threatened and we are seeing irreversible damage and deterioration there.

Mr. Speaker, I commend Mr. LEHMAN, the chairman of the subcommittee that developed this bill, and Mr. MILLER, the chairman of the Interior Committee, for working so diligently to seek a compromise on this legislation. We must protect and help preserve these valuable natural and historical resources for future generations.

Mr. Speaker, H.R. 2929, the result of over 15 years of active consideration, designates 76 wilderness areas on Bureau of Land Management lands in the California desert; expands the existing Death Valley and Joshua Tree National Monuments and redesignates them as national parks; establishes a new Mojave National Monument; and designates wilderness areas within the national parks and monument.

Mr. Speaker, the Rules Committee carefully crafted this rule to give the House a chance to consider all the controversies surrounding this bill, including the President's own legislative proposal for the area. I urge my colleagues to adopt the resolution so that we may proceed to the consideration of this important legislation.

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

Mr. Speaker, I rise in very reluctant support of this rule which provides for the consideration of the California Desert Protection Act of 1991. It is not an open rule, but it does make in order all of the amendments that were submitted to the Rules Committee by November 12, which leads to the logical question, Mr. Speaker: "Why not an open rule?" As Chairman MOAKLEY explained in the Rules Committee last Thursday, we are constrained for time because the leadership would like to meet our target adjournment date, and an open rule could undermine a very tight schedule. I have no argument with the chairman on that. In fact, I think he did the best he could under the circumstances.

What troubles me is the leadership is trying to quickly ram down our

throats an extremely controversial bill that lacks even a minimum of consensus. As the gentleman from California [Mr. LEHMAN] explained so eloquently in the Rules Committee when we met last week, this is the largest, most contentious land use issue in California, and it is the top environmental issue in the State.

Mr. Speaker, the issue of wilderness designation has been under consideration for 15 years, and the Committee on Interior and Insular Affairs has been considering this specific bill since January. I agree, we need a desert protection bill, but there is no reason why we cannot consider this legislation when this Congress reconvenes early next year.

The gentleman from California [Mr. LEHMAN] admitted that a very thoughtful and comprehensive alternative introduced by our respected colleague from Redlands, Mr. LEWIS, was not even considered by the subcommittee.

Mr. Speaker, we do not even know the budget implications of this legislation. The bill circumvents the pay-as-you-go provisions of the budget agreement by setting up a mechanism to ensure that any outlays resulting from the acquisition of California State lands do not occur until after the budget agreement expires.

□ 1505

In its present form, Mr. Speaker, this bill would be vetoed by the President of the United States. It is not a serious attempt to address the myriad substantive and competing land use issues affecting the California Desert; instead, the authors propose the largest Federal Government land grab in history to occur in the contiguous 48 States. It would significantly alter military training activities, water rights, hunting, and mineral exploration activities.

There is no reason why consideration of this bill cannot be postponed for a couple months. This would give the subcommittee and the full committee chairmen an opportunity to do what they acknowledge they have not done; that is to negotiate with those of us on this side of the aisle who support protecting the ecology of the desert, but have legitimate multiple land use concerns.

However, Mr. Speaker, since the leadership insists on moving forward with this bill at this time, I do reluctantly support adoption of the rule and urge my colleagues to support the more reasonable alternative embodied in the Lewis-Thomas-McCandless-Hunter substitute.

Mr. BEILENSON. Mr. Speaker, for purpose of debate only, I yield 1 minute to the distinguished gentleman from California [Mr. LEHMAN].

Mr. LEHMAN of California. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I am only going to speak to the rule now, since the rule does allow plenty of time for me and others to refute the assertions of the gentleman from California [Mr. DREIER] and others, and I will do so at the appropriate time.

I am standing up now, though, to support this rule.

Although I was originally prepared along with the chairman, the gentleman from California [Mr. MILLER] to support an open rule in committee, I fully understand the concerns of the leadership with trying to get a handlle on the schedule as we move into the final days.

The rule provides that all amendments that were on file when the Rules Committee met on this issue are in order. All of the amendments of the minority have been completed protected by this procedure. Therefore, I support the rule.

I would only bring the attention of the Members to two amendments that are allowed here, the en bloc amendment that the gentleman from California [Mr. MILLER] will offer which will delete 160,000 acres around Fort Irwen, to meet the concerns of the military in that regard, and another amendment by the delegate from Guam [Mr. BLAZ] and the gentleman from Minnestoa [Mr. VENTO] will also take care of the concerns of the military with respect to overflights. All those concerns are met with those two technical amendments.

Mr. Speaker, I urge adoption of the rule.

Mr. DREIER of California. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. LEWIS], who is from Redlands, CA, who has tried diligently to bring about a compromise on this very important bill and will be offering a most important substitute.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague yielding me this time, and I appreciate the patience of the Members of the House, for we will be spending a number of hours this evening going through this relatively complicated, but very important subject.

I will be speaking on this podium from the Democratic side of the aisle simply because I want it to be clearly understood that this is not a partisan issue, but rather a very, very important public policy consideration.

There are four Members of Congress whose districts are dramatically impacted by H.R. 2929. It is very important that our colleagues in the House understand that all four of us have a great deal of interest in and are concerned about the California desert and its future. We care deeply about the desert, and especially for those who live in the desert and love it.

H.R. 2929 is described as some form of a compromise. Indeed, if it is a compromise, the parties who drew up the bill, I am not sure behind what closed doors, drafted that bill without consulting any of us who represent these desert lands.

I might mention for the RECORD, for you will hear it more than once, that the four of us represent over 3,250,000 Californians. Combined, that is a population greater than the separate populations of 23 States. If our territory were put together, the geography itself would be approximately 29th in size among the States.

The bill before us, in a very basic way, violates all those tenets that relate to effective public policy development in public affairs.

The Congress in 1976, mandated a process whereby desert wilderness in California could be permanently designated.

Under what is known as FLPMA, the Federal Land Policy and Management Act, the Congress directed that there be created a public commission. That public commission was instructed to hold public hearings over a period of years. They held 4 years of public hearings with over 40,000 individual citizen comments.

At the end of the process the public commission and the BLM reviewed all that material and come forth with a plan that would make sense for all Californians who care about the desert. That was to be before the Congress by the end of this year. It came up about 3 months ago. That plan has been largely ignored by the committee. The committee has chosen to put a bill on the floor today that fundamentally violates those of us who represent the people of the desert.

Beyond the fact that this is so wildly violative of fundamental public policy and the processes that make up excellent public affairs, the bill reflects the interests of a very small and elite group of people who describe themselves as environmentalists. In my own judgment, this group has little understanding of the real environmental concerns of the people who live and work in the desert.

I do not know about you, my colleagues, but I try to pay very, very careful attention to the problems and challenges faced by my other colleagues in their districts, individuals elected to represent half a million and in some cases a million of our citizens. Those individuals know their districts best, so I focus carefully upon their concerns.

In this case, the authors of this bill have chosen, with malice aforethought, to roll right over the four of us who represent the California desert.

The SPEAKER pro tempore (Mr. MCNULTY]. The time of the gentleman from California [Mr. LEWIS] has expired.

Mr. DREIER of California. Mr. Speaker, I yield 1 additional minute to

the gentleman from California [Mr. LEWIS].

Mr. Speaker, will the gentleman yield?

Mr. LEWIS of California. I am happy to yield to my colleague, the gentleman from California.

Mr. DREIER of California. Mr. Speaker, the gentleman makes a very good point in stating that he and most Members of this House like to have a pattern of looking to those individuals who represent a particular area and get some input from them on what we are going to do here as it relates to that. I think it is an important point to underscore. I appreciate the gentleman pointing that out.

Mr. LEWIS of California. Mr. Speaker, I thank my colleague.

I must say, Mr. Speaker, in the dozen years that it has been my privilege to serve in the House. I have never seen a circumstance where a committee or its members would so basically violate that tenet of comity whereby a member is given a chance at least in the negotiating process to present the interests of their districts. In this case, California is being violated in a fundamental way.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield 7 minutes to the gentleman from California [Mr. LEVINE], the original author of this bill.

Mr. LEVINE of California. Mr. Speaker, I thank my friend for yielding me this time.

Mr. Speaker, as the author of the California Desert Protection Act, I rise in strong support of the rule and of the underlying legislation.

This bill is extremely important to the people of California. It is not nearly as complicated as is being presented.

There is one essential question that is before us when we deal with this legislation. That question is whether we wish or whether we do not wish to protect the fragile resources of the California desert. That is the question before us. It is a simple question. It is a clear question. It is a straightforward question. Do we protect this resource or do we not.

The California desert is a very special place. I know that any number of us who are familiar with it and who have spent quite a bit of time in it have strong feelings about it. In its 25 million acres are found an enormous diversity of wildlife and of plants, rich archaeological collections, dozens of mountain ranges, and all kinds of human activity.

Our legislation seeks to protect a portion of this for generations to come.

Mr. Speaker, the wild desert is being destroyed. Mismanagement, fly-by-night mining operations, reckless individual abuse, and poorly planned development are taking their toll.

□ 1600

Californians want this legislation. Polls instate have consistently shown that Californians want more, not less, protection.

The State's major newspapers have editorialized in favor of the bill; 49 California cities and counties have endorsed the bill. Yet, despite this, the charges that continue to be raised against this bill, while made in good faith, are truly remarkable. And I believe in the context of this debate on the rule it is appropriate at the outset to set the record straight.

First and most importantly, this process has not occurred behind closed doors. There have been seven public hearings on this bill, three in California. The desert plan of 1980, to which my friend from California referred, has failed. There were some 40,000 comments with regard to that desert plan, the majority of which were critical of the plan.

For 5 years we have been pursuing this legislation. It was initially introduced in 1986, and we have urged our colleagues on the other side of the aisle, and a range of the interest groups who have been concerned with this legislation, to come to the table, to negotiate with us, to talk with us, to work with us. And when that has failed, we have held public hearing after public hearing.

Mr. Speaker, I was at a public hearing at my friend, Mr. LEWIS' district, that we both attended. Over 1,000 people were at that hearing.

I chaired a hearing in southern California that some 2,000 people have attended. There have been public hearings.

Mr. Speaker, I would be happy to yield, but I would like to finish my statement and then I would be happy to get into a colloquy either now or at a subsequent time. I am sure we will have numerous opportunities to discuss this.

Mr. Speaker, I let the gentleman proceed with his opening remarks, and I want to just try to set the record straight with my own.

There are several other misrepresentations that have been offered by some of the bill's opponents, and I would like to set the record straight at the outset on those because a number of people have asked me about them.

First, if one actually read the bill, they would find that with regard to military overflights, that there is no mention of any military overflights in this bill. I know my friend, the gentleman from Massachusetts, [Mr. MAVROULES] and the chairman of the Committee on Armed Services will be speaking to that later. Indeed there is nothing in this bill which would restrict overflights, and just to clarify, the administration's own overflight language will be offered in an amendment today with my support and that of Mr. LEHMAN and that of Mr. MILLER.

An amendment will be offered to this bill so that the bill will not in any way affect the proposed expansion at Fort Irwin. That will be totally eliminated by a Vento-Blaz amendment.

Third, this bill does not require the Federal Government to spend one thin dime on land purchases. While there may turn out to be some purchases subsequently, the two landowners who own the vast majority of all the inholdings have made it clear that they would prefer to exchange, not sell, their lands.

And to this end, the bill also would extend the Department of the Interior's normal authority to purchase any inholdings which are placed in a new land bank, which is then to be used to exchange these inholdings for Federal lands.

Next, only Congress can designate wilderness. The BLM's desert plan will remain in place, but they cannot designate wilderness. Congress reserved that decision for itself.

Based on the BLM's proposal, for good reason, the administration's proposal is completely inadequate. And finally, hunting is allowed in BLM wilderness, which represents over half the acreage of the bill. While hunting in the Mojave will be prohibited, the Mojave accounts for only a minute portion of hunting statewide.

Californians want what is still pristine and truly wild in the desert to remain that way. For that reason, passage of this bill will strike a major victory for environmental protection in America.

Unfortunately, up to now the BLM's record is paltry, at best. They have not been able adequately to protect the wildlife; regulations go unenforced; incompatible uses are permited.

This bill would give the Department the tools it needs to protect the desert and at the same time protect all of its historical uses.

I strongly urge my colleagues to support the rule and to support the bill.

Mr. DREIER of California. Mr. Speaker, my friend from west Los Angeles said he was going to correct the record. To really correct the record now, I yield 4 minutes to my very good friend, the gentleman from California [Mr. THOMAS], the hardworking member of the Committee on Ways and Means.

Mr. THOMAS of California. Mr. Speaker, we are going to have a long discussion. I want to focus my comments principally on the rule.

Why is it that somehow the debate must always turn on the fact that you guys are the good guys and we are the bad guys. You say H.R. 2929 saves the desert. And no other option is available.

It just get humorous when you watch the procession down to the microphone, with individuals indicating that the policy that led to H.R. 2929 was the one that was initiated 15 years ago.

If anyone will read that legislation, they will find that the route H.R. 2929

took was not the route that was designated in 1976. It was, in fact, a branch created by those who would not compromise. And what you have in front of you is a bill that still is not truly compromised. What evidence do I have of that? Take a look at the rule under which we are considering this legislation. Twelve amendments to the rule. Mr. LEVINE laid out the laborious process of consulting with various groups to make sure that his bill was broadly represented.

Then why are all of the amendments in the rule to H.R. 2929? Obviously he did not do a very good job of making sure that all of those groups were consulted prior to today.

Take a look at H.R. 3066, the substitute; not one amendment to that bill. Why? Because that is the bill that followed the process asked for and created in 1976; that is the bill that went through the public hearings; that is the bill that was examined by the administration; that is the bill that was presented to the subcommittee and the Comittee of Interior to follow the process that this Congress asked for. And that subcommittee did not even give that bill a full hearing.

People ask me, "Why do you go through this process? It is kind of like the guy who plays at a crooked roulette wheel, and they say don't you know it's crooked, and he says, yes. They say, well, why do you do it? He says, well, it's the only wheel in town."

Take a look at this rule. All of the amendments are to H.R. 2929. What is the first amendment that is made in order? It is a substitute.

Is someone telling me I do not understand the game around here, that in fact maybe the substitute is not going to pass? And that all of the amendments apply to H.R. 2929 because you are playing a game? What would happen under this rule if H.R. 3066 passed? You would have a pretty messy situation parliamentarily, would you not, because all of the amendments apply to H.R. 2929?

Do not tell me this place is not rigged; do not tell me it is not gimmicked. We are going to get into the substance of the bill, of course, but when you take a look at the way in which the rule was written and the strong appeal that there is only one choice to save the desert, please. I represent the desert. I want to save the desert, too. I do save the desert in H.R. 3066.

To stand there and tell people there is only one choice, one choice that saves the desert and the other does not in my estimation is hypocritical because either you have never been out there, you do not understand the process, or you simply want your own way.

And, of course, I understand the author, and others, of H.R. 2929 wanting their own way—a number of reasons why you would want to be out front, a number of reasons why you would not want a bill which is a true compromise from those people who work and live in the desert and who want to enjoy it scenically.

Obviously, I can understand why some of my colleagues do not want a bill that went through the process of scrutiny by the administration and the public.

I can understand why they want a bill which was written by them and which has a rule created which tells you that before we even begin, this game is fixed.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. MAVROULES].

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

Mr. Speaker, I have a little feeling that I am walking into a buzzsaw here among the California delegation.

Let me make it very clear that I am speaking as a member of the Committee on Armed Services.

Mr. Speaker, as a member of the Armed Services Committee, I would also ask that my colleagues support the adoption of amendments being offered today by Mr. VENTO and Mr. BLAZ that address the concerns of the Department of Defense regarding low-level overflights, the possible expansion of Fort Irwin, and the reauthorization of the withdrawals of China Lake Naval Weapons Center and Chocolate Mountain Aerial Gunnery Range.

With these two amendments, I am confident that the California Desert Protection Act will not infringe on the training and research mission of our Armed Forces in the California Desert.

Mr. Speaker, I request my colleagues to support this rule, the two amendments that provide for the military's concerns, and to vote for H.R. 2929.

□ 1610

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

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

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MAVROULES] for yielding.

Although I think the Blaz amendment has some merit; it addresses some of the issues; for 21 years I operated in the military in those specific areas, and neither one of the Vento or the Blaz amendments addresses the buffer zones around Chocolate Mountains. We have had people killed in the Chocolate Mountains, and I will tell the gentleman why it is the only area in which the Navy and Air Force have to train with live ordnance.

Could the gentleman tell me what a pop-up maneuver is? These are all exercises in different things that happen in those particular areas. Neither one of these amendments addresses it.

Mr. Speaker, I will be happy to give the gentleman a piece of paper from the Secretary of Defense and all the Secretaries that show how in these areas these amendments do not help the military.

Mr. MAVROULES. Mr. Speaker, I would be delighted to have the information which the gentleman has, but I am very sure, when the amendments are offered, the gentleman from Minnesota [Mr. VENTO] and the gentleman from Guam [Mr. BLAZ], who are indeed the experts on that issue, will articulate and clarify that.

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

Mr. MAVROULES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I think that we will debate that.

The SPEAKER pro tempore (Mr. MCCURDY). The time of the gentleman from Massachusetts [Mr. MAVROULES] has expired.

Mr. BEILENSON. Mr. Speaker, I yield the gentleman from Massachusetts 2 additional minutes.

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

Mr. MAVROULES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MAVROULES] for yielding and for his cooperation and representation of the armed services concerns and the Committee on Armed Services' concerns in this matter.

Mr. Speaker, what we are dealing with in Chocolate Mountain, and the channel 8 and, as well, El Centro, are withdrawals, military withdrawals. As far as I know, these are exactly the withdrawals that the military has sought in terms of land. They are renewal of withdrawal. In the absence of the withdrawals and the option of the Blaz-Vento type of amendments, they would revert, and the military would have legal status that would be uncertain under the Engel Act, and so that is the purpose of this.

Obviously there are arguments over air space and other matters, but I want to point out that the amendments that the gentleman referred to with regard to these three parcels are military withdrawal areas. Obviously there are compatible, incompatible uses, but this is what the military asked for when they came before our committee. We passed these amendments without objection under the sponsorship of the gentlewoman from Maryland [Mrs. BYRON]; in 1987 sent to the Senate. The Senate did not engage and take those amendments up at that time, and the reason being that the Senators from California decided to make it a part of the overall land bill, the desert bill, in California, and I thank the gentleman for yielding.

Mr. MAVROULES. Mr. Speaker, it is also my understanding that the gen-

tleman from Maryland [Mrs. BYRON] will address the issue when we get to the amendments.

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

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

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MAVROULES] for yielding.

As a matter of fact, I am submitting to the gentlewoman from Maryland [Mrs. BYRON] the same requirements that the military, not only the Navy, but the Air Force and the Marine Corps, has as well. Mrs. BYRON has never strapped herself into it yet and knows that all of the facilities that are required——

Mr. MAVROULES. Mr. Speaker, I realize that, but I might mention to the gentleman that gentlewoman from Maryland [Mrs. BYRON] had this under consideration since 1987. So, she does have some background on that.

Mr. CUNNINGHAM. But not the background she needs.

Mr. MAVROULES. I thank gentleman from California [Mr. CUNNINGHAM].

Mr. DREIER of California. Mr. Speaker, I yield 4 minutes to my very good friend, the gentleman from California [Mr. MCCANDLESS], who represents the magnificent desert empire.

Mr. MCCANDLESS. Mr. Speaker, I thank the gentleman from California [Mr. DREIER] for yielding this time to me.

Mr. Speaker, those of us who have been involved in the other bill, 3066 and what it represents, have been characterized erroneously as people who do not care about the desert. My colleagues briefly commented about the way this all started originally, with a piece of legislation coming out of this body and from that process.

I would like to read to the House the names and professions of the 15 members of the Desert Advisory Committee appointed in February 1977 by the Secretary of the Interior. These are the gentlemen and gentleladies who spent endless hours utilizing, not only their professions, but traveling extensively in the desert and holding a multitude of hearings.

Let me start with Dr. Richard Vogl, professor of botany at California State University, Los Angeles, a specialist in vegetation. Next, Dr. Wilbur Mayhew, professor of biology at the University of California, Riverside, who represented the field of wildlife. Then, Supervisor Clayton Record of Riverside County who represented local government, Dr. Richard Jahns, professor of geology and earth science at Stanford University who represented the earth sciences, and Dean Lemon, vice president of U.S. Borax, who represented mining and mineral assets. Next, Mr. Willie Pink, a member of the Cauhilla Tribal affiliation, represented native Americans. James Burns, member of the staff of the State of California Resources Agency, represented State government. Genny Smith, an author of several books about the desert, represented Outdoor Recreation. Ron Sloan represented Outdoor Recreation in the form of off road vehicle use. Dr. Harvey Perloff represented professional land use as professor of architecture and design at the University of California at Los Angeles. Erna Schulling represented the League of Women Voters in San Bernardino County. Next, Leon Hunter, head of science and environmental education for the Barstow School System and Mr. Frank DeVore, vice president, of San Diego Gas & Electric, representing the public utilities. Then, Mr. William Lane who represented the general public as publisher of Sunset magazine.

These people met in 1980, discussed their final product in great detail, and the final product represented that 4 years of development from February of 1977 to January of 1981. They presented that project to the public as a final result. It was a consensus. The group passed on the final result and recommendation which went to the director of BLM and the Secretary of the Interior, by a vote of 13 to 0.

Mr. DREIER of California. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. HUNTER], my very able colleague and classmate from San Diego who is chairman of the Republic Research Committee and a member of the Committee on Armed Services.

Mr. HUNTER. Mr. Speaker, I thank the gentleman from California [Mr. DREIER], my distinguish colleague, for yielding this time to me.

Mr. Speaker, and my colleagues, this bill, the so-called desert protection bill, has been described over and over as a bill that protects, and I think it is appropriate to ask the question: Protects from whom? The South Agadones Dunes, which is a big sand dune area in my district, and again I was not consulted, the gentleman from San Bernardino, CA [Mr. LEWIS] was not consulted, the gentleman from California [Mr. MCCANDLESS] was not consulted, the gentleman from California [Mr. THOMAS] was not consulted, nor were we asked to give leadership in any of the determinations that were made as to what areas went into wilderness.

However, Mr. Speaker, I want to tell my colleagues a little bit about the dunes that are utilized by so many Americans, so many San Diegans, so many people who live in Los Angeles.

□ 1620

Who are we protecting the desert from? We are protecting it from blue-collar Californians. We are protecting it from men and women who average about 29 years of age, with an average family income of about $29,000 a year.

What do these people want to do that is so threatening to the desert? They want to be able to get up on Saturday morning or Sunday morning and go out to the desert. Some of us may have seen the film "On Any Sunday." It is about average Americans who want to take their motorbikes or their four-wheelers or their off-road vehicles, and they want to go out and get away from the boss for a while. They want to be able to talk with their wives for 20 or 30 minutes while the kids are riding motor scooters around the dunes. They want to set their campers up, and they want to barbeque. Those are the people we are protecting the desert against.

Let us call this bill by its real name. This is the desert lockout bill, because it locks average Americans, blue-collar Americans, out, 160,000 of them who used our dunes last year for family outings. It locks them out.

Well, people can always strap a backpack on and they can go backpacking in the desert, can they not? That is the response that I have received from the Sierra Club and other organizations. I say to the Members I would like to see them strap a backpack on in 97-degree heat, not only on themselves but on their wives and on their kids, and have them trudge through the sand for 15 or 20 miles to get to that old camp site. And remember, when they get there, they have got to have water, so they have to carry water on their back, so maybe they need 20 or 30 gallons of water, weighing several hundred pounds. Well, you can put that on a 10-year-old or a 12-year-old and march out there.

I would suggest, I say to the Members, that the same arrogance and insensitivity that groups like the Sierra Club were formed to oppose has not manifested itself in many of the policy declarations and many of the decisions they have offered that they have mandated that their Members of the U.S. Congress put forth on this floor.

Let me go over the list of Americans we are locking out in this bill. Of the people who use the sand dunes in my area, about 17 percent of them are laborers, about 10 percent are professional or technical people, about 8.3 percent are mechanics or craftsmen, about 6.3 percent are farm workers, about 5 percent are service workers, and about 1 percent are the military. We are taking blue-collar Americans and locking them out of the desert, and the decisions are being made by people who can afford to fly off to New Zealand to go fly-fishing if they want to recreate, if they want to exercise, if they want to be with their families.

Mr. Speaker, this is a desert lockout bill, and this is a bill that should be soundly rejected by this House.

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

Mr. HUNTER. I am happy to yield to a gentleman who actually has flown

aircraft over the Chocolate Mountains Gunnery Range, the top gun pilot in the U.S. Navy, who can tell us from a commonsense point of view why we should not be inhibiting the Chocolates.

The SPEAKER pro tempore. (Mr. McNULTY). The time of the gentleman from California [Mr. HUNTER] has expired.

Mr. DREIER of California. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I would just like to comment further on the comments of my friend, the gentleman from California.

I have ridden motorcycles, I have ridden three-wheelers—I have gotten rid of my three-wheeler since because it is dangerous—and I have a four-wheeler that I ride on those dunes, and literally one day after you ride over those dunes, with any kind of activity, those dunes are natural. There is half of the highway that is split, that is protected, and half that is allowed for recreational vehicles. During a wind storm of any magnitude, you can literally go back and you cannot tell the protected side from the other side. The shifting sands go back naturally, and it takes free-flowing sand to rise these recreational vehicles. So the desert is not damaged. It is protected, and it looks like it is in its natural state.

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

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

Mr. HUNTER. Mr. Speaker, I would like to ask the gentleman a few questions about how he thinks the Chocolate Mountain Gunnery Range will be affected by the committee bill.

Mr. CUNNINGHAM. One of the things a lot of us agree on is that maybe we need a smaller military in some areas, and that we need a well-equipped and well-trained military. What H.R. 2929 does is, it takes away that last aspect, well-trained.

Although well-intentioned and with some afterthought, the Vento amendment only addresses overflights. When you overfly a specific area, you are doing it for a reason, just like in Desert Storm. Those routes are designated to simulate routes which you would use actually on a target. Those targets are the only ones in which the military, the Navy and the Air Force and the Marine Corps, can drop live ordnance, and those routes need to be changed. That does not take place under the Vento amendment.

The Blaz amendment comes close, but it still leaves us short in many areas. The Army, the Navy, and the Marine Corps, in pop-up maneuvers or any maneuver delivering live ordnance, is not protected by a buffer zone in either the Blaz or the Vento amendment, and it could get people killed. If Members support H.R. 2929, they are going to be supporting something where men and women could be losing their lives in future conflicts, and we cannot sustain that. I swore in Vietnam that I had people that caused those same——

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

Mr. CUNNINGHAM. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I appreciate the gentleman's yielding.

It is my understanding that we held an oversight hearing on the actual language, and the language that will be presented in the Blaz-Vento amendment is the language requested by the Department of Defense.

Mr. CUNNINGHAM. Then why do I have a letter here from all the Secretaries of all the services stating that they do not want H.R. 2929 or this language?

Mr. VENTO. It is understood that the amendment will take care of it.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. CUNNINGHAM] has expired.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I thank the gentleman for yielding time to me, and I rise in strong support of H.R. 2929, the California Desert Protection Act.

This bill is one of the most significant pieces of environmental legislation to come before the 102d Congress. I am proud to be a cosponsor.

H.R. 2929, which will expand protection of 8.3 million acres of the California desert, carefully balances scenic, geologic, and wildlife preservations with mining, ranching, and recreational needs. It is the product of 5 years of refinement and negotiation.

I think it would be inappropriate to go any further without mentioning the names of two of my colleagues who are most responsible for bringing this bill to the point where it is now. One is my longstanding friend, the gentleman from California [Mr. LEVINE, who for a number of years has been pushing this effort, building up grass roots support, and fighting to air this critical issue in public arenas, and he has now taken a major step forward after years and years of effort.

The other Member, of course, is my friend, the gentleman from California [Mr. LEHMAN], who combines his zeal to protect this valuable area with his very talented legislative and negotiating skills.

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

Mr. BERMAN. Before I finish my kind words about Mr. LEHMAN or in the middle of them?

Mr. McCANDLESS. Whenever the gentleman would like to.

Mr. BERMAN. Let me not interrupt this peak experience.

The gentleman from California has negotiated through the obstacles of this legislation to bring this bill out of subcommittee and out of the full committee and to the full House today, once again demonstrating his skills.

Mr. Speaker, I now yield to my friend, the gentleman from California.

Mr. McCANDLESS. Mr. Speaker, I thank the gentleman very much.

I was quite taken aback by the fact that we were comparing authorships of the two bills that are before us by the way of a rule. I took a lot of the time of my colleagues to read what I consider to be a rather impressive list of advisers and their backgrounds and disciplines who are actually authors of our bill through the Bureau of Land Management staff, and with the approval of the Secretary of the Interior, and I must say in all candor that I had to say that in response to the gentleman's comments relative to the authorship of H.R. 2929.

Mr. BERMAN. Mr. Speaker, to reclaim my time, I think it is only fair to point out that numerous scientists and academicians from universities and museums around the country have provided their professional backing to H.R. 2929, the product of this excellent negotiated proposal that is on the House floor today.

Let me conclude my remarks by making two points, simply to urge all my colleagues to support this comprehensive proenvironment bill so all Americans can enjoy and pass on for generations to come the splendor of the California desert.

Let me urge my colleagues to oppose any weakening amendments. I would like to make one comment also about my friend, the gentleman from California [Mr. LEWIS].

□ 1630

I want to say that this excellent legislator has a somewhat flawed alternative proposal. His amendment, by failing to establish a national monument in the Mojave, leaves park quality resources subject to further disruption from mining and other such activities. It designates less than 50 percent of the qualifying BLM desert wilderness and thus protects only isolated blocks and parcels. This will further fragment the desert ecosystem and cause a tremendous loss of biological diversity.

Mr. Speaker, the amendment of the gentleman from California [Mr. LEHMAN] and the gentleman from Minnesota [Mr. VENTO] adequately addresses the concerns raised by the Department of Defense.

Mr. Speaker, I again urge Members to oppose this substitute amendment and support H.R. 2929.

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

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

Mr. THOMAS of California. Mr. Speaker, I understand the continued need to repeat that H.R. 2929 has been the process of a number of years of negotiations and that it certainly is a seasoned bill in which all people have had adequate access to make sure they have had their impact.

Why in the world 30 seconds ago was there a discussion over here by the gentleman from Minnesota and the gentleman from California and the gentleman from Guam regarding trying to work out the problems in terms of the various amendments if this bill has had such an adequate hearing?

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

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

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

Mr. Speaker, the reason is that we are talking about the withdrawals of these key areas for military use which have to be extended. We are trying to accommodate the concern of the gentleman from Guam, and I am pleased that I think we are able to do that so that we can work harmoniously together.

These withdrawals I am talking about should not be an issue. There are issues beyond that in terms of the designation here that are frankly differences with regard to designation. But Members have to remember all of these areas are under study. A greater area is being managed as wilderness today than will be managed under the bill that is going to be the product of 2929.

So if one does not have problems today, I do not know why one would think they were going to have problems with less of it being designated as wilderness and some as park. I think some of the arguments are falling under their own weight.

Mr. BERMAN. Mr. Speaker, reclaiming my time, if I may, I would just suggest that I think this debate is important. I understand there is time under the rule to continue this debate. The only thing I would like to suggest is that the gentleman from California [Mr. LEVINE], the gentleman from Minnesota [Mr. VENTO], and the gentleman from California [Mr. LEHMAN], are people far more qualified to engage the worthy opponents in this discussion, to take over the mantle.

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

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

Mr. LEWIS of California. Mr. Speaker, since my name was used in the discussion of the gentleman from California [Mr. BERMAN], and since we are such good friends, I think the gentleman would want to make it clear for those who are listening that the substitute that we will be presenting later is the substitute that reflects the work of that very, very fine commission that met for over 4 years in public hearing and received some 40,000 inputs regarding the variety of mix of compromise that might make up an adequate bill.

Mr. Speaker, that substitute is not any small environmental package. It would create the largest wilderness area on the continental United States, some 2.3 million acres of wilderness as a matter of fact. It would address itself to 62 areas covering vast regions of the desert that for many, many years we have been looking to provide protection for.

But this process has held back that movement toward adequately protecting the desert regions that need protection. So clearly we will have that discussion during the general debate.

Mr. Speaker, I did not want to leave anybody with the impression that our substitute was not a highly adequate piece of legislation relative to what a commission that has significant talent and expertise thought was required for wilderness additions to the California desert.

Mr. BERMAN. Mr. Speaker, I am going to conclude my remarks by simply saying that the comments of the gentleman may reflect a product that is better than nothing, but every leading major environmentalist organization in the country believes that those amendments will gut the thrust and protection of H.R. 2929.

Mr. DREIER of California. Mr. Speaker, this has been a fascinating exchange and time has flown by. I was wondering if the Speaker could tell us how much time is left on each side?

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from California [Mr. DREIER] has 6½ minutes remaining, and the gentleman from California [Mr. BEILENSON] has 7 minutes remaining.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Fullerton, CA, Mr. DANNEMEYER, not quite the desert, but very close.

Mr. DANNEMEYER. Mr. Speaker, one of the most interesting books that I have read in recent times was written by the former Governor of the State of Washington and former Chairman of the Nuclear Regulatory Commission, Democrat Dixy Lee Ray. It came out a couple of years ago. She titled it "Trashing the Planet."

In it she says there are a number of, the great majority, in fact, of the environmental groups, and she names them, Audubon Society, Sierra Club, National Wildlife Federation, Wilderness Society, Nature Conservancy, and countless other groups, that are fine, decent citizens.

Then she goes on to say there are some leaders of other organizations, such as the Natural Resources Defense Council, Friends of the Earth, Earth First!, Greenpeace, Government Accountability Project, Institute for Policy Studies, and many others, that are determinedly leftist, radical, dedicated to blocking industrial progress and unraveling industrial society.

Mr. Speaker, I think it is important for us to understand, these radical organizations are behind what the House is now considering, mainly this lockout bill that is currently on the docket of the House. Miss Lee says, "They also tend to believe that nature is sacred and that technology is a sacrilege. Some environmentalists appear to be in favor of taking mankind back to pantheism or animism."

Thomas Lovejoy, tropical biologist and Assistant Secretary of the Smithsonian Institution, is quoted as saying, "The planet is about to break out with fever, indeed it may already have, and we human beings are the disease. We should be at war with ourselves and our lifestyles."

Here is Helen Caldicott, an Australian pediatrician, speaking for the Union of Concerned Scientists. She says, "Capitalism is destroying the Earth. Cuba is a wonderful country. What Castro's done is superb."

Paul Ehrlich, a Stanford University biologist, says, "We've already had too much economic growth in the United States. Economic growth in rich countries like ours is the disease, not the cure."

David Brower of Friends of the Earth is quoted as having said, "Childbearing should be a punishable crime against society, unless the parents hold a government license. All potential parents should be required to use contraceptive chemicals, the Government issuing antidotes to citizens chosen for childbearing."

Mr. Speaker, these are some of the statements of leaders of the environmental terrorists that seek to lock out the vast majority of people in my State of California.

Mr. Speaker, I support the alternative plan, the BLM plan, that would put into wilderness 2.3 million acres in the State of California. I am opposed to this plan of 4.5 million acres.

Mr. Speaker, I would like to thank the Committee on Rules for making in order two amendments that I offered. But they limited debate to 10 minutes each, clearly not sufficient to discuss the major issues involved in these amendments. For this reason I oppose the rule.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. DANNEMEYER] has expired.

Mr. BEILENSON. Mr. Speaker, if I may say to my friend from California, I spoke to the gentleman about the possibility of yielding some time, but I do not think the comments of the gentleman have been very helpful to the rule before us. I do not want to give the gentleman any time to speak along the same line he has been speaking.

Mr. DREIER of California. Mr. Speaker, I yield 1 additional minute to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. Mr. Speaker, I filed two proposed amendments with the Rules Committee. One was that we would require the preparation and filing of an economic impact report. I think before we lock up this quantity of land in our State we should analyze the adverse economic impact on jobs, on private property, and on businesses.

The reality is there are about 20,000 miners working on mineral claims in a portion of this land that are going to be out of a job. The unemployment rate in my State is now 7.3 percent. That is one-half a percent higher than the country.

The other amendment that I will offer will delete from this plan that is now before the House the east Mojave area, about 1.5 million acres.

This is the area that is currently being developed in mineral development that this Nation badly needs for the functioning of our economy.

Mr. Speaker, unfortunately only 10 minutes was given to each amendment. That is hardly sufficient time. For these reasons I oppose the bill.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Utah [Mr. OWENS].

Mr. OWENS of Utah. Mr. Speaker, I rise today in enthusiastic support of H.R. 2929, the California Desert Protection Act. I am a cosponsor of the bill, and as a member of the Interior Committee, I voted to report H.R. 2929 to the floor today. I share with my California colleagues their love for the untamed desert country of the American West. With much the same motivation, I have also offered legislation in the House, H.R. 1500, which would protect much of the remainder of Utah's wild desert canyons. Fittingly, on this day of such great importance to wilderness in California, the Utah BKM wilderness bill picked up its 100th cosponsor. I hope that sometime in the not too distant future, we will be able to see that issue resolved as well, through informed debate and a rational compromise.

The California Desert Protection Act is a testament to the overwhelming popularity of the preservation of our natural lands. It is a recognition that wilderness, whether or not one ever sets foot in it, is vitally important to the American soul. This bill is also an example of the power of compromise, as issue after issue has been rationally resolved. This wilderness bill demonstrates once again that preservation and economic growth are not mutually exclusive. One of America's greatest assets is its natural beauty. We are wise to recognize that and we are wise to preserve it for generations to come.

I am particularly interested in the creative solution offered to address an issue which we also face in Utah, that of the scattered State school trust lands which would be incorporated in the newly designated wilderness and park lands. Clearly, the interests of the school trust will be best served if the management of trust lands is not restricted by the requirements of wilderness management and protection. Having pockets of State-owned school lands permanently within wilderness is an obviously awkward arrangement which should be resolved. To this end, H.R. 2929 requires the Secretary of the Interior to identify those federally owned public lands which are available for exchange within California. Then the California State Lands Commission can exchange scattered State school lands within the wilderness and parks for consolidated pieces of land which could be managed trust lands in a manner which achieves maximum benefit for the school trust. This provision will afford school trust beneficiaries the opportunity to enhance the value and manageability of the trust lands by transforming scattered, disconnected sections into consolidated blocks. Likewise, Federal land management efficiency will also be greatly improved through the consolidation of public lands.

The solution to the State school lands question developed in this bill provides a model that we can look to as we resolve similar management conflicts on Utah's public lands. I commend the drafters of the legislation and the Interior Committee for working out this artful compromise.

We in the West know firsthand of the fragility of the desert landscape. This bill preserves a unique and irreplaceable ecosystem which is too easily disrupted and scarred. It preserves beautiful scenic treasures, recreational opportunities, archeological resources, unique habitat and at-risk-species.

California cannot afford to lose any more of its wilderness. Nor does it need to, for the economic potential of these lands for meaningful resource development is limited. As the population of California and America continues to grow, so will the need for areas of wilderness, for recreation, habitat protection, and solitude. The sad fact of life in late 20th century America is that wilderness, if not protected will be irredeemably lost.

The noted author, Wallace Stegner, recently graciously provided a forward for "Wilderness at the Edge," a book devoted to the Utah BLM wilderness proposal. What he wrote in that book seems apt today.

> We were born of wilderness and we respond to it more than we sometimes realize. We depend upon it increasingly for relief from the termite life we have created. Factories, powerplants, resorts, we can make anywhere. Wilderness, once we have given it up, is beyond our reconstruction.

Mr. Speaker, we have an opportunity with this bill to guarantee the integrity of the California desert wilderness for generations to come. We cannot accomplish the impossible task of reconstructing wilderness, as Mr. Stegner pointed out. So I urge my colleagues to join with me today in supporting this far-sighted effort to save a vestige of the original America by casting a vote in favor of H.R. 2929.

□ 1640

Mr. DREIER of California. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Mr. Speaker, I guess it is pleasing to see that there is no ban on fiction on this floor. We are discussing the rule, and I do want to focus on the rule.

We will have plenty of time to debate the bill in terms of its substance and those of us who represent the areas that are being affected by this legislation will have ample time to illustrate over and over again the fact that not only were we not consulted but that the degree of arrogance on the side of those individuals who are now offering what they indicate to be a compromise can once again simply be shown not to be true by an examination of this bill.

When I discussed in my earlier testimony that this bill is a sham in terms of any serious consideration of the substitute that is the true son of the 15-year process, I heard some snickers over on that side of the aisle.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). The Chair would remind Members not to characterize the motivation of other Members of the body.

PARLIAMENT INQUIRY

Mr. THOMAS of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS of California. Mr. Speaker, under the rule, if it were to pass, and the first amendment in order under the rule, if it were to pass, are the other amendments, all of which apply to H.R. 2929, in order?

The SPEAKER pro tempore. If offered, those subsequent perfecting amendments could still be considered, since all points of order against them would have been waived under the pending resolution.

Mr. THOMAS of Californa. If offered, they could be considered. In other words, this rule was written with the idea that there was supposed to be a substitute bill for the underlying bill passed by the Committee on Interior and Insular Affairs, but if in fact that substitute is passed, all the amendments applying to the underlying bill, the bill that came out of the Committee in Interior and Insular Affairs, are considered as though they are in order anyway. And that is what I am talking about in terms of the word characterized as perhaps inappropriate in explaining behavior.

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

Let me respond to the gentleman from California to tell him that the situation, as he just properly described, has been told to us by the Parliamentarian and was the result of inartful drafting of the rule by the Committee on Rules, if my colleagues on the Committee on Rules do not mind my saying that.

We had not intended that to take place. We had believed and intended if the substitute of the gentleman from California [Mr. LEWIS] were to be adopted, that that would be the end of it.

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

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

Mr. THOMAS of California. Mr. Speaker, does the gentleman have any characterization of the underlying bill in terms of its artful or inartful drafting as well?

Mr. BEILENSON. Mr. Speaker, of course not.

Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. HOAGLAND].

Mr. HOAGLAND. Mr. Speaker, I am proud to rise in support of the California Desert Protection Act.

I support the California Desert Protection Act, H.R. 2929 before us today. As one who went to college in California and who has spent considerable time exploring the deserts and rivers of the West, I am very enthusiastic about this bill. And one of the reasons I intend to vote for the California Desert Protection Act is that it addresses the protection of threatened and endangered species.

This bill calls for the designation of a new national monument in an area where threatened desert tortoise habitat is located, to be called the Mojave National Monument. The desert tortoise is threatened with extinction and may become extinct unless we act now to preserve and protect its habitat in the California desert. In just 50 years, the desert tortoise population has declined so dramatically that where there used to be 1,000 tortoises per square mile, there are now as few as 20 to 50 per square mile.

Why this drastic decline? The pressures from civilization have brought the tortoise to a perilous point in its existence: predation on young tortoises from ravens who flock to trash dumps and road kills for carrion; off-road vehicles that compact the desert soil, and crush the animal's burrow, affording the tortoise no respite during the day from the brutal desert sun; or vehicles that crush the eggs in the burrow.

Another animal fighting to survive in the harsh California desert is the desert bighorn sheep. This animal requires vast areas of wilderness land over which to roam. It cannot survive if it is confined to isolated islands surrounded by seas of development. The gene pool of any species cannot be confined to only a few individuals or the species will suffer grave consequences over time.

The desert bighorn has also suffered from cattle who forage for the same grasses and who carry diseases to which the bighorn have developed no tolerance. Mining activities have taken a toll because huge amounts of water are necessary for heap-leach mining, water that is also vital to bighorn survival.

Opponents of H.R. 2929 argue that the Bureau of Land Management plan for the California desert is enough to protect the resources while allowing multiple use of the land. In my opinion, this is simply not the case.

The fact that the desert tortoise is listed by the Department of the Interior as a threatened species is evidence that the BLM's plan is inadequate. Indeed, in 1980, when the BLM first issued its plan, the Council on Environmental Quality praised the BLM for its superlative inventory of the resources of the desert, but CEQ also criticized the plan. Quoting portions of the BLM's own environmental impact statement, the Council said, "Eight officially listed species would receive substantial impacts to their habitats, contributing to extirpations in some cases and possible extinction in others." CEQ also pointed out that the EIS found, "Of 70 special wildlife habitat areas, 71.4 percent would receive either negative or severely negative impacts."

These are just two of the creatures who have found an ecological niche in the California desert. There are many others as well. The desert offers a home to more than 750 species of wildlife alone, but of these, nearly 100 are on the brink of extinction.

We must act now to keep these and other animals from extinction and to provide protection for the unique ecosystems that still flourish in the California desert. I urge my colleagues to vote for H.R. 2929.

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

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

Mr. LEHMAN of California. Mr. Speaker, I thank the gentleman for his excellent comments here and would only say in support of them that 40 percent of the endangered desert tortoises that we find dead in the East Mojave have bullet holes in them.

PARLIAMENTARY INQUIRIES

Mr. DREIER of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DREIER of California. Mr. Speaker, I would like to ask what the procedure would be if we were to ask unanimous consent to have the Committee on Rules correct the problem that was acknowledged by the gentleman from California [Mr. BEILENSON].

The SPEAKER pro tempore. The manager of the rule could offer an amendment to the rule. No one else can.

Mr. BEILENSON. Mr. Speaker, the manager of the rule is advised to advise his friend, the gentleman from California, that he has not been authorized by the Committee on Rules to offer such an amendment.

Mr. DREIER of California. Mr. Speaker, what would be the procedure then if we would like to proceed and have the Committee on Rules take that action?

□ 1650

The SPEAKER pro tempore. (Mr. MCNULTY). That could be the prerogative of the manager of the rule or by a vote on the rule.

Mr. WALKER. I have a further preliminary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WALKER. Would it not be possible to defeat the previous question on the rule and offer an amendment at that point to clean up the rule that the manager of the rule himself has admitted is flawed?

The SPEAKER pro tempore. If the previous question is defeated, a germane amendment to the rule would be in order.

Mr. WALKER. So, therefore, the way the House can correct it, if the gentleman from California is not permitted to do so because he does not have instructions from the Committee on Rules, the way for the House to correct a rule that we have now had an admission of a flaw is to defeat the previous question and thereby be able to offer a correction?

The SPEAKER pro tempore. An amendment to the rule would be in order if the House does not order the previous question.

Mr. WALKER. I thank the Chair.

Mr. DREIER of California. Mr. Speaker, I yield 30 seconds to my friend, the gentleman from Bakersfield, CA, Mr. THOMAS.

Mr. THOMAS of California. Mr. Speaker, I request the attention of the gentleman from California [Mr. BEILENSON]. I want to tell my friend that I apologize for the statement that I made in terms of characterizing the behavior. Clearly, by his admission that there was a mistake and there was a misunderstanding in the drafting of the rule and Members were not aware of what they were doing, that clearly explains the way in which the rule was written.

I hope the gentleman can understand my feeling in terms of an interpretation, when we are supposed to have

been given a fair shot at something, but clearly the way it is structured it did not indicate that there was an opportunity at all because all of the other amendments were going to apply to the underlying bill anyway.

I want to apologize to the gentleman in terms of my characterization of the motivation, since he has indicated that it was in fact a mistake.

Mr. BEILENSON. Mr. Speaker, if the gentleman will yield, I appreciate what the gentleman says but this gentleman had not been offended, and I think my colleagues had not been offended by the gentleman's remarks.

Mr. DREIER of California. Mr. Speaker, I yield 1 minute to the gentleman from Redlands, CA, Mr. LEWIS.

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague yielding this 1 minute.

Mr. Speaker, I rise for two purposes. First, I want to address myself to the comments of the gentleman from Nebraska. I want very much to associate myself with his remarks about the need for protecting the environment of the desert. Indeed, it is a very complex ecosystem, a tremendous challenge for all of us.

That is precisely why we reviewed all the elements of the desert and why there were 4 years of public hearings. Those elements have been taken carefully into consideration under the substitute that will be before us shortly.

Beyond that, Mr. Speaker, I want to express my appreciation to the Members of the Committee on Rules, both the presiding member from the majority side as well as my colleague, the gentleman from California [Mr. DREIER], for the cooperation they have extended to us during the process of trying to develop this rule. Indeed, they have been more than helpful as far as my interests are concerned.

The SPEAKER pro tempore. All time of the gentleman from California [Mr. DREIER] has expired. The gentleman from California [Mr. BEILENSON] is recognized for 30 seconds to close debate.

Mr. BEILENSON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. BEILENSON. 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 256, nays 160, not voting 18, as follows:

[Roll No. 418]

YEAS—256

Abercrombie
Ackerman
Alexander
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Boxer
Brewster
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Chapman
Clay
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Ravenel
Ray
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slaughter
Smith (FL)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates

NAYS—160

Allard
Allen
Anderson
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Machtley
Marlenee
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Ramstad
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—18

Brooks
Carr
Crane
de la Garza
Doolittle
Gaydos
Hayes (IL)
Lloyd
Morrison
Mrazek
Myers
Quillen
Sharp
Slattery
Smith (IA)
Torricelli
Towns
Yatron

□ 1716

The Clerk announced the following pair:

On this vote:

Mr. Torricelli for, with Mr. Doolittle against.

Messrs. PORTER, BARTON of Texas, and IRELAND changed their vote from "yea" to "nay."

Messrs. MARTINEZ, DWYER of New Jersey, HUTTO, and ORTON changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

LEGISLATIVE PROGRAM

(By unanimous consent, Mr. MICHEL was allowed to speak out of order.)

Mr. MICHEL. Mr. Speaker, I asked for this opportunity to proceed so that I might inquire of the distinguished majority leader the program for the balance of the day and the week, as he sees it now unfolding.

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

Mr. MICHEL. I yield to the majority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. I thank the gentleman for yielding.

Mr. Speaker, I appreciate this opportunity to give Members more complete information about tomorrow. Again, there is the possibility of the vote on the rule for the suspensions. This rule will not only include the procedure for the suspensions but it is what we call the martial law rule that allows us to go through the rest of what we are going to do in this period before we leave.

It is a rule that I am told by members of the minority that is always opposed by the minority and I assume there will be a vote on it. There is also the possibility, although I do not know that, that there could be a vote on going to conference on the banking bill. The Senate has finished the supplemental appropriation, and we may try to go to conference on the supplemental appropriation bill tomorrow.

So we will try to get those votes, and if there are votes on the other two, and certainly the vote on the rule as soon as we can, around 12 or 1, so that if Members want to be here for those votes, they can get them out of the way.

We will roll the votes on the suspensions until Monday.

Mr. MICHEL. One further inquiry: Would the Committee on Rules be meeting on any measure that might come before it, requiring a rule in the next couple of days? For example, RTC, or something of that nature?

Mr. GEPHARDT. The Committee on Rules may well be meeting tomorrow on campaign finance or RTC.

Mr. MICHEL. Any other?

Mr. GEPHARDT. Perhaps October surprise, but I do not know that.

Mr. MICHEL. So that Members wanting to present their case before the Committee on Rules, on either one of those three, I suspect would have to be prepared to make that tomorrow.

Mr. GEPHARDT. Correct.

Mr. MICHEL. Could the gentleman tell me if that is a distinct possibility? I see the chairman of the Committee on Rules is here, and he may be able to enlighten us a little bit more on that because I think it would affect some Members if they knew they definitely were not going to be considering a rule on such-and-such that they did not have to stay the entire day to make a case before the committee, and it might help.

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

Mr. MICHEL. I yield to the gentleman from Massachusetts [Mr. MOAKLEY].

□ 1720

Mr. MOAKLEY. Mr. Speaker, the Committee on Rules at the present time does not have any idea of taking up October surprise tomorrow.

Mr. MICHEL. OK; how about RTC?

Mr. MOAKLEY. Very possible, RTC.

Mr. MICHEL. And any other?

Mr. MOAKLEY. Campaign finance reform absolutely. That is all that we have on our agenda at this present time.

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

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

Mr. ROSTENKOWSKI. Mr. Speaker, is there some reason why we cannot come in earlier than noon tomorrow?

Mr. GEPHARDT. There is no particular reason. We felt that noon would be the normal time that we would meet, and we would try to get this rule out of the way, and Members would probably be free at that point.

Mr. ROSTENKOWSKI. Well, we have nothing to do at 9 o'clock in the morning.

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

Mr. MICHEL. I yield to the gentleman from Ohio.

Mr. MCEWEN. Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL] for yielding.

Mr. Speaker, just a further inquiry. As I understand it, the Committee on Rules has already voted out the martial law, martial rule law. Is there anything that would prevent us from considering it tonight and then have no votes tomorrow at all?

Mr. GEPHARDT. If the gentleman will yield, it would require a two-thirds vote.

I would also remind Members of what we are trying to do. Most Members have said over and over again that we want to try to get us out of here by next Tuesday night. We have a number of conferences going on, we have a number of activities that need to take place here tomorrow, and we are trying our best to get it done.

Mr. Speaker, I know Members want to be home over the weekend. I know Members want to go home on Tuesday night. I beg their patience so that we can get all of the things done that we have to get done in order to be able to get out of here on Tuesday night.

Mr. MCEWEN. Mr. Speaker, if the gentleman would yield further, as I understand it, the only vote tomorrow then is on this particular rule.

Mr. GEPHARDT. There could be a vote going to conference on the banking bill. There could be a vote going to conference on the supplemental appropriation.

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

Mr. MICHEL. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, let me say to the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT], that on our side, as the gentleman knows, earlier today the entire conference met and adopted an economic growth package. In fact we want to come to the Committee on Rules to ask them to make it in order as a possible amendment to the RTC. It would be frankly easier on the staff if we could have that particular item considered on Monday morning, or sometime on Monday, under the martial law rule they intend to pass.

Mr. Speaker, I ask the gentleman, "You don't have any problem with bringing up the rule the same day it's reported out?" It would be more convenient on our side if it is possible to do that. If we have to, we can get it prepared by tomorrow, but, just as a practical matter, unless there is some overriding reason, it would be easier to take up the RTC from our standpoint on Monday so then we can bring in all the full details on the economic growth package.

Mr. GEPHARDT. We will take that into consideration.

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

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

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague, the gentleman from Illinois [Mr. MICHEL] yielding.

Mr. Speaker, I certainly do not rise to suggest that it would be likely to have votes tomorrow, but, if we are going to have votes in the middle of the day tomorrow, it does occur to me that Members might like to know, in order not to stay here all night in the process. Once we get through an hour's general debate on the bill, I frankly would like to have the hour in which we are going to spend time on the substitute that reflects the interest of the four Members who have not had a chance to really effectively be heard on this bill whose districts are directly affected. I think that opportunity would come much better in the morning when the Members have had a chance to reasonably rest, et cetera.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, I would like to respond to what the gentleman said.

It is our intent to go forward this evening, but if it is acceptable to the minority, we can start at 10 o'clock in the morning to try to get the rule done and to get other matters done as quickly as possible.

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

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

Mr. DREIER of California. Are we going to be in session on Sunday?

Mr. GEPHARDT. No.

Mr. DREIER of California. Not even pro forma session?

Mr. GEPHARDT. Might be a pro forma session, but we will not have votes on Sunday.

Mr. MICHEL. Mr. Speaker, if there are no further questions, I yield back the balance of my time.

(By unanimous consent, Mr. ROE was allowed to speak out of order.)

REQUEST FOR HELP

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

Mr. ROE. Mr. Speaker, I would like to amplify this for the benefit of the Members. I have been speaking with my colleagues over here. We have to ask the Members to help us.

Now what we mean is that we know there is a great deal of work, as the majority leader and our distinguished ranking minority leader said. But if we call 50 million votes tomorrow, our conferees will not be able to finish our work. The Transportation Bill is of humongous magnitude, as my colleagues will appreciate, and tomorrow we are going to be meeting on the Senate side. We have been moving back and forth.

So, I just ask the Members, if I may, to give us a break tomorrow, and I say, "If you want to get out of here Tuesday, we can finish that conference report, but we need your help."

HOUR OF MEETING ON TOMORROW

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 a.m. on tomorrow.

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

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

POINT OF ORDER

Mr. THOMAS of California. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore (Mr. MCCURDY). The gentleman will state his point of order.

Mr. THOMAS of California. Did the Speaker pro tempore rule that the request for a vote was timely?

The SPEAKER pro tempore. Yes, the gentleman from Massachusetts [Mr. FRANK] was on his feet.

Mr. THOMAS of California. Mr. Speaker, the whole House was on its feet for 5 minutes.

The SPEAKER pro tempore. The gentleman was on his feet requesting recognition, and the House was not in order.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 269, nays 135, not voting 30, as follows:

[Roll No. 419]

YEAS—269

Abercrombie	Green	Panetta
Ackerman	Guarini	Parker
Alexander	Hall (OH)	Pastor
Anderson	Hall (TX)	Patterson
Andrews (ME)	Hamilton	Payne (NJ)
Andrews (TX)	Harris	Payne (VA)
Annunzio	Hatcher	Pease
Anthony	Hayes (IL)	Pelosi
Applegate	Hayes (LA)	Penny
Aspin	Hefner	Perkins
Atkins	Hertel	Peterson (FL)
AuCoin	Hoagland	Peterson (MN)
Bacchus	Hochbrueckner	Pickett
Barnard	Horn	Pickle
Barton	Horton	Porter
Beilenson	Hoyer	Poshard
Bennett	Hubbard	Price
Berman	Hughes	Rahall
Bevill	Hutto	Rangel
Bilbray	Jacobs	Ravenel
Blackwell	Jefferson	Ray
Boehlert	Jenkins	Reed
Bonior	Johnson (SD)	Richardson
Borski	Jones (GA)	Rinaldo
Boucher	Jones (NC)	Roe
Boxer	Jontz	Roemer
Brewster	Kanjorski	Rose
Browder	Kaptur	Rostenkowski
Brown	Kennedy	Roukema
Bruce	Kennelly	Rowland
Bryant	Kildee	Roybal
Bustamante	Kleczka	Russo
Byron	Kolter	Sabo
Campbell (CO)	Kopetski	Sanders
Cardin	Kostmayer	Sangmeister
Carper	LaFalce	Sarpalius
Chapman	Lancaster	Savage
Clement	Lantos	Sawyer
Clinger	LaRocco	Saxton
Coleman (TX)	Laughlin	Scheuer
Collins (IL)	Leach	Schroeder
Collins (MI)	Lehman (CA)	Schumer
Condit	Lehman (FL)	Serrano
Conyers	Levin (MI)	Sikorski
Cooper	Levine (CA)	Sisisky
Costello	Lewis (GA)	Skaggs
Cox (IL)	Lipinski	Skelton
Coyne	Long	Slattery
Cramer	Lowey (NY)	Slaughter
Darden	Luken	Smith (FL)
DeFazio	Machtley	Smith (NJ)
DeLauro	Markey	Solarz
Dellums	Martinez	Spratt
Derrick	Matsui	Staggers
Dicks	Mavroules	Stallings
Dingell	Mazzoli	Stark
Dixon	McCloskey	Stenholm
Donnelly	McCurdy	Stokes
Dooley	McDermott	Studds
Dorgan (ND)	McGrath	Swett
Downey	McHugh	Swift
Durbin	McMillen (MD)	Synar
Dwyer	McNulty	Tallon
Dymally	Mfume	Tanner
Early	Miller (CA)	Taylor (MS)
Eckart	Miller (OH)	Thomas (GA)
Edwards (CA)	Mineta	Thornton
Edwards (TX)	Mink	Torres
Engel	Moakley	Traficant
English	Mollohan	Traxler
Erdreich	Montgomery	Unsoeld
Espy	Moody	Valentine
Evans	Moran	Vento
Fascell	Morella	Visclosky
Fazio	Murphy	Volkmer
Feighan	Murtha	Washington
Flake	Natcher	Waters
Foglietta	Neal (MA)	Waxman
Ford (MI)	Neal (NC)	Weiss
Ford (TN)	Nowak	Wheat
Frank (MA)	Oakar	Whitten
Frost	Oberstar	Williams
Gallo	Obey	Wilson
Gejdenson	Olin	Wise
Gephardt	Olver	Wolpe
Geren	Ortiz	Wyden
Gibbons	Orton	Yates
Glickman	Owens (NY)	Young (FL)
Gonzalez	Owens (UT)	Zimmer
Gordon	Pallone	

NAYS—135

Allard	Gingrich	Nussle
Allen	Goodling	Oxley
Archer	Goss	Packard
Armey	Gradison	Paxon
Baker	Grandy	Petri
Ballenger	Gunderson	Pursell
Barrett	Hammerschmidt	Ramstad
Bateman	Hancock	Regula
Bentley	Hansen	Rhodes
Bereuter	Hastert	Ridge
Bilirakis	Hefley	Riggs
Bliley	Henry	Ritter
Boehner	Herger	Roberts
Broomfield	Hobson	Rogers
Bunning	Holloway	Ros-Lehtinen
Burton	Houghton	Roth
Callahan	Hunter	Santorum
Camp	Hyde	Schaefer
Campbell (CA)	Inhofe	Schiff
Chandler	Ireland	Schulze
Coble	James	Sensenbrenner
Coleman (MO)	Johnson (CT)	Shaw
Combest	Johnson (TX)	Shays
Coughlin	Kasich	Shuster
Cox (CA)	Klug	Skeen
Cunningham	Kolbe	Smith (OR)
Dannemeyer	Kyl	Smith (TX)
Davis	Lagomarsino	Snowe
DeLay	Lent	Spence
Dickinson	Lewis (CA)	Stearns
Dornan (CA)	Lewis (FL)	Stump
Dreier	Lightfoot	Sundquist
Duncan	Livingston	Taylor (NC)
Edwards (OK)	Lowery (CA)	Thomas (CA)
Emerson	McCandless	Thomas (WY)
Ewing	McCollum	Upton
Fawell	McCrery	Vander Jagt
Fields	McEwen	Vucanovich
Fish	McMillan (NC)	Walker
Franks (CT)	Meyers	Walsh
Gallegly	Michel	Weber
Gekas	Miller (WA)	Wolf
Gilchrest	Molinari	Wylie
Gillmor	Moorhead	Young (AK)
Gilman	Nichols	Zeliff

NOT VOTING—30

Andrews (NJ)	Johnston	Quillen
Brooks	Lloyd	Rohrabacher
Carr	Manton	Sharp
Clay	Marlenee	Smith (IA)
Crane	Martin	Solomon
de la Garza	McDade	Tauzin
Doolittle	Morrison	Torricelli
Gaydos	Mrazek	Towns
Hopkins	Myers	Weldon
Huckaby	Nagle	Yatron

□ 1744

The Clerk announced the following pair:

On this vote:

Mr. Torricelli for, with Mr. Doolittle against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUEST TO MODIFY BLAZ AMENDMENTS EN BLOC NO. 10 TO H.R. 2929, THE CALIFORNIA DESERT PROTECTION ACT OF 1991

Mr. BLAZ. Mr. Speaker, in order to save time later on, I ask unanimous consent that when the bill (H.R. 2929) is considered in the Committee of the Whole, in lieu of amendment No. 10 as printed, I be permitted to offer a modified amendment in the form of an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the modified amendment.

The Clerk read as follows:

Modified amendment offered by Mr. BLAZ: Instead of the matter proposed to be inserted, insert the following: Page 65, after line 15, add the following new title:

TITLE VIII—MILITARY LANDS AND OVERFLIGHTS

SEC. 801. SHORT TITLE AND FINDINGS.

(a) SHORT TITLE.—This title may be cited as the "California Military Lands Withdrawal and Overflights Act of 1991".

(b) FINDINGS.—The Congress finds that—

(1) the Federal lands within the desert regions of California have provided essential opportunities for military training, research, and development for the Armed Forces of the United States and allied nations;

(2) alternative sites for military training and other military activities carried out on Federal lands in the California desert area are not readily available;

(3) While changing world conditions have lessened to some extent the immediacy of military threats to the national security of the United States and its allies, there remains a need for military training, research, and development activities of the types that have been carried out on Federal lands in the California desert area; and

(4) continuation of existing military training, research, and development activities, under appropriate terms and conditions, is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources and values of the Federal lands in the California desert area.

SEC. 802. WITHDRAWALS.

(a) CHINA LAKE.—(1) Subject to valid existing rights and except as otherwise provided in this title, the Federal lands referred to in paragraph (2), and all other areas within the boundary of such lands as depicted on the map specified in such paragarph which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing laws). Such lands are reserved for use by the Secretary of the Navy for—

(A) use as a research, development, test, and evaluation laboratory;

(B) use as a range for air warfare weapons and weapon systems;

(C) use as a high hazard training area for aerial gunnery, rocketry, electronic warfare and countermeasures, tactical maneuvering and air support; and

(D) subject to the requirements of section 804(f), other defense-related purposes consistent with the purposes specified in this paragraph.

(2) The lands referred to in paragraph (1) are the Federal lands, located within the boundaries of the China Lake Naval Weapons Center, comprising approximately 1,100,000 acres in Inyo, Kern, and San Bernardino Counties, California, as generally depicted on a map entitled "China Lake Naval Weapons Center Withdrawal—Proposed", dated January 1985, and filed in accordance with section 803.

(b) CHOCOLATE MOUNTAIN.—(1) Subject to valid existing rights and except as otherwise provided in this title, the Federal lands referred to in paragraph (2), and all other areas within the boundary of such lands as depicted on the map specified in such paragraph which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws). Such lands are reserved for use by the Secretary of the Navy for—

(A) testing and training for aerial bombing, missile firing, tactical maneuvering and air support; and

(B) subject to the provisions of section 804(f), other defense-related purposes consistent with the purposes specified in this paragraph.

(2) The lands referred to in paragraph (1) are the Federal lands comprising approximately 226,711 acres in Imperial County, California, as generally depicted on a map entitled "Chocolate Mountain Aerial Gunnery Range Proposed—Withdrawal" dated November 1991 and filed in accordance with section 803.

SEC. 803. MAPS AND LEGAL DESCRIPTIONS.

(a) PUBLICATION AND FILING REQUIREMENT.—As soon as practicable after the date of enactment of this title, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this title; and

(2) file maps and the legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the United States Senate and with the Committee on Interior and Insular Affairs of the United States House of Representatives.

(b) TECHNICAL CORRECTIONS.—Such maps and legal descriptions shall have the same force and effect as if they were included in this title except that the Secretary of the Interior may correct clerical and typographical errors in such maps and legal descriptions.

(c) AVAILABILITY FOR PUBLIC INSPECTION.—Copies of such maps and legal descriptions shall be available for public inspection in the Office of the Director of the Bureau of Land Management, Washington, District of Columbia; the Office of the Director, California State Office of the Bureau of Land Management, Sacramento, California; the office of the commander of the Naval Weapons Center, China Lake, California; the office of the commanding officer, Marine Corps Air Station, Yuma Arizona; and the Office of the Secretary of Defense, Washington, District of Columbia.

(d) REIMBURSEMENT.—The Secretary of Defense shall reimburse the Secretary of the Interior for the cost of implementing this section.

SEC. 804. MANAGEMENT OF WITHDRAWN LANDS.

(a) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—(1) Except as provided in subsection (g), during the period of the withdrawal the Secretary of the Interior shall manage the lands withdrawn under section 802 pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable law, including this title.

(2) To the extent consistent with applicable law and Executive orders, the lands withdrawn under section 802 may be managed in a manner permitting—

(A) the continuation of grazing pursuant to applicable law and Executive orders where permitted on the date of enactment of this title;

(B) protection of wildlife and wildlife habitat;

(C) control of predatory and other animals;

(D) recreation (but only on lands withdrawn by section 802(a) (relating to China Lake));

(E) the prevention and appropriate suppression of brush and range fires resulting from nonmilitary activities; and

(F) geothermal leasing on the lands withdrawn under section 802(a) (relating to China Lake).

(3)(A) All nonmilitary use of such lands, including the uses described in paragraph (2), shall be subject to such conditions and restrictions as may be necessary to permit the military use of such lands for the purposes specified in or authorized pursuant to this title.

(B) The Secretary of the Interior may issue any lease, easement, right-of-way, or other authorization with respect to the nonmilitary use of such lands only with the concurrence of the Secretary of the Navy.

(b) CLOSURE TO PUBLIC.—(1) If the Secretary of the Navy determines that military operations, public safety, or national security require the closure to public use of any road, trail, or other portion of the lands withdrawn by this title, the Secretary may take such action as the Secretary determines necessary or desirable to effect and maintain such closure.

(2) Any such closure shall be limited to the minimum areas and periods which the Secretary of the Navy determines are required to carry out this subsection.

(3) Before and during any closure under this subsection, the Secretary of the Navy shall—

(A) keep appropriate warning notices posted; and

(B) take appropriate steps to notify the public concerning such closures.

(c) MANAGEMENT PLAN.—The Secretary of the Interior (after consultation with the Secretary of the Navy) shall develop a plan for the management of each area withdrawn under section 802 during the period of such withdrawal. Each plan shall—

(1) be consistent with applicable law;

(2) be subject to conditions and restrictions specified in subsection (a)(3);

(3) include such provisions as may be necessary for proper management and protection of the resources and values of such area; and

(4) be developed not later than three years after the date of enactment of this title.

(d) BRUSH AND RANGE FIRES.—The Secretary of the Navy shall take necessary precautions to prevent and suppress brush and range fires occurring within and outside the lands withdrawn under section 802 as a result of military activities and may seek assistance from the Bureau of Land Management in the suppression of such fires. The memorandum of understanding required by subsection (e) shall provide for Bureau of Land Management assistance in the suppression of such fires, and for a transfer of funds from the Department of the Navy to the Bureau of Land Management as compensation for such assistance.

(e) MEMORANDUM OF UNDERSTANDING.—(1) The Secretary of the Interior and the Secretary of the Navy shall (with respect to each land withdrawal under section 802) enter into a memorandum of understanding to implement the management plan developed under subsection (c). Any such memorandum of understanding shall provide that the Director of the Bureau of Land Management shall provide assistance in the suppression of fires resulting from the military use of lands withdrawn under section 802 if requested by the Secretary of the Navy.

(2) The duration of any such memorandum shall be the same as the period of the withdrawal of the lands under section 802.

(f) ADDITIONAL MILITARY USES.—(1) Lands withdrawn by section 802 may be used for defense-related uses other than those specified

in such section. The Secretary of Defense shall promptly notify the Secretary of the Interior in the event that the lands withdrawn by this title will be used for defense-related purposes other than those specified in section 802. Such notification shall indicate the additional use or uses involved, the proposed duration of such uses, and the extent to which such additional military uses of the withdrawn lands will require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nonmilitary uses of the withdrawn land or portions thereof.

(g) MANAGEMENT OF CHINA LAKE.—(1) The Secretary of the Interior may assign the management responsibility for the lands withdrawn under section 802(a) to the Secretary of the Navy who shall manage such lands, and issue leases, easements, rights-of-way, and other authorizations, in accordance with this title and cooperative management arrangements between the Secretary of the Interior and the Secretary of the Navy. In the case that the Secretary of the Interior assigns such management responsibility to the Secretary of the Navy before the development of the management plan under subsection (c), the Secretary of the Navy (after consultation with the Secretary of the Interior) shall develop such management plan.

(2) The Secretary of the Interior shall be responsible for the issuance of any lease, easement, right-of-way, and other authorization with respect to any activity which involves both the lands withdrawn under section 802(a) and any other lands. Any such authorization shall be issued only with the consent of the Secretary of the Navy and, to the extent that such activity involves lands withdrawn under section 802(a), shall be subject to such conditions as the Secretary of the Navy may prescribe.

(3) The Secretary of the Navy shall prepare and submit to the Secretary of the Interior an annual report on the status of the natural and cultural resources and values of the lands withdrawn under section 802(a). The Secretary of the Interior shall transmit such report to the committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(4) The Secretary of the Navy shall be responsible for the management of wild horses and burros located on the lands withdrawn under section 802(a) and may utilize helicopters and motorized vehicles for such purposes. Such management shall be in accordance with laws applicable to such management of public lands and with an appropriate memorandum of understanding between the Secretary of the Interior and the Secretary of the Navy.

(5) Neither this title nor any other provision of law shall be construed to prohibit the Secretary of the Interior from issuing and administering any lease for the development and utilization of geothermal steam and associated geothermal resources on the lands withdrawn under section 802(a) pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and other applicable law, but no such lease shall be issued without the concurrence of the Secretary of the Navy.

(6) This title shall not affect the geothermal exploration and development authority of the Secretary of the Navy under section 2689 of title 10, United States Code, except that the Secretary of the Navy shall obtain the concurrence of the Secretary of the Interior before taking action under that section with respect to the lands withdrawn under section 802(a).

SEC. 805. DURATION OF WITHDRAWALS.

(a) DURATION.—The withdrawal and reservation established by this title shall terminate 15 years after the date of enactment of this title.

(b) DRAFT ENVIRONMENTAL IMPACT STATEMENT.—No later than 12 years after the date of enactment of this title, the Secretary of the Navy shall publish a draft environmental impact statement concerning continued or renewed withdrawal of any portion of the lands withdrawn by this title for which that Secretary intends to seek such continued or renewed withdrawal. Such draft environmental impact statement shall be consistent with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applicable to such a draft environmental impact statement. Prior to the termination date specified in subsection (a), the Secretary of the Navy shall hold a public hearing on any draft environmental impact statement published pursuant to this subsection. Such hearing shall be held in the State of California in order to receive public comments on the alternatives and other matters included in such draft environmental impact statement.

(c) EXTENSIONS OR RENEWALS.—The withdrawals established by this title may not be extended or renewed except by an Act or joint resolution.

SEC. 806. ONGOING DECONTAMINATION.

(a) PROGRAM.—Throughout the duration of the withdrawals made by this title, the Secretary of the Navy, to the extent funds are made available, shall maintain a program of decontamination of lands withdrawn by this title at least at the level of decontamination activities performed on such lands in fiscal year 1986.

(b) REPORTS.—At the same time as the President transmits to the Congress the President's proposed budget for the first fiscal year beginning after the date of enactment of this title and for each subsequent fiscal year, the Secretary of the Navy shall transmit to the Committees on Appropriations, Armed Services, and Energy and Natural Resources of the Senate and to the Committees on Appropriations, Armed Services, and Interior and Insular Affairs of the House of Representatives a description of the decontamination efforts undertaken during the previous fiscal year on such lands and the decontamination activities proposed for such lands during the next fiscal year including:

(1) amounts appropriated and obligated or expended for decontamination of such lands;

(2) the methods used to decontaminate such lands;

(3) amount and types of contaminants removed from such lands;

(4) estimated types and amounts of residual contamination on such lands; and

(5) an estimate of the costs for full decontamination of such lands and the estimate of the time to complete such decontamination.

SEC. 807. REQUIREMENTS FOR RENEWAL.

(a) NOTICE AND FILING.—(1) No later than three years prior to the termination of the withdrawal and reservation established by this title, the Secretary of the Navy shall advise the Secretary of the Interior as to whether or not the Secretary of the Navy will have a continuing military need for any of the lands withdrawn under section 802 after the termination date of such withdrawal and reservation.

(2) If the Secretary of the Navy concludes that there will be a continuing military need for any of such lands after the termination date, the Secretary shall file an application for extension of the withdrawal and reservation of such needed lands in accordance with the regulations and procedures of the Department of the Interior applicable to the extension of withdrawals of lands for military uses.

(3) If, during the period of withdrawal and reservation, the Secretary of the Navy decides to relinquish all or any of the lands withdrawn and reserved by this title, the Secretary shall file a notice of intention to relinquish with the Secretary of the Interior.

(b) CONTAMINATION.—(1) Before transmitting a notice of intention to relinquish pursuant to subsection (a), the Secretary of Defense, acting through the Department of Navy, shall prepare a written determination concerning whether and to what extent the lands that are to be relinquished are contaminated with explosive, toxic, or other hazardous materials.

(2) A copy of such determination shall be transmitted with the notice of intention to relinquish.

(3) Copies of both the notice of intention to relinquish and the determination concerning the contaminated state of the lands shall be published in the Federal Register by the Secretary of the Interior.

(c) DECONTAMINATION.—If any land which is the subject of a notice of intention to relinquish pursuant to subsection (a) is contaminated, and the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land) and that upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws, the Secretary of the Navy shall decontaminate the land to the extent that funds are appropriated for such purpose.

(d) ALTERNATIVES.—If the Secretary of the Interior, after consultation with the Secretary of the Navy, concludes that decontamination of any land which is the subject of a notice of intention to relinquish pursuant to subsection (a) is not practicable or economically feasible, or that the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws, or if Congress does not appropriate a sufficient amount of funds for the decontamination of such land, the Secretary of the Interior shall not be required to accept the land proposed for relinquishment.

(e) STATUS OF CONTAMINATED LANDS.—If, because of their contaminated state, the Secretary of the Interior declines to accept jurisdiction over lands withdrawn by this title which have been proposed for relinquishment, or if at the expiration of the withdrawal made by this title the Secretary of the Interior determines that some of the lands withdrawn by this title are contaminated to an extent which prevents opening such contaminated lands to operation of the public land laws—

(1) the Secretary of the Navy shall take appropriate steps to warn the public of the contaminated state of such lands and any risks associated with entry onto such lands;

(2) after the expiration of the withdrawal, the Secretary of the Navy shall undertake no activities on such lands except in connection with decontamination of such lands; and

(3) the Secretary of the Navy shall report to the Secretary of the Interior and to the Congress concerning the status of such lands and all actions taken in furtherance of this subsection.

(f) REVOCATION AUTHORITY.—Notwithstanding any other provision of law, the Secretary

of the Interior, upon deciding that it is in the public interest to accept jurisdiction over lands proposed for relinquishment pursuant to subsection (a), is authorized to revoke the withdrawal and reservation established by this title as it applies to such lands. Should the decision be made to revoke the withdrawal and reservation, the Secretary of the Interior shall publish in the Federal Register an appropriate order which shall—

(1) terminate the withdrawal and reservation;

(2) constitute official acceptance of full jurisdiction over the lands by the Secretary of the Interior; and

(3) state the date upon which the lands will be opened to the operation of some or all of the public lands laws, including the mining laws.

SEC. 808. DELEGABILITY.

(a) DEFENSE.—The functions of the Secretary of Defense or the Secretary of the Navy under this title may be delegated.

(b) INTERIOR.—The functions of the Secretary of the Interior under this title may be delegated, except that an order described in section 807(f) may be approved and signed only by the Secretary of the Interior, the Under Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

SEC. 809. HUNTING, FISHING, AND TRAPPING.

All hunting, fishing, and trapping on the lands withdrawn by this title shall be conducted in accordance with the provisions of section 2671 of title 10, United States Code.

SEC. 810. IMMUNITY OF UNITED STATES.

The United States and all departments or agencies thereof shall be held harmless and shall not be liable for any injury or damage to persons or property suffered in the course of any geothermal leasing or other authorized nonmilitary activity conducted on lands described in section 802 of this title.

SEC. 811. EL CENTRO RANGES.

The Secretary of the Interior is authorized to permit the Secretary of the Navy to use until January 1, 1994, the approximately 44,870 acres of public lands in Imperial County, California, known as the East Mesa and West Mesa ranges, in accordance with the Memorandum of Understanding dated June 29, 1987, between the Bureau of Land Management, the Bureau of Reclamation, and the Department of the Navy. Such use shall be consistent with such Memorandum of Understanding and such additional terms and conditions as the Secretary of the Interior may require in order to protect the natural, scientific, environmental, cultural, and other resources and values of such lands and to minimize the extent to which use of such lands for military purposes impedes or restricts use of such or other public lands for other purposes. All military uses of such lands shall cease on January 1, 1994, unless authorized by subsequent Act of Congress.

SEC. 812. MILITARY OVERFLIGHTS.

(a) DISCLAIMER.—Nothing in this Act shall preclude low-level overflights by military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over the new units of the National Park or National Wilderness Preservation Systems (or any additions to existing units of such Systems) designated by this Act.

(b) MONITORING.—The Secretary of the Interior shall monitor the effects of aircraft overflights on the resources and values of the units of the National Park System and National Wilderness Preservation System designated or expanded by this Act, and on visitor enjoyment of such units. The Secretary of the Interior shall actively seek the assistance of the Secretary of Defense, consistent with national security needs, to resolve concerns related to such overflights and to prevent, eliminate, or minimize the derogation of resources and values and of visitor enjoyment associated with overflight activities.

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

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

There was no objection.

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

Mr. VENTO. Mr. Speaker, I reserve the right to object, so that I may ask the gentleman from Guam whether the modification he is proposing is the same one that he and I have discussed and agreed upon earlier.

Mr. BLAZ. Mr. Speaker, will the gentleman from Minnesota yield under this reservation?

Mr. VENTO. I am glad to yield to the gentleman from Guam.

Mr. BLAZ. Mr. Speaker, I thank the gentleman for yielding, and I can assure him that this is the same modification to my amendment that he and I have worked out together. If my unanimous consent request is agreed to, my amendment would omit any provisions related to the lands around Fort Irwin, because the military's concerns about those areas have already been addressed in a previous amendment. It would have the same provisions relating to China Lake, Chocolate Mountain, and the El Centro range areas as I Mr. VENTO's amendment. And it would have the overflight language, based on the administration's testimony on Mr. VENTO's military withdrawal and overflight bill, that was worked out and agreed to in discussions between Mr. VENTO and myself earlier this week.

Mr. VENTO. Mr. Speaker, I appreciate the explanation that the gentleman has provided. I want to thank the gentleman from Guam for his cooperation with regard to this important matter. I believe that the Vento-Blaz form of the Blaz amendment fully and properly addresses both the genuinely necessary renewal of the military withdrawals of the China Lake and Chocolate Mountain areas, and the perceived need of the military for a disclaimer concerning continued overflights by military aircraft of the lands dealt with in this bill. With this modification, I can fully support the amendment, and so, Mr. Speaker, I withdraw my reservation of objection to the modification.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, might I inquire, under the modification that is being contemplated with this motion or with this action, who will control the amendment?

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

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, it is the intention that the gentleman from Guam [Mr. BLAZ] will control and offer this amendment. It is a modification to his amendment which is in order by the rule.

If the gentleman would continue to yield, in the event that amendment which we have agreed to is offered and accepted, I would not offer the amendment that I am listed to offer.

Mr. WALKER. Mr. Speaker, further reserving the right to object, my concern here is that we went through an exercise just a couple of minutes ago with regard to the rule where we asked unanimous consent that the rule be corrected to correct the flaw that was obvious in the rule, that the manager of the rule said was there, and we could not get unanimous consent to do that. I see no reason for the House to give unanimous consent for something which is outside the rules process and, therefore, I object.

The SPEAKER pro tempore. Objection is heard.

MODIFICATION OF APPOINTMENT OF CONFEREES TO H.R. 2950, INTERMODAL SURFACE TRANSPORTATION INFRASTRUCTURE ACT OF 1991

The SPEAKER pro tempore. Without objection, the Chair announces the following appointment of conferees to H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991: Pursuant to the previous order of the House of November 6, 1991, the appointment of conferees on the bill (H.R. 2950) to develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes, is modified by adding at the end thereof the following new paragraph:

As additional conferees from the Committee on Government Operations, for consideration of title IV of the Senate amendment and modifications committed to conference: Mr. CONYERS and Mr. HORTON.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI AGAINST CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-351) on the resolution (H. Res. 294) waiving the requirement of clause 4(b) of rule XI, against consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1750

CALIFORNIA DESERT PROTECTION ACT OF 1991

The SPEAKER pro tempore. (Mr. MCNULTY). Pursuant to House Resolution 279 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. 2929.

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. 2929) to designate certain lands in the California desert as wilderness, to establish the Death Valley, Joshua Tree, and Mojave National Parks, and for other purposed, with Mr. BARNARD 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 California [Mr. LEHMAN] will be recognized for 30 minutes, and the gentleman from Guam [Mr. BLAZ] will be recognized for 30 minutes.

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

Mr. LEHMAN of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an important day for the State of California, the culmination of years of work toward enacting sweeping legislation for the protection of the California desert. I want to at the outset acknowledge the tremendous cooperation of the Members who have been involved directly in this process over the past year:

The gentleman from California [Mr. LEVINE], my wonderful colleague and friend who has been indefatigable in pursuit of this legislation for the past few years and who has worked closely with me over the course of this year to bring this legislation to the point; the gentleman from California [Mr. MILLER], our chairman on the Committee on Interior and Insular Affairs, who worked closely with us at all times and successfully steered this bill through the full committee; the gentleman from Minnesota [Mr. VENTO], chairman of the Subcommittee on National Parks and Public Lands, who had this jurisdiction for several years, who has been a friend of the desert during that time and who has visited the area on several occasions and whose great work is also embodied in this legislation.

And I want to thank the gentleman from Guam [Mr. BLAZ], my good friend whom I have had the pleasure of working with and for whom I have great respect and with whom we both share a love of this area. He has certainly contributed an awful lot to this legislation. I know we find ourselves still with some differences, but that is not because we have both not honestly tried to work together to get a good result here. I want to commend him and thank him for his participation.

As members are aware, legislation similar to what we are considering today was first introduced in 1986. There have been six public hearings on this matter, three in California and two in the desert itself. Numerous field inspections have been undertaken by Members of this House and by staff. Over 500 witnesses have been heard in connection with this legislation. Indeed, no other land-use issue since the Alaska Lands Act has found this kind of intense congressional scrutiny.

Mr. Speaker, business as usual for the California desert is not an option any longer. Protection of the desert is imperative and this protection must begin with legislation followed by tough administrative guidelines. The California desert plan was the beginning, not the end, of a management process which continues to evolve.

The great California desert encompasses 25 million acres. The American people clearly want land use decisions concerning this property to reflect their values. They want exploitation carefully balanced with protection. They want recreation that does not unduly harm the landscape. They want the most precious and primitive and pristine areas left intact, untouched, insofar as possible, for future generations to appreciate. And they want the cruel and senseless extermination of fragile species to end now.

Contrary to what we have heard, this bill does not eliminate man's presence in the desert. It does not prohibit human activity: mining, grazing, hunting, motoring. Indeed, the desert is vast and there is room for all things in some measure. It does, however, place reasonable limits and restrictions on activities in some areas where the use at existing levels is contrary to the public interest.

We can plant new trees in the forest and hope that they may grow, but we cannot do the same in the desert. A perfect illustration of this type of problem is the scaring left by General Patton's troops 50 years ago can still be seen. The loss of habitat is irreversible. Five years is long enough for the bill to be debated. And we should not procrastinate further.

This bill designates 4.3 million acres of BLM managed land as wilderness. It redesignates the Death Valley and Joshua Tree National Monuments as national parks, enlarges them and designates areas within these expanded parks as wilderness. The bill also establishes the Mojave National Monument, designates it as a unit of the National Park System, and designates certain lands within it as wilderness. This is not the same bill that has been around for 5 years.

A total of 271,000 acres was deleted in H.R. 2929 from past desert proposals and in the en bloc amendment today, the gentleman from California [Mr. MILLER] will propose to release, to take out another 160,000 acres. Most off-road vehicles have been carefully excluded from the legislation with another 75,000 more acres of recreation trails added to the proposal which is the equivalent of 114 miles. No active mines are within any of the wilderness boundaries. Valid existing mining claims are protected in wilderness and parks. However, we have eliminated 73,400 more acres for certain mining interests.

Grazing is allowed in wilderness areas, although not generally in national parks. However, we have made an exception. We have provided that grazing in the Mojave and in the additions to Death Valley can continue for 25 years or lifetime of the permittee holder.

Hunting is, of course, allowed in the wilderness. This bill does not eliminate hunting on wilderness. It is allowed there.

It is, of course, not allowed in national parks and monuments, which is a longstanding park policy. But there is not hunting today in the Joshua Tree, and there is not hunting today in the Mojave. And this does not change that one bit.

We have provided for an exchange system here to consolidate Federal lands in many of these designated areas, while allowing private landholders in the State of California to trade out their property on a value-for-value basis.

Finally, we have solved all of the concerns that the various utilities have had with this bill by removing 27,000 acres from it.

These are just a few of the many problems we have solved and the compromises we have made from past desert bills.

My colleagues, the easy environmental issues have been solved. This decade we in Congress and the citizens of this Nation will be faced with the toughest questions yet. Can we blindly continue to use every last resource and destroy crucial habitat as if there is no tomorrow? Or, do we take the challenge that is presented to a truly ad-

vanced society which accepts the long-term benefit over the short-term gain. Do we continue to tell other countries to stop unwise resource use, when we cannot protect our own public land? Or, do we stand before the international community, proudly and boldly as an example to all countries of the world as a nation which decided, before it was to late, to lead by example not by words.

Today you are faced with the opportunity to cast a vote that will genuinely make a difference. I ask for you to vote in favor of H.R. 2929 and against any weakening amendments. Time is running out for one of the world's great ecosystems. Let us act now to preserve indelibly this important part of our natural heritage.

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

Mr. BLAZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska [Mr. YOUNG], the ranking member of the committee.

Mr. YOUNG of Alaska. Mr. Chairman, first let me compliment the individuals who have worked on this legislation: the gentleman from Guam [Mr. BLAZ], ranking member, and the gentleman from California [Mr. LEHMAN].

I do rise in strong opposition to this legislation. That is no surprise.

I rise not necessarily about the California desert bill. I rise in opposition to what this Congress has been doing for the last 15, 20 years.

□ 1800

This Congress has taken land that is productive and that provides jobs for the American workingman out of production; 676 million acres of land that does not produce one nickel or dime, it produces zero. California has a terrible job climate today. This bill is going to cost jobs regardless of what the gentleman says. It is going to cost jobs, it is going to cost money, it is going to cost taxpayers money to run this.

Everytime I stand on the floor and bring this to the Congress, the people's ideas that we can have both, the Irish wilderness was brought to the floor, it cost approximately 2,000 jobs and it was not even a wilderness but it was a fine mineral deposit. It would have used about 150 acres.

The concept that we keep placating the so-called environmental movement by taking land and setting it aside is wrong, because this Nation was built on natural resources and only can continue to grow on natural resources. The fiber, the minerals, the fossil fuels, and yes, the wind power and the nuclear power, all the other powers, do not come from the sky. It means development of resources that God has given this country.

Now, the gentleman from California mentioned a while ago that we have a responsibility to the environment, and that is true. But we also have a responsibility to the people, the working men and women of this country. We are losing that responsibility. We are not providing the jobs.

It is ironic to me, as the gentleman just previously spoke, if this same Congress had been sitting when they developed the central valley project there would still be a desert there, not the ability to provide the food for the State of California and for the people of this United States.

If we had this same Congress back in the 1800's we would not have the Transcontinental Railroad. If we had the same Congress in 1933, when Franklin Delano Roosevelt was here, we would not have the Boulder Dam, the Tennessee Valley project that provides us the power and the jobs for the people.

This Congress has got its head buried in the sand. We hear a lot of presidential bashing about the economy of this Nation and about the lack of jobs. I heard these 1-minutes all from this side today talking about the lack of jobs and how the people are not employed, and yet this Congress, every day it brings a bill to the floor of the House and the Committee on Interior and Insular Affairs and takes jobs away from the people.

The spotted owl is going to cost us 35,000 jobs. This bill alone will cost more than 500 jobs, and no future jobs, regardless of what the gentleman says. I can go on with the California wilderness, the Oregon wilderness, the Idaho wilderness bill, the Washington State wilderness benefits bill, and yes, the Alaska wilderness bill, 147 million acres, and it all takes jobs from the American people.

This side cannot have it both ways. You are talking about the economy and you keep putting bills on this floor to take away the opportunity of the American people. You do not provide us with the energy that this country needs. And then they say we must do it to protect the environment. If you do not have a strong economy, your environment is destroyed.

Go to India. Go to these Third World countries and find out, because the people are underfed, unemployed, because they do not in fact have any money. They have terrible environmental damage being incurred.

We must get some balance in this Congress, get some ideas in this Congress that we can have our environment but we must not continue to put this vast amount of land aside without understanding the effect upon the economy and the people directly affected by the loss of their jobs.

I am going to support the Lewis amendment. I think that is probably more realistic. I am not excited about that as much as I should be, but this so-called compromise is a bill that creates chaos in the economy of this Nation because it takes out the opportunity for future advancement and opportunity for the working men and women.

Mr. LEHMAN of California. Mr. Chairman, I yield 5 minutes to the gentleman from California, [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, for 5 years, despite a great deal of urging by the gentlemen from California, my good friends, Mr. LEHMAN and Mr. LEVINE as well, and a great deal of input in support of this legislation from my constituents, I have withheld my cosponsorship from desert protection legislation out of respect for my colleagues who represent the affected area.

Now, Mr. Chairman, I rise in strong support of H.R. 2929. Today I am proud to list myself as a cosponsor of this important bill, introduced by my friends from California. Mr. LEHMAN and Mr. LEVINE, and of course by the gentleman from California, [Mr. MILLER], the chairman of the full committee.

The bill is really a product of more than 5 years of work by the bill's sponsors. During this period the sponsors have made every effort to reach out to the many groups affected by it, to forge compromises and to address legitimate concerns. The sponsors have in my estimation done an admirable job.

Let me briefly highlight some of the compromises reflected in the bill. Earlier proposals seeking desert protection, Mr. Chairman, called for a 10-year phaseout of grazing to accommodate existing grazing interests in the area that will become the Mojave National Monument and in a small portion of Death Valley. As brought to this floor, the measure would extend grazing phaseout periods more than twofold, to 25 years. In addition, the desert protection bill gives priority to the acquisition of livestock owner's base property on a willing seller basis only.

We have already heard questions about limited access to these lands, that access is somehow being denied to the vast majority of working Americans and their families. The Governor of my own State has argued that in this bill we are locking up the desert and that only those hardy enough to backpack will be able to enjoy it.

Mr. Chairman, I find nothing in this measure to support that contention. The bill leaves open a network of more than 33,000 miles of roads and jeep trails. Of the lands that the bill designates as wilderness, fully 85 percent are within three miles of vehicular access. Nonetheless, the sponsors have made additional compromises on this front as well. The proposal before us opens an extra 107 jeep miles in addition to those already provided in earlier versions of the bill.

The sponsors also made concessions to the concerns of the utility industry. The industry, which previously opposed the bill, now testifies that it has no objection to the measure. In addition, ac-

commodations have been made to the mining interests in the area. The original boundaries in the desert proposal were drawn to avoid known mining claims. These boundaries were taken form information supplied by the Bureau of Mines, the Bureau of Land Management, the U.S. Geological Survey, and the State of California.

Since the introduction of the original desert proposal many additional modifications have been made. H.R. 2929 has deleted an additional 71,000 acres from wilderness and park boundaries to accommodate the concerns of the mining industry.

Finally, Mr. Chairman, of particular importance to me, the bill includes a provision that protects the financial interest of California's retired teachers fund. There are approximately 340,000 acres of California school lands scattered within the proposed desert wilderness and park areas. This represents almost 50 percent of the surface ownership of the State school lands.

Unlike other earlier versions of the bill, H.R. 2929 directs the Secretary of the Interior to enter into land exchanges with the California State Lands Commission as a means to compensate California retired teachers on a value-for-value basis for the Federal acquisition of school land assets.

So, Mr. Chairman, I think the opposition's argument that the bill is not a compromise is not accurate. Time and again the sponsors have made every effort to address the many conflicting concerns about the protection of the California desert.

I am sure tonight we will be able to work out the concerns of the Pentagon as well. So I strongly support H.R. 2929. I urge my colleagues to vote for this much needed statutory protection which has been properly compromised. It is vital and unique, a natural resource that is irreplaceable.

I know our colleagues on the Republican side mean well. I know they have gained quite a bit in their negotiating.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. FAZIO. I am happy to yield to the gentleman from California [Mr. LEWIS], my friend from the Redlands area.

Mr. LEWIS of California. Mr. Chairman, my colleague, the gentleman from California [Mr. FAZIO] and I have worked together for years, as the Members know. But I would say to my colleague that that last comment may have been communicated to him as a matter of the record, but the fact is there has not been any negotiation entered into on the part of the authors on this bill, not one moment of negotiation, even though we have heard serious requests for that negotiation.

□ 1810

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

Mr. Chairman, I had hoped to speak at length on this subject, but out of respect to those particularly affected, I shall be brief.

Let me respond to the comments of the chairman, the gentleman from California [Mr. LEHMAN] earlier and say also that I really enjoyed working with the gentleman from California [Mr. LEHMAN]. I enjoyed working with the gentleman from California [Mr. PANETTA]. I enjoyed working with the gentleman from California [Mr. LEWIS], and I am particularly grateful to the gentleman from Alaska [Mr. YOUNG] for permitting me, a delegate, to manage a bill. I am grateful to the leadership on my side.

Reluctantly, Mr. Chairman, I rise in opposition to the bill. It pains me, for I was stationed in that desert, ironically at Twentynine Palms. I thought maybe the bill was named after that base, but it really was not.

Later on I shall yield to the four people from the desert who are immediately affected. I should like at this time, however, to say that I have every intention of introducing an amendment that affects the military.

The spectacular success that we enjoyed in the Persian Gulf was not due to the experience in the Arabian Peninsula, but because of the training that we had in the Mohave Desert. I have an obligation to those with whom I have served to make sure that I introduce that amendment. Whether it fails or wins, it makes no difference. I must fulfill that obligation.

Rather than take up too much time, Mr. Chairman, I shall end with this. I was somewhat disappointed and surprised that the people who are most immediately affected were apparently not consulted in the authorship of this bill. To me that oversight, intended or perhaps unintended, strikes at the very core of representation, and it would seem to me that it would displease me no end personally if I thought that someone in this body would have a bill that would literally change my district, my 8-mile wide district, without giving me the courtesy of a phone call.

So that to me is my contribution to this debate. We must ask you to give weight to those elected to represent the districts that are being considered this afternoon.

Mr. LEHMAN of California. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. LEVINE], the original sponsor of the bill.

Mr. LEVINE of California. Mr. Chairman, I thank my friend for yielding me this time.

Mr. Chairman, before I address the merits of this legislation, I want to just take a moment to thank and recognize those without whose help we would not be here on the floor today. As others have mentioned, we have worked for 5 years to craft legislation that protects California's desert and also addresses the legitimate conflicts posed by businesses and other interests who have been concerned about this legislation. H.R. 2929 is the fruit of these labors.

All of the parties involved in this debate owe the subcommittee chairman, the gentleman from California [Mr. LEHMAN] a great debt of gratitude for his thoughtful leadership and commitment, and I personally want to thank my close friend and colleague, the gentleman from California [Mr. LEHMAN] for the leadership that he has shown with regard to this issue and in particular other environmental issues as well.

I also want to thank the chairman of the full committee, the gentleman from California [Mr. MILLER] for helping to bring this bill to the floor.

I also want to thank the chairman of the Subcommittee on National Parks and Public Lands of the Committee on the Interior, the gentleman from Minnesota [Mr. VENTO] who has worked long and hard for years in terms of helping to ensure that this legislation achieved these objectives.

I want to join the gentleman from California [Mr. LEHMAN] and the ranking member, the delegate from Guam [Mr. BLAZ] for his thoughtful consideration as well.

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

Mr. LEVINE of California. I yield to the gentleman from California.

Mr. PANETTA. Mr. Chairman, I rise in strong support of H.R. 2929, the California Desert Protection Act of 1991. I am pleased that after years of hearings and debate on this issue, the House has the opportunity to enact legislation that will provide prudent and appropriate protection to areas of the California desert.

I commend Congressman LEVINE and Congressman LEHMAN for their leadership on this issue and also recognize Chairman MILLER for his role in facilitating the House's consideration of this important legislation. As my colleagues know, I represent a large portion of the California coastline and have worked very hard to provide adequate protection to our nation's significant and sensitive natural treasures.

The California desert is one of those national treasures. Areas protected under this bill, such as the Joshua Tree Forest, Death Valley, and portions of the Mojave Desert, are unique, fragile resources warranting strong protection from development. I am particularly pleased that Congressman LEVINE and Congressman LEHMAN were able to craft a compromise bill that will allow multiple use of the desert's resources to continue, while providing an adequate level of protection for the desert's most sensitive resources.

As chairman of the House Budget Committee, I would also like to commend the Interior Committee for the fact that the Congressional Budget Office has estimated the pay-as-you-go effects of this bill as zero for each year through 1995, for purposes of sections 252 and 253 of the Balanced Budget and Emer-

gency Deficit Control Act. I also appreciate the committee's willingness to address a Budget Act issue related to the State school lands credit language in the bill, as part of Mr. LEHMAN's en bloc amendment.

Mr. Speaker, the authors of H.R. 2929 have labored hard to address the concerns of the desert's multiple use community and have devised a responsible compromise bill. H.R. 2929 manages to strike the often elusive balance between providing adequate protection of the desert's most sensitive resources with serving the multiple use needs of desert users. I urge my colleagues to help in this effort by offering their strong support to H.R. 2929.

Mr. LEVINE of California. Mr. Chairman, there have been a number of staff people also, and one in particular I want to pay tribute to is Betsy Ford on my staff who has labored in the vineyards for 5 years on this bill.

Mr. Chairman, the vote that we will cast today in all likelihood will be one of the most important environmental votes cast by this Congress. It is certainly one of the most important environmental votes ever taken with regard to California. That is why passage of this bill, and defeat of the weakening amendments are a top priority for 118 environmental organizations.

Passage of H.R. 2929 will create a living legacy to future generations, and it will be a vote that all of us will have been proud to cast.

I am often asked by people from other parts of the country why protecting this desert is so important. Some actually believe the desert is a wasteland, essentially devoid of life. Nothing could be further from the truth. The California desert is one of this Nation's crown jewels.

I have seen firsthand the incredible variety of wildlife that makes its home in the desert. I have sat under the desert's night sky with my own son, Adam, and seen a panorama of stars and mountain silhouettes as I had never seen before. I have seen the breathtaking wild flower blooms that cover the desert floor in the spring.

The history of the desert is extraordinary. Within the lands protected by this bill, you can find real ghost towns dating back to the 1800's, prehistoric paintings and native American village sites.

H.R. 2929 protects the very best parts of the desert. Unless Congress acts, however, this amazing landscape will be lost to developers, miners, and the mismanagement of our own government. Congress must act, and act quickly, if we are to protect the integrity of the desert and its unique character. If we fail to pass this legislation, future generations will be denied this treasure.

This bill, Mr. Chairman, represents precisely what both desert residents and all Californians want, an end to the reckless abuse of the desert.

Local endorsements speak for themselves. Forty-nine California cities and counties have endorsed the bill, far outnumbering the populations of those who have opposed it. Seven desert cities and a number of other cities support the bill, and polls consistently have shown support for this legislation.

Mr. Chairman, we have made numerous compromises in this bill, as the gentleman from California [Mr. LEHMAN] and the gentleman from California [Mr. FAZIO] have already outlined, many of which have been described earlier regarding utility concerns, mining concerns, and military concerns.

I want to emphasize for the record, Mr. Chairman, that while we have had numerous public hearings, we, and I personally have beseeched my good friends on the other side of the aisle to come to the table and negotiate with regard to this legislation; but the fact is, I do believe and the record should be clear and I refer to my very good friend for whom I have very high regard, I talked to him privately. I have written to him. I have urged him to meet and urged him to negotiate and urged him to sit down. We have sat down with numerous interests. We have had significant compromises.

What we did not compromise, Mr. Chairman, however, and what we are committed to fight are the efforts of those who simply just oppose wilderness, those who believe every last acre must be exploited and those who do not understand why we must act now to protect what is left of the desert.

The face of the desert is changing. To my colleagues from the East who have never had the chance to see it, come visit it. It is an extraordinary place. The ecological diversity and historical sites protected by my bill are second to none. The passage of this bill will strike a major victory for environmental protection in the country.

Mr. Chairman, I strongly urge an aye vote on the bill and a no vote on weakening amendments.

Mr. Chairman, I include the following correspondence and material:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
San Francisco, CA, January 30, 1987.

Memorandum to: Director, National Park Service.
From: Regional Director, Western Region.
Subject: California Desert Protection Act.

We have completed our analysis of the proposals contained in the California Desert Protection Act per your memorandum of May 5, 1986. Our recommendations are enclosed, along with the objective resource assessment on the various provisions. Nine additional copies of the assessment are enroute under separate cover. We are making copies of the resource assessment available to BLM's California State and Desert District Office.

Let us know if any additional information is needed on these legislative proposals.

HOWARD H. CHAPMAN.

WESTERN REGION RECOMMENDATIONS ON THE CALIFORNIA DESERT PROTECTION ACT

MOJAVE NATIONAL PARK

The NPS' Management Policies require that potential new units be evaluated in terms of the following three criteria: 1. Significance, 2. Suitability/Feasibility, and 3. Management Alternatives. The Policies state that potential new areas will normally not be recommended for authorization by the Service unless all three criteria are met.

1. As indicated in the resource assessment, this unit does not fill a major natural systems gap in the System based on the National Park System Plan: Natural History. The natural region in which the proposed unit is located, the Mojave-Sonoran Desert, is an extremely large and diverse region already containing a number of parks and monuments. Mojave Desert phenomena are protected and represented in the National Park System in Joshua Tree and Death Valley National Monuments.

The proposed unit contains a rich array of highly significant natural and cultural resources. It would be difficult to find an area of similar size with as many outstanding sites. Notwithstanding the fact that the area does not fill a natural systems void in the System, we believe that the overall quality of the area and the multiple resource attractions are sufficient to meet the significance standards for new units.

2. The proposed Mojave National Park is of sufficient size and character to permit administration, protection and preservation. Although the area would be relatively difficult and expensive to administer, given its history of ranching, mining, and ORV use, it does clearly meet the suitability/feasibility criterion.

3. The NPS Management Policies state that the Service will not ordinarily recommend the addition of an area to the System if other means are available to provide for resource preservation and visitor appreciation and use.

The question of whether suitable management alternatives exist depends largely on the level of protection considered to be necessary. In the case of Mojave, BLM has indicated its intent to accomplish protection and visitor use functions through the area's management as the East Mojave National Scenic Area. While management is not nearly as preservation-oriented as some park proponents might wish, BLM has authority to protect important natural and cultural resources, and has taken steps to protect key areas. Given adequate financial and personnel resources (which it does not currently have), and a commitment to preservation and visitor use, BLM could make this an outstanding national area.

However, BLM is presently committed to management of the area on a multiple-use basis. While controls on economic uses can preserve the essential integrity of the area, at least at the current level of demands for the area's potential products, protection is not absolute and compromises must be made between resource preservation and economic activities such as mining and grazing. The extent to which BLM could protect the area in the event of major mineral discoveries is questionable.

On balance, the proposed Mojave National Park meets the three new unit criteria specified in NPS Management Policies and would be a worthy and valuable addition to the National Park System. The boundary proposed in the legislation is appropriate for the unit.

We recommend its addition to the National Park System.

JOSHUA TREE NATIONAL MONUMENT

Proposed Additions: None of the proposed additions have highly significant natural or cultural resources justifying national park status on their own merits. Nevertheless,

based on management considerations, we believe that addition of the Coxcomb Mountains and Eagle Mountain areas to Joshua Tree National Monument would be appropriate and desirable. (See Option 2 in the resource assessment for Joshua Tree.) These additions display high resource quality, are continuations of mountain systems already within the monument, and would create more easily identifiable and patrollable boundaries than now exist. The incremental management costs of these additions would be modest, but necessary to provide for adequate management.

We do not recommend the other proposed additions. They neither offer high quality resources nor would they improve the monument's manageability. Rather, because of mining and ORV activities, they could increase management problems for the monument.

National Park Status: The legislation designates Joshua Tree as a national park rather than as a national monument. We believe such designation is appropriate.

Mineral Studies: As indicated in the assessment there are a substantial number of mining claims in the proposed additions. We believe the legislation's requirement for completion of a validity study within two years would be difficult to meet at a reasonable cost. We recommend that the timetable be increased to five years.

DEATH VALLEY NATIONAL MONUMENT

Proposed Additions: We believe most of the proposed additions to Death Valley would be desirable increments. As discussed in the assessment, the proposed additions include the Eureka and Saline Valleys. These areas have inherent natural qualities of nationwide significance and would add to the range of phenomena already present in the monument.

Although not considered to be as significant in resource value, the Panamint and Greenwater areas do include important natural and cultural resources worthy of protection and having significant interpretive value. The addition of these areas would also enhance the monument's manageability through better definition of the boundary.

The remainder of the proposed additions have value to the monument primarily in better defining the boundary and thereby enhancing the monument's capability for resource protection. The Owlshead Mountains addition also provides an added buffer to incompatible military uses.

We recommend minor deletions to the proposals in three areas to eliminate potential management problems. These deletions are discussed in the assessment under Options for Boundary Revision.

The additions represent a significant increase in the scope of the unit and would add considerably to the cost of managing the monument. Increased operational funding for Death Valley National Monument would be essential.

Wilderness Designation: The proposal for designation of wilderness within the existing boundary of the monument appears to be consistent with our long-standing recommendations. A revised map reflecting minor corrections is currently being prepared and will be forwarded to you shortly. This map should be transmitted to Congress and referenced in any legislation.

National Park Status: The proposed legislation designates Death Valley as a national park rather than as a monument. We recommend this change in designation.

Mineral Studies: There are thousands of mining claims in the proposed additions. We believe the legislation's requirement for completion of a validity study within two years would be difficult to meet at a reasonable cost. We recommend that the timetable be increased to five years.

A PRELIMINARY STUDY OF THE EAST MOJAVE AREA TO DETERMINE ITS SUITABILITY FOR INCLUSION IN THE NATIONAL PARK SYSTEM

(By Desert Plan Staff, Bureau of Land Management)

GENERAL DESCRIPTION

The Eastern Mojave study area covers 1.4 million acres in what is geographically part of the Mojave Desert, yet displays many features and biota of the Sonoran Desert to the south and the Great Basin Desert to the north and east. The study area contains 16 mountain ranges, 4 dry lakes a perennial stream, innumerable washes, mesas, buttes, badlands, cinder cones, lava beds, caves, California's most complex sand dune system, alluvial fans, bajadas, and many other expressions of geologic and geographic interest. Elevations in the study area range from about 900 feet near Baker in the Mojave River sink to 7,929 feet atop Clark Mountain.

In all of the California Desert there is no finer grouping of different wildlife habitats. Over 300 species of vertebrate forms have been observed here, including some whose California breeding grounds are limited to the East Mojave.

The Eastern Mojave is also rich floristically, with over 700 species of higher plants found in the region, including 25 rare or endangered species. Many species reach their extreme range limits here.

The Eastern Mojave contains many fascinating and unique cultural resources: petroglyphs, pictographs, Indian village occupation sites and trails, the historic Mojave (Old Government) Road, abandoned U.S. Army forts and posts, abandoned mines, railroads, ghost towns, and the Kelso Depot, a magnificent two-story railroad depot built in 1904, which is still in use.

CONCLUSIONS

It is the conclusion of the Desert Plan Staff that cultural and natural resource values of the East Mojave Study Area are so diverse and outstanding that the area readily qualifies for National Park or Monument status.

LOCAL GOVERNMENTS WHICH HAVE ENDORSED THE CALIFORNIA DESERT PROTECTION ACT

15 County governments have endorsed the California Desert Protection Act.

34 City governments have endorsed the California Desert Protection Act, including the 8 largest.

COUNTY GOVERNMENTS ENDORSING THE CDPA

Santa Barbara County, Sacramento County, San Francisco County, Santa Cruz County, Santa Clara County, Napa County, San Diego County, Los Angeles County, Marin County, Alameda County, Contra Costa County, San Mateo County, Placer County, San Joaquin County, and Monterey County.

CITY GOVERNMENTS ENDORSING THE CDPA

San Francisco, Riverside, Rancho Mirage, Escondido, Santa Monica, Del Mar, Palm Desert, West Hollywood, Coronado, San Diego, Poway, La Quinta, Ventura, Ontario, Fresno, Sacramento, Redlands, Long Beach, Upland, Davis, Irvine, Desert Hot Springs, Palm Springs, Visalia, Laguna Beach, Vallejo, Fairfield, Hemet, Los Angeles, San Jose, Oakland, Salinas, Berkeley, and Yucaipa.

CANYON RESOURCES CORP.,
Golden, CO, October 1, 1991.

Hon. MEL LEVINE,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE LEVINE: We sincerely appreciate the responsiveness of you and your staff in addressing the issues we raised concerning our proposed Briggs gold mine and adjacent gold deposits in the southern Panamint Range and the possible effects on our projects of H.R. 2929, the California Desert Protection Act of 1991. Your willingness to sponsor an amendment to the legislation which alters the boundaries of the proposed Manly Peak and Surprise Canyon Wilderness areas and deletes the Middle Park Wilderness area removes a potentially critical impediment to our projects. When the Briggs mine is opened in later 1993 or early 1994, we believe it will contribute each year $20 million in wages and purchases of goods and services to the local communities and $5.5 million in direct and indirect federal, state, and local taxes. The adjacent properties freed by the amendment offer the possibility of an adjacent $600 million in payroll and purchases and $160 million in taxes.

Your willingness to listen to our specific concerns and to craft an amendment that both permits productive economic enterprise and protests extraordinarily environmental values is laudatory. You certainly have resolved favorably our company's specific concerns with the legislation. Accordingly, we are pleased to withdraw our opposition to the bill, as amended.

Sincerely yours,

RICHARD H. DEVOTO,
President.

KERR-MCGEE CORP.,
Oklahoma City, OK, October 3, 1991.

Hon. RICHARD H. LEHMAN,
Subcommittee on General Oversight and California Desert Lands, House Interior and Insular Affairs Committee, House Annex 1, Washington, DC.

DEAR MR. CHAIRMAN: I would like to take this opportunity to express Kerr-McGee Corporation's appreciation to your staff for the able assistance they provided to us regarding certain provisions of the California Desert Protection Act (H.R. 2929).

In light of the amendment you and Congressman Levine offered to H.R. 2929 on October 1, 1991, Kerr-McGee will now be able to continue development of the Ratcliff Mine gold deposit located in the southern Panamint Range, Inyo County, California. As we discussed with Ms. Beller of your staff and Ms. Ford of Congressman Levine's staff, your amendment has met Kerr-McGee's specific concerns about H.R. 2929 in the southern Panamint Range. We would hope, however, that those individuals and companies who have mining interests within the areas impacted by H.R. 2929 will also avail themselves of the opportunity to work with your staff to modify the current boundaries of H.R. 2929 in order to continue with the development of such interests and their ensuing economic benefits.

Again, we thank you for your assistance in this matter.

Sincerely,

G.D. CHRISTIANSEN,
Vice President-Exploration.

CHICAGO MINING CORP.,
Chicago, IL, October 21, 1991.

Hon. MEL LEVINE,
Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE LEVINE: I am writing to sincerely thank you for your valuable

effort in crafting H.R. 2929, the California Desert Protection Act. of 1991, into a document that fully protects the rights and interests of all concerned citizens. This nation is truly well served when fair and equitable legislation can be realized by mutually beneficial compromise. H.R. 2929, with the addition of the Lehman-Levine Amendment, can only enhance economic and environmental circumstance in the California Desert. Chicago Mining Corporation hereby withdraws all opposition to H.R. 2929, as amended.

Very truly yours,

CHARLES R. LEE,
President.

SOUTHERN CALIFORNIA EDISON CO.
Rosemead, CA, September 30, 1991.

Hon. GEORGE MILLER, RICK LEHMAN, and MEL LEVINE,
Interior Committee, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES MILLER, LEHMAN, AND LEVINE: Southern California Edison Company has worked closely with your respective offices to resolve our concerns with HR 2929. On September 26, 1991, we presented to these offices our proposed statutory language (Attachment A hereto) that would resolve our remaining concerns with this bill, providing that acceptable report language is subsequently developed.

Attachment B is a much longer, and more specific version of statutory language as developed by Betsy Ford, staff person to Representative Levine. While we have reservations about putting Attachment B into the bill as statutory language, because we believe such detail properly belongs in report language, it nevertheless adequately addresses our concern with Title IV of H.R. 2929. If either Attachment A or B, as written, is incorporated into HR 2929, and as long as neither the bill in its entirety, as it affects Edison, nor Attachment A or B are changed, Edison removes its objections to HR 2929 as introduced.

Sincerely,

ROBERT DIETCH,
Vice President.

WILL & MUYS, P.C.,
ATTORNEYS AT LAW,
Washington, DC, October 1, 1991.

Hon. MEL LEVINE,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN LEVINE: I am authorized to advise you that the Metropolitan Water District will not object to H.R. 2929, the California Desert Protection Act, if Section 306 is amended to include the language furnished to us on September 29 by your office. I am attaching a copy of those amendments.

Sincerely,

ROBERT P. WILL,
(For the Metropolitan Water District of Southern California).

SOUTHERN CALIFORNIA GAS CO.
Los Angeles, CA, July 2, 1991.

Re California Desert Protection Act

Hon. MEL LEVINE,
Cannon House Office Building,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN LEVINE: After extensive review and discussion with Ms. Betsy Ford of your staff regarding the proposed California Desert Protection legislation, the Southern California Gas Company (SoCalGas) agrees with the proposed changes which directly affects SoCalGas facilities and if these changes are incorporated into the bill SoCalGas will remove its opposition.

The changes that were discussed and agreed upon are outlined below:

Category A—Notations on Wilderness Maps indicating pipeline right-of-ways to protect our existing pipelines and support facilities:

Notations denoting pipeline locations relative to wilderness boundaries, indicating a minimum fifty foot buffer between the central line of the pipeline and the boundaries of the wilderness:

Map Plate No. and Name

24—Clipper Mountains.
87—Providence Mountains.

While the above map corrections and amendments have been agreed upon with your staff we have not seen the official maps that will accompany the bill.

Category B—Clarifications and modification of Title IV Section 411 Utility Right-of-Way to remove ambiguities in that section and to allow for the continued ongoing operation, maintenance and upgrading of our existing pipelines and support facilities.

Title VI Section 411(b) as originally considered in draft form has been modified and it is our understanding that the following text changes have been inserted (please note that these changes to the text have been underlined):

411(b) deals with Southern California Gas Company and reads as follows: "Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing the capacity of the existing pipeline; or prohibiting the renewal of such right-of-way; issued, granted, or permitted to the Southern California Gas Company, which is located on lands included in the Majave National Park created under this Title, but outside lands designated as wilderness under Section 501 (3).".

Category C—Proposed Legislative Report Language defining portions of Title IV Section 411(b)

At the request of Ms. Ford, SoCalGas is submitting the following language to be included in the Legislative Committee report to assist in the definition of the term "upgrade" as used in Title IV section 411(b): "Allows for improving the capacity of an individual pipeline by looping, but not the improvement of the entire pipeline system by the installation of a new pipeline parallel to an existing pipeline. Pipeline loops are tied into the existing pipeline, so by definition construction takes place very close to the existing pipeline in the right-of-way. Disruption from such construction is confined to areas that have already been disturbed by previous pipeline construction. While a new pipeline may promote growth in areas that were previously without service, a pipeline loop only increases the carrying capacity of the existing line, thereby increasing service only to existing customers.".

OTHER SOCALGAS CONCERNS

(1) The following Wilderness Area maps boundaries were modified in the previous Congress to remove SoCalGas pipelines 235 and 6000 from the designated Wilderness Areas.

Boundaries Amended:

Map Plate No. and Name

28—Dead Mountains.
36—Granite Mountains-East.
37—Granite Mountains-West.
50—Kelso Dunes S.W.
51—Kelso Dunes—East and South Providence Mountains.
67—Newberry and Rodman Mountains.
85—Piute Mountains.
87—Providence Mountains.

(2) It is our understanding that your bill will not include Title VII Military Withdrawals. If that section is included I would like to suggest the following language allowing our continued operation and maintenance be added to Title VII Section 705 (a)(2): "(G) renewal of existing right-of-way and operation, maintenance, repair, replacement and upgrading of existing utilities located therein.".

Thank you for the opportunity you gave SoCalGas to work with your staff in order to provide input on this important legislation. If we can be of further assistance on this or other legislative matters please contact David Freer in SoCalGas' Washington office. David's phone number is 202-822-3713.

Sincerely,

LEE M. STEWART,
Vice President.

CITY HALL,
Los Angeles, CA, June 28, 1991.

Hon. MEL LEVINE,
House of Representatives,
Washington, DC.

CITY OF LOS ANGELES SUPPORT FOR THE CALIFORNIA DESERT PROTECTION ACT

DEAR MR. LEVINE: The City of Los Angeles supports your efforts to introduce legislation to protect the beauty and resources of the California Desert and appreciates your efforts to accommodate the City's concerns in your development of this bill. These concerns have been discussed over the last several years with various representatives of environmental groups and other interested parties and agreements have been essentially reached. The City has supported the bill based on assurances that the legislation would address the City's concerns pertaining to the protection of utility corridors and the Los Angeles Aqueduct system through the lands affected by the bill.

In discussing the City's concerns with your staff, we understand that the following issues will be resolved in your bill as described below. With these issues resolved, the City fully supports the bill without reservation.

Red Rock Canyon State Park Transfer: In recognition of a pending administrative land transfer between the State of California and the Federal government, the bill only transfers Federal land east of Highway 14 to the Red Rock Canyon State Park.

Buffer Zone: In order to not preclude nonwilderness activities, such as standard utility practices, up to the boundary of the wilderness area, the following language will be added to the bill:

SEC. . The Congress does not intend for the designation of wilderness areas in Section of this Act to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

Boundary Adjustments: A review of the official maps which are to accompany the bill show that all conflicts between wilderness area and Mojave National Park boundaries, including the Clark Mountain Wilderness Area (WA), and utility corridors and City water and power facilities have been resolved.

Map Notations: Due to the scale of the maps, notations are to be added on the maps

to indicate the minimum distances of the wilderness area boundaries to particular features. Maps which have these notations added include Owens Peak WA and Sacatar Trail WA (Map Nos. 12, 92)—distance to Los Angeles Aqueduct System; Mojave National Park (Map No. M)—reference to Clark Mountain WA; Clark Mountain WA (Map No. 22) distance to transmission line; Hollow Hills WA (Map No. 41)—distance to transmission line; Kingston Mountains WA (Map No. 55)—distance to Kingston Mountains Road; Mesquite WA (Map No. 63)—distance to Winters Pass Road and Kingston Mountain Road; Soda Mountains WA (Map No. 106)—distance to transmission line and distance to Highway 127; and Piper Mountain (Map No. 86)—distance to road.

Further, we understand that the bill will not include any provisions regarding military withdrawals of China Lake Naval Weapons Center (NWC) or Chocolate Mountains. Should the bill be amended to include with withdrawal of China Lake NWC, we request that language be added, as was done in S21 in Section 705(g), clarifying that the Secretary of the Interior be responsible for the administration of geothermal leases and for the issuance of associated permits, rights-of-way, other authorizations and approval of required environmental impact mitigation measures within the leasehold.

The adjustments made to the WA and National Park boundaries to address the City's concerns did not consider the potential expansion of the NTC. Should the NTC be expanded to engulf the existing transmission lines and utility corridors, the presently agreed to WA and National Park boundary adjustments will need to be reevaluated. We have appreciated your attention to our concerns and are optimistic that your bill to protect the California Desert will be enacted.

Sincerely,

TOM BRADLEY,
Mayor, City of Los Angeles,
JOHN FERRARO,
President, Los Angeles City Council.

CATELLUS DEVELOPMENT CORP.,
November 13, 1991.

Hon. GEORGE MILLER,
Chairman, House Committee on Interior and Insular Affairs, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: As you know, Catellus Development Corporation's concerns with H.R. 2929 have focused on the impact that the bill's wilderness and park designations would have on the value of some 410,000 acres of Catellus's landholdings included within those designations. The amendment which you are proposing to add to the bill goes a long way toward providing Catellus with assurance that it will be compensated for the loss of use of lands placed in the bill's park units and wilderness areas. With the addition of your amendment, we hope to be able to accommodate the public interest in having the Federal government acquire our inholdings first by attempting in good faith to reach agreement on exchanges and then if necessary, by using the property account mechanism for exchanges. We fully support the amendment and would no longer oppose H.R. 2929 if the amendment is adopted.

You and the other cosponsors of H.R. 2929 have attempted to be accommodating, and we appreciate the hard work staff has done to address Catellus's concerns.

Sincerely,

WILLIAM C. MATHESON,
Vice President,
Sales and Land Management.

STATE LANDS COMMISSION,
Sacramento, CA, October 15, 1991.

Hon. MEL LEVINE,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN LEVINE: We have reviewed the Interior Committee amendments to Section 607 of your H.R. 2929. We support the amendment and will support the bill, if amended as proposed. We appreciate the time and effort Ms. Betsy Ford has devoted to this matter, as well as, the efforts of Ms. Melanie Beller of the subcommittee and Ms. Lori Sonken of the full committee.

Cordially,

CHARLES WARREN,
Executive Officer.

CALIFORNIA RETIRED
TEACHERS ASSOCIATION,
Sacramento, CA, October 25, 1991.

Hon. GEORGE MILLER,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MILLER: Thank you for your letter on the recent amendments to the California Desert Protection Act (H.R. 2929) to include Section 610 of the Act. This section replaces the provisions of Section 607 which had been deleted from the bill during subcommittee action.

I am writing to provide you with a formal letter that the California Retired Teachers Association (CRTA) will support H.R. 2929 with the inclusion of Section 610. We also will request Senators Cranston and Seymour to support Section 610 when the bill is considered in the Senate.

Once again, thank you for your support of our concern and assistance in reintroducing language to protect the interests of retired teachers in state school land exchanges.

Thank you for your consideration.

Sincerely,

DAVID WALRATH.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Mr. LEVINE of California. I am happy to yield to my friend, the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I believe my colleague will recall a very private meeting we had in my office in which we were discussing differences that may occur on this bill. I suggested that the very small clique of elitists that I referred to earlier who now are opposed to this bill and who initiated the process the gentleman has been involved in should sit down with me and tell me why they walked away from the table that was a public process in the first place. I asked the gentleman to get them to sit down. They refused to sit down.

Mr. BLAZ. Mr. Chairman, I yield 5 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

□ 1820

Mrs. VUCANOVICH. Mr. Chairman, I am pleased that the Rules Committee made in order the amendment offered by my friends from California, Mr. LEWIS, Mr. MCCANDLESS, Mr. THOMAS. This amendment in the nature of a substitute would designate about 2.4 million acres of wilderness, compared with more than 8 million acres under the reported bill.

Mr. Chairman, H.R. 2929, as reported by the House Interior and Insular Affairs Committee, would blindly designate 50 of the 76 wilderness study areas as part of the Wilderness Preservation System without the benefit of complete U.S. Geological Survey and U.S. Bureau of Mines studies.

These studies are required by section 603 of the Federal Land Policy and Management Act for areas recommended for inclusion in the Wilderness Preservation System. But, these studies were not completed on these 50 areas because the administration does not recommend them for inclusion as wilderness.

Therefore, millions of acres for which we have no properly prepared mineral assessment will be withdrawn from mining activity despite the strong potential for strategic and valuable minerals.

Mr. Chairman, the process which generated this bill is greatly flawed. The administration's proposal, which Mr. LEWIS will offer as a substitute, represents years of effort and compromise.

Because the environmental lobby did not win on every single point within the compromise, these special interest groups now insist upon H.R. 2929. They want it all.

When this body, by way of the Interior Committee, embarks on one of the largest land-protection measures in history with incomplete knowledge of the mineral content of these lands, we cannot fully understand the broad and far-reaching ramifications of our actions.

Does this body believe that we should lock out multiple-use activities from 8 million acres of land without knowing what is under the ground? Apparently so. Any other approach might be wise.

Mr. Chairman, I urge my colleagues' opposition to H.R. 2929 and to the process which begat it. Let us send a message to the Interior Committee and demand a bill that is fully understood.

Mr. Chairman, at this time I would like to engage the gentleman from California [Mr. LEWIS] in a colloquy.

Mr. Chairman, we have been hearing a great deal these days about the economy from our majority colleagues here in the House. Has any analysis been done regarding the potential employment impact of H.R. 2929?

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Mrs. VUCANOVICH. I yield to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. I thank the gentlewoman for yielding.

To my colleague from Nevada I say first I appreciate not only her remarks about the bill, and want to associate myself with those remarks, but the question she is asking is a very important question. The answer is simply "yes". In September 1990, the Bureau of Mines released an extensive mineral study of the 1.5 million acre east Mo-

jave area. That report discussed the various public land options under the park or monument alternative incorporated into H.R. 2929, the local economies stand to lose $90 million in tax revenues and 1,900 jobs—all of this as unemployment is on the rise and as State and local governments in California are increasing taxes to cover their shortfalls for the most basic of services.

Mrs. VUCANOVICH. I would ask the gentleman whether other options for balancing exist in mining with wilderness in the east Mojave.

Mr. LEWIS of California. That is the whole point of the public and open planning process created by the passage of FLPMA in 1976 and reflected in my substitute. The substitute minimizes conflicts even as it preserves unique areas. In the east Mojave, seven permanent wilderness areas totaling nearly 300,000 acres would be designated. These lines were drawn to minimize conflicts with existing mines as well as deposits that had been claimed and would likely be developed.

Tax losses in this scenario, according to the Bureau, are more likely to be somewhere around $3 million versus $90 million, and perhaps 200 jobs versus roughly 2,000 jobs.

Mrs. VUCANOVICH. I thought that the gentleman from California who chairs the subcommittee announced that all active mines had been deleted from the bill at the press conference announcing the introduction of H.R. 2929?

Is that the gentleman's understanding?

Mr. LEWIS of California. I heard the gentleman repeat that statement as well here in his testimony on the floor. That was my understanding of the announcement, but that is not what the bill does.

In fact, the east Mojave has seven active mines which would all be within the New East Mojave Monument if H.R. 2929 is adopted. During the markup of this bill, the gentleman from West Virginia, who chairs the Subcommittee on Mining and Natural Resources, referred to the proposed Mojave monument as the "Mining National Park" and congratulated the committee for its efforts to preserve large open pit mines such as the gold mine in the Castle Mountains within this area.

Mrs. VUCANOVICH. So what is the problem? The Park Service does have statutory authority to manage mines and the experience to minimize these conflicts.

Mr. LEWIS of California. The gentlewoman from Nevada, one more time, has made a very important point.

We have checked with the mining industry and the Interior Department. We have been unable to find a single instance of an open-pit heap-leach mine in the lower 48 States on lands administered by the Park Service. Moreover, it would be highly unusual to find any individual park with seven active mines. In fact, the Congress typically tries to avoid these conflicts when parks are created. That was the gentleman from California's intention but that is not what the bill does.

I must say it is these kinds of complications that require the public process that we are trying to implement with the process we will be discussing later.

Mr. Chairman, I thank the gentlewoman for yielding.

Mrs. VUCANOVICH. I thank my colleague. I urge my colleagues to oppose H.R. 2929.

Mr. LEHMAN of California. Mr. Chairman, I yield myself 30 seconds.

I do so for the purpose of stating a clarification. The facts are as I have stated them. There are no active mines in wilderness areas in this bill. The mine which the gentleman referred to is in the park but not in wilderness area even within the park and can continue current operation.

There are none. I would further point out that, according to the U.S. Department of Commerce, there were 1,199 mining jobs in all of San Bernardino County in 1987. With the protection we have in this bill, we feel they will be protected.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. I thank the gentleman for yielding.

Let me say that I rise today in support of the amendment that will be offered by Mr. VENTO and Mr. BLAZ and also along with the amendment offered by my friend, the gentleman from California [Mr. LEHMAN], as well as support of H.R. 2929, the California Desert Protection Act.

To my colleague, the gentleman from California [Mr. CUNNINGHAM], whom I am glad to see is here in the Chamber, who questioned whether had this lady been strapped into a jet, that she might understand things a little bit better. Let me assure him that I have indeed been strapped into a jet. I have my copy of trail hook here to prove for him that that is the case.

I need not say that I have 11 trap shots and 11 cattle shots from the U.S.S. *Kennedy* on A-6's and F-14's. I also happen to be the only female who has ever flown in an SR-71 over Mach 3.2.

Having said that, I will not question his credentials, because I am well aware that he is indeed top gun.

But some, even women, have had jet fighter experience. And, yes, I have been over China Lake and I have been over Chocolate Mountain and I have been to Fort Irwin.

Having said that, we will now talk about the legislation that is before us. This bill is not perfect, but I feel it represents a sincere attempt at solving some of the ongoing differences that the committee has faced between the Department of Defense, environmental organizations and hunting groups.

For example, the amendment offered by Mr. LEHMAN would, in my opinion, improve the bill by deleting the wilderness designation for 3 years of BLM lands around Fort Irwin, something the military has requested, and allow them to remain as wilderness study areas.

As we all know, Fort Irwin is perhaps this Nation's most important and effective desert training center, as illustrated by our troops' performance in Desert Storm.

Therefore, it must be able to be maintained at this level of training without a constant concern over the future of its surrounding lands.

In addition, Mr. Chairman, during the subcommittee's consideration of H.R. 2929, the subcommittee found itself once again facing strong disagreement over the overflight language and land withdrawals. In fact, back in 1987, I introduced legislation that attempted to address this very issue with respect to Chocolate Mountain and China Lake.

I am pleased to see that my good friend and subcommittee chairman, the gentleman from Minnesota [Mr. VENTO], as well as the gentleman from Guam [Mr. BLAZ], have included some of my language into a compromise that has addressed the concerns from the Defense Department.

These issues were brought up at our hearings on November 5.

□ 1830

Mr. BLAZ. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I very much appreciate the gentleman from Guam [Mr. BLAZ], my friend, yielding this time to me. I appreciate the work that he has been doing on this bill.

Mr. Chairman, I first became aware of a wilderness problem shortly after I arrived as a Member of the Congress in 1979. Our former colleague and my friend, Philip Burton, came up to me, and looked me in the eye and said, "JERRY, you should know what wilderness is." Upon learning what wilderness is, I learned quickly that much of this issue we are discussing today crystallized some years before. My predecessor, Shirley Pettis, came to the Congress as a result of her husband's tragic death in a plane crash. Shortly after she arrived Philip Burton wandered up to Shirley on the floor, put his arm around her and said, "Shirley, your husband was carrying a measure when he was here having to do with desert wilderness in California, and it seems to me that we ought to see that that legislation is passed, and we ought to mark it in his memory." They went about their work and eventually that

became the bill that has been referred to several times already, the Federal Land Plan and Management Act, FLPMA. It was passed in 1976, and within that act all of the parties, liberals and conservatives, moderates and otherwise, environmentalists and people who are concerned about mining and grazing came together in a very complex process. FLPMA established a means whereby those conflicts could be handled. It created a public commission, the names of which were outlined earlier, reflecting a whole mix of interests in the desert, as high a quality commission as my colleagues can imagine. They had 4 years of public hearings, 40,000 individual inputs, and the BLM was instructed to come forth with a plan by the end of this year.

Mr. Chairman, they came forth about 3 months ago, and that plan has been totally ignored. It will not be ignored later as we discuss the substitute on behalf of the four Members who represent the desert. That substitute, if adopted, will create the largest wilderness area ever established in the continental United States, some 2.3 million acres of wilderness.

It is not like we are ignoring the need to protect those delicate areas of the desert. The reality is that the desert needs multiple use.

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

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California [Mr. LEWIS], my colleague, for yielding. I think he has made a very important point that needs to be absorbed by my colleagues on both sides.

Mr. Chairman, the Lewis substitute provides for an unprecedented wilderness apportionment. It is 2.4 million acres. This is a wilderness plan that has been, I think, labeled a plan that exploits the wilderness, that exploits our resources, that somehow allows modern commerce to run roughshod over the environment.

Am I right in understanding the gentleman's statement, that this is the biggest new introduction of wilderness lands, should the Lewis substitute pass, of all time?

Mr. LEWIS of California. Ever created in the Continental United States; that is correct.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I must mention that I appreciate the comment of the gentleman from California [Mr. HUNTER]. It is a vast area, this desert, and my own portion of the desert will hold four eastern States. Within that desert, however, my portion has Fort Irwin, the national training center for the Army, as well as the Twentynine Palms Marine Base. Those bases provided the fundamental training that allowed our troops to be so successful during the recent battle in Desert Storm.

Mr. Chairman, I think it is very important for us to note that Fort Irwin was critical in our recent success in the Middle East. General Schwarzkopf said this about this installation: "It is the best investment the Army has made in 35 years, that I have been in the Army. The reason why we did so well in Desert Storm was because every commander we had over there had some kind of involvement in NTC."

It is going to be suggested that there will be amendments later that will solve the problems that might relate to that training process. That is not the case. We will submit for the record a recent study that was done by our own Congressional Research Service. It will outline the need for coordination between Twentynine Palms and the National Training Center for the Army. If we are going to continue to be successful, we must have this capacity to train and retrain our troops, and there is room to have lots of wilderness territory and still maintain appropriate this vital facility.

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

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

Mr. BLAZ. Mr. Chairman, I yield 2 additional minutes to the gentleman from California.

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

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. McCANDLESS. Mr. Chairman, I have a lot of respect for our colleagues on the other side of the aisle and what they are attempting to do, however, I think some of the information that has come forward has somewhat been misplaced and lost in the analysis. Let us go back to the 1976 bill which the gentleman referred to and the origin of that bill.

The fact is, Mr. Chairman, that this committee, that we have talked about earlier, did its work and did it well. There is an impression that nothing has happened since that committee completed its basic work. It is something that is my understanding, I say to the gentleman from California, that we had to have the staff completion of that work, the review of the wilderness areas.

Is that the gentleman's understanding?

Mr. LEWIS of California. Mr. Chairman, that is my understanding. The gentleman from California [Mr. McCANDLESS is correct.

Mr. McCANDLESS. And that there had to be numerous types of maps, and detailed drawings, and research projects done after the general format of the committee had been completed.

Is that the gentleman's understanding?

Mr. LEWIS of California. The gentleman is correct.

Mr. McCANDLESS. And that all of that takes a little while, but the most important part of all of this is that the plan, and the wilderness aspect of it, was to be completed by 1991, and since the Congress is the only one who can designate wilderness, that is why we have reached this point.

Is that correct?

Mr. LEWIS of California. The plan was being submitted by the end of this year, and it was submitted about 3 months ago, and the plan very much reflects the original intent of the Congress.

Mr. McCANDLESS. So, this plan, as originally conceived by the legislation created in this House and then passed into law, is on schedule and has moved on in the manner in which it was intended by the original legislative act.

Mr. Chairman, is that the gentleman's understanding?

Mr. LEWIS of California. That is my understanding.

Mr. McCANDLESS. So, we have not dilly-dallied along, nor have we modified this or modified that because of some personal gain on the part of individuals or corporations that have a direct interest in the area.

Mr. LEWIS of California. I must say that all the constituents who have an interest in the desert had a chance for input in that process, including the gentleman and I. In the process by the authors of 2929, we have had no opportunity for input.

Mr. McCANDLESS. Mr. Chairman, I thank the gentleman from California.

Mr. LEHMAN of California. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina [Mr. RAVENEL].

Mr. RAVENEL. Mr. Chairman, I am proud to be a cosponsor of this bill. I sincerely believe that it will provide the California desert the protection that only this Congress can give and that these lands desperately cry for.

Mr. Chairman, one of our great Presidents, early on, had the foresight to understand the need to protect our precious, unique, natural resources. His name was Teddy Roosevelt. He believed that wilderness and wild places are sources of renewal for the soul. It is because of his efforts that we now enjoy many of the natural and splendid wonders that our Nation has to offer.

In South Carolina we have such places that offer this renewal, this refreshment of spirit, that have received protection from Congress. Among them the Congaree Swamp National Monument stands out in my mind.

Mr. Chairman, in the tradition of Teddy Roosevelt, this far-reaching legislation for the California desert would set aside large tracts of our western lands as part of wilderness areas for future generations to enjoy. Our opportunities for such action as this bill pro-

vides, grow increasingly limited, so I am very pleased that we have it under active consideration tonight.

Mr. Chairman, the time to protect the California desert has come, right now, before it is too late. I thus enthusiastically support this legislation and urge my colleagues to vote for it.

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Mr. BLAZ. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. THOMAS], who is the Member most affected by this bill.

Mr. THOMAS of California. Mr. Chairman, I thank the gentleman for yielding time to me.

Interestingly enough, I believe that I do have more acres affected by this bill than anyone else in California. I would have liked to have said that I was a vital participant in what was done with the district that I have and do represent.

I represent Edwards Air Force Base and the Naval Weapons Center at China Lake, all in Inyo County, which contains all of the California portion of the Death Valley National Monument and a number of other areas.

I am not going to go into any kind of a dialog about process. I think it has been abundantly clear here that the Members who are offering this bill have as their primary clients people who certainly are not interested in consulting with the four Members who represent the desert. It has been proven time and again that the Members who actually represent the constituents are a byproduct of this process, that the people who elected a Member from Minnesota or another Member from a different portion of California have had far more input in this process.

There is no question that the committee process we operate under here in large part dictates that, but at some point those who represent the areas would have linked to have been considered willing partners, or even unwilling partners, or partners defined in any way you want to define it.

In a discussion away from the microphone, I reminded the gentleman from California, the principal author of this bill, that we really had not talked much about it. He reminded me that in fact he did call me. When he introduced the bill, he called me to apologize that he had not let me know that the bill was going to be introduced.

Briefly, in terms of the so-called amendments to solve the defense problems, I have a letter from the Acting Secretary of Defense dated November 21 which says this pretty unequivocally about H.R. 2929:

> Adoption of amendments to H.R. 2929 expected to be offered by Congressmen Vento and Blaz would address defense concerns related to military overflight, the National Training Center, and land withdrawals, but H.R. 2929 would not address the following defense needs.

And he outlines the areas in which H.R. 2929 would still be deficient, including the Naval Weapons Center at China Lake, and he says that these defense needs would be addressed in H.R. 3066.

He goes on to say this:

> Effective training of the U.S. armed forces today depends on military facilities in California. Enactment of H.R. 3066 would assist in ensuring effective training at military facilities in California. Enactment of H.R. 2929 would degrade the effectiveness of military training.

Even with the amendments, and they urge the House of Representatives to oppose H.R. 2929. It is signed by the Secretary of the Army, Acting Secretary of Defense.

Do not let anyone have you think that these amendments, even those by the proponents of the bill at the last minute, on a bill supposedly that had been compromised over a couple of years and looked at for some time, are going to solve the problem, because they do not. H.R. 3066 does solve the problem.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of California. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, did I understand the gentleman correctly? I heard earlier that this was a great compromise on the part of the majority. Is the gentleman telling me that even though he had the most acreage, they never discussed a compromise with him or negotiated with him as a Member who represents that huge area of the desert?

Mr. THOMAS of California. The one phone call I received that I was reminded of was to apologize for not letting me know it was introduced. Then they somehow, even though I represent this area and they are my constituents, assumed that I am supposed to trail along behind these people as they make negotiations and decisions. They do not think they should discuss with us the territory.

Let me give one example.

Mr. LEVINE of California. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of California. This is one example of how H.R. 2929 has come along. The Death Valley National Monument in H.R. 2929 places a number of BLM acres within what is now a national park.

I would yield to the gentleman from California if he wants me to yield to him, and I would ask him a question. Is he familiar with the Cottonwood Mountains?

Mr. LEWIS of California. It appears we are moving right along.

Mr. THOMAS of California. Yes, moving right along.

Is the gentleman, from his memory and experiences in the desert, familiar with the Cottonwood Mountains?

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

Mr. BLAZ. Mr. Chairman, I yield 1 additional minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Mr. Chairman, I ask again, is the gentleman familiar with the Cottonwood Mountains?

Mr. LEVINE of California. I am generally familiar with the Cottonwood Mountains.

Mr. THOMAS of California. Where are they?

Mr. LEVINE of California. They are within the confines of this legislation.

Mr. THOMAS of California. They happen to be in the confines of the Death Valley National Monument. They were one of the primary reasons the northwest boundary of the national monument was placed there. They are mountains that are 9,000 feet high, with no roads across them.

The gentleman wants to put thousands of acres on the northwest portion of that mountain in the national park. They are currently under BLM. He does not want them in wilderness until BLM. BLM manages those lands out of Big Pine, 40 miles away, at an enormous savings to the taxpayers. He wants to put them in this new park, the national park, at 10 times the amount to manage that acreage, and those Park Service rangers are going to have to drive 150 miles around the base of those mountains to try to negotiate a management of lands that should be in BLM territory.

That is the kind of decision made by people who either do not know the territory or do not care about it.

Mr. LEVINE of California. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of California. What I am trying to say is that one simple consultation with a Member who represents the area would have said, "Sure, let's work it out."

I have had that experience with Mr. Burton, from California, on wilderness when I was consulted and worked with him. We had an agreement on a map as to how we handled wilderness.

There was no consultation whatsoever here. You have created enormous drains on the taxpayer, and you should take a look at what you have done in your own bill.

Mr. LEHMAN of California. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. Mr. Chairman, I appreciate the gentleman's yielding time.

Mr. Chairman, we can get into this in as much detail as the gentleman wants. On the issue of process, I have two letters in my hand here. I will submit them for the record. Both of them were sent to one of the gentlemen on the other side. Both were sent to the gentleman from California [Mr. LEWIS], urging him to discuss this.

Mr. THOMAS of California. Does the gentleman have in his record a letter sent to me?

Mr. LEVINE of California. If I could have my 30 seconds, I would say to the gentleman from California——

Mr. THOMAS of California. Does the gentleman have a record that he sent a letter to me?

Mr. LEVINE of California. I would say that the gentleman from California knew about this.

Mr. THOMAS of California. Does the gentleman have in his record a letter to me?

The CHAIRMAN. The time of the gentleman form California [Mr. LEVINE] has expired.

Mr. THOMAS of California. Does the gentleman have a letter sent to me? I have a million acres in this bill. Does he have a letter to me?

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

Mr. LEHMAN of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I rise in strong support of H.R. 2929, designating 7.5 million acres for national parks and national wilderness areas.

This is a marvelous benefit to the American people. I can see that there are some bruised noses around here. There have been questions of turf, but our real constituents are the American people, and they value these parks. They value these wilderness areas.

I was in Yosemite last year and spent several days with a wonderful Park Service officer who managed it, and he told me with great pride how in a sense that park was overutilized and overstressed and strained. Such was the popularity of our national parks and wilderness areas with the American people. He told me with great pride that a significant percentage of the visitors to Yosemite come from abroad. They come from Japan and from all over Europe, and he stressed what an attraction these national parks and national wilderness areas are to people all over the world who yearn for the richness and the inspiration of these wide open spaces that are so brilliantly maintained by the National Park Service.

As this country proceeds down the road to further growth and further process, we need to set aside these special places for the benefit of future generations so that we may preserve our Earth in its natural and unaltered state and provide parks where people can enjoy nature's beauty and wilderness areas where wildlife can run free, and where we can preserve not only flora and fauna but ecosystems.

□ 1850

There are getting to be fewer and fewer of these places. We must act to preserve those that are left, to ensure that future generations of Americans can enjoy California's rich array of natural wonders.

These bruised feelings we have heard about may be bruised tonight, but the American people will enjoy the benefits of these parks for generations to come. I am proud to be a Member of Congress and to vote for this wonderful measure.

Mr. BLAZ. Mr. Chairman, might I inquire the time remaining for both sides?

The CHAIRMAN. The Chair would like to report that the gentleman from Guam [Mr. BLAZ] has 4 minutes remaining, and the gentleman from California [Mr. LEHMAN] has 4½ minutes remaining.

Mr. BLAZ. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, the great conservationist Aldo Leopold said one of the greatest gifts you can have is the ability to perceive and appreciate that which is wild.

The point which we are missing here, and my friend, the gentleman from California [Mr. LEVINE] talked about having the great campfire under the stars with his children, is that in passing this desert lockout bill we are taking away the experience in the future for literally hundreds of thousands of Californians, working Californians, to drive to the desert areas where they have been in the past and have that wildlife experience.

Mr. Chairman, if you go to the South Algondones Dunes that are visited by 160,000 people, mostly off-road enthusiasts who average about $30,000 income a year, who want a place to be able to take their kids, to have a campfire, who want to return to the same place they were at last year, those people will be locked out.

Nobody on that side of that aisle can get up and explain to me how these families are now going to be able to backpack in heat that averages 97 degrees in the summertime through heavy sand dunes to get to that same little wash, that same palo verde tree, that same little niche of the wild that they have been enjoying for years and years.

This is a lockout bill. It does not lock out wealthy Californians who can fly to New Zealand to do fly fishing. My friend, the gentleman from California [Mr. LEVINE], has been extremely successful on the fundraising circuit. I wish him well, and I know he has raised millions. None of these blue collar people have been to these fundraisers, but they still count. They are Americans who need to have a place to go and recreate, and they are going to be locked out of these massive areas in my district, at least, in very large numbers; 160,000 of them will be closed off in the 45th Congressional District.

Mr. Chairman, I ask Members of this House to vote against the desert lockout bill and vote for the Lewis substitute.

Mr. LEHMAN of California. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I rise today in support of H.R. 2929, the California Desert Protection Act, and I urge my colleagues to support it.

I would like to commend the gentlemen from California, Mr. LEHMAN and Mr. LEVINE, for their diligent work in trying to forge a consensus among this measure.

We have heard statements that Government Representatives from California that represent the desert are all opposed to this. Well, I am a Congressman from California that does have significant acreage in this bill that does support this measure.

For a number of years I have had serious concerns about earlier desert bills, whether or not they afforded the protection to people that made their living on it, ranchers that grazed cattle on it, mining operations there, and I refused to come out in support of those. But we have a bill today that provides that protection for mining. It provides for a phaseout of cattle ranchers. It gives consideration to the people that are making their living off of this land that we have to consider.

Mr. Chairman, I also would like to respond to some comments of the earlier speaker, one thing this is a lockout bill. There are 5,000 acres provided for overland off-road vehicle access. There is 20,000 miles of roads for jeeps that they can partake in. That does not constitute a lockout.

Mr. Chairman, I urge Members to support this bill. This bill deserves to become law. It promises to preserve for all Californians, for all Americans, a legacy of recreational opportunity, wildlife habitat, and cultural resources of the great California desert.

Mr. Chairman, once again I commend the gentlemen from California, Mr. LEHMAN and Mr. LEVINE, and I urge all Members to support H.R. 2929.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield for just a moment about his district?

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

Mr. LEWIS of California. Mr. Chairman, the gentleman from California [Mr. DOOLEY] may know that we called him to discuss the fact that my substitute has two wilderness areas in his district that are not affected by 2929, and we did show the gentleman the courtesy to talk to him about it at least.

Does the gentleman recall that?

Mr. DOOLEY. Mr. Chairman, reclaiming my time, I do not recall at this time.

Mr. LEWIS of California. It may have been with the staff of the gentleman.

Mr. DOOLEY. I do not have a record of this in my file either.

Mr. BLAZ. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I had to take on the only gentlewoman from Maryland [Mrs. BYRON] that had served time in a jet. The gentlewoman also tells me that she had attended Tailhook. I would like to find out the words of the gentlewoman from Maryland [Mrs. BYRON] on the Tailhook reunion.

Mr. Chairman, I step forward in strong opposition to H.R. 2929. I have a letter here which is a side-by-side account of what the costs are. I have got all the differences in the amendments of the military bills. I have letters from all the Secretaries of Defense that are opposed to 2929, from Dick Cheney, and the military will be hurt by 2929.

When I spoke about the gentlewoman from Maryland [Mrs. BYRON], I spent 21 years in the Navy as a professional. As a matter of fact, I devised some of the routes over those areas myself, I used them in 300 combat missions over Vietnam, and over the Middle East in Israel.

If 2929 goes into effect the military will be adversely affected.

The Blaz amendment, although it does try to alleviate some of these things, does not cover all the areas.

The Vento amendment is smoke and mirrors. It only addresses overflights and has no perception of what and how it will affect the military.

Mr. LEHMAN of California. Mr. Chairman, I yield 2½ minutes to the gentleman from Minnesota [Mr. VENTO], the chairman of the Subcommittee on National Parks and Public Lands, who has contributed so much to this legislation.

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

Mr. Chairman, Last week Time magazine had a cover article that talked about the vanishing California dream. I hope that the Members will think about that in what they are talking, about, the natural environment, what was happening to California.

What is happening to this California desert I think is a pretty good example. There are 25 million acres in the California desert. It is within about a 1-hour drive to 15 million people.

What is happening to it is it is getting loved to death. Everybody likes it. They want to do everything they want to do, and that is what has been happening, to a great extent.

We have put away outside some outstanding areas and parks in Death Valley and Joshua Monument, but that is what the 1976 FLPMA Act was about in terms of bringing to this Congress and forcing us to make a decision.

It is a painful decision. It is not an easy one. We have to take some discipline upon ourselves in order to, in fact, prevent this from being loved to death, and that is what this legislation is all about.

I know my colleague has a substitute that goes all over California looking for a focus and looking to solve problems in terms of wilderness. But this issue is about the California desert. It is not about a statewide bill that he professes to endorse.

So I want to commend my colleagues from California, Mr. LEHMAN, and Mr. MILLER, and Mr. LEVINE, for taking on this issue. It is a tough issue, and it is a tough one for the local people that have to effect it.

But we went out there and talked to those people. We had hearings. We heard from hundreds of witnesses in the last Congress.

The gentlemen from California, the gentlemen that are here, all joined us at many of those hearings. We gave an opportunity for input and had that feedback so we knew what the impact was. And there was still disagreement. There is still disagreement here.

Someone I think takes the opinion that somehow if we have committee meetings, we are going to be able to resolve all of this and come up with something called truth that we can all support. Well, that is not the legislative process. It is a process of consensus, it is a process of argument.

But these areas, no one can argue that they do not deserve the wilderness designation that they receive under this bill. Two-thirds of the land in the desert remains open for a multiple of other uses. There are nine military bases and installations in these areas and hundreds of communities. Yet we still have the opportunity to take this fragment in these pristine areas, part of the Mojave Desert, part of the Sonoran Desert, and save them and try to retain the beauty of that great State and the dream that has been California, and something that I think all Americans can benefit from.

So I hope in this debate that we will keep that foremost in mind as we move forward.

Mr. Chairman, I rise in strong support of the California Desert Protection Act as reported by the Committee on Interior and Insular Affairs.

Others have noted, this is a very important and farreaching measure. It would make the largest additions to the National Park System and National Wilderness Preservation System of any bill since President Carter signed into law the Alaska Lands Act in 1980.

The lands that the bill would place into national park and wilderness status include a great diversity of priceless resources and values that eminently deserve the protection that the bill would provide. At the same time, the bill leaves open to multiple uses more than two-thirds of the public lands within the California desert.

Mr. Chairman, the two gentlemen from California, Mr. MILLER chairman of the full committee, and Mr. LEHMAN, chairman of the subcommittee with prime responsibility for this bill, deserve the thanks of the House for bringing to the floor this sound, balanced, and worthwhile bill. It deserves the approval of the House.

I have a particular interest in this bill because in past years the subcommittee on National Parks and Public Lands, which I chair, had the responsibility for conducting the hearings that laid the groundwork for the Interior Committee's actions on California desert legislation this year. We had very extensive hearings, both here and in California, and heard from literally hundreds and hundreds of witnesses concerning all the issues that are addressed in this bill and in alternative approaches.

In addition, for many years some of us have been involved with proposals to renew the authorization for military use of millions of acres of public lands in California used for many years for very important testing and training activities.

In fact, in 1987 the House passed a bill, introduced by the gentlewoman from Maryland, [Mrs. BYRON], a member of both the Interior and Armed Services Committees, that would have authorized continued military uses on these lands, but the Senate did not act on that bill.

Because this is a matter that needs to be resolved, last month I introduced a bill—cosponsored by Chairmen MILLER and LEHMAN and the gentleman from California, [Mr. LEVINE—to again authorize military use of the China Lake Naval Testing Center, the Chocolate Mountain Aerial Gunnery Range, and the El Centro Range Areas. I have also prepared an amendment, which is made in order under the rule, to add similar provisions to H.R. 2929 and to also add to this bill language clarifying the ability of the Armed Forces to continue existing low-level overflights of the lands dealt with in the bill.

The gentleman from Guam, [Mr. BLAZ], also has an interest in this matter and has filed a similar amendment. Therefore, I have worked with him to develop a Vento-Blaz amendment which could be offered on a bipartisan basis. I am glad to be able to say that we have reached an agreement and that at the appropriate point Mr. BLAZ will ask unanimous consent to modify his amendment so that the bipartisan Vento-Blaz provisions can be offered.

Even without the provisions that would be added by the Vento-Blaz amendment, this is a good bill deserving of our support. If the gentleman from Guam is permitted by unanimous consent to modify his amendment and the Vento-Blaz amendment is adopted, it will be an even better bill, and I urge the House to add such provisions, and to give overwhelming approval to H.R. 2929, the California Desert Protection Act of 1991.

Mr. BLAZ. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. Mr. Chairman, the environmental party in American politics, the unelected leaders who work in the beltway here in Washington, DC, is the influence that will cause how this Congress resolves this issue. The reality is that the political pain of Members of Congress in crossing the interests of the environmental party is far more profound than the political pain that any of us experiences in crossing the interests of the development, of the business, and of the energy segment of America.

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That is why this bill that seeks to lock up so much of California is probably going to pass.

I have served on the Committee on Energy and Commerce for my 13 years here, and I have dealt with these Members. This environmental party has to be explained to the American public.

They have got another agenda for the country. They want to change America into a society that worships the creation, not the creator.

At a time when we need to be establishing energy independence in this country, the possibility of the Bush energy plan is being stymied because of the environmental party's obsession in obstructing the energy independence of this country.

Mr. ASPIN. Mr. Chairman, I rise in support of H.R. 2929, the California Desert Protection Act.

I believe this bill accomplishes two important goals—protecting our Nation's natural resources, while maintaining significant military activities.

As chairman of the Armed Services Committee, I recognize that our military forces must train as they will fight. The success in Operation Desert Storm demonstrated the vital importance of our facilities in the southern California desert. We clearly need to maintain adequate training and testing facilities to meet the military's needs—both today and in the future.

While the public is showing a high level of support for our military, there has been increasing awareness of our responsibilities, and a greater demand, to protect and improve our environment, and particularly our great natural resources.

H.R. 2929 and the amendments offered today to address the military needs will fulfill both goals. These amendments will withdraw 1.3 million acres of land, allowing for its continued use for military purposes. The amendments will address the issue of overflight as well.

I want to commend my colleagues on the Interior Committee, Congressmen LEVINE, LEHMAN, and VENTO for their willingness to address the military's concerns.

Therefore, I will support their amendments, and H.R. 2929.

Mr. BROWN. Mr. Chairman, as a representative for both Riverside and San Bernardino Counties, both of which have vast amounts of land included in the California desert protection proposal, I can assure you that there is a need to protect the desert of California during this session of Congress. Prolonging the process will mean one thing—further degradation of the once-pristine area.

The proposals that have been submitted provided us with an opportunity to break the deadlock and preserve for future generations our California desert. While recent efforts to preserve a greater portion of the California desert have been unsuccessful, I am hopeful that we will be able to work with the Senate and the administration to reach a compromise—to accommodate the competing interests and various users of the California desert. I urge all Members who have devoted time and energy to this effort to continue working so that we can enact a California Desert Protection Act. It has been a longtime coming, and the need to preserve this area becomes greater each year Congress fails to act.

In 1978, I introduced a bill to establish the Mojave National Park. Although this legislation was not passed, it did place pressure on the Bureau of Land Management to protect this area. It also resulted in the designation of the East Mojave National Scenic Area—the first of its kind in the country. In addition, the discussion that took place helped increase public awareness of the need for desert protection.

Over 10 years have passed, and I can assure you that today there is a much greater need to preserve our California desert than there was in the 1970's.

I can assure you that there are very real and present dangers that threaten our California desert. It is up to Congress to take the lead. It is our responsibility to offer long term protection for our California desert.

In so doing, however, we must strike a balance that will allow for the multiple use of the desert. As the Los Angeles Times recently commented, "Too much of the desert, which is remarkably fragile and takes generations to recover from human abuse, already has been exploited on the premise that it is not good for much else." It is good for much else. It is a treasure that demands protection.

The question before us is whether or not we want to move forward and act progressively. While we wait, however, the plans for making the desert a dumping ground are moving forward. Let's break the stalemate and pass a Desert Protection Act. All groups interested in protecting the desert must join together, break the impasse that has evolved over the years, and provide protection for this most precious natural resource.

Mr. DOOLITTLE. Mr. Chairman, no single issue is more volatile in California than the issue of water. Yet water is one issue in this debate of H.R. 2929 that has been largely ignored. That oversight could have a devastating impact, not just on southern California, but on the entire Western United States, where water is the key to growth and economic survival.

The sponsors of this bill have tried to lull opponents into a false sense of security by telling us not to be concerned about the water rights language in this legislation. They tell us, "it simply reserves a quantity of water to the Federal Government sufficient to fulfill the purposes of the act."

Additionally, we are told this is not the Colorado Rocky Mountains where downstream water users could be impacted, this is the California desert, and the only thing at issue are a few springs, seeps, and other surface waters that do not really matter to anyone except a few bighorn sheep, palm trees, migratory birds, and tiny fish.

Let us not be fooled. The precedent of a Federal reserved water right for millions of acres of the California desert should not be taken lightly. It is clear the purpose of this legislation is to stop growth and to stop development in and around public lands in the West. The California desert is only the first stop on a train that is barreling down the tracks toward other States and, in fact, aimed at the entire western United States.

I pose a hypothetical question: If there are so few surface water rights at issue and there are no downstream users impacted, why did the sponsors, including the chairman of the Interior Committee, the chief water rights expert in this Congress, include the language?

The answer is simple and can be stated in three words: Subsurface water rights. Picture this scenario: A few years hence, after millions of acres of wilderness are designated in the California desert, the Federal Government notices that some of its springs and seeps are drying up in a wilderness area, near Palm Springs. The language in this bill, giving the Federal Government a priority reserved water right could be used to prevent Palm Springs' landowners from drilling any new wells for water.

My colleagues could respond by saying, "So What? Palm Springs does not get to water its golf courses quite as much?" But the same legal contest of water rights could face the dozens of water districts that service the thirsty needs of millions of urban dwellers. The same threat of Federal intervention could threaten any jobs, growth and development of small towns and large cities in the entire southern California region, home to a majority of Californians. It could even affect future agricultural uses of the desert using subsurface water sources.

And if my colleagues are tempted to say again, "So what?," I would remind them that this wilderness proposal for the California desert is the first of a series of bills covering the entire Western United States that this Congress will be considering over the next several years. The precedent set here will either strengthen the hand of extremists who want to assert Federal water rights westwide as a backhanded means to stop growth, or by defeating this measure, it will reassert the historical and wise policy of States rights in this lifeblood issue.

The apparition of a westwide Federal reserved water right is real and its genesis is H.R. 2929. To ensure State control of our water and wise use of our natural resources, I urge my colleagues to support H.R. 3066 instead.

Mrs. BOXER. Mr. Chairman, I rise today in support of this important legislation. H.R. 2909, the California Desert Protection Act, will provide critical protection for this truly unique desert wilderness. It is also essential to protecting a priceless legacy of archeological, cultural, and ecological values.

The California desert, covering over 25 million acres, is a fragile ecosystem increasingly under siege. Large areas have long been extensively used for mining, grazing, and various forms of development. Without this act, further destruction of this precious resource is inevitable. Access roads, helicopter pads, quarries, and grazing animals—all have a destructive impact on the desert that time will not erase.

Further delay can only lead to continued, irrevocable degradation. I urge my colleagues to support H.R. 2909 and oppose any weakening amendments.

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of the Lewis substitute. It is balanced. It will allow the continued training of our armed services that proved so valuable in reducing casualties in the gulf war, and which will be

even more valuable in future conflicts as the size of our forces is reduced.

The amendment is based on 10 years of public involvement with all affected interests. And it is based on the professional expertise of all land management agencies.

And, Mr. Chairman it can become law.

Mr. ATKINS. Mr. Chairman, I rise today in support of the California desert protection bill, legislation that would designate over 4 million acres as wilderness, create a new national monument in the Mojave, and expand and redesignate Death Valley and Joshua Tree as national parks. What could be more appropriate during this 75th anniversary of the National Park Service than to add these environmentally and biologically significant units to the park system? For 75 years, the Park Service has preserved mountains, forests, rivers and streams, but never before has the Park Service protected the unique and fragile ecosystems that make up the California desert.

This environment is so fragile that the tracks left by the wagon wheels of the settlers remain an indelible mark in the landscape over 100 years later. It is home to many rare, threatened and endangered plant and animal species. It also contains many archeological treasures.

But by and large the agency with responsibility for managing the desert has failed to do so adequately. Despite the lessons learned from the remaining wagon wheel tracks, each year the desert is being destroyed at an increasingly alarming rate by the tracks created by off road vehicles. For example, a recent Department of the Interior inspector general's report calculated that an additional 600 miles of unintended new roads are carved out by rec-reationalists each year. But the inspector general also found that the BLM took few steps to protect the desert from these vehicles.

Mr. Chairman, California's burgeoning population places increasing pressures on the desert: Pressures for development, recreation, mining, and other activities, none of which the desert can sustain. The California desert protection bill is a well-crafted compromise that has been 6 years in the making. I hope my colleagues will join with me in supporting the bill and in opposing any amendments to weaken it.

One comment about the amendment proposed by Mr. MARLENEE which would allow hunting in the Mojave. What are we going to hunt there? One animal would be the rare desert bighorn sheep. Let me just say this, last month the Congress passed the Interior appropriations bill which included about $500,000 specifically for the reintroduction and restoration of the desert bighorn sheep. These funds will primarily be used in the California desert area. Under the Marlenee amendment, we would blow away this Federal investment with a few individual hunters' shotguns. I urge my colleagues to oppose this amendment and any others that weaken the protection provided in the bill.

Mr. RAHALL. Mr. Chairman, I rise as a member of the Interior Committee, and as the chairman of its Subcommittee on Mining and Natural Resources, in support of H.R. 2929.

The mining industry has made extensive claims that this legislation would bring mineral production in the California desert to a grinding halt, and that it would lockup valuable mineral resources.

The fact of the matter is that none of the active mines in the California desert conservation area would be placed within wilderness boundaries under this bill.

And, the fact of the matter is that the vast majority of mineral production in the CDCA is not for some type of critical or strategic mineral. It is for sand, gravel and stone.

Accommodations have been made. The largest gold producer, the Mesquite mine, is wholly outside of the proposal. The Mountain Pass Mine, which produces 97 percent of U.S. output of rare earths, was excluded from the boundary of the proposed Mojave National Park. There are numerous other examples.

Finally, it is true that this bill would place some mines within the boundary of the proposed Mojave National Monument.

And, as I stated during committee consideration of this measure, it is about time we recognize that we should be preserving big open pit mines for the benefit of present and future generations.

I would submit to my colleagues that mining, too, deserves the same degree of protection in our National Park System as do these other values.

I would say that the American people are clamoring, indeed, are eager, for the opportunity to load the kids into the station wagon and travel to southern California to visit the Mojave Mining Park.

Here, they will see firsthand, the machinery that is employed to move massive amounts of earth to uncover the ore body. They will hear the roar and rumble of D9's. They will inhale the rich aroma of diesel fumes on the desert air.

They will thrill at the site of cyanide drip dripping onto a leach pile. And, they will be astounded by the tailings piles soaring into the sky.

I say this, Mr. Chairman, partly in jest. The point is, though, that this legislation would not stop these mines from operating. All valid existing rights would be fully protected.

I urge my colleagues to vote for this measure.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2929

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "California Desert Protection Act of 1991".

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds and declares that—

(1) the federally owned desert lands of Southern California constitute a public wildland resource of extraordinary and inestimable value for this and future generations;

(2) these desert wildlands display unique scenic, historical, archeological, environmental, ecological, wildlife, cultural, scientific, educational, and recreational values used and enjoyed by millions of Americans for hiking and camping, scientific study and scenic appreciation;

(3) the public land resources of the California desert now face and are increasingly threatened by adverse pressures which would impair, dilute, and destroy their public and natural values;

(4) the California desert, embracing wilderness lands, units of the National Park System, other Federal lands, State parks and other State lands, and private lands, constitutes a cohesive unit posing unique and difficult resource protection and management challenges;

(5) through designation of national monuments by Presidential proclamation, through enactment of general public land statutes (including section 601 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2743, 43 U.S.C. 1701 et seq.) and through interim administrative actions, the Federal Government has begun the process of appropriately providing for protection of the significant resources of the public lands in the California desert; and

(6) statutory land unit designations are needed to afford the full protection which the resources and public land values of the California desert merit.

(b) In order to secure for the American people of this and future generations an enduring heritage of wilderness, national parks, and public land values in the California desert, it is hereby declared to be the policy of the Congress that—

(1) appropriate public lands in the California desert shall be included within the National Park System and the National Wilderness Preservation System, in order to—

(A) preserve unrivaled scenic, geologic, and wildlife values associated with these unique natural landscapes;

(B) perpetuate in their natural state significant and diverse ecosystems of the California desert;

(C) protect and preserve historical and cultural values of the California desert associated with ancient Indian cultures, patterns of western exploration and settlement, and sites exemplifying the mining, ranching and railroading history of the Old West;

(D) provide opportunities for compatible outdoor public recreation, protect and interpret ecological and geological features and historic, paleontological, and archeological sites, maintain wilderness resource values, and promote public understanding and appreciation of the California desert; and

(E) retain and enhance opportunities for scientific research in undisturbed ecosystems.

TITLE I—WILDERNESS ADDITIONS

FINDINGS

SEC. 101. The Congress finds and declares that—

(1) wilderness is a distinguishing characteristic of the public lands in the California desert, one which affords an unrivaled opportunity for experiencing vast areas of the Old West essentially unaltered by man's activities, and which merits preservation for the benefit of present and future generations;

(2) the wilderness values of desert lands are increasingly threatened by and especially vulnerable to impairment, alteration, and destruction by activities and intrusions associated with incompatible use and development; and

(3) preservation of desert wilderness necessarily requires the highest forms of protective designation and management.

DESIGNATION OF WILDERNESS

SEC. 102. In furtherance of the purpose of the Wilderness Act (78 Stat. 890, 16 U.S.C. 1131 et seq.), and sections 601 and 603 of the Federal Land Policy and Management Act of 1976 (90

Stat. 2743, 43 U.S.C. 1701 et seq.), the following lands in the State of California, as generally depicted on maps, referenced herein, dated February 1986 (except as otherwise dated), are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-four thousand eight hundred and ninety acres, as generally depicted on a map entitled "Argus Range Wilderness—Proposed 1", dated May 1991, and two maps entitled "Argus Range Wilderness—Proposed 2" and "Argus Range Wilderness—Proposed 3", dated January 1989, and which shall be known as the Argus Range Wilderness.

(2) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-one thousand three hundred and twenty acres, as generally depicted on map entitled "Avawatz Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the Avawatz Mountains Wilderness.

(3) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately ten thousand seven hundred and thirty acres, as generally depicted on a map entitled "Bigelow Cholla Garden Wilderness—Proposed", dated October 1991, and which shall be known as the Bigelow Cholla Garden Wilderness.

(4) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, and within the San Bernardino National Forest, which comprise approximately thirty-nine thousand two hundred acres, as generally depicted on a map entitled "Bighorn Mountain Wilderness—Proposed", dated September 1991, and which shall be known as the Bighorn Mountain Wilderness.

(5) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately forty-seven thousand five hundred and seventy acres, as generally depicted on a map entitled "Big Maria Mountains Wilderness—Proposed", and which shall be known as the Big Maria Mountains Wilderness.

(6) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise thirteen thousand nine hundred and forty acres, as generally depicted on a map entitled "Black Mountain Wilderness—Proposed", and which shall be known as the Black Mountain Wilderness.

(7) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately nine thousand five hundred and twenty acres, as generally depicted on a map entitled "Bright Star Wilderness—Proposed", dated May 1991, and which shall be known as the Bright Star Wilderness.

(8) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-two thousand six hundred and forty acres, as generally depicted on a map entitled "Cadiz Dunes Wilderness—Proposed", and which shall be known as the Cadiz Dunes Wilderness.

(9) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighty-five thousand nine hundred and seventy acres, as generally depicted on a map entitled "Cady Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the Cady Mountains Wilderness.

(10) Certain lands in the California Desert Conservation Area and Eastern San Diego County, of the Bureau of Land Management, which comprise approximately fifteen thousand seven hundred acres, as generally depicted on a map entitled "Carrizo Gorge Wilderness—Proposed", and which shall be known as the Carrizo Gorge Wilderness.

(11) Certain lands in the California Desert Conservation Area and Yuma District, of the Bureau of Land Management, which comprise approximately sixty-four thousand six hundred and forty acres, as generally depicted on a map entitled "Chemehuevi Mountains Wilderness—Proposed", dated October 1991, and which shall be known as the Chemehuevi Mountains Wilderness.

(12) Certain lands in the Bakersfield District, of the Bureau of Land Management, which comprise approximately thirteen thousand seven hundred acres, as generally depicted on two maps entitled "Chimney Peak Wilderness—Proposed 1" and "Chimney Peak Wilderness—Proposed 2", dated May 1991, and which shall be known as the Chimney Peak Wilderness.

(13) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred fifty-eight thousand nine hundred and fifty acres, as generally depicted on two maps entitled "Chuckwalla Mountains Wilderness—Proposed 1" and "Chuckwalla Mountains Wilderness—Proposed 2", dated January 1989, and which shall be known as the Chuckwalla Mountains Wilderness.

(14) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise thirty-four thousand three hundred and eighty acres, as generally depicted on a map entitled "Cleg-horn Lakes Wilderness—Proposed", dated September 1991, and which shall be known as the Cleghorn Lakes Wilderness. The Secretary may, pursuant to an application filed by the Department of Defense, grant a right-of-way for, and authorize construction of, a road within the area depicted as "non-wilderness road corridor" on such map.

(15) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty thousand acres, as generally depicted on a map entitled "Clipper Mountain Wilderness—Proposed", dated May 1991, and which shall be known as Clipper Mountain Wilderness.

(16) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately fifty thousand five hundred and twenty acres, as generally depicted on a map entitled "Coso Range Wilderness—Proposed", dated May 1991, and which shall be known as Coso Range Wilderness.

(17) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighteen thousand six hundred acres, as generally depicted on a map entitled "Coyote Mountains Wilderness—Proposed", dated May 1991, and which shall be known as Coyote Mountains Wilderness.

(18) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eight thousand six hundred acres, as generally depicted on a map entitled "Darwin Falls Wilderness—Proposed", dated May 1991, and which shall be known as Darwin Falls Wilderness.

(19) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately forty-eight thousand eight hundred and fifty acres, as generally depicted on a map entitled "Dead Mountains Wilderness—Proposed", dated October 1991, and which shall be known as Dead Mountains Wilderness.

(20) Certain lands in the Bakersfield District, of the Bureau of Land Management, which comprise approximately thirty-six thousand three hundred acres, as generally depicted on two maps entitled "Domeland Wilderness Additions—Proposed 1" and "Domeland Wilderness Additions—Proposed 2", and which are hereby incorporated in, and which shall be deemed to be a part of, the Domeland Wilderness as designated by Public Laws 93-632 and 98-425.

(21) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixteen thousand one hundred acres, as generally depicted on a map entitled "El Paso Mountains Wilderness—Proposed", and which shall be known as the El Paso Mountains Wilderness.

(22) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-six thousand three hundred acres, as generally depicted on a map entitled "Fish Creek Mountains Wilderness—Proposed", dated May 1991, and which shall be known as Fish Creek Mountains Wilderness.

(23) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-eight thousand one hundred and ten acres, as generally depicted on a map entitled "Funeral Mountains Wilderness—Proposed", dated May 1991, and which shall be known as Funeral Mountains Wilderness.

(24) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-seven thousand seven hundred acres, as generally depicted on a map entitled "Golden Valley Wilderness—Proposed", and which shall be known as Golden Valley Wilderness.

(25) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-eight thousand five hundred and fifteen acres, as generally depicted on two maps entitled "Bristol Mountains Wilderness—Proposed 1", and "Bristol Mountains Wilderness—Proposed 2", dated September 1991, and which shall be known as Bristol Mountains Wilderness.

(26) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-one thousand seven hundred and twenty acres, as generally depicted on a map entitled "Grass Valley Wilderness—Proposed", and which shall be known as the Grass Valley Wilderness.

(27) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eight thousand eight hundred acres, as generally depicted on a map entitled "Great Falls Basin Wilderness—Proposed", and which shall be known as the Great Falls Basin Wilderness.

(28) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-two thousand two hundred and forty acres, as generally depicted on a map entitled "Hollow Hills Wilderness—Proposed", dated May 1991, and which shall be known as the Hollow Hills Wilderness.

(29) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-six thousand four hundred and sixty acres, as generally depicted on a map entitled "Ibex Wilderness—Proposed", dated May 1991, and which shall be known as the Ibex Wilderness.

(30) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-five thousand and fifteen acres, as generally depicted on a map entitled "Indian Pass Wilderness—Proposed", dated October 1991, and which shall be known as the Indian Pass Wilderness.

(31) Certain lands in the California Desert Conservation Area and the Bakersfield District,

of the Bureau of Land Management, and within the Inyo National Forest, which comprise approximately two hundred five thousand and twenty acres, as generally depicted on three maps entitled "Inyo Mountains Wilderness—Proposed", numbered in the title one through three, and dated May 1991, and which shall be known as the Inyo Mountains Wilderness.

(32) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-four thousand five hundred and fifty acres, as generally depicted on a map entitled "Jacumba Wilderness—Proposed", dated October 1991, and which shall be known as the Jacumba Wilderness.

(33) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred and twenty-eight thousand eight hundred and twenty acres, as generally depicted on two maps entitled "Kelso Dunes Wilderness—Proposed 1" and "Kelso Dunes Wilderness—Proposed 3", dated September 1991, and a map entitled "Kelso Dunes Wilderness—Proposed 2", dated May 1991, and which shall be known as the Kelso Dunes Wilderness.

(34) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, and the Sequoia National Forest, which comprise approximately eighty-eight thousand two hundred and ninety acres, as generally depicted on a map entitled "Kiavah Wilderness—Proposed 1", dated February 1986, and a map entitled "Kiavah Wilderness—Proposed 2", dated May 1991, and which shall be known as the Kiavah Wilderness.

(35) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately two hundred forty-nine thousand and forty-eight acres, as generally depicted on two maps entitled "Kingston Range Wilderness—Proposed 2", dated October 1991, and "Kingston Range Wilderness—Proposed 4", dated January 1989, and two maps entitled "Kingston Range Wilderness—Proposed 1" and "Kingston Range Wilderness—Proposed 3", dated May 1991, and which shall be known as the Kingston Range Wilderness.

(36) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-five thousand six hundred and eighty acres, as generally depicted on a map entitled "Little Chuckwalla Mountains Wilderness—Proposed", dated October 1991, and which shall be known as the Little Chuckwalla Mountains Wilderness.

(37) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately thirty-six thousand three hundred and forty acres, as generally depicted on a map entitled "Little Picacho Wilderness—Proposed", dated October 1991, and which shall be known as the Little Picacho Wilderness.

(38) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand three hundred and sixty acres, as generally depicted on a map entitled "Malpais Mesa Wilderness—Proposed", dated September 1991, and which shall be known as the Malpais Mesa Wilderness.

(39) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixteen thousand one hundred and twenty-five acres, as generally depicted on a map entitled "Manly Peak Wilderness—Proposed", dated October 1991, and which shall be known as the Manly Peak Wilderness.

(40) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-four thousand two hundred and eighty acres, as generally depicted on a map entitled "Mecca Hills Wilderness—Proposed", dated October 1991, and which shall be known as the Mecca Hills Wilderness.

(41) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-seven thousand three hundred and thirty acres, as generally depicted on a map entitled "Mesquite Wilderness—Proposed", dated May 1991, and which shall be known as the Mesquite Wilderness.

(42) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-two thousand nine hundred acres, as generally depicted on a map entitled "Newberry Mountains Wilderness—Proposed", and which shall be known as the Newberry Mountains Wilderness.

(43) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred ten thousand eight hundred and eighty acres, as generally depicted on a map entitled "Nopah Range Wilderness—Proposed", dated May 1991, and which shall be known as the Nopah Range Wilderness.

(44) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand five hundred and eighty acres, as generally depicted on a map entitled "North Algodones Dunes Wilderness—Proposed", dated October 1991, and which shall be known as the North Algodones Dunes Wilderness.

(45) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-five thousand five hundred and forty acres, as generally depicted on a map entitled "North Mesquite Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the North Mesquite Mountains Wilderness.

(46) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred forty-six thousand and seventy acres, as generally depicted on two maps entitled "Old Woman Mountains Wilderness—Proposed 1" and "Old Woman Mountains Wilderness—Proposed 2", dated May 1991, and which shall be known as the Old Woman Mountains Wilderness.

(47) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately fifty-seven thousand five hundred acres, as generally depicted on a map entitled "Orocopia Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the Orocopia Mountains Wilderness.

(48) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, which comprise approximately seventy-four thousand six hundred and forty acres, as generally depicted on a map entitled "Owens Peak Wilderness—Proposed 1", dated February 1986, and two maps entitled "Owens Peak Wilderness—Proposed 2" and "Owens Peak Wilderness—Proposed 3", dated May 1991, and which shall be known as the Owens Peak Wilderness.

(49) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-four thousand eight hundred acres, as generally depicted on a map entitled "Pahrump Valley Wilderness—Proposed", and which shall be known as the Pahrump Valley Wilderness.

(50) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately two hundred fourteen thousand one hundred and forty-nine acres, as generally depicted on a map entitled "Palen/McCoy Wilderness—Proposed 1", dated May 1991, and a map entitled "Palen/McCoy Wilderness—Proposed 2", dated February 1986, and which shall be known as the Palen/McCoy Wilderness.

(51) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand three hundred and twenty acres, as generally depicted on a map entitled "Palo Verde Mountains Wilderness—Proposed", dated January 1987, and which shall be known as the Palo Verde Mountains Wilderness.

(52) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seven thousand seven hundred acres, as generally depicted on a map entitled "Picacho Peak Wilderness—Proposed", dated May 1991, and which shall be known as the Picacho Peak Wilderness.

(53) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-two thousand six hundred acres, as generally depicted on a map entitled "Piper Mountain Wilderness—Proposed", dated May 1991, and which shall be known as the Piper Mountain Wilderness.

(54) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-seven thousand eight hundred acres, as generally depicted on a map entitled "Piute Mountains Wilderness—Proposed", dated October 1991, and which shall be known as Piute Mountains Wilderness.

(55) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-eight thousand eight hundred and sixty-eight acres, as generally depicted on a map entitled "Resting Spring Range Wilderness—Proposed", dated May 1991, and which shall be known as the Resting Spring Range Wilderness.

(56) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty thousand eight hundred and twenty acres, as generally depicted on a map entitled "Rice Valley Wilderness—Proposed", dated May 1991, and which shall be known as the Rice Valley Wilderness.

(57) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately twenty-two thousand three hundred eighty acres, as generally depicted on a map entitled "Riverside Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the Riverside Mountains Wilderness.

(58) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-seven thousand seven hundred acres, as generally depicted on a map entitled "Rodman Mountains Wilderness—Proposed", dated January 1989, and which shall be known as the Rodman Mountains Wilderness.

(59) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, which comprise approximately fifty-one thousand nine hundred acres, as generally depicted on two maps entitled "Sacatar Trail Wilderness—Proposed 1" and "Sacatar Trail Wilderness—Proposed 2", dated May 1991, and which shall be known as the Sacatar Trail Wilderness.

(60) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one thousand eight hundred acres, as generally de-

picted on a map entitled "Saddle Peak Hills Wilderness—Proposed", dated May 1991, and which shall be known as the Saddle Peak Hills Wilderness.

(61) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-three thousand five hundred acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of, the San Gorgonio Wilderness as designated by Public Laws 88-577 and 98-425.

(62) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately fifty-three thousand two hundred and forty acres, as generally depicted on a map entitled "Santa Rosa Wilderness Additions—Proposed", dated May 1991, and which are hereby incorporated in, and which shall be deemed to be a part of, the Santa Rosa Wilderness designated by Public Law 98-425.

(63) Certain lands in the California Desert District, of the Bureau of Land Management, which comprise approximately thirty-five thousand four hundred acres, as generally depicted on a map entitled "Sawtooth Mountains Wilderness—Proposed", and which shall be known as the Sawtooth Mountains Wilderness.

(64) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred seventy-four thousand five hundred and forty acres, as generally depicted on two maps entitled "Sheephole Valley Wilderness—Proposed 1", dated May 1991, and "Sheephole Valley Wilderness—Proposed 2", dated February 1986, and which shall be known as the Sheephole Valley Wilderness.

(65) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-four thousand four hundred and ten acres, as generally depicted on a map entitled "Slate Range Wilderness—Proposed", dated October 1991, and which shall be known as the Slate Range Wilderness.

(66) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighty thousand four hundred and thirty acres, as generally depicted on two maps entitled "Soda Mountains Wilderness—Proposed 1" dated May 1991, and "Soda Mountains Wilderness—Proposed 2", dated January 1989, and which shall be known as the Soda Mountains Wilderness.

(67) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-one thousand six hundred and thirty acres, as generally depicted on a map entitled "South Algodones Dunes Wilderness—Proposed", dated January 1989, and which shall be known as the South Algodones Dunes Wilderness.

(68) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-three thousand two hundred and fifty acres, as generally depicted on a map entitled "South Avawatz Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the South Avawatz Mountains Wilderness.

(69) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixteen thousand seven hundred and eighty acres, as generally depicted on a map entitled "South Nopah Range Wilderness—Proposed", and which shall be known as the South Nopah Range Wilderness.

(70) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seven thousand and fifty acres, as generally depicted on a map entitled "Stateline Wilderness—Proposed", dated May 1991, and which shall be known as the Stateline Wilderness.

(71) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighty-one thousand six hundred acres, as generally depicted on a map entitled "Stepladder Mountains Wilderness—Proposed", and which shall be known as the Stepladder Mountains Wilderness.

(72) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-nine thousand one hundred and eighty acres, as generally depicted on a map entitled "Surprise Canyon Wilderness—Proposed", dated September 1991, and which shall be known as the Surprise Canyon Wilderness.

(73) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventeen thousand eight hundred and twenty acres, as generally depicted on a map entitled "Sylvania Mountains Wilderness—Proposed", and which shall be known as the Sylvania Mountains Wilderness.

(74) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-three thousand seven hundred and twenty acres, as generally depicted on a map entitled "Trilobite Wilderness—Proposed", dated May 1991, and which shall be known as the Trilobite Wilderness.

(75) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred forty-four thousand five hundred acres, as generally depicted on a map entitled "Turtle Mountains Wilderness—Proposed 1", dated February 1986 and a map entitled "Turtle Mountains Wilderness—Proposed 2", dated May 1991, and which shall be known as the Turtle Mountains Wilderness.

(76) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately seventy-five thousand three hundred acres, as generally depicted on a map entitled "Whipple Mountains Wilderness—Proposed", dated May 1991, and which shall be known as the Whipple Mountains Wilderness.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 103. Subject to valid existing rights, each wilderness area designated under section 102 shall be administered by the appropriate Secretary in accordance with the provisions of the Wilderness Act, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

GRAZING

SEC. 104. Within the wilderness areas designated under section 102, the grazing of livestock, where established prior to the enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary deems necessary, as long as such regulations, policies, and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and section 108 of Public Law 96-560 (16 U.S.C. 133 note).

BUFFER ZONES

SEC. 105. The Congress does not intend for the designation of wilderness areas in section 102 of this Act to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

MINING CLAIM VALIDITY REVIEW

SEC. 106. The Secretary of the Interior and the Secretary of Agriculture shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within any wilderness area designated under section 102.

FILING OF MAPS AND DESCRIPTIONS

SEC. 107. As soon as practicable after enactment of section 102, a map and a legal description on each wilderness area designated under this title shall be filed by the Secretary concerned with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in each such legal description and map. Each such map and legal description shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management, Department of the Interior, or the Chief of the Forest Service, Department of Agriculture, as is appropriate.

WILDERNESS REVIEW

SEC. 108. The Congress hereby finds and directs that lands in the California Desert Conservation Area, of the Bureau of Land Management, not designated as wilderness or wilderness study areas by this Act have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2743, 43 U.S.C. 1701 et seq.), and are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act of 1976 pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

DESIGNATION OF WILDERNESS STUDY AREA

SEC. 109. In furtherance of the provisions of the Wilderness Act, certain lands in the California Desert Conservation Area of the Bureau of Land Management which comprise eleven thousand two hundred acres as generally depicted on a map entitled "White Mountains Wilderness Study Area—Proposed", dated May 1991, are hereby designated the White Mountains Wilderness Study Area and shall be administered by the Secretary in accordance with the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976.

SUITABILITY REPORT

SEC. 110. The Secretary is required, ten years after the date of enactment of this Act, to report to Congress on current and planned exploration, development or mining activities on, and suitability for future wilderness designation of, the lands as generally depicted on maps entitled "Surprise Canyon Wilderness—Proposed", "Middle Park Canyon Wilderness—Proposed", and "Death Valley National Park Boundary and Wilderness 15", dated September 1991 and a map entitled "Manly Peak Wilderness—Proposed", dated October 1991.

WILDERNESS DESIGNATION AND MANAGEMENT IN THE NATIONAL WILDLIFE REFUGE SYSTEM

SEC. 111. (a) In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Havasu National Wildlife Refuge, California, which comprise ap-

proximately three thousand one hundred and ninety-five acres, as generally depicted on a map entitled "Havasu Wilderness" and dated October 1991, and which shall be known as the Havasu Wilderness.

(2) Certain lands in the Imperial National Wildlife Refuge, California, which comprise approximately five thousand eight hundred and thirty-six acres, as generally depicted on a map entitled "Imperial Refuge Wilderness" and dated October 1991, and which shall be known as the Imperial Wilderness.

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) As soon as practicable after enactment of this section, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committees on Energy and Natural Resources and Environment and Public Works of the Senate and Interior and Insular Affairs and Merchant Marine and Fisheries of the House of Representatives. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, United States Fish and Wildlife Service, Department of the Interior.

TITLE II—DEATH VALLEY NATIONAL PARK

FINDINGS

SEC. 201. The Congress hereby finds that—

(1) proclamations by Presidents Herbert Hoover in 1933 and Franklin Roosevelt in 1937 established and expanded the Death Valley National Monument for the preservation of the unusual features of scenic, scientific, and educational interest therein contained;

(2) Death Valley National Monument is today recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the Monument boundaries established in the 1930's exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, geological, archeological, paleontological, cultural, historical and wilderness values;

(4) Death Valley National Monument should be substantially enlarged by the addition of all contiguous Federal lands of national park caliber and afforded full recognition and statutory protection as a national park; and

(5) the wilderness within Death Valley should receive maximum statutory protection by designation pursuant to the Wilderness Act.

ESTABLISHMENT OF DEATH VALLEY NATIONAL PARK

SEC. 202. There is hereby established the Death Valley National Park, as generally depicted on 23 maps entitled "Death Valley National Park Boundary and Wilderness—Proposed", numbered in the title one through twenty-three, and dated September 1991 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior. The Death Valley National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Death Valley National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

TRANSFER AND ADMINISTRATION OF LANDS

SEC. 203. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 202 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service for administration as part of the National Park System. The boundaries of the public lands and the national parks shall be adjusted accordingly. The Secretary shall administer the areas added to the National Park System by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4).

MAPS AND LEGAL DESCRIPTION

SEC. 204. Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the park designated under this title with the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 202. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior.

DISPOSITION UNDER MINING LAWS

SEC. 205. Subject to valid existing rights, the Federal lands and interests therein added to the National Park System by this title are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

STUDY AS TO VALIDITY OF MINING CLAIMS

SEC. 206. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the additions to the park and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

GRAZING

SEC. 207. The privilege of grazing domestic livestock on lands within the park may continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations, by those persons holding permits for such grazing on July 1, 1991. Upon the expiration of such permits the Secretary, acting through the Director of the National Park Service, may issue to such persons new permits for such grazing, subject to applicable laws and National Park Service regulations, but all grazing of such livestock on such lands shall cease on July 1, 2016. Further, if such a permittee informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which the permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

TITLE III—JOSHUA TREE NATIONAL PARK

FINDINGS

SEC. 301. The Congress hereby finds that—

(1) a proclamation by President Franklin Roosevelt in 1936 established Joshua Tree National Monument to protect various objects of historical and scientific interest;

(2) Joshua Tree National Monument today is recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the Monument boundaries as modified in 1950 and 1961 exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, archeological, paleontological, cultural, historical and wilderness values;

(4) Joshua Tree National Monument should be enlarged by the addition of contiguous Federal lands of national park caliber, and afforded full recognition and statutory protection as a national park; and

(5) the nondesignated wilderness within Joshua Tree should receive statutory protection by designation pursuant to the Wilderness Act.

ESTABLISHMENT OF JOSHUA TREE NATIONAL PARK

SEC. 302. There is hereby established the Joshua Tree National Park, as generally depicted on a map entitled "Joshua Tree National Park Boundary—Proposed", dated May 1991, and four maps entitled "Joshua Tree National Park Boundary and Wilderness", numbered in the title one through four, and dated May 1991 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior. The Joshua Tree National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Joshua Tree National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

TRANSFER AND ADMINISTRATION OF LANDS

SEC. 303. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 302 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service for administration as part of the National Park System. The boundaries of the public lands and the national parks shall be adjusted accordingly. The Secretary shall administer the areas added to the National Park System by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4).

MAPS AND LEGAL DESCRIPTION

SEC. 304. Within six months after the enactment of this title, the Secretary shall file maps and legal description of the park designated by this title with the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 302. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the

National Park Service, Department of the Interior.

DISPOSITION UNDER MINING LAWS

SEC. 305. Subject to valid existing rights, Federal lands and interests therein added to the National Park System by this title are withdrawn from disposition under the public lands laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from the operation of the Geothermal Steam Act of 1970.

UTILITY RIGHTS-OF-WAY

SEC. 306. Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to the Metropolitan Water District pursuant to the Boulder Canyon Project Act (43 U.S.C. 617–619b), which is located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 501(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. Nothing in this title shall have the effect of terminating the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to the Metropolitan Water District pursuant to the Act of June 18, 1932 (47 Stat. 324), which are located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 501(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. The Secretary shall prepare within 180 days after the date of enactment of this Act, in consultation with the Metropolitan Water District, plans for emergency access by the Metropolitan Water District to its lands and rights-of-way.

STUDY AS TO VALIDITY OF MINING CLAIMS

SEC. 307. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the park and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

TITLE IV—MOJAVE NATIONAL MONUMENT

FINDINGS

SEC. 401. The Congress hereby finds that—

(1) Death Valley and Joshua Tree National Parks, as established by this Act, protect unique and superlative desert resources, but do not embrace the particular ecosystems and transitional desert type found in the Mojave Desert area lying between them on public lands now afforded only impermanent administrative designation as a national scenic area;

(2) the Mojave Desert area possesses outstanding natural, cultural, historical, and recreational values meriting statutory designation and recognition as a unit of the National Park System;

(3) the Mojave Desert area should be afforded full recognition and statutory protection as a national park;

(4) the wilderness within the Mojave Desert should receive maximum statutory protection by designation pursuant to the Wilderness Act; and

(5) the Mojave Desert area provides an outstanding opportunity to develop service, programs, accommodations and facilities to ensure the use and enjoyment of the area by individuals with disabilities, consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101–336, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

ESTABLISHMENT OF THE MOJAVE NATIONAL MONUMENT

SEC. 402. There is hereby established the Mojave National Monument, comprising approximately one million four hundred and ninety-one thousand acres, as generally depicted on a map entitled "Mojave National Park Boundary—Proposed", dated May 1991, and ten maps entitled "Mojave National Park Boundary and Wilderness—Proposed", numbered in the title one through ten, and dated September 1991 or prior, which shall be on file and available for inspection in the offices of the Director of the National Park Service, Department of the Interior.

TRANSFER OF LANDS

SEC. 403. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 402 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service. The boundaries of the public lands shall be adjusted accordingly.

MAPS AND LEGAL DESCRIPTION

SEC. 404. Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the monument designated under this title with the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 402. The maps and legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

ABOLISHMENT OF SCENIC AREA

SEC. 405. The East Mojave National Scenic Area, designated on January 13, 1981 (46 FR 3994), and modified on August 9, 1983 (48 FR 36210), as hereby abolished.

ADMINISTRATION OF LANDS

SEC. 406. The Secretary shall administer the monument in accordance with this title and with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4).

DISPOSITION UNDER MINING LAWS

SEC. 407. Subject to valid existing rights, Federal lands within the monument, and interests therein, are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

STUDY AS TO VALIDITY OF MINING CLAIMS

SEC. 408. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the monument and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

REGULATION OF MINING

SEC. 409. Subject to valid existing rights, all mining claims located within the monument shall be subject to such reasonable regulations as the Secretary may prescribe to assure that mining will, to the maximum extent practicable, be consistent with the protection of the scenic, scientific, cultural and other resources of the monument, and any patent which may be issued after the date of enactment of this title shall convey title only to the minerals together with the right to use the surface of lands for mining purposes subject to such reasonable regulations.

GRAZING

SEC. 410. The privilege of grazing domestic livestock on lands within the monument may continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations, by those persons holding permits for such grazing on July 1, 1991. Upon the expiration of such permits the Secretary, acting through the Director of the National Park Service, may issue to such persons new permits for such grazing, subject to applicable laws and National Park Service regulations, but all grazing of such livestock on such lands shall cease on July 1, 2016. Further, if such a permittee informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which the permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the monument, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the monument and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

UTILITY RIGHTS OF WAY

SEC. 411. (a)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to Southern California Edison Company, which is located on lands included in the Mojave National Monument, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on monument resources.

(2) Nothing in this title shall have the effect of prohibiting the upgrading of an existing electrical transmission line for the purpose of increasing the capacity of such transmission line in a right-of-way identified in paragraph (1), or in a right-of-way if issued, granted, or permitted by the Secretary adjacent to the existing Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as "adjacent right-of-way"), including construction of a replacement transmission line: Provided, That—

(A) in the Eldorado-Lugo Transmission Line rights-of-way (hereafter in this section referred to as the "Eldorado rights-of-way") at no time shall there be more than 3 electrical transmission lines,

(B) in the Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as the "Mojave right-of-way") and adjacent right-of-way, removal of the existing electrical transmission line and reclamation of the site shall be completed no later than three years after the date on which construction of the replacement transmission line begins, after which time there may be only one electrical transmission line in the lands encompassed by Mojave right-of-way and adjacent right-of-way,

(C) if there are no more than two electrical transmission lines in the Eldorado rights-of-way, two electrical transmission lines in the lands encompassed by the Mojave right-of-way and adjacent right-of-way may be allowed,

(D) in the Eldorado rights-of-way no additional land shall be issued, granted, or permitted for such upgrade unless an addition would reduce the impacts to monument resources,

(E) in the Mojave right-of-way no more than 350 feet of additional land shall be issued,

granted, or permitted for an adjacent right-of-way to the south of the Mojave right-of-way unless a greater addition would reduce the impacts to monument resources, and

(F) such upgrade activities, including helicopter aided construction, shall be conducted in a manner which will minimize the impact on monument resources.

(3) The Secretary shall prepare within 180 days after the date of enactment of this Act, in consultation with the Southern California Edison Company, plans for emergency access by the Southern California Edison Company to its rights-of-way.

(b) Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing the capacity of the existing pipeline; or prohibiting the renewal of such right-of-way; issued, granted, or permitted to the Southern California Gas Company, which is located on lands included in the Mojave National Monument, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on monument resources.

(c) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted for communications cables or lines, which are located on lands included in the Mojave National Monument, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on monument resources.

PREPARATION OF MANAGEMENT PLAN

SEC. 412. Within three years of the date of enactment of this title, the Secretary shall submit to the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives a detailed and comprehensive management plan for the monument. Such plan shall place emphasis on historical and cultural sites and ecological and wilderness values within the boundaries of the monument. Any development, including road improvements, proposed by such plan shall be strictly limited to that which is essential and appropriate for the administration of the monument and shall be designed and located so as to maintain its primitive nature of the area and to minimize the impairment of monument resources or ecological values. To the extent practicable, administrative facilities, employee housing, commercial visitor services, accommodations, and other monument-related development shall be located or provided for outside of the boundaries of the monument. Such plan shall evaluate the feasibility of using the Kelso Depot and existing railroad corridor to provide public access to and a facility for special interpretive, educational, and scientific programs within the monument. Such plan shall specifically address the needs of individuals with disabilities in the design of services, programs, accommodations and facilities consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101-336, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

GRANITE MOUNTAINS NATURAL RESERVE

SEC. 413. (a) There is hereby designated the Granite Mountains Natural Reserve within the monument comprising approximately 9,000 acres as generally depicted on a map entitled "Mojave National Park Boundary and Wilderness—Proposed 6", dated May 1991.

(b) Upon enactment of this title, the Secretary of the Interior shall enter into a cooperative management agreement with the University of California for the purposes of managing the lands within the Granite Mountains Natural Reserve. Such cooperative agreement shall ensure continuation of arid lands research and educational activities of the University of California, consistent with the provisions of law generally applicable to units of the National Park System.

CONSTRUCTION OF VISITOR CENTER

SEC. 414. The Secretary is authorized to construct a visitor center in the monument for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the resources of the monument.

ACQUISITION OF LANDS

SEC. 415. The Secretary is authorized to acquire all lands and interest in lands within the boundary of the monument by donation, purchase, or exchange, except that—

(1) any lands or interests therein within the boundary of the monument which are owned by the State of California, or any political subdivision thereof, may be acquired only by donation or exchange except for lands managed by California State Lands Commission; and

(2) lands or interests therein within the boundary of the monument which are not owned by the State of California or any political subdivision thereof may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the monument or which is otherwise incompatible with the purposes of this title.

TITLE V—NATIONAL PARK WILDERNESS

DESIGNATION OF WILDERNESS

SEC. 501. The following lands are hereby designated as wilderness in accordance with the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131 et seq.) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act:

(1) Death Valley National Park Wilderness, comprising approximately three million one hundred eighty-three thousand four hundred and thirty-eight acres, as generally depicted on 23 maps entitled "Death Valley National Park Boundary and Wilderness", numbered in the title one through twenty-three, and dated September 1991 or prior, and three maps entitled "Death Valley National Park Wilderness", numbered in the title one through three, and dated May 1991 or prior, and which shall be known as the Death Valley Wilderness;

(2) Joshua Tree National Park Wilderness Additions, comprising approximately one hundred thirty-one thousand six hundred and eighty acres, as generally depicted on four maps entitled "Joshua Tree National Park Boundary and Wilderness—Proposed", numbered in the title one through four, and dated October 1991 or prior, and which are hereby incorporated in, and which shall be deemed to be a part of the Joshua Tree Wilderness as designated by Public Law 94-567; and

(3) Mojave National Monument Wilderness, comprising approximately six hundred ninety-four thousand five hundred acres, as generally depicted on ten maps entitled "Mojave National Park Boundary and Wilderness—Proposed", numbered in the title one through ten, and dated September 1991 or prior, and seven maps entitled "Mojave National Park Wilderness—Proposed", numbered in the title one through seven, and dated September 1991 or prior, and which shall be known as the Mojave Wilderness.

(4) Upon cessation of all uses prohibited by the Wilderness Act and publication by the Secretary in the Federal Register of notice of such cessation, potential wilderness, comprising approximately six thousand eight hundred and forty acres, as described in "1988 Death Valley National Monument Draft General Management Plan Draft Environmental Impact Statement" (hereafter in this title referred to as "Draft Plan") and as generally depicted on map in the Draft Plan entitled "Wilderness Plan Death Valley National Monument", dated January 1988, and which shall be deemed to be a part of the Death Valley Wilderness as designated in paragraph (1). Lands identified in the Draft Plan as potential wilderness shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

FILING OF MAPS AND DESCRIPTIONS

SEC. 502. Maps and a legal description of the boundaries of the areas designated in section 501 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 501. As soon as practicable after this title takes effect, maps of the wilderness areas and legal descriptions of their boundaries shall be filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such maps and descriptions.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 503. The areas designated by section 501 of this title as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provision to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, and reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

TITLE VI—MISCELLANEOUS PROVISIONS

TRANSFER OF LANDS TO RED ROCK CANYON STATE PARK

SEC. 601. Upon enactment of this title, the Secretary of the Interior shall transfer to the State of California certain lands within the California Desert Conservation Area, California, of the Bureau of Land Management, comprising approximately twenty thousand five hundred acres, as generally depicted on two maps entitled "Red Rock Canyon State Park Additions 1" and "Red Rock Canyon State Park Additions 2", dated May 1991, for inclusion in the State of California Park System. Should the State of California cease to manage these lands as part of the State Park System, ownership of the lands shall revert to the Department of the Interior to be managed as part of the California Desert Conservation Area to provide maximum protection for the area's scenic and scientific values.

DESERT LILY SANCTUARY

SEC. 602. (a) There is hereby established the Desert Lily Sanctuary within the California Desert Conservation Area, California, of the Bureau of Land Management, comprising approximately two thousand forty acres, as generally depicted on a map entitled "Desert Lily Sanctuary", dated February 1986. The Secretary of the Interior shall administer the area to provide maximum protection to the desert lily.

(b) Subject to valid existing rights, Federal lands within the sanctuary, and interests therein, are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States,

from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

INDIAN CANYONS NATIONAL HISTORIC SITE

SEC. 603.

LAND TENURE ADJUSTMENTS

SEC. 604. In preparing land tenure adjustment decisions with the California Desert Conservation Area, of the Bureau of Land Management, the Secretary shall give priority to consolidating Federal ownership within the national park units and wilderness areas designated by this Act.

LAND DISPOSAL

SEC. 605. Notwithstanding any other provision of law, the Secretary of the Interior and the Secretary of Agriculture may not dispose of any lands within the boundaries of the wilderness, park, or monument designated under this Act or grant a right-of-way in any lands within the boundaries of the wilderness designated under this Act. Further, none of the lands within the boundaries of the wilderness, park, or monument designated under this Act shall be granted to or otherwise made available for use by the Metropolitan Water District and any other agencies or persons pursuant to the Boulder Canyon Project Act (43 U.S.C. 617–619b) or any similar acts.

MANAGEMENT OF NEWLY ACQUIRED LANDS

SEC. 606. Any lands within the boundaries of a wilderness area designated under this Act which are acquired by the Federal Government, shall become part of the wilderness area within which they are located and shall be managed in accordance with all the provisions of this Act and other laws applicable to such wilderness area.

NATIVE AMERICAN USES

SEC. 607. In recognition of the past use of the parks, monument, and wilderness areas designed under this Act by Indian people for traditional cultural and religious purposes, the Secretary shall ensure access to such parks, monument, and wilderness areas by Indian people for such traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of park, monument, or wilderness areas in order to protect the privacy of traditional cultural and religious activities in such areas by Indian people. Such access shall be consistent with the purpose and intent of Public Law 95–341 (42 U.S.C. 1996) commonly referred to as the "American Indian Religious Freedom Act", and with respect to areas designated as wilderness, the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131).

WATER RIGHTS

SEC. 608. (a) With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved water rights shall be the date of enactment of this Act.

(b) The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined and which is conducted in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 44 U.S.C. 666; commonly referred to as the McCarran Amendment).

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(d) The Federal water rights reserved by this Act are specific to the wilderness areas located in the State of California designated under this Act. Nothing in this Act related to the reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made thereto.

AUTHORIZATION OF APPROPRIATIONS

SEC. 609. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

STATE SCHOOL LANDS

SEC. 610. (a) Upon request of the California State Lands Commission (hereinafter in this section referred to as the "Commission"), the Secretary shall enter into negotiations for an agreement to exchange Federal lands or interests therein on the list referred to in subsection (b)(2) for California State School Lands (hereinafter in this section referred to as "State School Lands") or interests therein which are located within the boundaries of one or more of the wilderness areas or park units designated by this Act. The Secretary shall negotiate in good faith to reach a land exchange agreement consistent with the requirements of section 206 of the Federal Land Policy and Management Act of 1976.

(b) Within 6 months after the date of enactment of this Act, the Secretary shall send to the Commission and to the Committees a list of the following:

(1) The State School Lands or interests therein (including mineral interests) which are located within the boundaries of the wilderness areas or park units designated by this Act.

(2) Lands under the Secretary's jurisdiction to be offered for exchange, including in the following priority:

(A) Lands with mineral interests, including geothermal, which have the potential for commercial development but which are not currently under mineral lease or producing Federal mineral revenues.

(B) Federal lands in California managed by the Bureau of Reclamation that the Secretary determines are not needed for any Bureau of Reclamation project.

(C) Any public lands in California that the Secretary, pursuant to the Federal Land Policy and Management Act of 1976, has determined to be suitable for disposal through exchange.

(c)(1) If an agreement under this section is for an exchange involving five thousand acres or less of Federal land or interests therein, or Federal lands valued at less than $5,000,000, the Secretary may carry out the exchange in accordance with the Federal Land Policy and Management Act of 1976.

(2) If an agreement under this section is for an exchange involving more than five thousand acres of Federal land or interests therein, or Federal land valued at more than $5,000,000, the agreement shall be submitted to the Committees, together with a report containing—

(A) a complete list and appraisal of the lands or interests in lands proposed for exchange; and

(B) a determination that the State School Lands proposed to be acquired by the United States do not contain any hazardous waste, toxic waste, or radioactive waste.

(d) An agreement submitted under subsection (c)(2) shall not take effect unless approved by a joint resolution enacted by the Congress.

(e) If exchanges of all of the State School Lands are not completed by October 1, 1995, the Secretary shall adjust the appraised value of any remaining inholdings consistent with the provisions of section 206 of the Federal Land Management Policy Act of 1976. The Secretary shall establish an account in the name of the Commission in the amount of such appraised value. Title to the State School Lands shall be transferred to the United States at the time such account is credited.

(f) The Commission may use the credit in its account to bid, as any other bidder, for excess or surplus Federal property to be sold in the State of California in accordance with the applicable laws and regulations of the Federal agency offering such property for sale. The account shall be adjusted to reflect successful bids under this section or payments or forfeited deposits, penalties, or other costs assessed to the bidder in the course of such sales. In the event that the balance in the account has not been reduced to zero by October 1, 2000, there are authorized to be appropriated to the Secretary for payment to the California State Lands Commission funds equivalent to the balance remaining in the account as of October 1, 2000.

(g) As used in this section, the term "Committees" means the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

EXCHANGES

SEC. 611.

TITLE VII—DEFINITION

DEFINITION

SEC. 701. For the purposes of this Act:

(1) The term "Secretary", unless specifically designated otherwise, means the Secretary of the Interior.

(2) The term "public lands" means any land and interest in land owned by the United States and administered by the Secretary of the Interior through the Bureau of Land Management.

The CHAIRMAN. No amendment to the substitute is in order except those amendments printed in House Report 102–314. Said amendments shall be considered in the order and manner specified in said report and shall be considered as read. Debate time specified for each amendment shall be equally divided and controlled by the proponent of the amendment and a Member opposed thereto. Said amendments shall not be subject to amendment, except that pro forma amendments for the purpose of debate shall be in order if offered by the chairman or ranking minority member of the Committee on Interior and Insular Affairs.

Where House Report 102–314 specifies consideration of amendments en bloc, said amendments shall be so considered, and shall not be subject to a demand for a division of the question.

It is in order at any time for the Chairman of the Committee on Interior and Insular Affairs to offer amendments en bloc consisting of amendments, and modifications in the text of any amendments which are germane thereto, printed in House Report 102–314. The amendments en bloc, except for any modifications, shall be considered as read and shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs.

The original proponents of the amendments en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc. Said amendments en bloc shall not be subject to amendment or to a demand for a division of the question.

The Chair will announce the number of the amendment made in order by the rule in order to give notice to the Committee of the Whole as to the order of recognition.

It is now in order to consider amendment No. 1 printed in House Report 102-314.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. LEWIS of California: Strike all after the enacting clause and insert the following:

This Act may be cited as the "California Public Lands Wilderness Act".

SEC. 2. The Congress finds that—

(1) many areas of undeveloped public land in California and one parcel in Washoe County, Nevada, administered by the Bureau of Land Management have outstanding natural characteristics that give them high value as wilderness and that can, if properly managed, serve as an enduring resource of wilderness for the benefit of the American people;

(2) it is in the national interest that these areas be promptly designated as components of the National Wilderness Preservation System in order to preserve and maintain them as an enduring resource of wilderness to be managed to promote and perpetuate their wilderness character and their specific multiple values for natural systems biodiversity, watershed preservation, wildlife habitat protection, scenic and historic preservation, scientific research and educational use, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of present and future generations of the American people; and

(3) certain areas of public lands located in Inyo and Riverside Counties, California are appropriate for transfer from the Bureau of Land Management to the National Park Service as additions to the Death Valley and Joshua Tree National Monuments.

SEC. 3. As used in this Act—

(1) the term "public lands" shall have the same meaning as defined in section 103(e) of the Federal Land Policy and Management Act of 1976; and

(2) the term "Secretary" means the Secretary of the Interior.

SEC. 4. (a) In furtherance of the purposes of the Wilderness Act, the following public lands are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

(1) certain public lands in the Bakersfield District of the Bureau of Land Management, California, which comprise approximately fifteen thousand eight hundred and ninety-seven acres, as generally depicted on a map entitled "Owens Peak Proposal", dated June 1988 (CA-010-026), and which shall be known as the Owens Peak Wilderness;

(2) certain public lands in the Bakersfield District of the Bureau of Land Management, California, which comprise approximately ten thousand seven hundred and twenty-one acres, as generally depicted on a map entitled "Sacatar Meadows Proposal", dated June 1988 (CA-010-027), and which shall be known as the Sacatar Meadows Wilderness;

(3) certain public lands in the Bakersfield District of the Bureau of Land Management, California, which comprise approximately twenty eight thousand two hundred and ninety-one acres, as generally depicted on a map entitled "Southern Inyo Proposal", dated June 1988 (CA-010-056), and which shall be known as the Southern Inyo Wilderness;

(4) certain public lands in the Bakersfield District of the Bureau of Land Management, California, which comprise approximately one thousand nine hundred and eighty-three acres, as generally depicted on a map entitled "Pinnacles Proposal", dated June 1988 (CA-040-303), and which shall be known as the Pinnacles Wilderness;

(5) certain public lands in the Susanville District of the Bureau of Land Management, California, which comprise approximately seven thousand four hundred and forty-three acres, as generally depicted on a map entitled "Pit River Canyon Proposal", dated June 1988 (CA-020-103), and which shall be known as the Pit River Canyon Wilderness;

(6) certain public lands in the Susanville District of the Bureau of Land Management, California, which comprise approximately seven thousand eight hundred and eighty-nine acres, as generally depicted on a map entitled "Tunnison Mountain Proposal", dated June 1988 (CA-020-311), and which shall be known as the Tunnison Mountain Wilderness;

(7) certain public lands in the Susanville District of the Bureau of Land Management, California, which comprise approximately thirty seven thousand and fifty-five acres located in Lassen County, California, and five hundred and eighty-nine acres located in Washoe County, Nevada, as generally depicted on a map entitled "Skedaddle Proposal", dated June 1988 (CA-020-612), and which shall be known as the Skedaddle Wilderness;

(8) certain public lands in the Susanville District of the Bureau of Land Management, California, which comprise approximately one thousand one hundred and sixty-one acres, as generally depicted on a map entitled "South Warner Proposal", dated June 1988 (CA-020-708), and which shall be known as the South Warner Wilderness;

(9) certain public lands in the Ukiah District of the Bureau of Land Management, California, which comprise approximately four thousand one hundred and forty-three acres, as generally depicted on a map entitled "Chemise Mountain Proposal", dated June 1988 (CA-050-111), and which shall be known as the Chemise Mountain Wilderness;

(10) certain public lands in the Ukiah District of the Bureau of Land Management, California, which comprise approximately twenty thousand two hundred and forty-eight acres, as generally depicted on a map entitled "King Range Proposal", dated June 1988 (CA-050-112), and which shall be known as the Sacatar Meadows Wilderness;

(11) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately three hundred and forty-four acres, as generally depicted on a map entitled "Agua Tibia Proposal", dated June 1988 (CA-060-002), and which shall be known as the Agua Tibia Wilderness;

(12) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-two thousand eight hundred and seventy-five acres, as generally depicted on a map entitled "Sawtooth Mountains Proposal", dated June 1988 (CA-060-024B), and which shall be known as the Sawtooth Mountains Wilderness;

(13) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifteen thousand four hundred and eight acres, as generally depicted on a map entitled "Carrizo Gorge Proposal", dated June 1988 (CA-060-025A), and which shall be known as the Carrizo Gorge Wilderness;

(14) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately four thousand three hundred and twenty-three acres, as generally depicted on a map entitled "Western Otay Mountain Proposal", dated June 1988 (CA-060-028), and which shall be known as the Western Otay Mountain Wilderness;

(15) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately six thousand seven hundred and eighty-three acres, as generally depicted on a map entitled "Southern Otay Mountain Proposal", dated June 1988 (CA-060-029), and which shall be known as the Southern Otay Mountain Wilderness;

(16) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately three hundred ninety-two thousand six hundred forty-three acres, as generally depicted on a map entitled "Saline Valley Proposal", dated June 1988 (CDCA-117), and which shall be known as the Saline Valley Wilderness;

(17) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately two thousand one hundred and fifty-four acres, as generally depicted on a map entitled "Lower Saline Valley Proposal", dated June 1988 (CDCA-117A), and which shall be known as the Lower Saline Valley Wilderness;

(18) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirty five thousand seven hundred and ninety-two acres, as generally depicted on a map entitled "Little Sand Spring Proposal", dated June 1988 (CDCA-119), and which shall be known as the Little Sand Spring Wilderness;

(19) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifty eight thousand three hundred and ninety-two acres, as generally depicted on a map entitled "Inyo Mountains Proposal", dated June 1988 (CDCA-122), and which shall be known as the Inyo Mountains Wilderness;

(20) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty thousand and thirty acres, as generally depicted on a map entitled "Hunter Mountain Proposal", dated June 1988 (CDCA-123), and which shall be known as the Hunter Mountain Wilderness;

(21) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately ninety thousand six hundred and twenty-six acres, as generally depicted on a map entitled "Panamint Dunes Proposal", dated June 1988 (CDCA-127), and which shall be known as the Panamint Dunes Wilderness;

(22) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fourteen thousand and seventy-

nine acres, as generally depicted on a map entitled "Wild Rose Canyon Proposal", dated June 1988 (CDCA-134), and which shall be known as the Wild Rose Canyon Wilderness;

(23) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty four thousand five hundred and thirty-six acres, as generally depicted on a map entitled "Slate Range Proposal", dated June 1988 (CDCA-142), and which shall be known as the Slate Range Wilderness;

(24) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty three thousand four acres, as generally depicted on a map entitled "Funeral Mountains Proposal", dated June 1988 (CDCA-143), and which shall be known as the Funeral Mountains Wilderness;

(25) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty two thousand eight hundred and eleven acres, as generally depicted on a map entitled "Greenwater Valley Proposal", dated June 1988 (CDCA-148), and which shall be known as the Greenwater Valley Wilderness;

(26) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately seventy nine thousand eight hundred and sixty-eight acres, as generally depicted on a map entitled "Nopah Range Proposal", dated June 1988 (CDCA-150), and which shall be known as the Nopah Range Wilderness;

(27) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately one hundred twenty one thousand nine hundred and twelve acres, as generally depicted on a map entitled "Owlshead Mountains Proposal", dated June 1988 (CDCA-156), and which shall be known as the Owlshead Mountains Wilderness;

(28) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirty two thousand hundred and twenty-five acres, as generally depicted on a map entitled "Little Lake Canyon Proposal", dated June 1988 (CDCA-157), and which shall be known as the Little Lake Canyon Wilderness;

(29) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty six thousand one hundred and thirteen acres, as generally depicted on a map entitled "Owens Peak Proposal", dated June 1988 (CDCA-158), and which shall be known as the Owens Peak Wilderness;

(30) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirteen thousand nine hundred and eight-six acres, as generally depicted on a map entitled "El Paso Mountains Proposal", dated June 1988 (CDCA-164), and which shall be known as the El Paso Mountains Wilderness;

(31) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-nine thousand one hundred and thirteen acres, as generally depicted on a map entitled "Golden Valley Proposal", dated June 1988 (CDCA-170), and which shall be known as the Golden Valley Wilderness;

(32) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty thousand two hundred and ninety-one acres, as generally depicted on a map entitled "Newberry Mountains Proposal", dated June 1988 (CDCA-206), and which shall be known as the Newberry Mountains Wilderness;

(33) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately seventeen thousand six hundred and thirty acres, as generally depicted on a map entitled "Rodman Mountains Proposal", dated June 1988 (CDCA-207), and which shall be known as the Rodman Mountains Wilderness;

(34) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately eleven thousand sixty-eight acres, as generally depicted on a map entitled "Bighorn Mountains Proposal", dated June 1988 (CDCA-217), and which shall be known as the Bighorn Mountains Wilderness;

(35) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately six thousand four hundred and ten acres, as generally depicted on a map entitled "Morongo Proposal", dated June 1988 (CDCA-218), and which shall be known as the Morongo Wilderness;

(36) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately eleven thousand one hundred and sixty-nine acres, as generally depicted on a map entitled "Whitewater Proposal", dated June 1988 (CDCA-218A), and which shall be known as the Whitewater Wilderness;

(37) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirty-four thousand three hundred and sixty-nine acres, as generally depicted on a map entitled "Kingston Range Proposal", dated June 1988 (CDCA-222), and which shall be known as the Kingston Range Wilderness;

(38) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty-one thousand seven hundred and one acres, as generally depicted on a map entitled "Cinder Cones Proposal", dated June 1988 (CDCA-239), and which shall be known as the Cinder Cones Wilderness;

(39) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty-six thousand four hundred and five acres, as generally depicted on a map entitled "Kelso Dunes Proposal", dated June 1988 (CDCA-250), and which shall be known as the Kelso Dunes Wilderness;

(40) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty-three thousand two hundred and thirty-two acres, as generally depicted on a map entitled "Bristol/Granite Mountains Proposal", dated June 1988 (CDCA-256), and which shall be known as the Bristol/Granite Mountains Wilderness;

(41) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-four thousand two hundred and thirty-eight acres, as generally depicted on a map entitled "South Providence Mountains Proposal", dated June 1988 (CDCA-262), and which shall be known as the South Providence Mountains Wilderness;

(42) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifty-nine thousand six hundred and eighty-one acres, as generally depicted on a map entitled "Providence Mountains Proposal", dated June 1988 (CDCA-263), and which shall be known as the Providence Mountains Wilderness;

(43) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty-three thousand five hundred and nineteen acres, as generally depicted on a map entitled "Castle Peaks Proposal", dated June 1988 (CDCA-266), and which shall be known as the Castle Peaks Wilderness;

(44) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirty-four thousand eight hundred and fifty-four acres, as generally depicted on a map entitled "Fort Piute Proposal", dated June 1988 (CDCA-267), and which shall be known as the Fort Piute Wilderness;

(45) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately one hundred sixteen thousand four hundred and eighty acres, as generally depicted on a map entitled "Turtle Mountains Proposal", dated June 1988 (CDCA-307), and which shall be known as the Turtle Mountains Wilderness;

(46) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately sixty-one thousand eight hundred and fifty-three acres, as generally depicted on a map entitled "Chemehuevi Mountains Proposal", dated June 1988 (CDCA-310), and which shall be known as the Chemehuevi Mountains Wilderness;

(47) certain public lands in the Yuma, Arizona District of the Bureau of Land Management, located in California, which comprise approximately nine hundred and thirty-eight acres, as generally depicted on a map entitled "Chemehuevi/Needles Addition Proposal", dated June 1988 (AZ-050-004), and which shall be known as the Chemehuevi/Needles Addition Wilderness;

(48) certain public lands in the Yuma, Arizona, District of the Bureau of Land Management, located in California, which comprise approximately seventy-two thousand sixty-three acres, as generally depicted on a map entitled "Whipple Mountains Proposal", dated June 1988 (CDCA-312), and which shall be known as the Whipple Mountains Wilderness;

(49) certain public lands in the Yuma, Arizona, District of the Bureau of Land Management, located in California, which comprise approximately one thousand three hundred and forty-three acres, as generally depicted on a map entitled "Whipple Mountains Addition Proposal", dated June 1988 (AZ-050-010), and which shall be known as the Whipple Mountains Addition Wilderness;

(50) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately seventy-five thousand six hundred and sixty-five acres, as generally depicted on a map entitled "Palen/McCoy Proposal", dated June 1988 (CDCA-325), and which shall be known as the Palen/McCoy Wilderness;

(51) certain public lands in the California Desert District of the Bureau of Land Man-

agement, California, which comprise approximately fifty-two thousand seven hundred and eighty-two acres, as generally depicted on a map entitled "Coxcomb Mountains Proposal", dated June 1988 (CDCA-328), and which shall be known as the Coxcomb Mountains Wilderness;

(52) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifty-one thousand four hundred and thirty-four acres, as generally depicted on a map entitled "Eagle Mountains Proposal", dated June 1988 (CDCA-334), and which shall be known as the Eagle Mountains Wilderness;

(53) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately forty-seven thousand one hundred and forty acres, as generally depicted on a map entitled "Santa Rosa Mountains Proposal", dated June 1988 (CDCA-341), and which shall be known as the Santa Rosa Mountains Wilderness;

(54) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately seven thousand one hundred and ninety-nine acres, as generally depicted on a map entitled "Mecca Hills Proposal", dated June 1988 (CDCA-343), and which shall be known as the Mecca Hills Wilderness;

(55) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-eight thousand two hundred and seven acres, as generally depicted on a map entitled "Orocopia Mountains Proposal", dated June 1988 (CDCA-344), and which shall be known as the Orocopia Mountains Wilderness;

(56) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifty-seven thousand thirty acres, as generally depicted on a map entitled "Chuckwalla Mountains Proposal", dated June 1988 (CDCA-348), and which shall be known as the Chuckwalla Mountains Wilderness;

(57) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately thirty-one thousand four hundred and ninety-three acres, including eight hundred and ninety-one acres adjacent to the Wilderness Study Area, as generally depicted on a map entitled "Julian Wash (formerly Indian Pass) Proposal", dated June 1988 (CDCA-355), and which shall be known as the Julian Wash Wilderness;

(58) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately five thousand four hundred and fifty-five acres, as generally depicted on a map entitled "Gavilan (formerly Picacho Peak) Proposal", dated June 1988 (CDCA-355A), and which shall be known as the Gavilan Wilderness;

(59) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-five thousand seven hundred and sixteen acres, as generally depicted on a map entitled "North Algodones Dunes Proposal", dated June 1988 (CDCA-360), and which shall be known as the North Algodones Dunes Wilderness;

(60) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately twenty-six thousand one hundred and twenty-eight acres, as generally depicted on a map entitled "Jacumba Proposal", dated June 1988 (CDCA-368), and which shall be known as the Jacumba Wilderness;

(61) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately fifteen thousand three hundred and fifty-nine acres, as generally depicted on a map entitled "Fish Creek Mountains Proposal", dated June 1988 (CDCA-372), and which shall be known as the Fish Creek Mountains Wilderness; and

(62) certain public lands in the Carson City, Nevada, District of the Bureau of Land Management, located in California, which comprise approximately five hundred and fifty acres, as generally depicted on a map entitled "Carson Iceberg Proposal", dated June 1988 (NV-030-532), and which shall be known as the Carson Iceberg Wilderness.

(b) The acreages cited in this Act are approximate. In the event of discrepancies between acreages cited in this Act and the acreages depicted on the referenced maps, the maps shall control.

(c) The designation of the Skedaddle Wilderness Area by subsection (b)(7) shall not be construed or used to restrain current or future activities associated with the adjacent Sierra Army Depot.

SEC. 5. As soon as practicable after enactment of this Act, a map and a legal description for each designated wilderness area and area added to the National Park System shall be filed by the Secretary with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical, and cartographic errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Offices of the Director and California State Director, Bureau of Land Management, Department of the Interior.

SEC. 6. (a) Subject to valid existing rights, each wilderness area designated by section 4(a) of this Act shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.) and pursuant to the rules and regulations promulgated in implementation thereof.

(b) The following lands are hereby added to the National Park System:

(1) certain public lands in the California Desert District of the Bureau of Land Management, California, which comprise approximately one hundred and three thousand eight hundred acres, as described in the Bureau of Land Management's Monument Environmental Impact Statement, 1989, and generally depicted on maps entitled "Proposed Additions to National Park System Death Valley National Monument, 1989", are hereby incorporated in, and shall be deemed to be a part of Death Valley National Monument; and

(2) certain public lands which comprise approximately four thousand eight hundred acres, as described in the Bureau of Land Management's Monument Environmental Impact Statement, 1989, and generally depicted on a map entitled "Proposed Addition to National Park System Joshua Tree National Monument, 1989", are hereby incorporated in, and shall be deemed to be a part of Joshua Tree National Monument.

(c) Upon enactment of this Act, the lands described in subsection (b) of this section, are, by operation of law and without consideration, transferred to the administrative jurisdiction of the National Park Service. The boundaries of the California Desert District; Death Valley National Monument and Joshua Tree National Monument are adjusted accordingly. The areas added to the National Park System by this section shall be administered in accordance with the provisions of law generally applicable to units of the National Park System.

(d) The Secretary shall, within a reasonable period of time, prepare plans to manage each designated wilderness area.

(e) For purposes of this Act, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of enactment of this Act.

SEC. 7. Any lands within the boundaries of a wilderness area established by this Act that are acquired by the United States after the date of enactment of this Act shall become part of the wilderness area within which they are located and shall be managed in accordance with all the provisions of this Act and other laws applicable to such wilderness area.

SEC. 8. Except as otherwise provided in this Act, and subject to valid exiting rights, all Federal lands established as wilderness by this Act and all lands within wilderness areas designated by this Act which are hereafter acquired by the United States are hereby withdrawn from all forms of entry, appropriation, or disposal under the public lands laws, including the mining, mineral leasing, geothermal leasing, and material sales laws.

SEC. 9. (a) Nothing in this Act designating lands as wilderness shall constitute or be construed to constitute either an express or implied reservation of water or water rights for wilderness purposes. The United States may acquire such water rights as it deems necessary to carry out its responsibilities on any lands designated as wilderness pursuant to the substantive and procedural requirements of the laws of the States of California and Nevada as appropriate.

(b) Nothing in this Act shall be construed to limit the exercise of water rights as provided under California and Nevada State laws as appropriate.

SEC. 10. (a) Military aircraft testing and training activities as well as demilitarization activities in California are an important part of the national defense system of the United States, and are essential in order to secure for the American people of this and future generations an enduring and viable national defense system.

(b) Nothing in this Act shall be construed to restrict, forbid, or interfere with demilitarization activities and the overflight of military aircraft over areas designated in this Act as the components of the National Wilderness Preservation System.

(c) The designation by this Act of wilderness areas in the State of California shall not restrict military overflights of wilderness areas for the purposes of military testing and training.

(d) The fact that military overflights can be seen or heard shall not preclude such activities over the wilderness areas designated by this Act.

(e) Nothing in this Act shall be construed to restrict, forbid, or interfere with demilitarization activities at Sierra Army Depot which is located adjacent to areas designated in this Act as components of the National Wilderness Preservation System and the fact that such demilitarization activities can be

detected from within the adjacent wilderness areas shall not preclude such activities.

SEC. 11. In recognition of the past use of portions of the wilderness areas designated by this Act by Indian people for traditional cultural and religious purposes, the Secretary shall assure access to the wilderness areas by Indian people for traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an appropriate Indian tribe or Indian religious community, may from time to time temporarily close to general public use one or more specific portions of wilderness areas in order to protect the privacy of religious cultural activities in such areas by Indian people. Any such closure shall be made so as to affect the smallest practicable area for the minimum period necessary for such purposes.

SEC. 12. The Congress finds and directs that all public lands in the State of California administered by the Bureau of Land Management have been adequately studied for wilderness designation pursuant to sections 202 and 603 of the Federal Land Policy and Management Act of 1976 and those lands not designated as wilderness by this Act are no longer subject to the requirements contained in section 603 of the Federal Land Policy and Management Act of 1976 for management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness and shall be managed for their other resource values in accordance with land management plans development pursuant to the Federal Land Policy and Management Act; or as part of the National Park System pursuant to section 6 of this Act.

SEC. 13. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The CHAIRMAN. Under the rule, the gentlemen from California [Mr. LEWIS] will be recognized for 30 minutes, and the gentleman from California [Mr. LEHMAN] will be recognized for 30 minutes.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we have suggested on several occasions, this amendment by way of a substitute, which has been approved, is a direct reflection of that public process whereby a major cross-section of interests who are concerned about the California desert held public hearings over a period of years, spent $8 million of the taxpayers' money to analyze and resolve the conflicts involved in a controversy such as this. They were ordered by the Congress to come forth with a bill. They have come forth with a bill.

The committee has not chosen to take up the bill or consider its passage from the subcommittee or the full committee process. Because of that, we have had to essentially put that measure in a substitute, in an attempt to first make some sense out of the desert-planning process and make certain that whatever bill was passed had a chance at least to reflect the truly critical interests that lie in the California desert.

The bill that we have by way of this substitute involves 62 wilderness areas covering 2.3 million acres. As I have said several times this evening and on other occasions, this would be the largest wilderness area to be established in the continental United States, if it were to pass into law. And it reflects the need to protect many a delicate area in the California desert.

I mentioned to my colleagues that the reason that we are most intently opposed to H.R. 2929 is because it is a bill that reflects the excess of a very few in the environmental movement. They walked away from the public process and essentially took their original proposal of over a decade ago and introduced it by way of legislation in the other body.

Over the last several years, that measure has not been successful. The author of this bill, 2929, announced early in the year that he had a grand compromise that would solve some of those problems. The grand compromise makes almost no difference from that original bill and, indeed, it reflects none of the public input that we have been discussing.

As a practical fact, it is important to point up some of the difficulties of that bill in terms of excess.

In my judgment, H.R. 2929 is an ill-timed and underfunded expansion of the National Park System. H.R. 2929 creates a new 1.5-million acre national monument in the East Mojave at a time when the National Parks and Conservation Association has identified a $2 billion operations and maintenance backlog within the existing park structure as their most critical, their most critical priority.

By their own estimate, in East Mojave alone the Park Service would have to spend $16 million to acquire 116,000 acres of private land. The $16 million does not improve the properties. It merely compensates the existing owners for loss of their property interest.

It also adds 1.3 million acres to the Death Valley National Monument and 2,000 acres to the Joshua Tree National Monument, when the Park Service supports a more manageable and quality addition of 108,600 acres.

The alternative is to leave the East Mojave as a BLM management national scenic area, a designation which preserves its traditional character and heritage while creating seven permanent wilderness areas totaling 293,000 acres. That is what the Park Service wants; that is what the Department of Defense supports. They oppose H.R. 2929.

Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MCCANDLESS].

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

Permit me a little latitude here. I was born, raised, except for my time in school and the service, in the desert. I live in the desert and, if everything goes right, I will die in the desert.

My roots go back to 1900 when my grandfather homesteaded in this general area. I went to school in a one-room schoolhouse while living with my grandparents. I rode a horse, did not ride a bus to school. And we ate rattlesnake and rabbits and other things because things were kind of tough in those days.

I mention this to my colleagues because with all due respect to those who live in New York or some other distant place, the desert means much more to me because of what I have related than it can possibly mean to those type of people who have not had these kinds of experiences.

So when we talk about the rape of the desert or we talk about wilderness areas, I relate to those things.

I would like to share with my colleagues an experience I had with the Bureau of Land Management, when I spent 2 days going through in detail each of the wilderness areas that were being proposed by our bill and being proposed by our opponents' bill.

We looked at many of these areas. We said, yes, the study on this area says we need to have this as a wilderness area. We would fly on and here is another area and they said, well, we do not feel that this area is justified, even though it is in the other person's bill, because a road goes right through it. And if we notice down there there is a little shack, and there happened to be at that point two cars next to the shack.

My interpretation is that wilderness area is pristine, something that has not been inhabited by man, something that is as near perfect as possible, not something that has been inhabited and used and continued to be used by the public over a period of time.

Many of the areas in question in my opponents' bill meet this definition. I personally saw these on a map and looking out of the window of a helicopter. So these are some of the things I take into consideration when I think in terms of what people say about us, on that side of the aisle, do not have a sensitivity to these areas.

Let me talk a little bit about that portion of the desert that I represent, roughly in this wilderness study area about 50 miles by 200 miles. Right through the middle of that going in an east-western direction is the old Butterfield stage route, one of the main routes during the westward movement of our country. And later, as the name implies, a stagecoach route.

The wilderness area in question that is being proposed for that area is not wilderness at all. It is the part of the Butterfield stage route of great age and prominence used to a large degree by four-wheel-drive people as an outing on weekends, and many of these four-

wheel-drive clubs are clubs that utilize the family unit as a means of recreation, as my colleague has said. They are working people, and this is their way of recreating.

□ 1910

So when we talk about the naval gunnery range, we are talking about adjacent to the naval gunnery range putting in some wilderness areas that have no concept as I understand wilderness areas of meeting the necessary criteria. They have been utilized ever since the westward movement by people coming in covered wagons and later in other ways.

That is one of the problems that I have with the study and the basis upon which this particular plan is designated.

Let us talk a little bit about the Joshua Tree National Monument as it currently exists. There is a proposal to expand this monument and make it a national park. It would be certainly fine to make it a national park. The gentleman from California [Mr. LEWIS] has talked about the shortage of problems relative to that. The proposed expansion of Joshua Tree National Monument is very impractical, because a great deal of that being proposed for expansion is either currently being lived in or has been lived in at some time, and has no bearing or relationship to what is a national park or a Joshua Tree National Monument expansion is intended to try to accomplish for the benefit for the public.

We have talked about all of the land use and the attitudes and ideas and thoughts of people relative to the desert, and I must say in all candidness, this all seems to focus down to one big picture and one major magazine, motorcycles going across the desert in herds.

I beg Members to take this into consideration, that there are nuts and bolts to this that have not been considered, that are not proper with respect to the land use. And it is currently a part of this desert that all of us have enjoyed, not at the expense of the desert.

Mr. LEHMAN of California. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I must say I am very much interested in this recreation of history that seems to be taking place here on the floor during the last hour. I will begin my remarks by talking about the process.

I have heard from the other side that the Lewis substitute was not given a chance, the Lewis substitute was not heard, that the Lewis substitute never had an opportunity. The fact is my committee held a hearing on the Lewis substitute and on H.R. 2929. It did that at the request of the minority. Both bills were heard at the same time in committee, in September, and both had ample testimony. In fact, the Lewis substitute was in order as an amendment in the subcommittee when the subcommittee met. It was sitting at the desk, but no member of the minority sought to introduce the substitute either as an amendment or as a substitute at that time.

At the Rules Committee, the gentleman from California stated that the reason he did not do that was because he did not have the votes. Sometimes around here you do not have the votes. But that is not saying that there was not due process. Every possible opportunity was given, not just for this proposal, but over the course of the past 6 years that this bill has been around. That is right, 6 years. My colleague from California, Mr. LEVINE, and I did not have a conversation 2 months ago and decide to have a desert bill. It has been here for 6 years, and it has been examined from every possible angle. There have been six hearings, three of those hearings having been in California and 500 people have testified.

Earlier this year when I was designated by our committee to be the person on our committee in charge of this legislation I decided not to just take that proposal that had been around and run with it, but I decided as a matter of fairness and as a matter of building on the record to go ahead and question everything in the bill, and to try and find out if there were ways we could modify it that would meet specific objections. We did that, I talked to every interest in California involved in the desert. The door was always open, and the results of that process are reflected in this bill.

Last year this bill was opposed by every utility in California. Now not one single utility, major utility is in opposition to this bill. In fact, Southern California Gas expressly supports the bill. Why? Because we have gone in, and we have taken care of their problems. We have opened up the corridors. We gave them an opportunity to be heard, and we responded.

The same thing goes for the mining interests. In case after case we have accommodated mining interests in this bill, and those have gone away.

Of course we have not been able to accommodate everybody 100 percent, all of the time. That is the nature of the process. But the process has been followed meticulously.

A year ago the State teachers were opposed to this bill. Now the State teachers retirement system is in support of this bill. Why? Because we opened the door. We talked to them. We made the necessary changes and we moved forward.

We removed 271,000 acres, and in the en bloc amendment we will take another 160,000 out of that proposal. We have removed 75,000 acres for off-road vehicle use that was not included in the other bill, 114 miles. And yes, as I stated earlier and will state again now, no active mines are within any wilderness boundaries. Valid existing mining claims are protected in wilderness and parks. However, we have eliminated 73,400 more acres for certain mining interests. We have gone out of our way, whether it was with the grazing issue and the cattlemen, whether it was with the State teachers, with the utilities, the mining interests, the off-road people. I could go on and on, we have met their objections, accommodated their interests where it was in the interest of moving this bill forward, where it was in the interest of solving the problem and moving the bill forward, and that is the issue here.

The other side claims that what they want is a dialog. This bill has been around for 6 years. It has had all of those hearings. It is not dialog that the other side wants, it is delay, delay, delay.

Delay is disaster for the desert and delay stops today. Delay stops in 1 hour when we have the opportunity to vote on the Lewis amendment.

I have a great deal of respect for JERRY LEWIS. He has been a friend of mine for many years.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. LEHMAN of California. I have a great deal of respect for the gentleman, and that is one of the reasons I am going to keep my time.

I want to say that the gentleman genuinely believes in protecting the desert. I have no questions at all as to his motives, and I know that on these issues he knows whereof he speaks. And I certainly hope that as this process unfolds itself beyond this day, and in the final end, JERRY LEWIS and I can be standing together and supporting this bill. I hope that, but I am not going to give away everything in the meantime to get that.

Very soon, in less than an hour on this floor is the moment of truth for the desert. We are going to have to decide whether we want a plan that provides real protection, a plan that has been worked out over the years, and intensely in the last few months, or whether we want a sham, business as usual, that only protects those areas that need protection the least, and leaves unprotected the most fragile parts of the ecosystem.

Reject the Lewis amendment. Support the committee bill. It is the right thing to do for California and for our natural heritage.

Mr. LEWIS of California. Mr. Chairman, I might mention that the gentleman excluded radio and TV cameras from the district in those hearings we are talking about and did not allow the local supervisor from the district to testify. It was an open process, of course.

Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr.

THOMAS], who represents the California Desert.

Mr. THOMAS of California. Mr. Chairman, I guess we have inflated things around here so much that putting 2.3 million acres into wilderness is a sham, that it does not mean anything, that it is not worth anything, that H.R. 3066 represents delay.

What H.R. 3066 represents was the mandate of this Congress in 1976. What H.R. 3066 represents is the process the American people participated in.

I was at those hearings. Boy, I would have loved to have had a TV camera in there. In fact, you folks probably still have scars on your body, some of them which could be shown in places where people do look, but given the people who were there, and their resentment over what you were doing to the process, I am sure it left some scars in places that you would not allow people to look.

□ 1920

Those were the hearings that we had in California. I was there. I know what the people who live and work in the desert said to you people in public hearings, but what I heard was the fact that the gentleman from Minnesota said that no one can argue with their bill.

Is that not the way it is around here? No one can argue with their definition of what is right. No one can argue with what we do with lands in your district, including not consulting you. This is not the first time it has happened to me.

I represent a district that goes from the Pacific Ocean to the Nevada border. Every time there is a wilderness bill in California, almost every time, I am involved in terms of my district and not involved in terms of an active participant. It happened just a few months ago. They said, "Well, we didn't know you represented that portion of that particular county."

There have been bills come through here where people who represent the area have not participated. But let me tell you, somebody can argue with H.R. 2929.

As I said, the Secretary of Defense said that H.R. 2929 is unacceptable. Even if you take the amendments, it is unacceptable.

In that same letter, the Secretary of the Army, the Acting Secretary of Defense, said they support H.R. 3066.

In fact, he said the reason for the extraordinary success of the U.S. Armed Forces in the desert of Iraq and Kuwait was a direct result of the extensive training in the desert of California. Victory in combat depends upon effective training. The effective training of the U.S. Armed Forces today depends upon military facilities in California.

Enactment of H.R. 3066 would assist in ensuring effective training at military facilities in California. Enactment of H.R. 2929, even with the amendments, would degrade the effectiveness of military training at those facilities, and they urge the Members to oppose, even with the amendments, H.R. 2929.

Somebody argues with it. Those people who use it for national defense argue with it. They do not argue with H.R. 3066. We put away 2.3 million acres. We did it intelligently. We did not say take a portion of wilderness represented by BLM and put it in the National Park Service, even though there is a 9,000-foot mountain range separating those two areas and no roads to traverse it.

We do not care, they say, that the National Park Service has to drive 150 miles around it to police the area, and that on average the National Park Service takes about $10.50 to police an acre, but BLM and wilderness takes about $2.50, and BLM has a station at Big Pine 40 miles away.

Now, at some point there is supposed to be a compromise. The proponents of H.R. 2929 have said they entered into that compromise, yet we are going to see a whole series of amendments that ask to make fundamental changes, and the military has said after you make those changes that you are willing to offer, H.R. 2929 is still unacceptable. H.R. 3066 is acceptable.

There are no amendments available for H.R. 3066. It went through the process. The public had input. It is just that what I heard from the chairman of this new committee was that we allowed the bill to be heard. The bill that came from the administration, that went through the process that Congress authorized, you allowed it to be heard.

I want to tell you, a couple years ago we were over on the Senate side in opposition to the Senate bill at that time, of which H.R. 2929 is a model, and before the committee we pleaded with the chairman of that committee. We said, "Senator, we don't have an alternative bill. We are waiting for the process to be completed."

That Senator said, "I have a bill in front of me, and if there isn't an opposing bill, we are going to move this bill."

You folks jumped the tracks, and I understand why you jumped the tracks.

The gentleman attended the hearings there. The gentleman from California [Mr. LEHMAN] was in Inyo County. The gentleman heard what those people had to say. A number of them were upset about what was going on. A number of them supported it, but there was a give and a take to the process, the process of give and take, everybody is culminated in H.R. 3066.

The only reason it does not stay on the same plane as H.R. 2929 is in large part because of who represents the area itself, who runs the committees in this place, and the attitude some of you have about what representation is supposed to be about.

It is the old saying, "What is mine is mine, and what is yours is mine." That is where we are going with H.R. 2929.

Please take a look at H.R. 3066, 2.3 million acres, the culmination of a public process. The military is happy, everybody is happy.

In fact, the only people who are not happy with H.R. 3066 are the people whose names are on H.R. 2929.

Mr. LEHMAN of California. Mr. Chairman, I yield 3 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, I rise to oppose the amendment and in favor of the California Desert Protection Act.

I would like to put a human dimension, if you will, on all this. I hope that the Members will recognize that there are people in California who very much favor this act. There are people like my mother who has lived in the desert, lived in Palm Springs, loves the desert as much as anybody else who comes from that area does, and for people on the floor to characterize that those who are in favor of this bill are somehow less committed to the desert and the mountains and the people and the animals and the species that are there is simply unfair and untrue.

My father rode in those mountains and in that desert for more than 20 years. He loved it, and I am rising today in support of that in memory of my father and my mother today. She stands there in Palm Springs and expects me and expects this Congress to look to the future. She is in her eighties. Her time on this Earth is coming to an end and she expects us in the U.S. Congress to be looking out for our children and our children's future and her nephew who is in northern California, who comes to southern California to the desert, to the mountains, to camp out, to take photographs, to hike, and reveres that area. Whether it is someone in their twenties, my nephew, whether it is someone in their eighties like my mother, they love this area and they want this area protected and they want to see that the future is preserved, not for exploitation, not for those who want to take something out of the desert to make a profit out of it, but to profit all the people in terms of what is best in this country, best for the desert, best for California, best for the United States, that respects what this Congress is all about and what it should be doing.

Let us see what it does not do. It does not stop military overflights or prevent any military activities necessary to the security of the United States.

I sit on the Armed Services Committee and I can say that is true.

It does not require a large appropriation or purchase of any land or adversely impacts hunting or existing water rights. That happens to be the fact of the matter. If you want to dis-

agree with the judgment, disagree with the judgment, but to characterize those of us who support it as in any way endangering the national security is a base canard.

What it will do is protect California's magnificent desert. It will create the Mojave National Monument. It will upgrade the national park status of the Joshua Tree and Death Valley Monuments. It will create 76 wilderness areas and protect 2,500 species of plant and animal life.

The plain fact of the matter is that support for this bill is to support what is best about preservation in national parks, what is best about environmental preservation for the future and does not endanger in any way, shape or form, nor offer the opportunity in any way, shape or, form, for anything less.

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

Mr. ABERCROMBIE. Yes, of course, I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, the gentleman knows that the establishment of the buffer zones around Chino Lake and Chocolate Mountains are affected by H.R. 2929 and prevents the bombing and the use of the Chocolate Mountains.

Mr. ABERCROMBIE. No national security is involved in any way, shape, or form.

Mr. CUNNINGHAM. I rise today because I was able to use those routes.

Mr. ABERCROMBIE. If the gentleman has a different opinion, he is entitled to it.

Mr. CUNNINGHAM. Because I was able to use those routes.

Mr. ABERCROMBIE. If the gentleman has a different opinion, he is entitled to it.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HUNTER].

□ 1930

Mr. HUNTER. Mr. Speaker, I yield to the gentleman from California [Mr. CUNNINGHAM], my friend, the distinguished Member from San Diego and Navy top gun, to give his opinion with respect the efficiency and effectiveness of the bombing ranges that are in question under the Lehman bill.

Mr. CUNNINGHAM. Mr. Chairman, I flew 21 years using those ranges. I provided and drew up some of the training routes, know exactly how they are affected and how they are not affected.

There is not a buffer range around China Lake or Chocolate Mountain. That actually endangers people's lives.

We have lost people to Mark-82's, that is a 500-pound bomb, and Mark-83's, which is a 1,000-pound bomb. That not only affects the military, it affects civilians who want to use the camping areas around it. If that is not important to my colleague from Hawaii, saving human lives, I do not know what is.

There is an unpaved movement corridor from Fort Irwin to the Marine Corps Base at Twenty-nine Palms. This is where we test all of our latest weapons and missiles that are used out of Point Magoo and the training range. That is critical to these areas.

Mr. HUNTER. I thank the gentleman, and I will yield very briefly to the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. I simply want to ask the gentleman if he is aware of a letter submitted to me by the chairman of the Committee on Armed Services, who unfortunately was unable to stay. I will ask unanimous consent to include this letter in the RECORD.

In a nutshell, the letter emphasizes the importance of training in the California desert.

The CHAIRMAN. That particular request has to be made in the House.

Mr. LEVINE of California. Fine. Without submitting the letter, let me ask if the gentleman from California [Mr. HUNTER] is aware of this and if the gentleman is aware that the chairman of the Committee on Armed Services, having reviewed this bill, supports it and believes it does not compromise national security?

Mr. HUNTER. Let me reclaim my time and simply say to the gentleman, the gentleman who is talking right now is the gentleman who has flown Navy aircraft over the Chocolate Mountains, he is a top fighter pilot in the U.S. Navy, he knows what it is to have accidents with heavy ordnance. He has reviewed the proposed new wilderness areas that are adjacent to the Chocolate Mountain gunnery range, and I would rely on that gentleman before I would rely on a staff recommendation made in the House of Representatives.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield further?

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

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I also say to my colleague, remind him that this is the same chairman of the Committee on Armed Services, by the way, my chairman, who wants to give $1 billion to the Soviet Union out of the defense area. And this is also a Democrat-controlled committee.

Mr. HUNTER. I thank the gentleman.

Let me simply say to my colleagues we are talking once again about a lockout of middle America, middle-class people from the desert.

The gentleman from Hawaii talked about his mother being able to enjoy the desert, and he made a good point. I would like to mention a lady named Ida Little, from Imperial Valley, who is 84 years old, who gives wildflower tours in the desert. There is a difference between her and other people, young people who can carry backpacks and hoof it. She has to ride in a Jeep.

People like Ida Little are going to be locked out of the massive enclosures of wilderness. There is no way that you can go into the south Algondones dunes and enjoy that territory. People like Ida Little and literally thousands of families who have recreation in the desert cannot go fly fishing in New Zealand, cannot go surfing in Australia, but who on a Sunday or a Saturday will drive into the California desert for a little time away from their bosses, they are going to find themselves locked out by a policy that is essentially an elitist policy, a policy that is driven by people who live in condominiums in New York, San Francisco, and other places in this country who do not realize that blue-collar America needs areas to go and re-create.

They can do that now in the California desert. The Lewis alternative that reserves 2.5 million acres for wilderness certainly is a balanced alternative.

In my case, the north Algondones dunes are going to be preserved under the Lewis alternative as wilderness. All of the species will be preserved under that particular plan.

Once again, this is a lockout bill, it locks out blue-collar America, it is elitist. And at a time when we have lost 114,000 blue-collar jobs, throwing those families out of work in California, the last thing we should be doing is closing up their places where they have a little chance for recreation.

Mr. LEHMAN of California. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

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

Mr. Chairman, recent hearings before Representative SIKORSKI'S subcommittee have exposed the fact that our professional land management agencies have been politicized under Reagan and Bush more so than at any time since we adopted civil service reforms earlier in this century.

Professional land managers have been silent for fear of their jobs. Instead of dispassionate, professional, evenhanded opinions, we get political documents rewritten by higher-ups, people on Vice President QUAYLE'S Competitive Council.

The administration now claims that the National Park Service does not believe the East Mojave qualifies for inclusion in the park system. It is a ridiculous and unfounded claim that flies in the face of recommendations by professional staff of both the Park Service and BLM, whose reports state unequivocally that the Mojave fully qualifies for park or monument status.

In 1979 the BLM report says:

> It is the conclusion of the desert plan staff that cultural and natural resource values of the East Mojave study area are so diverse and outstanding that the area readily qualifies for national park or monument status.

When the California Desert Protection Act was first introduced in 1986, the Park Service conducted a study to

determine if the Mojave met the criteria for inclusion in the National Park System. Based on this study, the western regional director of the Park Service submitted a detailed report to the Park Service Director, which is summarized by this statement:

The proposed Mojave National Park meets the criteria and would be a worthy and valuable addition to the National Park System. We recommend its addition to the National Park System.

Recommend, I repeat.

Just 2 months ago that same western regional director, now retired, testified that the Park Service support of the Mojave was being misrepresented to the public and the Congress by the current administration.

Reject the substitute, reject the politicization and this warping of the views of the professional agencies.

Let us listen to the professionals and adopt the base bill.

Mr. LEHMAN of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI].

Mr. BENNETT. Mr. Chairman, will the gentlewoman yield to me?

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

Mr. BENNETT. Mr. Chairman, I rise in support of this much needed legislation. I would like to share some paragraphs from a manuscript book I wrote while in the hospital at the end of World War II. These paragraphs describe the Mojave Desert where I trained in 1943 for combat in the deserts of Africa. However, we actually fought in New Guinea and the Philippines. The paragraphs I share with you are as follows:

We arrived in the desert as the sun was setting behind the deep blue mountains in the distance. The chaplain spread the altar cloth over the hood of a jeep and we had a brief service before turning in under the stars for our first night in this once empty sea of sand, now peopled by thousands of soldiers sleeping more or less quietly side by side.

Before leaving the desert I was assigned to Anti Tank Company and with them I went through the infiltration course and fired the 37 mm guns. This was in addition to the endless work in the PX's—clerking and cleaning up, purchasing and bookkeeping.

One Sunday I took the greater part of the day off and went on a prospecting hunt in the mountains, looking for semiprecious stones. I borrowed the entrenching pick with which we cracked ice at the PX, and slung a desert water bag over my shoulder for drinking water. I came back with a lot of blisters, a dulled pick and no valuable stones. Anyway it was a change from the mercantile business.

I was surprised to find how many things live in the desert. There were a great many different kinds of flowering cacti. One was particularly attractive with crisp yellow-green petals and bright yellow centers. There were plenty of greasewood bushes and every hundred or so acres there would be a smoke tree suggesting a short stationary column of smoke until you came up close.

There were coyotes, too, and some of the boys got coyote pups for pets as well as horned toads, many other types of lizards and some snakes. There were furry gophers and pack rats. One morning I found a little kangaroo mouse that had trapped himself in a pop bottle. We had to break the bottle to get him out.

On my hike to the mountains I saw several jack rabbits. They would bound ahead of me and then pause to look back at me, repeating the process over and over.

The heat was terrific in the day but it was quite cold at night. When you sat down on your cot a huge cloud of dust would get up to let you have the seat. Water was scarce but we got along somehow. Of course bathing in helmets was the usual procedure for settling the dust on your body. That is about all it did.

Women scarcely ever came near our camp but once I did see one under unusual circumstances. The wind had blown down the canvas from around our box latrine. A young lady came by looking for her husband's tent and she carried on quite a conversation with a soldier enthroned on the latrine, which apparently she did not recognize as such.

There was majesty in the beauty of our desert—the brilliant purple of encircling mountains on a clear, early morning; full daylight's pastel colors in the distance, mostly azure-grey pink, lavender, orange and light brown; the intense blue of the peaks at dusk like something done by Maxfield Parrish; midnight's deep and sparkling sky, steel blue ranges and soft grey carpets of sand, stretching easily and endlessly in starlit and moonlit swells and shallows. What I saw reminded me of the face of an oldster who has lived fully and well through tribulations—strength, grandeur and dignified handsomeness spoke from every line, every ridge and every hollow.

Our 3 months in the desert came to a close and we chugged off to a California port of embarkation. There I became a platoon leader in reality instead of mostly on paper. I was assigned the third platoon of Anti Tank Company. With the exception of guerrilla activity in the Philippines I stayed with this platoon throughout the war. They were in every way extraordinary and wonderful men.

Ms. PELOSI. Mr. Chairman, I am pleased to rise in support of the California Desert Protection Act which is before us today.

H.R. 2929 is a compromise bill that maintains the sanctity of wilderness, protects park land, and allows diverse multiple-use activities in other areas of the desert.

Legislation to protect the California desert has been proposed during the last three Congresses and we can hail its consideration on the floor today as a major success for all those who have worked to forge this unique compromise. Chairman GEORGE MILLER, Subcommittee Chairman LEHMAN, and Congressman LEVINE have accomplished what many believed to be the impossible. Their efforts to accommodate the many interests and activities in the desert, such as grazing, mining, offroad vehicle use, has resulted in a fair compromise that addresses these diverse interests.

A recent statewide poll by the Field Institute confirmed that 75 percent of Californians support greater protection of the desert environment. The public overwhelmingly supports this public land protection measure.

H.R. 2929 will preserve, as open space, park, and wilderness areas in approximately one-third of the 25-million-acre desert region of southern California.

The California desert is an incomparable landscape that is home to hundreds of species of wildlife, plant life, the world's largest Joshua tree forest and mammoth sand dunes. H.R. 2929 will create 76 new wilderness areas and add 3 million acres of desert as national park lands.

Our actions today will determine the future of the unique California desert ecosystem. By voting for H.R. 2929, we can preserve a public treasure for all time. Future generations deserve nothing less.

Mr. Chairman, I urge my colleagues to join me in voting for H.R. 2929.

Mr. LEHMAN of California. Mr. Chairman, I yield 1 minute to the gentleman from Nevada [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I thank the gentleman for yielding this time to me, and I rise in support of the California bill.

I think it is a good bill. It protects the fragile ecology of the desert. I live in the southern desert myself.

Mr. Chairman, I note that the substitute bill also includes part of Nevada. I was not really consulted on this. I really think we should have been consulted on this, that they should have talked to a person from Nevada before including Nevada as part of the bill.

□ 1940

Mr. Chairman, I was just wondering if the Representative of southern California would tell me why Nevada, the Representative from Nevada, this was not discussed with him.

Mr. LEWIS of California. Mr. Chairman, I must respond to my colleague, the gentleman from Nevada [Mr. BILBRAY], by saying, "You may not recall, but, when we were discussing your problems relative to the San Bernardino highway system, I discussed the desert bill with you as well. It just may have been that the highway package was much more important to you. We did discuss it. I'm sorry if I didn't make the item clear at the time, but we have discussed the matter."

Mr. BILBRAY. Mr. Chairman, would the gentleman describe the areas that are included in Nevada because I do not know this area very well? Could he give me a little explanation of it?

Mr. LEWIS of California. Mr. Chairman, I would be happy to describe the area in detail, but we do not have much time. I ask the gentleman, "Why don't you just come over here, and we'll talk about it?"

Mr. LEHMAN of California. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in opposition to the Lewis amendment in the nature of a substitute.

This substitute has many shortcomings, both in what it would do and in what it would leave undone.

In the desert, it would not provide sufficient protection for important wilderness areas that would be protected under the bill as reported from the Interior Committee. It also would not give national monument status to the very special and unique East Mojave area.

Over the last 4 years, the Interior Committee has very thoroughly considered and analyzed many varied proposals for future management of the public lands in the California desert area, including the administration proposals as embodied in the Lewis amendment. A particular focus in our deliberations has been what management should be provided for the East Mojave. We took account of a 1979 report by BLM that concluded that the "cultural and natural resource values of the East Mojave study area are so diverse and outstanding that the area readily qualified for national park or monument status." We took account of a 1987 conclusion by the professional staff of the National Park Service that the areas met the required criteria specified in the Park Service's management policies, and that the area would be a worthy and valuable addition to the National Park System.

On the basis of such studies and conclusions, and on the basis of very extensive hearings, including three hearings in California where we heard from hundreds and hundreds of witnesses, the Interior Committee voted for designation of the East Mojave as a national monument.

National monument status for the East Mojave is a very important part of the committee's decisions about future management of the California desert. The House should reject the Lewis amendment, which in this and other ways does not do what needs to be done for the desert.

The Lewis substitute is not just a desert bill. It is inadequate to the subject before the House. Ironically, not satisfied with the breadth of this task the Lewis substitute which would designate at least 10 wilderness areas that are not even within the California desert, and in fact are many, many miles away from it—600 acres are even in Nevada. These are areas about which regrettably there have been no hearings at all. Because the focus was the California desert. The Interior Committee should and will consider proposals for BLM wilderness areas in other parts of California, but we have not yet done so.

The House should not today rush to judgment concerning wilderness on BLM lands in California outside the desert. This substitute is misdirected. We should do all that is necessary in the desert, but we should not try to decide how to manage areas outside the desert, about which we do not yet know enough to make sound decisions.

The Lewis substitute fails both those tests. It should be rejected by the House.

Mr. LEWIS of California. Mr. Chairman, with great pleasure and delight, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I come to the well as a Representative of a Democrat district, a blue-collar, working person's district where one can drive up and down every street and see the trailers, the recreational vehicles, the Broncos, the Sierras, the off-road vehicles, the motorcross bikes, the desert dirt bikes. Every type of recreational vehicle under the Sun is in my district, the working heart of Orange County, and we love those deserts.

I have four; count them, four, off-road vehicles: two Broncos and two that are made on those islands up in the Northwest Pacific because unfortunately Harley does not make them, but I love my Honda Odysseys, and I am looking to buy a Honda Pilot. I love to go out in the desert, and I swear to my colleagues that I would not run over a California poppy, and I would suggest public thrashing for any man that would hit a Joshua tree, even dent it, out there in that beautiful Mojave Desert. I have landed a dead stick F-100 on Bicycle Dry Lake; I love that lake. I trained to be combat-ready on Cuttyback Dry Lake. I have landed emergency out at Edwards on Rogers Dry Lake. I love that area.

Mr. Chairman, I lived out there for over 2 years with my wife. Two of my children out of five are born out there, and I say to the other party quite seriously, "I'm reaching out to you. Look at this as a protection to what we're going to pass on to our prosperity, but also look at it as a family issue."

The gentleman from California [Mr. LEWIS] loves the district. He loves his district in the desert. He would not be doing something to hurt this area and doing something against the majority viewpoint.

These polls which are quoted about Americans wanting to lock up areas of north Alaska or the California desert, look at how the question is phrased. If one did not answer the way some of them are quoting, they would look like they did hate this beautiful planet that God has given us, but families enjoy these deserts.

I say to my Democratic colleagues, You're not the cheese and brie set. We don't call you country club Democrats. You are blue-collar, off-road people, not autobahn, high speed, Beemer/Mercedes types, most of you. You come with your families to California, not to climb Mt. Whitney, but to enjoy the deserts, and to go Disneyland, and to use those places where you combine family and love of the countryside.

Mr. Chairman, I submit my statement for the RECORD.

Mr. Chairman, I rise today in opposition to H.R. 2929, the California Desert Protection Act of 1991. This bill simply does not address the concerns of those who actually live, work, and recreate in the California desert, which covers about 25 million acres in the southeast quarter of the State. In fact, Mr. Chairman, the bill may not be boondoggle, but it is a dune-boggle.

This bill, in its current form, would create 3 million acres of new park land and designate millions of additional acres as wilderness. These large tracts of land are beyond even what the radical environmentalists claim is necessary. But more importantly, in laying aside these enormous amounts of land, H.R. 2929 does not take into account any of the vital issues relating to military operations in the California deserts. Indeed, H.R. 2929 directly impacts the military's ability to function in the area. As the Assistant Secretary of the Department of Defense has stated;

H.R. 2929 is clearly a step backward when compared to previous legislative initiatives. It totally ignores the vital interests of the Department of Defense and it compromises our future, putting at risk the lives of our servicemen and women.

The following examples indicate the extent to which the California Desert Protection Act [CDPA] would affect the future military use of the area, the importance of which was most recently reflected in Operation Desert Storm and Operation Desert Shield.

In effect, the CDPA negates the proposed expansion of the National Training Center at Fort Irwin through the imposition of new park and wilderness boundaries surrounding the training center. It also would probably proscribe continued military overflights of wilderness areas. Historically, Americans have not accepted military overflights of their national parks, and public pressure has imposed limits on military overflights of wilderness areas. Thus, based on past experiences, the Department of Defense fears that H.R. 2929 could eventually preclude overflights below 3,000 feet. Such restrictions would significantly impact testing at Edwards and China Lake Air Force Bases. They would also compress needed low-level flights into smaller, more populated areas, thereby increasing risk, noise, and discomfort for residents and greater risk for pilots as a larger number of planes would be directed into a smaller flying area.

Furthermore, the California Desert Protection Act reserves for the Federal Government quantities of water in the region to fulfill the purposes of the act. Under California law, the United States, just as any other landowner, is entitled to riparian water rights and a reasonable share of the water in the groundwater basins underlying the Federal lands. The State law is more than sufficient to fulfill any and all needs which the Federal Government may deem appropriate for Federal lands in California. Yet, the proponents of H.R. 2929, for some unexplained reason, do not think this is enough. They want the Federal Government to have a paramount right to control all the ground water in the desert. The language of the bill is further ambiguous as to whether the rights to ground or surface water, or both, are being reserved. California, not the Federal Government, must maintain control over water

management and administration. Water sources are too scarce and States' rights are too important.

Finally, the California Desert Protection Act will eliminate, within 25 years, almost half of all livestock grazing in the new parks created in the desert. This runs counter to the long tradition, dating back to the 1860's in some cases, which permitted grazing in the region.

California is blessed with a wide variety of wilderness areas that are a treasure to the State. As long as these areas are treated with respect and reverence, and the needs of all sectors are taken into consideration, they should be open to all to enjoy. Surely, the best way we can give today's Californians, and all other Americans and their children, an opportunity to enjoy and benefit from this unique and remarkable resource requires that we pass truly balanced legislation.

For this reason, I will vote in favor of H.R. 3066, the Lewis California desert wilderness amendment, which is a comprehensive substitute to the California Desert Protection Act. This better desert bill, which creates 2.3 million acres of new wilderness, takes into account the interests and needs of the hundreds and thousands of other desert people along with those of the environmental organizations.

The development of this bill involved the kind of public input that should be employed when major land use decisions are made. It represents the culmination of 15 years' effort to identify areas suitable for wilderness designation in accordance with a congressionally mandated plan, and considers the concerns of all factions interested in the desert's future.

The Lewis amendment is the result of public meetings and hearings, 16 environmental impact statements, mineral surveys, and 40,000 comments reflecting the views of all who use the desert. Apparently the drafters of H.R. 2929, the California Desert Protection Act, felt no need to consider the multitude of available studies and information when creating their legislation. It is obvious that their legislation falls short of a balanced approach. For this reason, H.R. 2929 should be defeated.

Mr. LEHMAN of California. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. JONTZ].

Mr. JONTZ. Mr. Chairman, as a member of the Mining Subcommittee, I know that one of the differences between these two measures, the substitute and the committee bill, is the issue of mining, and I want to take a moment to address the body on that issue because I think there should be no misunderstanding about this matter.

In general debate it was represented by the gentlewoman from Nevada [Mrs. VUCANOVICH] that we should not pass the committee bill because the U.S. Geological Survey had not done surveys of different areas with regard to minerals, implying that there was valuable minerals there that in some way would be locked up by the committee bill.

I suggest that is not true at all. In fact, the USGS has had lots of time to do surveys of these areas. They have had years, and years, and years to do surveys, and they have not done them, and I think the reason they have not done them is that there is no reason to do them, and the suggestion that we would be taking some hasty action by passing the committee bill that would have adverse consequences for mineral resources in my opinion is ill-founded. In fact, the USGS could take years, and years and years more to get around to doing those surveys, and it would be very unfortunate.

So, Mr. Chairman, it would be very unfortunate for us to believe that we are having an adverse impact on mineral resources and to vote for the substitute for that reason.

Mr. Chairman, the California desert is very valuable. There are lots of places to run on RV's. There are lots of places to graze. There are lots of places in this country that have mineral resources. There is only one California desert, and I dare say there are a lot of families all across our country who will enjoy the desert as a park and as a monument, families who, in fact, are owners of this because it is public land, and these families all across our country have a right to see that this very valuable resource is passed on to the next generation and the generations to follow unimpaired.

That is what the committee bill would do, and I urge the Members to reject the substitute and to support the committee bill.

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Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to one of my colleagues, a member of our newest class of experts, the gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in the strongest opposition to H.R. 2929, and I urge my colleagues to do the right thing and the fair thing by supporting the LEWIS substitute. A few weeks back, when we were busy rolling over the constituents of the gentleman from Kansas [Mr. NICHOLS], a situation that I know all too well, I wondered how long it would be before we would be hanging a sign on the Golden Gate Bridge or perhaps the Statue of Liberty reading, "Now entering North American National Park." It could be sooner than I expected.

At the rate we are going, by this time next year we may not have an election reform bill or a crime bill. The budget certainly is not going to be balanced, but I dare say that with very little effort we could very easily double or triple the size of our parks. At the very least, we could easily have the last piece of Alaska roped off and perhaps print some more money and then buy the gentleman from Alaska [Mr. YOUNG] a ranger's hat.

Mr. Chairman, each day we open business with a series of 1-minute speeches in which we rail about the decline of American productivity or the threat from foreign competition, and we attack deficit spending that sets new records every day, and we decry the encroachment of the Federal Government into the lives of our citizens. Yet we follow those speeches with consideration of legislation that takes more and more land out of production and puts more and more people out of work. We pass legislation that authorizes "such sums as are necessary," and we further erode States' rights. Today is no exception.

Mr. Chairman, the proponents of this legislation contend that America needs this act. They say that this is more than a California bill, but what about the needs of California's 20th District, 35th District, 37th District, and 45th District? Do we doubt the able Representatives of those districts that much? Let them represent their constituents and let us tend to the business of representing our constituents.

Mr. Chairman, If we insist on passing something, let us pass the substitute offered by the gentleman from California [Mr. LEWIS], but better yet, let us pass legislation that America does need and then go home for the year before we do any more damage.

Mr. LEHMAN of California. Mr. Chairman, I yield 9 minutes to the gentleman from California [Mr. MILLER], the distinguished chairman of the Committee on Interior and Insular Affairs, who will be making his first appearance in the well this evening.

Mr. MILLER of California. Mr. Chairman, this has been a spirited and heated debate before this Chamber, as are most of the debates that take place over legislation that is reported from the Committee on Interior and Insular Affairs, because very little that this committee does is action of an abstract nature.

Very often we consider legislation on the floor of this Congress from different committees where we do not know the impact of it for years to come. We speculate about that impact, and we are not sure what constituencies are affected or what areas are affected. That is not usually true with the Committee on Interior and Insular Affairs because, as we are tonight, we are designating lands for different uses, in many instances for uses different than they were prior to the passage of this legislation, some new, some old, some precluded, some limited, some expanded, but we affect somebody with almost everything we do.

I tried as the chairman of this committee to treat this bill differently. I tried to treat it differently to make sure that what we did not accomplish was what was talked about in our State for many years, and that was what was called an attempt to lock up the desert.

I am a backpacker, but I do not think all people who want to enjoy our natu-

ral resources should have to backpack. I am a dirt biker, but all people who enjoy our natural resources should not have to travel by dirt bike. I ride all-terrain vehicles, but all people should not have to ride all-terrain vehicles. I choose not to ride around in a Winnebago, but people who do should have access to our parks, should have access to our monuments, and should be able to see the great assets and the great jewels of this Nation.

That is why this bill was treated differently. I did not believe that an effort to preserve the great California desert, to preserve part of our environment—and I mean our total environment—should be done in a way that we would throw people out of work or shut down going concerns, be they extracting minerals or other businesses.

I felt that we should make every effort to preserve them. We should understand that this park comes after them, and in fact, as the chairman of this subcommittee said, we did that. But for two sand and gravel mines, the rest of them were allowed to continue. For those who have perfected rights in mining, they will be allowed to continue. For those who were in the wilderness areas, they will be allowed to continue.

That is not by accident; that is by direction, because we have got to understand what the real debate is about. We have heard a great deal over the last years about the multiple use, and our friends on the Republican side of the aisle very often refer to their support of the multiple use. Multiple use means multiple use, not my use, not your use, and in this bill there is essentially no use of the land that is allowable today that is precluded.

Some are different. Some of those people who enjoy the 568,000 acres for off-the-road vehicles, those who enjoy that hobby of theirs and indulge in that family activity, as I do, will now only have 500,000 acres to enjoy. Those who want to race along the 35,000 road miles on their dirt bikes and other vehicles will now only have 33,000 miles to race along. For those who want the quiet and the peace and the opportunity to take photographs and enjoy the wonderful wilderness areas, this bill addresses their desires. And if there are problems—and believe me, the problems were not there until it was understood that this bill was going to come on the floor—with overflights and with our capabilities to train, those too will be addressed in this process.

Finally, Mr. Chairman, let me say this about this committee. I am new to the chairmanship of this committee, but those who spoke so outrageously about the process never once called my office and complained, never once asked me to intercede, never once asked me to get a witness on who was denied, if there were any, never once asked if I could help. They asked me to delay twice, and we did. We delayed those hearings at the request of the minority.

So everybody in this bill has been treated fairly. Those voices have been heard, and that is the way it is going to be in this committee. An opportunity was made for the gentleman from California [Mr. LEWIS] to offer his amendment, and he chose apparently not to do that because they believed they did not have the votes.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield for one quick question?

Mr. MILLER of California. Mr. Chairman, let me finish first, and then I will yield to the gentleman.

Before we went to the Rules committee, I talked to the gentleman from California]Mr. LEWIS], and I said, "I will request a rule, and I want you to know in advance it is moving rather quickly, so, JERRY, make up your mind what amendments you wanted now so you will have all your amendments ready in case they say they have to be put in the RECORD, because I will ask for an open rule, but because of the time they may say they have to be printed or what-have-you."

We had that discussion. In my committee I do not cut off debate. In my committee I do not ask for closed rules because I believe, with the work of my subcommittees, my chairmen, and the members of my committee, we can stand the scrutiny of this House. And this bill does that. It is not what the gentleman from California [Mr. LEWIS] would want, and I understand that. I appreciate that. It is not what many other Members would want, those who were supporting the earlier Cranston-Levine bill.

But we have worked those differences, and we will continue when we get to the amendments, to shape and modify this bill.

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Mr. Chairman, this is a terribly important bill, a terribly contentious bill, but a bill that should be passed to preserve the California desert.

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

Mr. MILLER of California. I yield to the gentleman from California.

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

Mr. Chairman, I just wanted to ask a question. I would like to ask the question on the mining. With the problems we have with oil and in the future, does this exclude geothermal drilling for future energy sources? When you say existing mining and look into the desert, I know in our particular area we are doing geothermal drilling. That would preclude it, as I understand it.

Mr. MILLER of California. Mr. Chairman, reclaiming my time, in the last several weeks, I have been meeting with representatives of the utilities that have a great interest in that, and they have raised no objection about that to this legislation. As late as last night they told me of their support, as have the members of the mining industry.

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman will yield further, will this prevent future exploration for geothermal? It is an important energy source.

Mr. LEHMAN of California. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. LEHMAN of California. Mr. Chairman, in putting this bill together we have excluded geothermal areas in the bill. As part of the process, we have gone over it in the past year. I am sure there may be some included, but, there again, we have tried to balance it out.

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

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I would point out in China Lake, where the substantial geothermal resources are, that is withdrawn. I might also add to the gentleman's comment, we had a hearing on the military withdrawals. No Members requested to appear before it. It was clear and evident at that time, with the sponsorship of myself and the gentlemen from California, Messrs. MILLER, LEHMAN, and LEVINE, that that amendment was going to be offered in that hearing.

I might repeat the testimony from the Department of Defense. We had a lot of other people claiming they are experts here today about things, but they said, "I am delighted to be here and have the opportunity to testify in favor of this bill. The Department of Defense is delighted with the withdrawal provisions. We have been wanting to get this settled for some time, as you know."

Mr. Chairman, he did not ask for an expansion or any additional withdrawals. I am not aware of any additional withdrawals that the Department of Defense sought.

Mr. MILLER of California. Mr. Chairman, reclaiming my time, I use this time just to simply pay my compliments to the gentleman from Guam [Mr. BLAZ] and to the gentleman from California [Mr. LEHMAN] for the work, the hours, and time that they have put in on this legislation in the committee, as well as to the gentleman from California [Mr. LEVINE] who has struggled for a number of years now to get this matter to the floor of this Congress and to have it become the law, and all of the other members of the committee that have toiled with this difficult, emotional, contentious issue. I believe they have a work product that we can all be very proud of that has been developed through a fair process.

Mr. Chairman, H.R. 2929, the California Desert Protection Act, deserves our support.

The Congress has held a longstanding interest in protecting the resources of the California desert. In 1976, we passed the Federal Land Management and Policy Act [FLMPA] which recognized the unique environmental, scenic, and economic resources of the California desert. FLMPA directed the Secretary of the Interior to prepare and implement a comprehensive long-range plan for the California Desert Conservation Area. In response, the Bureau of Land Management [BLM] released the California desert plan first in 1980, and after some revision, again in 1982.

Mr. Chairman, many people were unhappy with the BLM's final California desert plan. Many believed the plan was skewed toward mining, grazing and other consumptive uses.

Recognizing that something had to be done to protect the area's natural resources without eliminating development, Senator CRANSTON introduced the first California desert bill in 1986. Since then, companion bills in each successive Congress have been introduced by Senator CRANSTON and my colleague from California, Congressman MEL LEVINE.

Rather than prolong the debate at the expense of the natural and economic resources in the California desert area, the Committee on Interior and Insular this year created a new subcommittee specifically to address the California desert. Chaired by Congressman RICHARD LEHMAN, the Subcommittee on General Oversight and California Desert Lands has worked with Congressman LEVINE and other members of the Interior Committee to craft the bill we are considering today.

After more than 15 years of questioning, what is the best approach to managing the desert, H.R. 2929, the California Desert Protection Act answers those who said we need to achieve a balance. At the same time, as H.R. 2929 preserves natural and scenic areas for the enjoyment and education of future generations, H.R. 2929 also provides recreational opportunities, and allows mining, grazing, and other activities to continue in specific areas.

Subcommittee Chairman LEHMAN and Congressman LEVINE, the sponsor of H.R. 29292, devoted a great deal of time and effort to this legislation. There have been six hearings, including three in California, on the California desert since 1986, when Senator ALAN CRANSTON first introduced his desert protection bill. Most recently, the House Interior Subcommittee on General Oversight and California Desert Lands held a hearing September 16, 1991 on H.R. 2929 and H.R. 3066, introduced by Congressman JERRY LEWIS.

Mr. Chairman, H.R. 2929, as reported, creates a new 1.5-million-acre Mojave National Monument, and designates 4.3 million acres of Federal land in California as wilderness. In addition, H.R. 2929 adds about 1.5 million acres of land currently managed by the Bureau of Land Management to the existing Death Valley and Joshua Tree National Monuments, and the monuments are redesignated as national parks.

Many cities and counties in California, including Los Angeles, San Francisco, San Diego, Riverside, and Fresno have passed resolutions supporting the passage of H.R. 2929. In addition, the California AFL–CIO, California State Lands Commission, Sierra Club, Wilderness Society, Natural Resources Defense Council, National Audubon Society, and other environmental organizations also endorse the bill. Southern California Edison, the Los Angeles Department of Water and Power, and Southern California Gas Co. have all either expressed their support for the bill or have said they do not object to this legislation.

Mr. Chairman, I'd like to highlight a few provisions of the bill, including section 610 which is important to the retired teachers in California, and the California State Lands Commission. This provision is an innovative approach to address a serious concern raised by the California State Lands Commission.

As my colleagues may know, 3 years after California became a State, the Federal Government in 1853, gave sections 16 and 36 out of every township to California as a revenue source for public education. Today, the California State Lands Commission owns approximately 270,000 acres of land, and 53,000 acres of mineral interests within the California desert. The California State Lands Commission manages these lands for the benefit of the retired teachers in California. Once H.R. 2929 is enacted, the commission's lands will become inholdings within the park units and wilderness areas designated in the California Desert Protection Act.

When the Interior Committee considered H.R. 2929, we included section 610 to protect the investment of the retired teachers in California and address the concerns of the California State Lands Commission. Section 610 directs the Interior Secretary to negotiate a land exchange agreement with the commission. The agreement would provide for the exchange of State school lands for nonrevenue-producing Federal lands.

The Congress would be required to approve any land exchange consisting of more than 5,000 acres of Federal land or involving Federal lands valued at more than $5 million. The provision will give the Congress the opportunity to review large land exchanges to make sure taxpayers receive fair market value for their Federal lands. In addition, the provision is consistent with the BLM's objective in the management plan for the East Majove National Scenic Area to acquire 149,210 acres of inholdings, many of which are owned by the California Sate Lands Commission.

If the State continues to own inholdings as of October 1, 1996, H.R. 2929 provides the California State Lands Commission with a monetary credit account equivalent to the value of the State's inholdings. The commission may use the credits in this account to bid as any other bidder for surplus Federal property sold in California.

Mr. Chairman, I understand the Bureau of Land Management is circulating a document that suggests that the lands owned by the California State Lands Commission are worth as much as $93.2 million—more than 250 percent higher than the $35 million price tag estimated by the California State Lands Commission. Someone's wrong. I seriously doubt the California State Lands Commission's own report would deflate the price of the State's lands. I question the accuracy of BLM's numbers which I understand were prepared overnight.

Mr. Chairman, I also suggest that the BLM's report, "Inholding Acquisition Costs," is a political document being circulated by the BLM in an effort to kill H.R. 2929. If it isn't, then why weren't all members of the Interior Committee, including myself, provided a copy of the report?

As for the private inholdings, BLM's recent report says they are worth from $142.8 million to $408.1 million. In contrast, CBO's cost estimate dated January 29, 1990 says the Interior Department has estimated that the total surface value of the 550,000 acres is $70 to $80 million. Even the major private landowner in the California desert believes the BLM's numbers are high.

If we are to believe BLM's recent estimates, this means the price of real estate in the California desert increased as much as 500 percent from January 1990 to today. Mr. Chairman, I suspect the BLM is inflating the cost of the lands to support the faulty argument that we can't afford H.R. 2929. In reality, we can't afford not to pass H.R. 2929.

H.R. 2929 is a compromise in the best sense of the word. While not everyone agrees with H.R. 2929, the support we've received from environmental organizations, as well as some mining companies and people from desert communities leads us to believe that we should support H.R. 2929.

Mr. Chairman, after more than a decade of controversy, balance has become the watchword. H.R. 2929 achieves the balance we sought to find. The legislation preserves millions of acres of lands at the same time as it allows those who use the land for mining, grazing, and recreational activities to continue their pursuits in specific areas.

I encourage my colleagues to join me in supporting H.R. 2929.

Mr. PACKARD. Mr. Chairman, I appreciate the opportunity to support the amendment offered by my colleagues from California, Mr. LEWIS Mr. MCCANDLESS, Mr. THOMAS, and Mr. HUNTER.

H.R. 3066 refines some of the more troublesome aspects of H.R. 2929. Each bill addresses the challenge of preserving the desert, however, this amendment provides a balanced, viable solution. This amendment substitutes language which provides a sound environmental and economic approach to protecting and preserving our desert wilderness.

This amendment is a public oriented protection plan informed by an exhaustive study conducted by the Desert Advisory Committee. There have been 70 official meetings and public hearings, hundreds of informal meetings with a variety of interested groups and in excess of 40,000 individual public comments for the record spanning the committees' 15-year study. In other words, testimony has been heard from nearly every segment of California society.

This amendment mandates a balanced, environmentally sensitive land-use policy as opposed to arbitrary restrictions against multiple uses of the California desert.

Supporters of H.R. 2929 have claimed that if you oppose their bill you are against the desert, the wilderness, and the environment.

This is not true, my opposition to H.R. 2929 lies in the manner in which the legislation was drafted. Sufficient public comment was not or-

dered and not sought. The public must be a participant in the process that decides how wilderness areas are chosen. As a Californian who cares deeply about our deserts, I believe this amendment is more effective in achieving a wise and safe land-use policy for our desert.

I ask that democracy be allowed to flourish in the desert. That the process of give and take between the people and the Government, which is inherent in this amendment, be allowed to take place.

I thank the Speaker and ask my colleagues to support the Lewis amendment.

The CHAIRMAN. The Chair would state that the gentleman from California [Mr. LEWIS] has 4½ minutes remaining, and the gentleman from California [Mr. LEHMAN] has 3 minutes remaining.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I rise in support of the substitute offered by the gentlemen from California, the same gentlemen who represent the desert area that we seek to protect today.

The desert of California is a stunning place. I grew up there, went to elementary school there, and still love to visit when I can. The desert's scenic beauty, its ecological significance—the desert's very importance as a natural and pristine ecosystem—is not in question today. Instead, the question is the extent of protection this desert area needs. I want to compliment my two Democratic colleagues, Mr. LEVINE and Mr. LEHMAN, for their work on behalf of the desert. They have worked to accommodate the needs and of many competing concerns. I will likely vote to support their bill, their compromise, should this substitute not pass. But I urge this body to respect the position of the four men who represent the desert area being discussed on this floor. The matter before us is about the extent of protection we give the California desert, not protection itself.

H.R. 2929 would create millions more acres of protected land than this substitute would. I'm not sure representatives from other, non-Western States quite understand how large a million acres is. We are shutting off vast areas of desert today over the objections of the men who were elected to represent the people who live there. Please, vote to support the Lewis substitute.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume for closing on this side.

Mr. Chairman, it seems to me it is important that we make a couple of fundamental points, one of which was just alluded to very effectively by my colleague from California [Mr. ANDERSON].

First I would like to indicate a very important area of support from a gentleman from California who has a long record as a very, very significant contributor to our environmental concerns in our State. Though a staunch environmentalist, California Gov. Pete Wilson thinks locking up the desert will limit access to only those hardy enough to backpack in. He noted last year that only 300 miles of trails would be retained in the proposal before us and access to over 7,000 miles would be lost.

"Some groups want to save the desert from the people," he said. "I think we should save the desert for the people."

It is very, very important that we recognize the significance of the contribution that this desert adds to our military strength, so I would read aspects of a letter that we received dated November 21, 1991:

DEAR MR. CHAIRMAN: We oppose the California Desert Protection Act of 1991 (H.R. 2929) and support the California Public Land Wilderness Act (H.R. 3066). Adoption of amendments to H.R. 2929 expected to be offered by Congressman Vento and Blaz would address defense concerns related to military overflight, the National Training Center, and land withdrawals, but H.R. 2929 still would not address the following defense needs addressed in H.R. 3066: (1) the establishment of buffer zones around China Lake and the Chocolate Mountains; (2) an unpaved movement corridor from Fort Irwin to Marine Corps Base Twentynine Palms through the Cady Mountains; and (3) utilities through the Cleghorn Lakes required to develop the intended electronic ranges in the southeastern section of Marine Corps Base Twentynine Palms.

Mr. Chairman, I would remind Members that in its present form H.R. 2929 is very definitely on the veto list of the President of the United States. Indeed, we are long past the point where we ought to be solving the problem of the California desert. Unless we see significant compromise, that goal of all of us is not going to be attained.

Mr. Chairman, as I close, most importantly I would urge Members to recognize the fact that this is a most unusual debate we have had. Never since have been in the Congress have I seen us in a circumstance where four Members of the House who represent the people of the desert suddenly are being run over by a committee that absolutely had precommitted themselves to pass the legislation introduced and cosponsored by the chairman of the subcommittee.

Mr. LEHMAN of California. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I take this time to agree with my colleague from California, this has been a contentious debate, worthy of the diversity of our State, and I think it has been a good and fair fight under the rule here on the floor.

Again I want to express my appreciation to the gentleman from Guam [Mr. BLAZ] for his cooperation, to the gentleman from Minnesota [Mr. VENTO], and to the full committee chairman.

Mr. Chairman, I yield the remainder of my time to the original sponsor of this bill, the gentleman from California [Mr. LEVINE].

The CHAIRMAN. The gentleman from California [Mr. LEVINE] is recognized for 2½ minutes.

Mr. LEHMAN of California. Mr. Chairman, this debate has focused on both process and substance, and I would like to close the debate briefly by focusing on each.

On process I think the chairman of the full committee and the chairman of the subcommittee have done an excellent job of spelling out just how open this process is. Generally private communications between Members do not become a part of the discussion on the House floor, but in light of some of the misunderstandings, I do think it is important to understand and underscore that there have been extensive efforts by those of us on this side of the aisle, those of us working to see that the California desert is preserved for future generations, not only to work with a number of the interests involved, but efforts to try to work with the Members on the other side of the aisle.

Mr. Chairman, this has been done repeatedly. They have been involved in hearings. They have been involved in the process. It has been an open process.

The gentleman from California earlier raised a question about the Cottonwood Mountains. The reason I was surprised he raised it is that this has been an area that has been recommended by the National Park Service and by the BLM for inclusion in the National Park Service. I have that recommendation here.

□ 2010

On the merits, Mr. Chairman, there have been three issues mentioned repeatedly by the opposition.

First, the issue of the military. And I would simply conclude this side's debate by referring to a statement that was going to be made by the chairman of the Committee on Armed Services. He gave me the statement. He was not able to stay here for the conclusion of this debate, but I simply want to quote two aspects of it.

As chairman of the Armed Services Committee, I recognize that our military forces must train as they will fight. The success in Operation Desert Storm demonstrated the vital importance of our facilities in the Southern California desert.

And he concludes by saying he supports the bill, he believes that it is consistent with training and with our national security.

Second, the East Mojave, the gentleman on the other side of the aisle opposed East Mojave inclusion as a national monument.

Mr. Chairman, both the National Park Service staff director and the BLM staff director have proposed that the East Mojave be included in the National Park System. The Park Service

Director suggested that it "would be a worthy and valuable addition to the Park System," and the BLM Director concluded that the area readily qualifies for Park Service or monument status.

In conclusion, Mr. Chairman, I strongly urge a "no" vote on the Lewis amendment, to preserve the California desert for the people of California and the people of America. I strongly urge a "no" vote on the Lewis amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from California [Mr. LEWIS].

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

RECORDED VOTE

Mr. LEWIS of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 150, noes 241, not voting 43, as follows:

[Roll No. 420]

AYES—150

Allard
Allen
Anderson
Anthony
Archer
Armey
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehner
Brewster
Bunning
Burton
Bustamante
Callahan
Camp
Chandler
Chapman
Clinger
Coble
Coleman (MO)
Combest
Condit
Coughlin
Cox (CA)
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Dingell
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Espy
Ewing
Fields
Franks (CT)
Gallegly
Gekas
Geren
Gillmor
Gingrich
Goodling
Gradison
Grandy
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hubbard
Hunter
Hutto
Hyde
Inhofe
Johnson (CT)
Johnson (TX)
Jones (NC)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lightfoot
Livingston
Lowery (CA)
Marlenee
Martin
Martinez
McCandless
McCrery
McEwen
McMillan (NC)
Meyers
Miller (OH)
Molinari
Montgomery
Moorhead
Nichols
Nussle
Olin
Oxley
Packard
Parker
Paxon
Penny
Peterson (FL)
Pickett
Ray
Regula
Rhodes
Ridge
Riggs
Roberts
Rogers
Rohrabacher
Santorum
Sarpalius
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (OR)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sundquist
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Young (AK)
Zeliff

NOES—241

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Annunzio
Applegate
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Bonior
Borski
Boucher
Boxer
Browder
Brown
Bruce
Bryant
Byron
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
DeFazio
DeLauro
Dellums
Derrick
Dicks
Donnelly
Dooley
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Goss
Green
Guarini
Hall (OH)
Hamilton
Harris
Hatcher
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Huckaby
Hughes
Jacobs
James
Jefferson
Jenkins
Johnson (SD)
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Moody
Moran
Morella
Murtha
Nagle
Natcher
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (MN)
Petri
Pickle
Porter
Poshard
Price
Rahall
Ramstad
Rangel
Ravenel
Reed
Richardson
Rinaldo
Ritter
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal
Sabo
Sanders
Sangmeister
Savage
Sawyer
Saxton
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Skaggs
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Snowe
Solarz
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swett
Swift
Synar
Tallon
Thomas (GA)
Thornton
Torres
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Zimmer

NOT VOTING—43

Alexander
Andrews (NJ)
Aspin
Baker
Brooks
Broomfield
Clay
Clement
Crane
de la Garza
Dixon
Doolittle
Dorgan (ND)
Gaydos
Ireland
Johnston
Kolter
Laughlin
Lipinski
Lloyd
McDade
Michel
Morrison
Mrazek
Murphy
Myers
Neal (MA)
Pursell
Quillen
Roe
Roth
Russo
Scheuer
Smith (IA)
Solomon
Torricelli
Towns
Traxler
Waxman
Wylie
Yates
Yatron
Young (FL)

□ 2036

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. Torricelli against.

Mr. ORTIZ, Mrs. ROUKEMA, and Mr. HERTEL changed their vote from "aye" to "no."

Mr. ESPY changed his vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Mr. LEHMAN of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. BROWDER] having assumed the chair, Mr. BARNARD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2929) to designate certain lands in the California desert as wilderness, to establish the Death Valley Joshua Tree, and Mojave National Parks, and for other purposes had come to no resolution thereon.

NATIONAL VISITING NURSE ASSOCIATIONS 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 joint resolution (H.J. Res. 212) to designate the week beginning February 16, 1992, as "National Visiting Nurse Associations Week," 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. Reserving the right to object, Mr. Speaker, I would like to acknowledge the work of the gentlewoman from Ohio [Ms. OAKAR], the chief sponsor.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 212

Whereas visiting nurse associations have served homebound Americans since 1885;

Whereas such associations annually provide home care and support services to more than 1,500,000, men, women, children, and infants;

Whereas such associations serve 422 urban and rural communities in 45 States;

Whereas such associations adhere to high standards of quality and provide personalized and cost-effective home health care and sup-

port, regardless of an individual's ability to pay;

Whereas such associations are voluntary in nature, independently owned, and community based;

Whereas such associations ensure the quality of care through oversight provided by professional advisory committees composed of local physicians and nurses;

Whereas such associations enable hundreds of thousands of Americans to recover from illness and injury in the comfort and security of their homes;

Whereas such associations ensure that individuals who are chronically ill or who have physical or mental handicaps receive the therapeutic benefits of care and support services in the home;

Whereas, in the absence of such associations, thousands of patients with mental or physical handicaps or chronically disabling illness would have to be institutionalized;

Whereas such associations provide a wide range of services, including health care, hospice care, personal care, homemaking, occupational, physical, and speech therapy, friendly visiting services, social services, nutritional counseling, specialized nursing care by registered nurses, and meals on wheels;

Whereas, in each community serviced by such an association, local volunteers support the association by serving on the board of directors, raising funds, visiting patients in their homes, assisting patients and nurses at wellness clinics, delivering meals on wheels to patients, running errands for patients, working in the association's office, and providing tender loving care; and

Whereas the need for home health care for young and old alike continues to grow annually: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning February 16, 1992, is designated as "National Visiting Nurse Association Week", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

Ms. OAKAR. Mr. Speaker, I would like to thank Chairman SAWYER of the Census and Population Subcommittee, as well as Mr. RIDGE, the ranking minority member, for their fine leadership and efforts on that subcommittee. I would also like to thank Chairman CLAY for his distinguished leadership on the full committee of which I am proud to be a member. Gratitude is also due to Senator BRADLEY and Senator HATCH for their companion bill, Senate Joint Resolution 124, which is under consideration by the other body. This legislation will, for the fourth year in a row, honor the truly samaritan efforts of visiting nurse associations all across our land.

My colleague, Mr. BURTON of Indiana, and I introduced House Joint Resolution 212 to designate February 16 through 23, 1992, as "National Visiting Nurse Associations Week." The VNA movement in the United States is as diverse as the Nation which it serves. Indeed, in every community in America, from inner city areas to sprawling farms, these vibrant associations involve registered nurses, nurses aides, medical specialists, counselors, therapists, and volunteers to provide quality, professional homecare to nearly 1 million of our Nation's neediest citizens—regardless of the patient's ability to pay.

Mr. Speaker, last year I had the honor of serving on the Pepper Commission, and I know well the crisis facing our citizens not only in affordability of access to health care in the United States, but also with respect to long-term care. The VNA movement is over 100 years old in America, and as health care services have evolved in our Nation over that time, so has the mission and importance of VNA's. For those with the greatest need of home care, those who can least afford it, visiting nurse associations nurse the sick back to health, administer physical or occupational therapy to those who require it, or allow the terminally ill to die quietly with dignity and compassion. Visiting nurse associations increase access to home health services for millions of Americans who might not otherwise get them. Whether it is health care, nutritional counseling, personal care, physical therapy, or social services, VNA's assume the role of care giver that once fell upon another family member. The support that VNA's provide for families suffering with a loved one's illness is immeasurable. People of all ages, races, and cultures truly benefit from the continued success of VNA's in America.

To add to the skills of talented and dedicated health care professionals, visiting nurse associations have successfully incorporated the spirit of voluntarism into their good work. Community volunteers assist VNA's wherever they can help by running errands, fundraising, delivering meals, and in general serving as an extension of the spirit that surrounds VNA's in our Nation. It is essential that Congress recognize the efforts of volunteer and not-for-profit organizations that help to reduce health costs. As a compassionate, unique method of health care delivery, VNA's certainly merit such distinction.

Today, visiting nurse associations carry on a tradition of innovation in health care. It is important to note, Mr. Speaker, that VNA's were one of the first groups to recognize the home care needs of AIDS victims. VNA's, as they have throughout their existence, remain at the forefront in many other areas as well: Maternal child care, home intravenous therapy, and respiratory care. In many cities, VNA's have developed special shelters where the homeless can receive attention they would not get otherwise. Virtually every time circumstances have conspired to create a health care need, VNA's have been the first to identify and respond to that need.

I thank my colleague Mr. BURTON for his efforts in this bipartisan legislation. By naming February 16 through 23, 1992, as "National Visiting Nurse Association Week," we extol the endeavors of these modern day samaritans to ensure that they get the appreciation and recognition they justly deserve. This resolution recognizes all the medical professionals and volunteers in each community who enable visiting nurse associations to advance their innovative and essential role in America's health care system.

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.

WORLD AIDS 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. 376) designating December 1, 1991, as "World AIDS 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. Reserving the right to object, Mr. Speaker, I yield to the gentleman from Washington [Mr. MCDERMOTT] who is the chief sponsor of the resolution.

□ 2040

Mr. MCDERMOTT. I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman for bringing House Joint Resolution 376, declaring December 1st, 1991 "World AIDS Day," to the floor today. Because we are adjourning before December 1—we hope—it is important to have House Joint Resolution 376 enacted before we adjourn to properly commemorate this day. I thank you for expediting this process.

December 1 will be a special day in the effort to combat the international AIDS epidemic. Around the world, there will be ceremonies and activities designed to increase awareness about the worldwide HIV/AIDS epidemic.

"World AIDS Day" has been commemorated since 1988, when the World Summit of Ministers of Health on AIDS Prevention designated December 1 to be a day to recognize the devastating impact of HIV and AIDS.

I have examined the state of the AIDS epidemic in countries in Africa and Asia, and its impact is truly frightening. This disease will be a human disaster of unprecedented proportions in some parts of the world. Most countries lack the health care resources, the educational resources, and the economic resources necessary to halt the spread of HIV.

Tragically, entire families are being destroyed by AIDS. Thousands of children have been orphaned by this disease, and are now living in poverty as street children. AIDS is threatening the social and economic structures of countries all over the world.

The theme of "World AIDS Day, 1991" is "Sharing the Challenge." I hope in the United States we will heed this message and recognize that all of us must work together to meet the many challenges AIDS poses. Many governments and organizations are dedicating resources and energy to combating the global AIDS epidemic, and it is important to acknowledge their heroic efforts.

And we must recognize all the tens of millions of people around the world whose lives have been affected by HIV and AIDS. On December 1, let us commemorate "World AIDS Day," and let

us realize that the global AIDS epidemic affects us all.

Mr. Speaker, again I thank the chairman for recognizing the importance of commemorating "World AIDS Day" by bringing House Resolution 376 to the floor today.

Mr. RIDGE. Mr. Speaker, continuing my reservation of objection, I yield to my colleague, the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Mr. Speaker, I would like to say to the sponsor of the resolution that I appreciate his workmanship in drafting this resolution. I support it wholeheartedly.

I would like to say, however, that this kind of resolution, while focusing attention on the issue, is certainly not going to solve the problem. We in this body need to come to grips with this problem in a very aggressive way. We need a comprehensive program to deal with the AIDS virus.

I showed the gentleman who sponsored this resolution the other day some statistical data that I received from a leading scientist in New York.

It showed that if we were to identify the people with AIDS, those infected with the AIDS/HIV, and get them on AZT in a relatively short period of time, by the years 1995 and 1996, we can cut in half the number of new infections that are anticipated.

But you cannot do that unless you know who has the virus.

You cannot get people on AZT unless they know they are infected. So the first step in a comprehensive program, I submit to my colleagues, is identifying those who are infected. I believe we have 4 million to 6 million infected. Nobody knows for sure. But one sure thing we do know is that 95 percent of the people who are infected do not know they are infected and thus they continue to infect others.

That infectivity, their contagiousness, could be cut dramatically if they got on AZT, and their lives could be extended for a longer period of time.

So we need to have a comprehensive program which consists of testing, contact tracing, psychological health, education, scientific research; we need to have also in there protecting their civil rights, their housing, their jobs, their health benefits. It has to be comprehensive program, including penalties for those who know they have the virus and continue to spread it. There are lot of those people out there.

I say to my colleague I commend him for this awareness resolution; it is very, very important. But we as a body, if we really care about the people of this country and the world, we have to come to grips with this very quickly and have a comprehensive program to deal with it. Otherwise, millions more Americans are going to be condemned to die.

Mr. RIDGE. Mr. Speaker, I thank the gentleman for his contribution.

Continuing my reservation of objection, Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to rise in support of House Joint Resolution 376, legislation to designate December 1, 1991, as "World AIDS Day."

I commend the gentlemen from Washington [Mr. MCDERMOTT] for introducing this important legislation.

Mr. Speaker, the World Health Organization has designated December 1, 1991, as "World AIDS Day," a day for the exchange of information, education, and caring for the victims of AIDS.

The number of persons infected with the human immunodeficiency virus and likely to develop AIDS has reached between 5 and 10 million persons. It is estimated that in 1991 54,000 people will die from AIDS.

Recently, pediatric AIDS cases have added to this growing tragedy. Unfortunately, the majority of the cases are through maternal transmission.

Many AIDS cases occur simply because individuals did not know how to take simple steps to prevent this tragic affliction.

However, education, increased research and greater dissemination of information, and understanding will help to combat this epidemic. While these concepts are no panacea for the vast problems of AIDS, they are a step in the right direction.

Accordingly, Mr. Speaker, I urge my colleagues to join in adopting this resolution and to commit ourselves to provide substantial support for expanded medical research and education to combat this scourge on our society.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BROWDER). 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. 376

Whereas infection with the Human Immunodeficiency Virus (HIV) and the incidence of Acquired Immunodeficiency Syndrome (AIDS) have become a global problem of urgent proportions, with an estimated 1,000,000 AIDS cases worldwide and another 10,000,000 HIV infections;

Whereas as many as 5,000 individuals worldwide are infected with HIV every day and an estimated 40,000,000 men, women, and children will be infected with HIV by the year 2000;

Whereas 1,000,000 children have been born infected with HIV and as many as 15,000,000 children around the world will be orphaned by AIDS by the year 2000;

Whereas AIDS worldwide is primarily transmitted sexually, with 75 percent of all infections transmitted through heterosexual contact, and education and increased public awareness are the cornerstones of an effective AIDS prevention activity;

Whereas the World Health Organization, in concert with intergovernmental and nongovernmental organizations around the world, has accepted the responsibility to safeguard the health of all individuals and control the spread of HIV infection through national policies and programs;

Whereas the worldwide action necessary to stop this global epidemic must continue without compromising the medical, ethical, socioeconomic, cultural and psychological well-being of HIV-infected individuals and individuals with AIDS or slowing the momentum that has allowed those engaged in the struggle to close in on the challenges posed by HIV and AIDS;

Whereas the World Summit of Ministers of Health on AIDS Prevention, meeting in London in 1988, recognized that the widest possible dissemination and exchange of information and educational messages is vital to the success of AIDS prevention programs and thus pledged to open fully channels of communication in each society by creating the basis for the declaration of a World AIDS Day as a day of information, education, action, and commission on AIDS;

Whereas the first World AIDS Day on December 1, 1988, brought messages about the need for action, compassion, and understanding about AIDS to every country in the world; and

Whereas the theme of the 1991 World AIDS day, "Sharing the Challenge", underlines the global nature of the AIDS epidemic and recognizes that awareness can be achieved only by pooling the efforts, resources, and imagination of all individuals: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 1, 1991, is designated as "World AIDS Day". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate programs, ceremonies, and activities, with a special focus on world-wide cooperation and understanding.

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.

GEOGRAPHY AWARENESS 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 joint resolution (H.J. Res. 201) designating the week beginning December 1, 1991, and the week beginning November 15, 1992, each as "Geography Awareness Week," 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 in order to yield to our friend from California [Mr. PANETTA], who is the chief sponsor of this resolution.

□ 2050

Mr. PANETTA. Mr. Speaker, I rise today in support of the adoption of the

resolution to designate December 1–7, 1991, and November 15–21, 1992, as "Geography Awareness Week." The resolution commemorates Geography Awareness Week for the fifth and sixth consecutive years. With the approval of this resolution, the Congress will again be reaffirming its commitment for recognizing the importance of elevating geography education in our Nation's schools.

I want to thank my distinguished colleagues, Representatives BILL GREEN and DALE KILDEE, for once again joining me in introducing the resolution this year and working to ensure its consideration and passage. They have shown consistent and tireless support since Congress first designated Geography Awareness Week in 1987. At this time, I would also like to thank the chairman of the Subcommittee on Census and Population, Representative SAWYER for his interest, and without whose help we could not adopt the resolution.

During the observation of this week, States, cities, schools, and organizations such as the National Geographic Society, participate in numerous education activities designed to focus national attention on the importance of a solid geographic education. Although these efforts are helpful, our children still have a long way to go.

Past studies have clearly illustrated our students' lack of knowledge in this area. Geographic illiteracy puts our country at a disadvantage and weakens our ability to remain a nation with worldwide aspirations, and hinders us from competing effectively in the international marketplace. As we look toward the movement of a common market in 1992 and the discussions of open trade negotiations around the world, we have a responsibility to possess an understanding of other cultures and lands. In only this way can this country remain a leader in the international, political, and economic spheres.

Knowledge of geography offers perspectives and information necessary to understand ourselves, our relationship to the earth, and our interdependence with other peoples of the world. Let us continue to help our students, who are our future leaders, become aware of the world around them.

Mr. RIDGE. Mr. Speaker, I thank the gentleman from California [Mr. PANETTA].

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore [Mr. BROWDER]. 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. 201

Whereas geography is the study of people and their planet, offering a framework for understanding ourselves, our interdependence with other peoples, our relationship to the Earth, and world events;

Whereas the United States has both worldwide involvements and influence that demand an understanding of geography, different cultures, and foreign languages;

Whereas the credibility of our Nation's foreign policy largely depends on the support of a geographically informed public, a public which understands both the locations and the significance of historic changes occurring around the globe and their impact on the United States;

Whereas an ignorance of geography, different cultures, and foreign languages places the United States at a disadvantage with respect to other nations in matters of business, politics, the environment, and global events;

Whereas, although geography as a distinct discipline has virtually disappeared from the curricula of schools in the United States, it is still being taught as a basic subject in other nations, including the United Kingdom, Canada, Japan, and the Soviet Union;

Whereas our Nation's governors, in their National Goals for Education, explicitly identified geography as one of five subjects in which American students should demonstrate competency;

Whereas a perspective in geography offers a critically needed understanding of the relationship between human activity and the condition of our planet in this time of increasing environmental problems;

Whereas the first federally funded National Assessment of Educational Progress revealed a "disturbing geography knowledge gap" among 12th graders: 58 percent could locate Jerusalem on a regional map, but only 36 percent knew that Saudi Arabia is bounded by the Red Sea and the Persian Gulf;

Whereas in a 1988 Gallup Poll, 75 percent of those surveyed could not locate the Persian Gulf on a map, and fewer than half of those surveyed could name Asia as the place that Christopher Columbus was hoping to reach when he discovered the New World;

Whereas that 1988 Gallup poll also projected that 24,000,000 Americans could not identify the United States on a map of the world, 58,000,000 Americans could not tell direction on a map, and 105,000,000 Americans did not know the population of the United States;

Whereas geography is more than the study of map identification, State capitals, and country names, but geography also gives meaning to location and establishes a context for understanding the connections among peoples, places, and events;

Whereas the success of a democracy relies heavily upon an educated citizenry whose members are aware of both their influence on and connection with the rest of the world; and

Whereas national attention must be focused on the integral role that a knowledge of world geography plays in preparing citizens of the United States to assume a responsible role in the future of an increasingly interconnected and interdependent world: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning December 1, 1991, and the week beginning November 15, 1992, are each designated as "Geography Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week 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 ADOPTION 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. 207) to designate the period commencing on November 24, 1991, and ending on November 30, 1991, and the period commencing on November 22, 1992, and ending on November 28, 1992, each as "National Adoption 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, under my reservation I acknowledge the chief sponsor of this resolution, the gentleman from Ohio [Mr. SAWYER].

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. 207

Whereas Thanksgiving week has been commemorated as "National Adoption Week" for the past 13 years;

Whereas the Congress recognizes that belonging to a secure, loving, and permanent family is every child's right;

Whereas the President of the United States has actively promoted the benefits of adoption by implementing a federal program to encourage Federal employees to consider adoption;

Whereas approximately 36,000 children who may be characterized as having special needs such as being of school age, being members of a sibling group, being members of a minority group, or having physical, mental, and emotional disabilities are now in foster care or in institutions financed at public expense and are legally free for adoption;

Whereas public and private barriers inhibiting the placement of special needs children must be reviewed and removed where possible to assure their adoption;

Whereas the adoption of institutionalized or foster care children by capable parents into permanent homes would ensure an opportunity for their continued happiness and long-range well-being;

Whereas the public and prospective parents must be informed that there are children available for adoption;

Whereas media, agencies, adoptive parent and advocacy groups, civic and church groups, businesses, and industries will provide publicity and information to heighten community awareness of the crucial needs of children available for adoption; and

Whereas the recognition of Thanksgiving week as "National Adoption Week" is in the best interest of adoptable children and in the best interest of the public generally: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing on November 24, 1991, and ending on November 30, 1991, and the period commencing on November 22, 1992, and ending on November 28, 1992, are each designated as "National Adoption Week", 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 each 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.

YEAR OF THE AMERICAN INDIAN

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. 217) to authorize and request the President to proclaim 1992 as the "Year of the American Indian," 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 to acknowledge the work of the gentleman from American Samoa [Mr. FALEOMAVAEGA], who is the chief sponsor of this resolution.

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. 217

Whereas American Indians are the original inhabitants of the lands that now constitute the United States of America;

Whereas American Indian governments developed the fundamental principles of freedom of speech and the separation of powers in government, and these principles form the foundation of the United States Government today;

Whereas American Indian societies exhibited a respect for the finite quality of natural resources through deep respect for the Earth, and such values continue to be widely held today;

Whereas American Indian people have served with valor in all wars that the United States has engaged in, from the Revolutionary War to the conflict in the Persian Gulf, often serving in greater numbers, proportionately, than the population of the nation as a whole;

Whereas American Indians have made distinct and important contributions to the United States and the rest of the world in many fields, including agriculture, medicine, music, language, and art;

Whereas it is fitting that American Indians be recognized for their individual contributions to American society as artists, sculptors, musicians, authors, poets, artisans, scientists, and scholars;

Whereas the five hundredth anniversary of the arrival of Christopher Columbus to the Western Hemisphere is an especially appropriate occasion for the people of the United States to reflect on the long history of the original inhabitants of this continent and appreciate that the "discoverees" should have as much recognition as the "discoverer";

Whereas the peoples of the world will be refocusing with special interest on the significant contributions that American Indians have made to society;

Whereas the Congress believes that such recognition of their contributions will promote self-esteem, pride, and self-awareness in American Indians young and old; and

Whereas 1992 represents the first time that American Indians will have been recognized through the commemoration of a year in their honor: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1992 is designated as the "Year of the American Indian". The President is authorized and requested to issue a proclamation calling upon Federal, State, and local governments, interested groups and organizations, and the people of the United States to observe the year with appropriate programs, 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.

NATIONAL ACCESSIBLE HOUSING MONTH

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. 184) designating the month of November 1991, as "National Accessible Housing Month," 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, under my reservation I would first acknowledge our colleague, the gentleman from Illinois [Mr. MICHEL], as the chief sponsor of this resolution.

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

There was no objection.

Mr. MICHEL. Mr. Speaker, I rise in strong support of Senate Joint Resolution 184 a joint resolution designating the month of November, "National Accessible Housing Month."

As the original sponsor of House Joint Resolution 326, I am proud to see this resolution come to the floor.

I want to commend my colleague, STENY HOYER, for his help in getting this legislation to this point in the process.

Senate Joint Resolution 184 focuses on the many public and private efforts in raising the public's awareness of obstacles faced by Americans with disabilities in their own homes. It highlights, in particular, the campaign now being conducted by the National Easter Seal Society and Century 21 Real Estate Corp.

Their program, entitled "Easy Access Housing for Easier Living," answers questions on how to design homes to accommodate those with disabilities.

Designing barrier-free homes from the outset can be cost-effective and is in the interest of all Americans.

Did you know that 70 percent of our citizens will suffer a permanent or temporary disability during their lifetime?

Wouldn't it be nice to know that if you do suffer such a disability, your home will still be your home, and not become an obstacle course?

Since enactment of the Americans with Disabilities Act last year, there have been many efforts to heighten the public's awareness of these problems.

This resolution recognizes not only the work of Century 21 and the National Easter Seal Society, but all who are committed to this important issue.

It is worthy bill, and I urge all my colleagues, of which 230 are already cosponsors, to support it.

Mr. RIDGE. Mr. Speaker, further reserving the right to object, I yield to our friend the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 184, legislation to designate the month of November 1991 as "National Accessible Housing Month."

And I would like to commend our distinguished minority leader, the gentleman from Illinois [Mr. MICHEL] for introducing this legislation.

Mr. Speaker, the need for accessible single family housing for our temporarily or permanently disabled Americans continues to grow at a rapid rate.

There are approximately 43 million individuals with disabilities in our Nation.

In the future it is projected that 1 out of every 3 Americans will need some form of accessible housing to compensate for a disability.

Accordingly, Mr. Speaker, I urge our colleagues to join the many private sector organizations which have launched public information programs in an effort to increase awareness of the need for accessible housing for our disabled Americans.

Mr. HOYER. Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 184. I would like to thank Chairman SAWYER and the ranking member, Congressman RIDGE, for bringing this bill to the floor tonight. It has been my privilege to work with the minority leader on this resolution which designates the month of November as "National Accessible Housing Month."

In 1988 the Congress passed the Fair Housing Act amendments which clearly stated in law the policy that people with disabilities should not be discriminated against in housing. However, as we all know, in order for a

law to be effective, it must be enforced, and the American people must be committed to its success. I am therefore, pleased that in this instance, the National Easter Seal Society and Century 21 Real Estate Corp. have joined together to promote accessible housing for people with disabilities.

As the lead House cosponsor of the Americans With Disabilities Act, I spoke often of the need for business and people with disabilities to work together to make the ADA work. The partnership between Easter Seals and Century 21 is exactly the type of commitment and cooperation that I hoped would happen throughout the Nation.

There are 43 million Americans with disabilities. And, at some time in their lives, 70 percent of all Americans will have a temporary or permanent disability that will prevent them from climbing stairs. Furthermore, many Americans are forced to leave their homes because a disability has made that home no longer accessible to them. In fact, 1 out of every 3 Americans will need housing that is accessible to them at some point in their lives.

Therefore, this resolution is of extreme importance to help spread the word regarding the need for accessible housing and to educate the American public that accessible housing is available. I am hopeful that this resolution will also inform community leaders across the Nation about the need for accessible housing and encourage them to promote its construction in their communities. In fact, I hope that communities across this Nation will take the opportunity provided by this month to promote accessible housing for all Americans.

The American people are clearly committed to the full integration of Americans with disabilities into all aspects of our Nation. It is an essential piece of the whole that accessible housing must be available. I would like to again commend Easter Seals and Century 21 for their efforts in this regard. I hope all my colleagues will support this resolution and join with me in continuing to promote partnerships which will ensure that equality for Americans with disabilities becomes a reality. For, it is only when the strengths and contributions of all Americans are utilized, that the true greatness of our Nation is realized.

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. 184

Whereas the Congress in the Americans with Disabilities Act of 1990 found that there are 43,000,000 individuals with disabilities in this Nation;

Whereas 70 percent of all Americans will, at some time in their lives, have a temporary or permanent disability that will prevent them from climbing stairs;

Whereas 32,000,000 Americans are currently over age 65 and many older citizens acquire vision, hearing, and physical disabilities as part of the aging process;

Whereas many older Americans who acquire a disability are forced to leave their homes because the homes are no longer accessible to them;

Whereas 1 out of every 3 persons in the United States will need housing that is accessible to the disabled at some point in their lives;

Whereas the need for accessible single-family homes is growing;

Whereas the need for public information and education in the area of accessible single-family homes is increasing;

Whereas this Nation has placed a high priority on integrating Americans with disabilities into our towns and communities;

Whereas the private sector has helped increase public awareness of the need for accessible housing, as exemplified by the national public education campaign conducted by the National Easter Seal Society and Century 21 Real Estate Corporation, entitled "Easy Access Housing for Easier Living"; and

Whereas increased public awareness of the need for accessible housing should prompt the participation of civic leaders, and representatives and officials of State and local governments, in the drive to meet this need: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1991, is designated as "National Accessible Housing Month". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate programs 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.

NATIONAL TRAUMA AWARENESS MONTH

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. 300) designating the month of May 1992 as "National Trauma Awareness Month," 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 would like to acknowledge the work of the gentleman from Florida [Mr. LEHMAN] who is the chief sponsor of this resolution.

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. 300

Whereas more than 9,000,000 individuals in the United States suffer traumatic injury each year;

Whereas traumatic injury is the leading cause of death of individuals less than 44 years of age in the United States;

Whereas every individual is a potential victim of traumatic injury;

Whereas traumatic injury often occurs without warning;

Whereas traumatic injury frequently renders its victims incapable of caring for themselves;

Whereas past inattention to the causes and effects of trauma has led to the inclusion of trauma among the most neglected medical conditions;

Whereas the people of the United States spend more than $148,500,000,000 on the problem of trauma;

Whereas the problem of trauma can be remedied only by prevention and treatment through emergency medical services and trauma systems; and

Whereas the people of the United States must be educated in the prevention and treatment of trauma and in the proper and effective use of emergency medical systems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the month of May 1992 is designated as "National Trauma Awareness Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate programs, 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.

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.

□ 2100

NATIONAL WASTE REDUCTION, RECYCLING AND MANAGEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. SWIFT] is recognized for 5 minutes.

Mr. SWIFT. Mr. Speaker, last year in this country we generated 180 million tons of municipal solid waste, and that number is expected to rise to 216 million tons by the year 2000. Today, I am introducing legislation designed to address the serious problems confronting our cities and States as they search for better ways to manage the waste we have created.

This bill, the National Waste Reduction, Recycling and Management Act, will encourage reduction in the amount of waste generated in the first place, and will promote recovery and recycling of waste materials into useful products. The bill will provide a much-needed Federal leadership role in this effort, building on the expertise and responsibilities of State and local governments in solid waste management, without supplanting their traditional authorities in this area.

Today's proposal is only the first half of comprehensive legislation I intend to move

this Congress to reauthorize our Nation's basic law governing solid waste. That law, the Resource Conservation and Recovery Act, better known as RCRA, was last reauthorized in 1984 and is in need of significant revision. The second half of the reauthorization bill will be ready early next year. It is my intent then to consolidate these separate pieces into one bill, which I will introduce at the beginning of the next session and then will move to markup next spring. That second part will address the following issues: Industrial nonhazardous waste, oil and gas exploration and production waste, mining waste, waste minimization, and recycling of used oil and hazardous materials.

When I became chairman of the Subcommittee on Transportation and Hazardous Materials in February of this year, I made passage of RCRA reauthorization one of my top legislative priorities for this Congress. I remain committed to that goal, and have pursued a somewhat nontraditional approach toward its achievement.

Instead of following the common practice of immediately introducing a bill, I decided to take the unusual step of convening numerous informal meetings of the subcommittee to discuss the issues, ascertain the Members' priorities, and determine whether and where consensus could be reached. In addition, my subcommittee staff arranged and attended countless briefings on a multitude of issues. Finally, we held a series of hearings, including one field hearing, to consider some of the more important RCRA issues and to seek the advice of State and local officials on solid waste policies and their views on the role the Federal Government should play in assisting them.

When these meetings and hearings concluded in August, I directed the staff to prepare a discussion draft of a bill on the municipal solid waste issues. I circulated this staff draft late in September to all interested parties and requested general comments as well as responses to specific questions that I had. To date, we have received some 200 detailed responses to my request. Although some of the comments required more analysis on our part than we had time to complete prior to introduction—work we are continuing to do—all the comments have been extremely helpful in putting this bill together and will no doubt be of great assistance as we move forward in the legislative process. The second part of the RCRA reauthorization bill mentioned above will also be circulated for comment when the draft is ready early next year.

This bipartisan educational and information-gathering process the subcommittee has followed has been very time consuming for all concerned. However, I believe that ultimately it will greatly facilitate the legislative process, and in the long run, will save us time.

I want to especially commend my subcommittee colleagues for their hard work during this entire process. They demonstrated great patience, stamina, and perseverance. They have provided me with valuable input on both substantive issues and on our process over the past 9 months. We have worked together in a spirit of bipartisan cooperation and I want to acknowledge the invaluable help provided by the ranking minority member of the subcommittee, Congressman DON RITTER. The subcommittee's vice chairman, DENNIS ECKART, has been particularly helpful, offering guidance on important policy issues, as well as moral support. It also should be mentioned that several members of the subcommittee are currently working together to develop compromise solutions to some very difficult and controversial issues, which will be covered in the second part of our RCRA bill. I refer particularly to their work on the issues of oil and gas and mining wastes.

While some subcommittee members will not share all the conclusions that are embodied in the bill I am introducing today, I do hope they all share my view that the process we engaged in was fair and useful. Several members have separate legislative approaches on some issues addressed by my bill. In fact, I have included some of their specific proposals in my legislation. Congressman GERRY SIKORSKI has been a very active member in this process. He is currently drafting a bill that will approach some of the RCRA issues in different ways. He has contributed to my product and his other ideas will be considered in the rest of the legislative process.

I would now like to turn to the background and objectives of this bill. As I said at the outset, States and localities are attempting to respond to the current solid waste crisis—and it certainly is a crisis. In doing so, they confront a variety of problems: Landfill capacity is dwindling, some States are trying to close their borders to out-of-State waste, permitting of new landfills and incinerators and even recycling facilities is extremely difficult, and financial resources are severely strained or simply unavailable. Despite these problems, our State and local governments are doing their best to manage their garbage and they are doing it with little help from the Federal Government. Forty States have passed recycling laws and some 3,000 communities have developed recycling programs. The city of Seattle in my own home State of Washington is implementing a very progressive program. These governments are responding to a grassroots recycling movement taking place across this country. It is time for Congress, the administration, business, and industry to wake up and listen to the message the American public is sending and to join in the effort to resolve these serious problems. We cannot expect States and municipalities to go it alone and each of us has a direct responsibility to contribute to a solution.

One of the downsides of States moving ahead on their own is the proliferation of different State laws on packaging, labeling, and recycling. In my view, it is essential that the Federal Government play a constructive leadership role by providing some degree of national uniformity on these issues and expanding markets for recyclables. As the Congressional Budget Office observed in a report issued last week, "Federal Options for Reducing Waste Disposal:"

> The fact that markets for recycled materials and for trash disposal extend beyond State boundaries may warrant consideration of a Federal role in solving the Nation's trash disposal problems.

To that end, my bill includes a variety of provisions to clarify the Federal-State relationship in waste management, assist States in stimulating markets, promote source reduction in packaging, and encourage recycling.

First, to compensate States which bear the burden of managing another State's municipal solid waste, the bill authorizes States to impose differential fees on out-of-State municipal solid waste and links such authority to the approval of State solid waste management plans. One member of the subcommittee, Congressman RICK BOUCHER, is working on an alternative approach which provides some degree of local authority on the interstate transport issue. It is an innovative and very interesting proposal and he has worked very diligently on it. It will be given serious consideration by the subcommittee.

Second, the bill establishes new requirements for State solid waste management plans—capacity estimates, waste inventories, source reduction, and recycling goals, et cetera—but provides sufficient flexibility to enable States to devise plans that meet their unique needs.

Third, to clear up uncertainties regarding the standards for MSW ash management, it sets forth minimum Federal requirements for the handling and disposal of municipal solid waste incinerator ash.

Fourth, it establishes a national policy to encourage the recycling of municipal solid waste by establishing industry-wide recovery rates and creating a multiple options strategy to reduce packaging. In the staff draft, we originally included provisions on diversion and minimum content to stimulate both the supply and demand sides of the recycling equation.

States objected to the inflexible diversion requirements.

Also, we did not feel we could be assured that the application of minimum content requirements to imports could be enforced, since the technology does not exist to identify recycled fiber. This could put domestic manufacturers at a competitive disadvantage with imports. We could not rely on certification procedures or reporting requirements for foreign manufacturers.

Because of concerns voiced by States and localities on the diversion requirements and implementation problems on recycled content, this bill adopts an alternative and more flexible approach to recycling.

To address the concerns of manufacturers who need assurances of a steady supply of recyclable materials, I have included diversion targets as part of the State solid waste management planning process, requiring States to establish materials diversion and recycling rates as well as real programs to achieve these rates. To create markets for the recyclables collected by States and municipalities, I have developed a multifaceted approach. This approach features a multiple option packaging strategy along the lines of a similar proposal being considered by the Massachusetts Legislature, requires a specific recovery rate of 40 percent for the paper industry, in recognition of the significant percentage of the municipal solid waste stream that paper represents, and authorizes EPA to establish recovery rates for other appropriate materials and industries. Minimum content standards are authorized if these recovery goals are not met. Together, these recovery rates and packaging reduction options should go a long way

in promoting both source reduction and recycling. In the event industry fails to take advantage of the flexibility provided in the bill to meet the requirements, stringent enforcement will result in the form of minimum content hammers, penalties, and, ultimately, product bans.

Fifth, to take advantage of the substantial purchasing power of the public sector, the bill expands and strengthens the current program for the procurement of recycled goods by the Federal Government. The environmental Protection Agency is required to issue additional procurement guidelines and price preferences are established for procured items containing recovered materials. The bill also clarifies and reinforces the role of the Secretary of Commerce in the development of markets for recycled products, and requires the Secretary to provide technical assistance to State and local governments in the development of markets.

Sixth, the bill establishes specific requirements to reduce toxic metals in packaging. The provisions are modeled on the proposal advanced by the Coalition of Northeastern Governors [Goneg], which has already been adopted in several States.

Seventh, the bill creates specific programs to encourage the recycling of used tires and lead acid batteries, wastes that pose particular problems. The approach we adopted regarding the collection and reuse of used tires borrowed heavily from Congressman JIM SLATTERY's bill on this subject, H.R. 3058.

Finally, to help environmentally conscious consumers get the information they need and prevent fraudulent green claims, the bill requires the establishment of standards and criteria for environmental marketing claims and sets forth the respective roles of the Environmental Protection Agency and the Federal Trade Commission in that process.

As I mentioned, the process we followed in developing this bill was unusual. Now, with introduction of the bill, we begin the normal legislative process. We will introduce a combined bill at the start of the second session, hold hearings to receive formal comment and additional suggestions on the bill, and then proceed to markup soon thereafter. Hopefully, we will be able then to take the bill to the floor in late spring or early summer. I realize this is an ambitious schedule. However, it is one we must follow in order to complete consideration of RCRA reauthorization legislation this Congress, a goal that I am convinced can be achieved with the cooperation and assistance of my colleagues.

For the benefit of my colleagues, I am inserting at this point in the RECORD a section-by-section analysis of the legislation:

SECTION-BY-SECTION ANALYSIS

Section 1. Short title. The National Waste Reduction, Recyling, and Management Act.

Section 2. Amendments to Solid Waste Disposal Act. Technical Amendments.

Section 3. Authorization. Authorizes appropriations for the fiscal years 1993 through 1998 for the purposes of carrying out the provisions of this Act.

TITLE I—STATE SOLID WASTE MANAGEMENT PLANS

Section 101. Federal Guidelines for Plans. This section makes additions to the guidelines EPA is required to issue under existing section 4002 of RCRA for the purpose of assisting states with development of solid waste management plans, including standard methodologies for measurement and economic analysis of waste management options. New guidelines will be required to be published within 6 months after date of enactment.

Section 102. Minimum Requirements for State Plans. This section amends existing section 4003 of RCRA to expand the minimum required elements for state solid waste management plans. These new requirements include: solid waste management capacity estimates and planning; waste inventory; source reduction and recycling programs; diversion programs; public education and personal training; scrap tire management; provisions for the management of specific wastes, such as household hazardous waste and yard wastes; and procurement of recycled products.

Section 103. Submission, Approval, and Implementation of State Plan. This section requires each state to develop a solid waste management plan, based on the solid waste inventory required by section 4011 and the guidelines and methodologies published by the Administrator pursuant to section 4002, that complies with the requirements of section 4003. The state must provide notice and opportunity for public comment on the plan, and must submit the plan to EPA for approval within 30 months of the date of enactment. A certification of completeness by the governor must accompany each plan submitted to EPA for approval.

EPA is required to approve or disapprove all state solid waste management plans within 6 months after plan submission. If EPA disapproves a state plan, the state may revise and resubmit the plan. EPA must then take final action on all state solid waste management plans within 42 months after the date of enactment.

EPA is required to review each approved state solid waste management plan three years after approval to determine whether the plan is being fully implemented. If the Adminstrator determines that a state is not implementing its plan, the plan is deemed disapproved. The state then loses its authority under section 4013 and any incinerator or landfill permitted after the date the plan is disapproved will be considered out of compliance with its permit.

Section 104. Waste Inventory. This section requres each state, within 18 months after the date of enactment, to identify the types and amounts of solid waste expected to be generated in the state, or transported into the state, during the planning period (ten years).

Section 105. Scrap Tire Management and Recovery. This section requires each State to include in its solid waste management plan a scrap tire management program. The state scrap tire program must address the reduction of existing scrap tires piles, with a goal of eliminating the piles by January 1, 2005, and the current and future disposal and recycling, recovery and reuse of scrap tires. The plan must include, at a minimum: a survey of existing scrap tire piles, a prohibition of permanent disposal in landfills, tire monocells, tire monofills (unless no reasonably available recycling alternative exists and the tires are shredded); a sufficient number of tire collection sites; a prohibition of operation of a collection site unless it is in compliance with regulations promulgated by EPA; a prohibition of storage of more than 3,000 tires for more than 60 days, with exceptions; and a prohibition of the commingling of new scrap tires with existing piles.

The section also requires the federal agencies, within 30 months after enactment, to develop and implement a plan for abatement of scrap tire piles on Federal lands.

Section 106. Interstate Transportation of Solid Waste. This section authorizes states, effective 6 months after date of enactment, to charge a differential fee on the disposal of out-of-state waste in the importing state. Initially, the fee may not exceed 4 times either the importing state's or the exporting state's surcharge on waste disposal, whichever is greater. Upon approval of a state's solid waste management plan, the cap rises to 8 times the applicable surcharge. After 42 months, a state may levy a fee which is up to 10 times the applicable surcharge against an exporting state which does not have an approved state solid waste management plan.

This differential fee authority expires if a state does not submit a solid waste management plan to the Adminstrator for approval within 30 months of the date of enactment or if, upon the review required 3 years after plan approval, the Administrator finds the state is not fully implementing its plan.

The section further provides that funds collected by the state under this differential fee authority must be distributed in the following manner: one-half to the local governments in whose jurisdiction the facilities accepting out-of-state waste are located; and one-half to the local governments in the state for purposes of carrying out solid waste management plan activities.

Finally, this section authorizes states, which do not choose to exercise differential fee authority, to freeze future imports of out-of-state waste. The amount of out-of-state waste to be imported may be limited to the amount currently being imported on an annual basis, or to a percentage of the total amount of waste being managed in the importing state on an annual basis.

TITLE II—FEDERAL SOLID WASTE MANAGEMENT REQUIREMENTS

Section 201. General Requirements for Solid Waste Management Regulations. This section establishes, after section 4014 of RCRA, "Part II—Federal Solid Waste Management Requirements," and requires all regulations promulgated by the Administrator under this part to provide for protection of human health and the environment.

Section 202. Municipal Solid Waste Combustor Ash Regulations. This section requires the Administrator to establish through regulation minimum federal requirements for the management, handling, storage, treatment, transportation, reuse, recycling, and disposal of municipal solid waste incinerator ash and provides generally that these activities shall not be subject to the provisions of Subtitle C.

Subsection (a) requires promulgation of the regulations within 24 months after the date of enactment of this Act and defines certain terms.

Subsection (b) establishes design requirements for the disposal of ash in landfills and monofills, but allows alternative designs if the state or Administrator determines that such alternative design will prevent contamination of groundwater at least as effectively as the design requirements set out in the subsection.

Subsection (c) would allow disposal of ash in landfills meeting an alternative design requirement to that established under subsection (b)(1), so long as the ash has been treated and is routinely tested for hazardous constituents.

Subsection (d) prohibits the disposal of ash into any landfill unit created as a result of

vertical expansion, except in certain circumstances; and in any landfill from which there is a release into ground or surface water.

This subsection further provides that, effective five years after the date of enactment of this Act, unless the Administrator determines that leachate from ash disposed in landfills presents no greater threat to human health and the environment than leachate from ash monofills, municipal incinerator ash may no longer be disposed of in landfills.

Subsection (e) requires the Administrator to establish by regulation requirements for the reuse and recycling of municipal incinerator ash, including regulations requiring treatment of the ash prior to reuse and recycling, and specifying levels of treatment necessary to protect human health and the environment.

Until regulations are promulgated, reuse or recycling of municipal incinerator ash is prohibited unless the ash is treated and tests as non-hazardous, the reuse or recycling is approved by a state system of prior approval or permitting, and the reuse or recycling minimizes release of ash to the ambient air. However, any demonstration projects which existed on or before December 31, 1991 and is operating under a state system of prior approval or a judicial consent decree will be allowed to continue.

Subsection (f) requires the Administrator, within 18 months after the date of enactment, to promulgate criteria and testing procedures for identifying potential hazardous characteristics of municipal incinerator ash, and establishes a maximum level constituting test failure. Any ash which fails in any characteristic under the criteria and testing procedure may only be disposed of in a landfill or monofill meeting the minimum requirements of subsection (b), or must be treated.

Subsections (g) and (h) establish corrective action and closure requirements for facilities regulated under this section. Subsection (i) provides for EPA approval of state programs to implement and enforce the requirements of this section.

Subsection (j) establishes effective dates and variance procedures for the regulations promulgated under this section.

Section 203. Solid Waste Storage Requirements. This section requires the Administrator, within one year after the date of enactment, to promulgate regulations for the safe storage of solid waste, including materials destined for recycling.

Section 204. Scrap Tire Management and Recovery Regulations. This section prohibits, effective 24 months after the date of enactment, disposal of whole scrap tires in landfills or monofills; operation of tire collection sites except in compliance with regulations promulgated by the Administrator; storage of more than 3000 tires for more than 60 days, except if necessary for a specific recycling, recovery or reuse project; and commingling of new scrap tires with existing tire piles. This section provides certain exemptions to the prohibitions.

States may apply to EPA for financial assistance to carry out the requirements of this section. EPA must publish guidelines for application for, and the equitable distribution of, this assistance.

The Administrator is required to report to Congress no later than 5 years after the date of enactment on the implementation of this section.

Section 205. Composting Regulations. This section requires the Administrator to establish, within 18 months of the date of enactment, product standards for compost made from source-separated organic materials and compost made from mixed municipal solid waste.

This section also requires that, no later than 24 months from the date of enactment, the Administrator establish regulations for mixed municipal solid waste composting facilities.

Section 206. Permits for Management of Solid Waste. This section requires each state to establish a permit program, for the purposes of assuring compliance with the requirements of the state solid waste management plan and that Act, within 24 months of the date of enactment.

Effective 48 months after the date of enactment, the operation of the following facilities are prohibited except in accordance with a permit: incineration units, landfills, ashfills, mixed MSW composting facilities, and materials recovery facilities.

As a condition of the permit, each MSW incinerator and mixed MSW composting facility must establish programs to divert wastes unsuitable for treatment by the facility, including glass, metals, household hazardous waste and other waste designated by the Administrator.

This section establishes a permit term of ten years, a permit fee requirement, and provisions for permits by rule.

Section 207. Reorganization of Subtitle D. Technical and conforming amendments.

TITLE III—RECYCLING

Section 301. Minimum Content Standards. This section requires that, effective in 1995, all packaging must meet one of the following requirements:

(1) Be made of a material which is recycled at a rate of 25% annually (except in the case of paper, which is governed by different provisions), increasing to 35% in 1998 and 50% in 2001; (2) be made of a material containing at least 25% post-consumer material, increasing to 35% in 1998 and 50% in 2001; (3) be designed to be refilled or reused at least 5 times and at least 50% of such packages are actually refilled or reused; (4) be reduced in weight or volume by 15 percent when compared to packaging used for the same purpose of product 5 years earlier (20 percent in the case of material substitution).

Exempted from the requirements are packaging used to provide tamper-resistant of tamper-evident seal, packages required by federal health and safety laws or regulations, flexible film which is in direct contact with food and is necessary to prevent spoilage; packages used for drugs, drug products, or medical devices; packaging which the Administrator determines to be de minimis.

This section also requires the Administrator to conduct a study to determine at what levels minimum content standards should be set for paper and other materials. This study, which should consider information submitted by manufacturers in compliance with other requirements of this section, is to be completed by December 31, 1995. The Administrator is to examine whether a credit trading system is an appropriate method of implementing a minimum content standard.

The section further establishes an industry-wide recovery rate for paper of 40% in 1995. The industry must report annually to EPA on its progress in reaching this goal. Should the industry fail to meet the recovery rate in 1995, the Administrator is required to establish minimum content standards, to be effective after 1998 for newsprint, corrugating medium tissue products, bleached packaging paper, solid unbleached kraft, and printing and writing paper. Statutorily established standards become effective in the event the Administrator fails to set minimum content standards by December 31, 1996.

The Administrator is required to set a further goal for paper recovery to be met in 2000, and may set recovery rates for other materials. Failure to meet these recovery rates will also result in the imposition of minimum content standards.

This section establishes record-keeping and reporting requirements to measure compliance, and establishes fines for violations of the minimumn content requirements. Monies collected through the levying of such fines are required to be used to fund technical assistance for state and local government solid waste management plan activities.

Section 302. Toxic Metals in Packaging. This section establishes requirements for the reduction of toxic metals in packaging.

Subsection (a) defines terms used in the section.

Subsection (b) prohibits, effective 24 months after the date of enactment, the intentional use of certain heavy metals in packaging components, and sets maximum concentration levels for those metals in packaging, based on a phased-in schedule. Subsection (c) outlines certain permissible exemptions to these requirements, sets a 6-year time limit for such exemptions, and establishes a petition procedure which may be used by those seeking an exemption.

Subsection (d) requires packaging components, as well as distributors thereof, to maintain on file certificates of compliance with the requirements of this section, and to make such certificates available to the public upon request.

Subsection (e) requires the Administrator, within 18 months after the date of enactment, to promulgate regulations implementing the requirements of this section, and to periodically review the effectiveness of these requirements.

Section 303. Batteries. This section adds a new Part IV to Subtitle D. Battery incineration and disposal, except as provided for in this section, are prohibited 6 months after enactment. EPA must promulgate the regulations required by this part as promptly as practicable; however, the failure of EPA to promulgate regulations shall not delay the effective date of these prohibitions.

Owners and operators of MSW landifils and operators of collection programs are exempt from the discard and disposal requirements under certain conditions related to inadvertent acceptance. The discard and disposal prohibitions do not apply to small sealed consumer lead-acid batteries, except if such prohibitions are made applicable pursuant to rules promulgated by EPA.

The section contains general recycling requirements, along with recycling requirements for retailers, wholesalers, auto dismantlers, curbside collection programs, and battery manufacturers; it also contains collection requirements for retailers, wholesalers, and manufacturers. Retailers must display written notices within 6 months after enactment.

The section establishes labeling requirements for lead acid batteries; eighteen months after enactment (for manufacturers) and 24 months after enactment (for any other person), the sale of a lead-acid battery not labeled in accordance with this section is prohibited. Eighteen months after enactment, States and their political subdivisions are prohibited from adopting or enforcing la-

beling requirements that are not identical to those described in this section; however, nothing prohibits a State or its political subdivisions from adopting or enforceing labeling or other requirements in addition to, but not inconsistent with, the requirements of this section, if compliance with these State or local requirements would not result in a violation of this section.

EPA must conduct separate studies and reports on the collection, storage, recycling, and disposal of small sealed consumer lead-acid batteries and other small sealed consumer batteries. Any person may export used lead-acid batteries for the purpose of recycling.

Section 304. Federal Procurement of Recycled Goods. This section affirms, updates and clarifies the provisions of existing Section 6002 of RCRA, relating to the procurement of recycled goods by the federal government, as well as adding new requirements to that section.

The section establishes a 10 percent price preference for procured items containing recovered materials, and requires all paper purchases by the federal government to meet the guidelines for recycled paper after 1997.

This section also requires that source reduction be a consideration when issuing guidelines. It further requires EPA to revise its paper guideline within 12 months and issue nine additional guidelines for specific products within 5 years of enactment.

Finally, this section establishes within EPA a clearinghouse to provide information to the public and procuring agencies about recycled products.

Section 305. Duties of the Secretary of Commerce. This section updates existing Sections 5002 and 5003 of RCRA, to reaffirm the duties of the Secretary of Commerce with respect to the development of markets for recycled products. The Secretary is further directed to provide assistance to state and local governments for developing expertise in marketing of recovered materials.

TITLE IV—UNDERGROUND STORAGE TANKS

Section 401. Financial Assistance for Technical Requirements. This section expands the authorized use of the LUST Trust Fund to enable states to establish financial assistance programs for the purpose of helping financially distressed small business gasoline marketers (and other non-marketers covered by 40 CFR 280.91(d)) comply with the technical requirements of the UST program.

TITLE V—OTHER PROVISIONS

Section 501. Environmental Marketing Claims. This section establishes the terms and conditions under which manufacturers and other advertisers may make environmental claims concerning products for the purpose of marketing such products.

Subsection (a) requires the Administrator to promulgate, within 24 months of the date of enactment, regulations containing standards and criteria for environmental marketing claims. Subsection (b) prohibits any person, after the effective date of such regulations, from making an environmental marketing claim except in accordance with such regulations. Subsection (c) provides that any environmental marketing claim made in violation of the regulations promulgated by the Administrator shall be subject to enforcement by the Federal Trade Commission as an unfair and deceptive trade practice.

Subsection (d) establishes an independent advisory board to make recommendations to the Administrator concerning environmental marketing claims for the Administrator to consider in promulgating the regulations.

Subsection (e) sets out specific requirements on which the environmental marketing claims regulations shall be based.

Subsections (f), (g), and (h) are miscellaneous provisions relating to the regulations and recommendations of the advisory board. Subsection (i) requires the Administrator to conduct a public information campaign for consumers.

Subsection (j) describes the relationship of state standards and requirements to the new federal environmental marketing claims regulations.

Section 502. Plastics Recycling Codes. This section requires the Administrator, within 12 months after date of enactment, to promulgate regulations requiring manufacturers of plastic containers to use codes identifying the principal plastic resin of which the containers are composed. The manufacturers' codes are required to consist of symbols and numbers specified in this section. States are prohibited from requiring different codes.

Section 503. Technical Assistance. This section requires the Administrator to provide to state and local governments technical assistance in solid waste management and resource recovery, including state solid waste management plan activities.

Section 504. Retention of State Authority. This section provides generally that nothing in this subtitle shall not be construed to prohibit states from imposing more stringent requirements than those imposed by this subtitle.

Section 505. Definitions. This section adds new definitions to Subtitle D.

Section 506. Enforcement. In general, this section gives EPA inspection and enforcement authority over solid waste management facilities subject to federal requirements, and requires EPA to give 60 days' notice to states before taking certain enforcement actions. It authorizes civil and criminal penalties of up to $25,000 a day for violations of requirements applicable to landfills and ash disposal and $5000 for other violations.

Section 507. Authority to Grant State Status to Indian Tribes for Enforcement of Solid Waste Disposal Act. This section authorizes the Administrator to treat Indian tribes as states for purposes of this Act, including the delegation of primary enforcement authority.

This section also requires the Administrator to submit a report to Congress containing recommendations for addressing solid and hazardous wastes and underground storage tanks on tribal lands; establish an inventory of hazardous waste sites and open dumps on tribal lands; and assist the Indian tribes to upgrade open dumps to comply with this Act.

CONGRESS MUST ACT FOR PEACE IN EL SALVADOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon, Mr. AUCOIN, is recognized for 5 minutes.

Mr. AUCOIN. Mr. Speaker, this year has seen dramatic strides toward peace in El Salvador. Negotiators for the Government and the FMLN have agreed on a large number of issues, and a cease-fire agreement may be reached by the end of the year. The Jesuit murder trial, despite its serious flaws, resulted in unprecedented guilty verdicts against two military officers.

Much remains to be done. To encourage peace and democracy, we must impose strict conditions on aid and ensure that aid can only be released with congressional approval. This will send a crystal clear message to the Salvadoran Armed Forces that our nation supports a peace agreement that includes full civilian control of the military. We must not allow our Nation to be a stumbling block to peace.

Today, we can dare to hope for an end to the reign of terror that has caused more than 75,000 deaths and oppressed the poorest and least powerful Salvadorans. It will take many years' hard work to establish democratic institutions and fully protect human rights, but El Salvador is on the right road.

Why did this happen? Only because Salvadorans from many groups and backgrounds recognize that their civil war cannot end with a military victory for either side. Painstaking mediation efforts by the United Nations helped. So did congressionally mandated restrictions on United States military aid. But progress resulted because Salvadorans from the Government, the FMLN, and all walks of life decided that it was time to negotiate.

This progress toward national reconciliation has occurred in spite of the Bush administration, not because of it. For more than a decade, U.S. policy has rested on the hopes of a military victory for the armed forces. There has been lip service to democracy and human rights. But, two successive administrations have failed to grasp that civilian control of the military is crucial for democracy and human rights in El Salvador.

If there is any doubt about this issue's importance, just look at the breakthrough New York Agreement that government and FMLN negotiators signed on September 25. The agreement calls for a drastic change in the armed forces' role in Salvadoran society and government. Civilian control of the armed forces is to be implemented by redefining the military mission to exclude maintenance of internal order, reducing the size of the armed forces, and establishing an ad-hoc commission to dismiss unsuitable members of the armed forces. The National Guard and Treasury Police, now a part of the armed forces, are to be abolished and replaced with a National Civilian Police [NCP] force that is not a branch of the military.

THE JESUIT MURDER TRIAL

If there was any doubt that the military has yet to be curbed, it should be erased by the trial of the soldiers accused of murdering the six Jesuit fathers, their housekeeper, and her daughter at the University of Central America [UCA]. This horrible crime took place on November 16, 1989. Thanks to the heroic efforts of many human rights advocates, the case went to trial in September of this year. On September 28, the jury found Col. Guillermo Alfredo Benavides guilty of murder and Lt. Yeshi Mendoza guilty of killing the housekeeper's daughter. Two other officers and five enlisted men were acquitted.

As important as the guilty verdict for two officers is, the trial was not a model of fairness. At the end of these remarks I would like to include an article by Father Vincent O'Keefe, S.J., who observed the trial on behalf of the Jesuit Conference of the United States. This account, published in the October 19, 1991 issue of America, demonstrates that the Salvadoran judicial system cannot truthfully be

considered independent. The jury members' identities had to be concealed to protect them from reprisals. At one point, a noisy pro-military demonstration just outside the court featured the playing of taps. The attorney for the accused seized the chance to intimidate the jury, reminding them that "so many people have been killed because of this case * * * How do we know what could happen to us when we go out of this room?"

In a recent letter to me, Salvadoran Ambassador Miguel Salaverria stated that:

The outcome of the Jesuit case means that the old days of "business as usual" are over in El Salvador. No one is immune from criminal liability. Crimes and human rights violations are no longer being ignored or swept under the rug. The Jesuit trial showed that our criminal justice system works.

I cannot agree with the Ambassador's optimistic conclusion. As Father O'Keefe's article shows, the trial is at best a fragile beginning in the attempt to establish an effective, independent judicial system. Some privileged Salvadorans are still free to violate the law without suffering the consequences.

In a November 18 statement, Representative JOE MOAKLEY, who chairs the Speaker's Task Force on El Salvador, presented a range of evidence which strongly suggests that the Jesuit murders were ordered by high-ranking officers, including the Defense Minister, Gen. Rene Emilio Ponce. Their involvement has been concealed by a cover-up that continues to this day.

These conclusions cannot be proven in a court of law because they are based on information from anonymous witnesses who fear for their lives. Nonetheless, this theory is far more credible than the claim that Colonel Benavides acted on his own initiative.

Predictably, Representative MOAKLEY'S statement has been denounced by the Salvadoran Government and armed forces. A Government communique urged people with evidence to step forward. General Ponce issued a similar challenge and attacked "meddling in our country's domestic affairs, and to disregard for national dignity."

Does anyone believe that these witnesses could safely go public? It's no wonder they don't trust the mercy of Salvadoran justice. General Ponce and his colleagues don't understand that the real threat to El Salvador's national dignity lies in a military force that is above the law.

THE ROLE OF CONGRESS

These events confirm my belief that next year Congress must act on legislation encouraging a cease-fire and peace agreement. This legislation should:

First, state that the goals of U.S. policy are to promote a cease-fire and permanent settlement of the conflict based on the New York Agreement, to protect basic human rights and the rule of law, and to promote democracy and demilitarization in El Salvador;

Second, withdraw some $80 million in military aid that is in the pipeline waiting for delivery and return these funds to the U.S. Treasury;

Third, prohibit military aid until all those responsible for the Jesuit murders have been brought to justice, internationally recognized human rights have been extended to all Salvadorans, and civilian control over the military has been firmly established; and

Fourth, permit the transfer of future aid to the demobilization and transition fund for El Salvador to pay for demobilization and job training for ex-combatants. Funds transferred to the fund should only be disbursed after a permanent settlement is reached, and only with the approval of Congress.

By passing this legislation, Congress can ensure that the Salvadoran Armed Forces hear our message loud and clear. At stake is the chance for millions of Salvadorans to live in dignity and security. For their sake, we must not let this opportunity go by.

THE EL SALVADOR TRIAL IN THE JESUIT CASE

(By Vincent T. O'Keefe)

Three Jesuits from the United States went to El Salvador for the trial of the nine accused in the killings at the Universidad Centroamericana (UCA), Nov. 16, 1989. They were Vincent O'Keefe, S.J., former General Assistant to the Jesuit Superior General; Charles Currie, S.J., rector of the Jesuit Community at St. Joseph's University, Philadelphia; and Donald Monan, S.J., president of Boston College University. Father O'Keefe represented the Jesuit Conference (central organ of United States Jesuits); Father Currie, the Association of Jesuit Colleges and Universities; Father Monan, his own university. Father O'Keefe narrated the events to James S. Torrens of America:

The trial in the Jesuit case started once the notices got to the jurors, that is, on Thursday, Sept. 26. It was held in the Supreme Court building, San Salvador, for lack of any other adequate court facility. The Supreme Court chose its venue according to the place of the crime, the Fourth Penal District, under Judge Ricardo A. Zamora. We give Judge Zamora high marks for pressing on against delays, stonewalling and noncompliance by government, military and even the United States.

The courtroom was divided, as you can see, with ourselves in Public A, a section for "The Offended Party." José Maria (or "Chema") Tojeira, S.J., the Jesuit provincial, was at left front and Maria Julia Hernández of Tutela Legal (the human rights office of the San Salvador archdiocese) at right front. Near me was the brother of Julia Elba (Ramos), who looks just like her, a nice man.

In the middle were "The Observers," national and international. This included embassy people—for example, the French Ambassador, the Spanish; our man, Mr. William Walker, came only briefly. Also in evidence was James McGovern, aide to Congressman Joe Moakley, who kept pushing for the trial. We met some wonderful people from Amnesty International, Americas Watch and a few Uruguayans and Argentinians with experience of military terror. Two groups deserve special praise, the Lawyers Committee for Human Rights, based here in New York, which has pressed the Jesuit case and publicized it, and the Institute for the Defense of Human Rights at the UCA, once headed by Segundo Montes, S.J., and now, after his death, by a Canadian Jesuit, Michael Czerny, S.J. The Institute was a fountainhead of documents.

Section Public D was for relatives of the accused. The mother of Lieut. José Ricardo Espinoza, a graduate of the Jesuit secondary school, led family members in prayer, with their heads bowed, at the trial. At the end, catching Mr. McGovern's eye, she held up her Bible and pointed to it in token of vindication. Her husband declared afterward that the verdict was a judgment of God, not a human judgment at all.

Behind us was the press. The televised the entire trial nationally, which infuriated the military, for the soldiers, in uniform, were seen hour by hour seated in a line and looking out at the courtroom. I will never forget it, sitting eyeball to eyeball with them. The room was very hot, in the glare of television lights.

Against the front wall sat the judge, his secretary, aides for reading the documentation, and the Attorney General's people at a table. At right angles to this table you have the two prosecutors for the Jesuits, Henry Campos and Sidney Blanco. Campos and Blanco had originally led the prosecution for the Attorney General, until finding themselves forbidden to issue statements, bring perjury charges against any more of the soldiers or attend the interrogations by the Special Investigative Unit of the army. Two days after the murder, then-Attorney General Colorado had attacked the bishops of San Salvador for "this questionable ideology of the Church of the Poor," urging them to leave the country, writing to their fellow bishops and even to the Pope against them, so you can see the bias.

As for the chief defense attorney, Carlos Méndez Flores, imaging this: On the last morning, Saturday, a group in favor of the accused and led by a colonel came marching outside the court, with chants and speeches broadcast by loudspeakers. At one awful moment, when you could hear the national anthem and then taps in the background, Flores reminded the jurors, "So many people have been killed because of this case," and he named six names. "How do we know what could happen to us when we go out of this room?" Most found that to be an open threat. Flores also kept accusing Chema, Francisco Estrada, S.J., (president of UCA) and Maria Julia of "tampering with evidence."

The jury, called the Tribunal of Conscience, were five in number, three men and two women, plus a woman alternate, chosen on the spot from a dozen persons listed and available. The judge gave them 80 questions, to be answered "Si" or "No." "Interior conviction" was the key phrase in each question; for instance, "Do you have the interior conviction that Colonel Benavides was guilty of the murder of Father Ellacuría?

They took great care to mask the jurors' identity. A wooden partition screened them from the observers and defendants. But many people had access to them, for example, a medical team and those who brought them food. The attorneys had the list of names and, while making their case, came right over to face them. Both the prosecutor and defense lawyer pressed them, "Please do your duty and answer 'Si' or 'No' to all these questions. "We were far from feeling that this whole trail took place in an objective atmosphere.

The trial finally started at noon on Thursday, Sept. 26. From then until midnight, and from 8:30 to noon the next day, the judge's aides read from the official documentation, 6,000 pages of it in 28 volumes. In monotone, at top speed, they covered about 200 pages selected by the judge. The jury did not get a look at this material, but did have a hotline to ask the judge for clarification. They also could question the accused but never did.

In view of the jurors, and the whole courtroom, was a big white board with the names of the accused and the accusations. The first item was "murders," with the number of the

penal code and the lists of victims. Then there was "acts of terrorism." All were accused on the two above scores, but some excluded on the third, "preparatory acts of terrorism." The documents often referred to the accused by their nicknames. A call came on the hotline asking the judge to write these in, so the jurors could keep straight who was who.

On the left was "Samson," "Tomás Zarpate Castillo, with his head tilted back, his eyes hooded. He confessed to killing the two women. Actually Ascensio, the soldier who deserted and is probably in Guatemala, had to finish them off. The second man, Pérez Vasquez, killed Joaquín López y López, S.J., the oldest Jesuit, when Father López grabbed his foot. We had some sympathy for him. He never changed expression, did not seem to know exactly where he was.

Next was Lieut. Yushi Mendoza, convicted of the murder of Celina (Ramos). He saw the women there, and either gave orders to finish them off, or did not intervene. Why hold him guilty of killing the daughter and not the mother, who was trying to protect the girl with her body? Something strange about that. The fourth was the famous "Hangman," or in the Indian language *Pilijay*, Amaya Grimaldi, who handled the A.K. automatic rifle, a Soviet rifle difficult to manage. He confessed to killing Fathers Ellacuría, Martín-Baró and Montes. He is the one everybody was sure would be convicted.

Then came Lieutenant Cerritos, or "Lynx." Next Vargas, "Satan" or "Toad," who confessed to killing Juan Moreno, S.J., and Amando López, S.J. Then Colonel Guillermo Benavides. Finally, Lieut. José Espinoza, called *Toro*, "Bull," the alumnus of our Jesuits' school San Jose. He came over at a break in the proceedings to say to Father Tojeira, "Inside this uniform there's a human being who is innocent, believe me."

All but Colonel Benavides had made extrajudicial confessions to the Special Investigative Unit of the armed forces, an entity financed by the United States to correct problems in human rights. Two witnesses signed each confession, attesting to freedom from coercion. They were then accepted by Judge Zamora, confirmed by the appellate court and once more by the supreme court. When the proceedings began, those confessions were held valid, and were the key piece in the trial. Later the seven men denied them, saying they did not know what they were signing. Matter from the confessions emerged in the documentation read.

The trial, or *vista publica* ("public viewing"!), concluded about a quarter to five on Saturday evening, at which time we had to leave the courtroom. The judge was alone with the jury then, and presumably gave an instruction. Then they went into a private room. They had elected a president—we would call him a foreman—and a secretary, and in this case answered their 80 questions. A simple majority would be enough to convict, which to me is strange. By general opinion the evidence was strong that the soldiers who had confessed to the actual killing would be judged guilty. The big question then was, would the jury reach up and even get the colonel?

At 10:30 p.m. the judge called us back to hear him read out the jury's answers on each charge, without mentioning who voted how. The verdicts, reversing expectations, condemned two men, the only non-members of the Atlacatl Battalion, Lieutenant Mendoza and Colonel Benavides. Benavides had not in fact been present but as the person in charge of the area was held ultimately responsible. (At least that is what we think; we got no reasoning supporting the verdict.) They convicted the one they think gave the order, but those who carried it out were found innocent.

The jury seems to have thought, "Go for those who gave the command. Keep this under the heading of obedience." Actually they superimposed military law on Salvadoran law, which says that one is not to obey an illegal command. We spent a lot of time afterward discussing commands in wartime. Those from a background of U.S. city politics also had to ask, "Was the fix in?" The conviction of Mendoza seems hard to explain otherwise.

I asked some Salvadorans afterward, "How do you feel about this? They said, "Listen, we're very happy. Finally, there's been a breach in that impunity." I asked, "Do you think the soldiers were guilty?" And they said, "Oh, yes." Doesn't that bother you?" Oh, yes, but at least we made a dent." We were talking in this Jesuit Case, really, about tens of thousands of lives lost and people on the street who are morally afraid. So a positive first step has just been taken.

On Sunday, after the trial, many observers asked to go up to the UCA to the site of the killings. It was like a pilgrimage—they were so touched. Father Tojeira was interviewed on television this next Monday morning. He said, "We have to be happy that the Salvadoran institutions did function. This doesn't happen every day." In discussing a possible amnesty by President Cristiani, Father Tojeira chose to speak rather of pardon. Amnesty, he said, wipes out the whole thing; pardon does not. "If pardon is instituted by legal means, we would support it. After all, we are Christians."

One of the observers from the United States, an investigator into crimes against humanity who had lived a long time in Latin America, advised Father Tojeira not to jump too soon to pardon. He answered, "I'm speaking from a Salvadoran and a priest's perspective." But he also said of the trial, "This is just a step. We want to get to the complete truth." A lot of evidence still reveals that these executions were not commanded by this colonel but from higher up. The trial was forced into narrow limits by delays, lies, minimal responses, the destruction of the log in the military academy, blockage on letters rogatory by the United States.

A final note. The coincidence of a truce between the rebels and the Government should not be read to mean that now the United States should feel free to continue its military aid. By no means.

WITH ONE MORE, WE COULD HAVE A BASKETBALL TEAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, in 1960, Bill Mazeroski, a second baseman for the Pittsburgh Pirates, hit a home run in the seventh and final game to win the World Series for the Pirates over the New York Yankees.

Shortly after the game, Mazeroski was approached by a fan outside the locker room and handed a baseball. The fan told Mazeroski that he had caught the game winning home run and he wanted the Pirate All-Star to have the ball. Mazeroski was elated. He had a souvenir of his World Series heroics. By the time Mazeroski reached his car in the parking lot, 20 other fans had approached him and handed him a baseball claiming that they had caught the game winning home run and here was their ball to prove it.

Just as many Pittsburgh fans claimed to have caught the game winning home run of Mazeroski, a large number of Members of the House are not claiming that they did not support deregulation of financial institutions in 1980, and that they voted against raising the current Federal insurance on bank accounts from $40,000 to $100,000. In recent months, I have seen interviews on television, in the newspaper, and even at testimony in committee hearings where Members have boasted proudly that they voted against the legislation that raised deposit insurance in 1980, and also deregulated financial industries.

This rush to disavow the 1980 bill was brought about because many people, including leading economists, have claimed that the increase in deposit insurance is the main cause for today's banking troubles.

Mr. Speaker, the record needs to be set straight with regard to that 1980 vote.

The increase in the deposit insurance maximum was not voted on directly by either body, but rather was offered as a part of the conference committee on the legislation. I was a member of that conference, in fact, I am one of three Members still serving in the House who were on that conference committee. I was so incensed with what was done in the conference committee to raise the insurance amounts and to deregulate financial institutions, that I refused to sign the conference report, the ultimate rejection of a work product by a conferee.

When the conference report reached the House floor, only 13 Members of this body voted against the conference report, which included raising the ceiling open deposit insurance. There are only four Members currently serving in this body who were courageous enough to join nine other Members in opposing the conference report. That is a total of 13 House Members who opposed the conference report.

In addition to myself, the other three Members of this Chamber who voted with me on that historic day, or perhaps I should say infamous day, were the gentleman from Texas [Mr. PICKLE], the gentleman from Georgia, [Mr. JENKINS], and the gentleman from Indiana [Mr. MYERS].

Had all of the Members, who now claim to have voted against the conference report, done so in fact, we might well have defeated that bill, and we might well have avoided both the savings and loan scandal, and the bank bailout. But only 13 of us stood shoulder to shoulder, Mr. Speaker, and only four of us still remain in the House—ANNUNZIO, PICKLE, JENKINS, and MYERS.

It is a closed club, Mr. Speaker, We will not allow any new Members, particularly, imaginary ones.

SALMON MARKET PRODUCTION AND STABILIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA], is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, today I am introducing legislation prompted by the erratic sockeye salmon market. Every summer, fishermen from my district and many others go to Alaska to fish for sockeye salmon in Bristol Bay—a different species from the Snake River sockeye salmon, recently designated as an endangered species. For many of these fishermen, this is their primary or sole source of income. In the last 3 years the price received for sockeye salmon has been on a roller coaster ride from as high as $2.30 per pound; to a low of 70 cents per pound. This past summer the market was extraordinarily bad. The fishermen were offered the ridiculous price of 45 cents per pound; as a result they went on strike. Because the season for sockeye salmon is so short the fishermen had little bargaining power and finally settled for 70 cents per pound. At this price they were lucky to break even. The legislation I am introducing is designed to ensure a more stable market for sockeye salmon. The legislation provides for sanctions against any country that does not prohibit large-scale drift net fishing by its nationals and vessels of that country, enhances fisheries conservation programs, extends the Fish and Seafood Promotion Act of 1986, urges the processors and harvesters to negotiate a price prior to the season's commencement and consequently stabilizes the price received by harvesters of sockeye salmon.

We have previously taken measures to promote various commodities and to ensure that international trade agreements are not violated. International trade is necessary for a healthy economy. At the same time, however, we must ensure that international trade is fair. Additionally, I believe that both the fishermen and the Nation as a whole stand to benefit from a promotional program. Our economy is weak and we are having trouble competing on the international level in certain areas. American salmon is a commodity suffering from not being low competitiveness in the world market.

HIGH SEAS VIOLATIONS

High-seas violations have a substantial impact on the sockeye salmon market. When salmon is caught on the high seas and subsequently sold on the black market the price of our fishermen's salmon inevitably decreases. Currently, we are not doing enough to ensure that high seas large-scale drift net fishing does not occur. The plight of the salmon fishermen is too great to turn our heads to these blatant violations. This legislation denies entry of large-scale drift net fishing vessels to any place in the United States for any nation that fails to prohibit their nationals from conducting large-scale drift net fishing beyond the exclusive economic zone of any country.

My second concern is that high seas violations also have a devastating effect on the environment. Tens of thousands of marine animals and sea birds are caught in large drift nets. The legislation provides that fish and fish products of said nations will be prohibited import into the United States in order to increase the effectiveness of enforcement of domestic laws and international agreements that conserve and manage the living marine resources of the United States. The legislation also requires the President to direct the U.S. Trade Representative to seek actively to take into consideration the national environmental laws of contracting parties and international environmental treaties.

SOCKEYE SALMON PROMOTION

The Fish and Seafood Promotion Act expires this year. At a time when our economy is weak and the sockeye salmon industry needs its product promoted more than ever before, it is vital that this act be extended. Competition in the salmon market is becoming more and more fierce. Both the advent of farmed fishing and the recent increased number of wild salmon has caused a glut in the salmon market. Therefore, promoting consumption of this product is crucial if the industry is to thrive. This legislation extends the Act for a much needed 2 years.

SENSE OF CONGRESS—NEGOTIATION PROCESS

My final concern is that current bargaining practices in the sockeye salmon industry put the fishermen at a significant disadvantage due to the brevity of the season. The sockeye salmon fishing season is a mere 3 to 6 weeks. This is not sufficient time for the fisherman to obtain a fair price. Fishermen are essentially forced to accept whatever price is offered if they wish to participate in the market. Processors and fishermen should be encouraged to negotiate a price prior to the season so that fishermen are not disadvantaged. Included in this legislation is a sense of Congress provision recommending that the harvesters and processors of sockeye salmon begin negotiations well in advance of the fishing season.

Mr. Speaker, these provisions are desperately needed. I invite my colleagues' review and cosponsorship of this important legislation and urge its timely adoption by the full House. For the convenience of my colleagues the text of the bill is printed below.

H.R. 3868

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

TITLE I—HIGH SEAS LARGE-SCALE DRIFTNET FISHING

SEC. 101. DENIAL OF PORT PRIVILEGES AND SANCTIONS FOR HIGH SEAS LARGE-SCALE DRIFTNET FISHING.

(A) DENIAL OF PORT PRIVILEGES.—

(1) PUBLICATION OF LIST.—Not later than 10 days after the date of the enactment of this Act and periodically thereafter, the Secretary of Commerce, in consultation with the Secretary of State, shall publish a list of countries that conduct, or do not prohibit their nationals from conducting, large-scale drifnet fishing beyond the exclusive economic zone of any country.

(2) DENIAL OF PORT PRIVILEGES.—The Secretary of the Treasury shall, in accordance with recognized principles of international law—

(A) withhold or revoke the clearance required by section 4197 of the Revised Statutes of the United States (46 App. U.S.C. 91) for; and

(B) deny entry to any place in the United States and to the navigable waters of the United States to;

any large-scale driftnet fishing vessel that is registered under the laws of a country included in a list published under paragraph (1).

(3) NOTIFICATION OF COUNTRY.—Before the publication of a list of countries under paragraph (1), the Secretary of State shall notify each country included in that list regarding—

(A) the effect of that publication on port privileges of vessels of the country under paragraph (2); and

(B) any sanctions that may be imposed on that country if nationals or vessels of that country continue to conduct large-scale driftnet fishing beyond the exclusive economic zone of any country after July 1, 1992.

(b) SANCTIONS.—

(1) IDENTIFICATION.—Not later than July 1, 1992, and periodically thereafter, the Secretary of Commerce shall—

(A) identify each country whose nationals or vessels conduct large-scale driftnet fishing beyond the exclusive economic zone of any country; and

(B) notify the President and that country of that identification.

(2) PROHIBITION OF IMPORTS OF FISH AND FISH PRODUCTS AND SPORT FISHING EQUIPMENT.—

(A) PROHIBITION.—Upon receipt of notification of the identification of a country under paragraph (1), the President shall direct the Secretary of the Treasury to immediately prohibit the importation into the United States of shellfish, fish and fish products, and sport fishing equipment (as that term is defined in section 4162 of the Internal Revenue Code of 1986 (26 U.S.C. 4162)) from that country.

(B) NOTIFICATION.—Not later than 15 days after the date of receipt of notification of the identification of a country under paragraph (1), the President shall notify the Secretary of Commerce and the Congress of any action taken by the President under this paragraph with respect to that country.

(3) ADDITIONAL ECONOMIC SANCTIONS.—

(A) DETERMINATION OF EFFECTIVENESS OF SANCTIONS.—Not later than 6 months after the date of the Secretary of Commerce identifies a country under paragraph (1), the Secretary shall determine whether—

(i) any prohibition established under paragraph (2) is insufficient to cause that country to terminate large-scale driftnet fishing conducted by its nationals and vessels beyond the exclusive economic zone of any country; or

(ii) that country has retaliated against the United States as a result of that prohibition.

((B) CERTIFICATION.—The Secretary of Commerce shall certify to the President each affirmative finding under subparagraph (A) with respect to a country.

(C) EFFECT OF CERTIFICATION.—Certification by the Secretary of Commerce under this subsection is deemed to be a certification under section 8(a) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)), as amended by this Act.

SEC. 102. DURATION OF DENIAL OF PORT PRIVILEGES AND SANCTIONS.

Any denial of port privileges of sanction established under section 101 with respect to a country shall remain in effect until such time as the Secretary of Commerce certifies to the President and the Congress that the country has terminated large-scale driftnet fishing by its nationals and vessels beyond the exclusive economic zone of any country.

SEC. 103. DEFINITIONS.

For purposes of this title:

(1) FISH AND FISH PRODUCTS.—The term "fish and fish products" means any aquatic species (including marine mammals and plants) and all products thereof exported from a country, whether or not taken by fishing vessels of that country or packed, processed, or otherwise prepared for export in that country or the jurisdiction thereof.

(1) LARGE-SCALE DRIFTNET FISHING.—The term "large-scale driftnet fishing" means a

method of fishing in which a gillnet composed of a panel or panels of webbing, or a series of such gillnets, with a total length of two and one-half kilometers or more is placed in the water and allowed to drift with the currents and winds for the purpose of entangling fish in the webbing.

(2) LARGE-SCALE DRIFTNET FISHING VESSEL.—The term "large-scale driftnet fishing vessel" means any vessel which is used for, equipped to be used for, or of a type which is normally used for—

(A) large-scale driftnet fishing; or

(B) aiding or assisting one or more vessels at sea in the performance of large-scale driftnet fishing, including preparation, supply, storage, refrigeration, transportation, or processing.

TITLE II—FISHERIES CONSERVATION PROGRAMS

SEC. 201. IMPORT RESTRICTIONS UNDER FISHERMEN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)(4) by striking "fish products" and all that follows through "such duration", and inserting "any products from the offending country for any duration";

(2) in subsection (c) by striking "fish products or wildlife products" and inserting "products";

(3) in subsection (e)(2) by striking "fish products and wildlife products" and inserting "products";

(4) in subsection (f)—

(A) in paragraph (1) by striking "fish products and wildlife products" and inserting "products"; and

(B) in paragraph (5)—

(i) in the first sentence by striking "fish products and wildlife products" and inserting "products"; and

(ii) in the second sentence by striking "Fish products and wildlife products" and inserting "Products"; and

(5) in subsection (h)—

(A) by amending paragraph (2) to read as follows:

"(2) The term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, and any other territory or possession of the United States.";

(B) in paragraph (3) by inserting ", including marine mammals" after "protect the living resources of the sea";

(C) by striking paragraph (4);

(D) by redesignating paragraph (5) as paragraph (4);

(E) by striking paragraphs (6) and (7); and

(F) by adding at the end the following new paragraphs:.

"(5) The term 'International fishery conservation program' means any ban, restriction, regulation, or other measure in effect pursuant to a bilateral or multilateral agreement which is in force with respect to the United States, the purpose of which is to conserve or protect the living resources of the sea, including marine mammals.

"(6) The term 'taking' as used with respect to animals to which an international program for endangered or threatened species applies, means to—

"(A) harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or

"(B) attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect.".

SEC. 202. MEMORANDUM OF UNDERSTANDING.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, the Secretary of Commerce, and the Secretary of Defense shall enter into an agreement under section 311(a) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1861) in order to increase the effectiveness of enforcement of domestic laws and international agreements that conserve and manage the living marine resources of the United States.

(b) TERMS OF AGREEMENT.—The agreement entered into under subsection (a) shall include—

(1) procedures for identifying and providing potential locations of vessels that are in violation of domestic laws and international agreements designed to conserve and manage the living marine resources of the United States;

(2) requirements for the use of surveillance capabilities of the Department of Defense; and

(3) procedures for communicating vessel locations to the Secretary of Commerce and the Coast Guard.

SEC. 203. ENVIRONMENTAL TRADE NEGOTIATIONS.

(a) POLICY.—It is declared to be the policy of the Congress that the United States shall address environmental issues during multilateral, bilateral, and regional trade negotiations.

(b) NEGOTIATIONS.—In implementing the policy declared in subsection (a), the President shall direct the United States Trade Representative to actively seek to—

(1) reform articles of the General Agreement on Tariffs and Trade (referred to in this subsection as "GATT") to take into consideration the national environmental laws of contracting parties and international environmental treaties;

(2) secure a working party on trade and the environment within GATT as soon as possible;

(3) take an active role in developing trade policies that make GATT more responsive to national and international environmental concerns;

(4) include other Federal agencies with environmental expertise during multilateral, bilateral, and regional trade negotiations to determine the impact of the proposed trade agreements on national environmental law; and

(5) periodically consult with interested parties concerning the progress of the negotiations.

TITLE III—EXTENSION OF FISH AND SEAFOOD PROMOTION ACT AND OTHER MATTERS

SEC. 301. EXTENSION OF THE FISH AND SEAFOOD PROMOTION ACT.

(a) EXTENSION OF TERMINATION DATE OF NATIONAL COUNCIL.—Section 206(g) of the Fish and Seafood Promotion Act of 1986 (16 U.S.C. 4005(g)) is amended by striking "December 31, 1991" and inserting "December 31, 1993".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 209(d) of such Act (16 U.S.C. 4008(d)) is amended by striking "fiscal year 1991" and inserting "fiscal year 1993".

(e) SPECIAL PROGRAM FOR SOCKEYE SALMON.—Section 206(c) of the Fish and Seafood Promotion Act of 1986 (16 U.S.C. 4005(c)) is amended—

(1) by inserting "(1)" after "REFERENCES.—"; and

(2) by adding at the end of the following new paragraph:

"(2) PROGRAM FOR SOCKEYE SALMON.—Notwithstanding the prohibition contained in paragraph (1), the National Council shall carry out a consumer education and marketing and promotion program to encourage the consumption of sockeye salmon.".

(d) TRANSFER OF SALTONSTALL-KENNEDY FUNDS.—Section 2(b)(2) of the Act of August 11, 1939, commonly known as the Saltonstall-Kennedy Act (15 U.S.C. 713c-3(b)(2)) is amended by striking "fiscal years 1990 and 1991" and inserting "the fiscal years 1990 through 1993".

SEC. 302. SENSE OF CONGRESS REGARDING NEGOTIATIONS BETWEEN HARVESTERS OF SOCKEYE SALMON AND PROCESSORS.

Because of the erratic market for sockeye salmon and the short fishing season for sockeye salmon, it is the sense of Congress that harvesters and processors of sockeye salmon should begin negotiations well in advance of the fishing season for sockeye salmon regarding the price to be paid to those harvesters during that season.

IN SUPPORT OF AMENDING THE TAX REFORM

The SPEAKER pro tempore, Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker as a cosponsor of H.R. 1414, I rise in support of the enactment of this important legislation which would correct an inequity in the Tax Reform Act of 1986.

Under the passive loss rules adopted in the 1986 Tax Reform Act, equal treatment does not exist for real estate businesses. The ownership and operation of rental real estate was deemed to be inherently passive even if the management, ownership, and operation of rental real estate were an integral part of a taxpayer's real estate business. The effect of this is to tax income from real estate operations, including sales, development, rental property, and appraisal, more heavily than is the case for business people in other industries. This occurs as a result of the fact that a real estate business with rental real estate income and loss from its rental real estate income and loss.

H.R. 1414 would allow the real estate business to deduct its losses from rental real estate against its other income. Real estate is the only industry in which the various aspects of a business, including sales, development and rental management, are not treated as one for tax purposes. Real estate should be entitled to similar treatment in order to attain a level economic playing field, which was one of the original tenets of the 1986 Tax Reform Act.

Mr. Speaker, this bill does not ask for any preferential treatment for anyone, but equal treatment for everyone. It has 322 co-sponsors. I urge my colleagues to support H.R. 1414 and thus return balance to this section of the business world.

UPON INTRODUCTION OF A RESOLUTION EXPRESSING THE SENSE OF THE HOUSE REGARDING THE EFFECTIVE DATE OF LEGISLATION REGARDING THE TAX TREATMENT OF INTANGIBLE ASSETS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, on July 25 of this year, I introduced H.R. 3035, a bill to simplify the tax treatment of intangible assets. The bill is an important part of series of tax simplification initiatives I have advanced this year. H.R. 3035 is intended to eliminate much of the controversy that has long been associated with the tax treatment of intangible assets by providing a more uniform, predictable set of rules for amortizing such assets.

The Committee on Ways and Means has held 2 days of hearings on this important initiative. While some problems remain to be worked out, I have been encouraged by the public response to the bill, which has been overwhelmingly favorable. I am also gratified by the Treasury Department's position in support of the bill.

As introduced, H.R. 3035 would become effective on the date of enactment of the bill. Concern has recently been expressed to me that business transactions are being held up because of uncertainty as to when this legislation might be enacted.

To alleviate these concerns, I am today introducing a sense-of-the-House resolution, providing that in the event that intangibles legislation is enacted into law, taxpayers should be allowed to elect to apply the legislation to all acquisitions of intangible assets taking place after the date of introduction of H.R. 3035—July 25, 1991—and before its enactment.

Because it is an election at the taxpayer's choice, this sense-of-the-House resolution would not harm any taxpayer, but would instead ensure that normal business transactions are not held up while the intangibles legislation works its way through the legislative process.

Mr. Speaker, I am scheduling a markup of this resolution by the Committee on Ways and Means on Monday, November 24, 1991. I hope that it is approved by the Ways and Means Committee and passed by the House of Representatives prior to adjournment next week.

ORDER OF BUSINESS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. GINGRICH] be allowed to proceed with my special order.

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

There was no objection.

ECONOMIC GROWTH, INVESTMENT AND JOB CREATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I want to speak tonight about the Economic Growth, Investment, and Job Creation Act, which is a proposal that the House Republican Conference adopted today and which I believe gives us a tremendous opportunity in the next 4 days to be able to pass a bill which would dramatically increase jobs, have a tremendous impact on housing, increase savings, and increase the opportunity for Americans to work and to save and to develop a better future.

Congressman BOB MICHEL, The Republican leader, asked Congressman MICKEY EDWARDS, the chairman of the policy committee, to develop a deficit neutral package for jobs, savings, investment, and home ownership. This was a leader's task force in jobs and economic growth.

Mr. Speaker, we took a couple of key rules. First, that we would stick by the budget agreement. That while many of us voted against it, we recognized that the President had signed it, we recognized it was important in keeping down the deficit and in keeping down interest rates, and so our first step was to say that we will only adopt a proposal which pays for itself. That is a very key principle we have fought on all year here in the House.

So I am very proud to say to my colleagues that the Economic Growth, Investment, and Job Creation Act in fact does pay for itself.

The economic growth that it creates, the opportunities that it creates, will in fact lead to sufficient increased revenue that it will enable us to say flatly that we are going to pay for what we are doing to stimulate the economy.

Our second principle was that it had to create jobs. This recession is very worrisome. We have been very concerned all summer and all fall about creating jobs.

Senator PHIL GRAMM and I introduced a bill back in July, the Gramm-Gingrich Economic Growth Act, which would have helped create jobs. We could not get our friends in the Democratic Party to bring it up. We tried on several occasions.

So we decided to work with the leader's task force on jobs and economic growth. I am very pleased to say they have developed a very powerful package, which I believe will create 1,500,000 new jobs over the next few years.

Our third goal was to have a job creation tax package that had the right kind of long-term policies, that increased savings, that increased work, that increased investment, that helped small business, that helped senior citizens, that was designed to encourage the real estate market, and that in fact would help us with the Resolution Trust Corporation's financing and make it less expensive to the taxpayer to be able to bail out the savings and loans. And we met that standard.

Lastly, we insisted on a program that would have very powerful incentives for the American family and for working Americans.

Now I want to suggest that what we have put together, the House Republican proposal, is a very important opportunity, an opportunity that I hope every one of my colleagues and every person who listens to this will take seriously.

If enough people look at this program in the next 96 hours, if enough people look seriously at what is happening in our economy and look at this opportunity to create jobs and to get us out of a recession, if enough people look at the cost of the Resolution Trust Corporation and at the real estate collapse and decide that this program will help us and will help with real estate and with housing and home building, then I believe on Tuesday we have a real opportunity to bring up and to pass the Economic Growth, Investment, and Job Creation Act.

That is the real crisis. Can we in the House in the next 4 days find the will to insist that before we adjourn and go home, that we are going to pass an economic growth proposal that will help people?

Just think of it. We are going to be voting 2 days before Thanksgiving. We are going to be voting at a time when there are 8.5 million Americans looking for work. We are going to be voting at a time when people are frightened about the economy.

Is this House really going to vote "no"? Is this House going to turn down jobs, turn down savings, turn down investment, turn down small business, turn down senior citizens, turn down home ownership, and then go home for Thanksgiving and spend Christmas break telling people, "Oh, I am so worried about unemployment I could not even stay in Congress and pass a growth package"?

I don't think so. I think if enough Americans called their Congressmen and Senators, if enough people show up and talk at congressional offices, if enough people send telegrams and faxes, I think it is just possible that the American people can force a dramatic change.

Now, we cannot get there with business as usual. We all know what business as usual is. The liberal Democrats who control the House will write a rule that will not make this in order. It will be passed through by partisan vote. We will never have a chance to get to the floor. We will never have a chance to do anything.

But when I watched Boris Yeltsin this summer, in less than 4 days he saved the entire Soviet Union from dictatorship because he reached out and aroused the Russian people. I just want to say that I believe that this proposal is important enough that every American who is worried about the econ-

omy, every American who is worried about home ownership, every senior citizen who is angry about being punished by Social Security if they work, every person who wants to have a savings account without having to pay taxes on the interest, and every person in real estate and home building who knows that the 1986 Tax Act helped put them out of business or helped weaken their business, and every small business person who wants to have expensing for their small business to create jobs by investing in better equipment and better opportunities, I think if all of those folks on Saturday and Sunday and Monday and Tuesday call their Congressmen and Senators, I believe it is possible that we could on Tuesday have a dramatic impact on stopping this recession and reestablishing economic growth.

□ 2110

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

Is the gentleman aware that tomorrow when we come into session that we are going to have 25 pieces of legislation before the House on a Saturday, none of which deal with economic growth, but the point that I am making is that the House is finding a way to put massive amounts of legislation on the calendar as we close out the session. And there is certainly no reason why the House could not find a reason to put the legislation that the gentleman is mentioning on the calendar as well.

The fact is that none of these ideas are particularly new and unique. The package is a culmination of a number of ideas that have been around. They have been roundly discussed. These are not concepts which are alien to most Members of Congress.

It would be entirely possible under the rules of the House in the last days to have such a package considered.

Mr. GINGRICH. If I might comment, as I understand, the Democrats will be bringing to the floor tomorrow a rule which in effect gives the Speaker the power to bring anything to this floor he wants to. So literally from the time that rule is passed on, we would be in a position at any time for the Speaker to bring to the floor this or an alternative, a Democratic economic growth package, or both of them, and allow the House to choose. Is that not correct? At any point from that time on for the rest of this session, the Speaker would be able, if he wanted to, to bring that kind of a package to the floor.

Mr. WALKER. Mr. Speaker, if the gentleman will continue to yield, assuming that that very bad rule passes, the gentleman is absolutely correct. As I understand the rule, the Speaker could, for example, put anything he wants on a Suspension of the Rules Calendar with only an hour's notice to the Membership. And so virtually any time during the days that followed, the Speaker could put that on the Suspension Calendar. That would require a two-thirds vote, but that is something which is possible.

There are also other techniques for going to the Committee on Rules, and they waive some of the waiting periods and things of that type for many of these issues. So there is no reason why some of these matters could not come to the floor by a more traditional means.

Mr. GINGRICH. If I also understand the gentleman, it would be possible under the House rules tomorrow to ask by unanimous consent in between, say, two of the suspensions that the next item of business might be an economic growth package?

Mr. WALKER. Mr. Speaker, I do not think it would work exactly that way. I think what the gentleman would have to do is the Speaker would declare a suspension day, which tomorrow is, and then he would have to give the House 1 hour of notice that a bill was being added to that Suspension Calendar.

Mr. GINGRICH. He could do that under the rule. But is it also true, under the rules of the House, that if the House was willing to, if the House decided that economic growth and stopping the recession was as important as one of these 25 suspensions, that in fact the House could by unanimous consent bring up the bill?

Mr. WALKER. The problem would be that, that the Speaker's clearances are still in operation, I think on the House rule.

Mr. GINGRICH. The Speaker would have to be willing to clear it?

Mr. WALKER. There would have to be the indulgence of the majority leadership and the Chair in order for that to happen.

That is not to say that it cannot happen. There is a pattern of clearance here that would permit it to take place. If those clearances were granted, then, yes, it is true that it could be brought up by unanimous consent.

Mr. GINGRICH. Just so the people understand, if they can appreciate the rules, if the Democratic leadership truly meant the speeches about unemployment and the speeches about concern for those who are out of work, they could, if they wanted to, grant unanimous consent to bring up a bill and someone can then ask that.

Mr. WALKER. Precisely. What we are seeing on the calendar for the next few days are many items that the Democratic leadership have decided that they want to bring to the floor. They are perfectly willing to bring their agenda to the floor. Their agenda includes a lot of things that would not necessarily be on my agenda, but it is what they have determined they want to bring out.

Interestingly enough, after all of the talk about unemployment, there is not an item there that is aimed at economic growth.

They say the highway bill promotes some economic growth. Indeed, getting a highway bill is important. And it will help spur the economy a little bit. But it is an add-on program to what is already going on in the country. It is not a true economic growth package.

They are not engaged in doing something to change taxes or to do the things that would provide underlying stimulus to the economy. It seems to me that what would be fair, we talk a lot about fairness around this body, would be to give the minority party an opportunity to maybe just put one item of its agenda in the waning hours of the Congress, not a whole host of them, just one item that the minority party had agreed was a part of its agenda.

It seems to me that fairness might dictate that when we are operating without rules that the minority might be given an opportunity to have some impact on the national agenda as Congress closes its doors.

Mr. GINGRICH. Let me say to my friend, I want people to understand that even though we will bring up 25 different bills on Saturday, none of them are going to relate directly to economic growth and jobs and getting out of the recession.

Mr. WALKER. I am sorry I do not have a schedule with me right now of the bills. I saw them a little earlier, the 25 bills. But a couple of them are fairly substantial bills. For example, there is a drug-testing-quality act, which is in fact a very controversial piece of legislation and is one in which the Democrats are specifically attempting to undermine the ability to do drug testing in this country. And they have decided that they are going to put that on the Suspension Calendar.

Mr. GINGRICH. If they wanted to put, say, on Monday, the Economic Growth, Investment and Job Creation Act could be put on the Suspension Calendar on Monday without any trouble. Or if they wanted to go to the Committee on Rules at any time, they could bring a rule out and bring it up, as the gentleman said, with a Republican proposal for economic growth and jobs and a Democratic proposal.

Mr. WALKER. Mr. Speaker, maybe the gentleman would be interested in some of the things we are going to take up that the Democrats regard as high-priority items.

Mr. GINGRICH. If the gentleman does not mind, I have been reminded—before we go to that, let me first outline what is in the bill because I think people have a right to know why the gentleman and I think it is so important to bring out the Economic Growth, Investment and Job Creation Act.

First of all, it directly affects senior citizens by increasing over the next 5

years the income amount an individual can earn before there is an earnings limit penalty. Right now if you earn about $9,000 and you are a senior citizen, 65 to 68, you get punished. They take money away from you if you continue to work. And every citizen knows about this.

They are all angry about it; they all know that it is unfair. This bill will increase the amount that a person can earn before Social Security stops them. I personally believe that we ought to abolish that limit. I think it is a terrible idea to stop people from working.

This is a country that ought to discourage welfare and encourage work and instead, all too often, we discourage work and we encourage welfare.

The very first item that I want to point to in the Economic Growth, Investment and Job Creation Act is that we do raise the Social Security earning limitation so it does directly help every person over 65 who wants to stay active and wants to stay busy.

Mr. WALKER. It is not true that some senior citizens, as a result of this particular tax penalty, are in about 70-percent tax bracket?

Mr. GINGRICH. The highest taxation in America is for senior citizens who continue to work. It is absolutely ridiculous. We punish our grandparents and our parents for staying busy and staying active.

Mr. WALKER. So what we are doing here is lowering the tax rate substantially for senior citizens who have decided they want to remain active?

Mr. GINGRICH. That is correct. Probably the most accurate way to describe this is a tax cut for senior citizens to encourage them to stay active, which we all know also means they are healthier. Second, we reform the passive loss rule.

This is important to anybody who is concerned about real estate. In the 1986 Tax Act, we changed the law to, in effect, be anti-real estate.

For individuals engaged in the real property business—that is individuals who spend at least 50 percent of their working time and at least 500 hours a year on real property activities—we make rental property, rental real property operation and undertakings, and activities treated just like any other business. What would we have done, when we look out there and say, "Why is real estate so sick. One of the reasons real estate is so sick is that the 1986 Tax Act actually discriminates against real estate. It makes it harder to be in business for real estate than in any other kind of business.

□ 2120

We changed the passive-loss rule, and I would hope that every person who is a home builder, and every person who is in the real estate business would call their Congressman or call their Senator and insist that they vote for the Economic Growth Investment and Job Creation Act so that we could have real reform of the passive-loss rule.

Mr. WALKER. Will the gentleman yield?

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

Mr. WALKER. Does this not relate directly to the RTC and the whole savings and loan business as well? As I understand it, if we can recapitalize real estate in this country and increase the value of real estate, one of the advantages of doing that is that savings and loans that are sick will become healthy again because a large portion of their portfolio is in real estate investments. And so if real estate goes up in value, so does the volume of the assets held by the savings and loans, which means they get healthy again, which means that we do not have to give them additional taxpayer bailout money.

The solution Congress is about to propose is to give them massive billions of dollars more in bailout money without taking care of the underlying problem of the recapitalization of real estate. It seems to me that the package that the gentleman is referring to speaks to that in the ways that it should be spoken to, by recapitalizing real estate, and thereby making the savings and loans well again.

Mr. GINGRICH. The gentleman is exactly right.

Let me just summarize very simply. We have been in a long depression in real estate values so prices are coming down. A bank or a savings and loan makes a loan to somebody, and they made it based on, let us say, a $100,000 house. Now that house is only worth $70,000 because prices are dropping. So all of a sudden there is a credit crunch, and the bank calls and says we cannot loan you any more money because your price is going down. By changing the passive-loss rules to encourage people to be in real estate, we dramatically increase the value of property. Every homeowner in America who is considering selling their house has an interest in passive-loss rules. Every taxpayer who does not want to have to bail out another S&L has an interest in passive-loss rules, and the Treasury has told us that if you pass combine passive-loss rules and a capital gains tax cut, you clearly save over $1 billion in Resolution Trust Corporation funding over the next year, and that is just the beginning. I believe there is a more dynamic effect. I believe you may well save, as much as $12 billion by combining a capital gains cut with changes in the passive-loss rules.

Mr. WALKER. Another factor is as a result of decapitalization of real estate, people who were going to use home equity loans as a way of financing major purchases have now seen their real estate value drop and so, therefore, the equity in their homes has dropped and prevented them from being able to use that device as a way of taking essentially consumer loans, which they can write off against their taxes. And so, therefore, we have decreased the capital in the consumer markets as real estate has dropped in price, and so this recapitalization of real estate would also permit more people to get home equity loans in the future, and allow them to participate more in buying largely major goods within the consumer market.

Mr. GINGRICH. Let me just summarize again. Every person who owns a house and wants to sell it, every person who is currently in real estate, every home builder, every person who works for a savings and loan or a bank and is involved in the real estate business, all of those folks, and every taxpayer who is going to get hit for the Resolution Trust Corporation bailout, all of those folks have an interest in this provision.

Mr. WALKER. And everybody who wants a home equity loan.

Mr. GINGRICH. And everybody who wants a home equity loan, that is right. All of those folks have an interest in the passive-loss provisions of the Economic Growth Investment and Job Creation Act.

The next step is we set up an apprenticeship program. It is called a LEAP program, Leading Employers Into Apprenticeship, and it is a very simple idea. We want to encourage American businesses to work directly with young people, to train them, to give them a change to learn, to develop something which has worked very, very well in Germany, and that is a direct business apprenticeship so young people get the king of education which makes it possible for them to go out in the job market and be solid enough workers and well enough trained that they are in a position to have a job that competes in the world market, so American factories can stay open, and American workers can earn a good income. And the apprenticeship program we have contained in here we believe will have a tremendous impact for young people. And I think every person who is concerned about education, and concerned about making sure that our young people have the kind of jobs in the future that lets them earn a decent living, ought to be interested in contacting their Senator or their Congressman about the Economic Growth Investment and Job Creation Act.

In addition, we have an individual retirement account with no tax on the principal and with the buildup, on the principal and the buildup when you withdraw it. It is basically called an IRA Plus. An IRA Plus is a brand new idea. It is an idea which says you put your own money into a savings account, and you will be allowed to build up all of the interest tax free.

The reason it is important is that senior citizens, as BOB WALKER said, senior citizens pay the highest mar-

ginal tax rate in America today. And it is better for people to go ahead and pay the tax early, and then have all of the interest save up and be available without taxes.

The Treasury estimates that this idea of an IRA Plus would be so exciting and so positive that people would basically pay $13 billion to be allowed to participate, and that over the next 5 years literally millions of people would establish an IRA Plus account, and there would actually be an enormous revenue gain for the Government to have people doing that. So this allows every American to have their own individual retirement accounts, and it is a tremendous concept of an IRA, and we are very, very much committed to it, and I think that would be very, very helpful.

In addition, we allow you to take any loss you might have on the sale of your principal home as a capital loss. Current law taxes any gain you might make on your house, so if you buy a house for $20,000, and that would probably be a long time ago, but if you bought a house at $20,000 and kept it for 20 years, and now you sold it for say $90,000 because of inflation and changes in property values, you have to pay a tax on that. But let us reverse it. What if, as happened to millions of Americans in the last 10 years, what if you bought a house for $100,000 and now you are trying to sell it and it is only worth $70,000. I know somebody quite well who bought a house for $78,000, and when she sold it she sold it for $70,000. She lost $8,000. Under the current Tax Code she could not take that loss as a capital loss.

What we are saying is in a period where we have had a decline in real estate values that every American family that is forced to sell a house because they move to a new job, or they find themselves in a situation where for some reason, let us say the children have left and they no longer need a four-bedroom home, and they want to sell the house, if they are caught in the situation where they have to take a loss, under our bill, the Economic Growth Investment and Job Creation Act, we would allow them to take that as a loss, as a part of a capital loss, and that would save tax money, and would be better for them and let them keep at least a little bit of the money in their pockets that otherwise was going to go to the Federal Government.

In addition, we have a tremendous new concept called the middle income savings plan. If you earn $50,000 or less in adjusted gross income, you are going to be able, under this plan, to get $350 a year in interest tax free. It is a very important concept, and I say that DEAN GALLO of New Jersey who came up with this is exactly on target, and it is a tremendous point. You are going to be in a position, everybody who might be listening who is earning $50,000 or less has a real interest in this, and actually about $65,000 or less in gross income ought to be interested in this because what we are trying to do here, for the very first time, is reestablish the principle that if you will save we want to reward that habit, because savings is good for you, savings is good for your family, and savings is good for America. If you are a couple, you can earn $700 a year in interest tax free.

Why is that important? It is important first of all just to reestablish that basic, old-fashioned American virtue of the habit of saving. It is important to send a signal in the Tax Code every year to every young couple that you ought to save some because you get to keep the money. It is important because that savings goes into your savings and loan, or goes into your bank, and it goes into some mutual fund, and all of a sudden you are helping build America's future. You are investing in America to create new jobs to help build new houses, and you are getting wealthier, but your country is getting wealthier too. It is important to save a little nest egg, and if you have $6,000, or a couple has $12,000, that is about the amount that we are talking about, and that couple has $12,000 sitting there for a rainy day, and something bad happens, you get unemployed, you have an illness, somebody has to go to school all of a sudden, then you have the money.

□ 2130

So what the gentleman from New Jersey [Mr. GALLO] has done with this terrific concept of the American savings plan is that he has created for the middle class, people who are earning $50,000, $60,000, or less, an opportunity to save while excluding their savings interest from taxation up to $700 a couple or $350 apiece.

Let me just say, it tells you a lot about the difference between the liberal Democrats and the rest of us. They have an idea they are going to give everybody 200 bucks. The gentleman from New Jersey [Mr. GALLO] has a better idea. His idea is to reward the people who do the right thing. Reward the people who save.

Frankly, giving away $200 sounds like Jimmy Carter's economics. In the long run it just disappears; but teaching people how to save, getting them to put a little bit of money away every week and every month and create that opportunity for savings and let them keep the interest on that savings without taxing, that changes a lot.

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

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

Mr. WALKER. Mr. Speaker, it is also a very different concept than we have heard from the Democratic leadership that has been out on the floor talking about their economic programs over the last several nights here, because if you listen to them, what their real economic program consisted of was having Americans send money to Washington and then Washington would spend money on good things, and they talked about all these programs they have in mind that they are going to spend money for.

The fact is the program we are talking about is one where the people get to keep the money in their own pockets and if they earn money on interest, they get to keep it and we give them a tax break for having done, as the gentleman points out, the right thing. That is a much different concept than the idea that any money you make is subject to the Government grabbing it and bringing it to Washington so that we can distribute it to do good things: so it is a very, very different kind of concept than what we are hearing out of the Democratic leadership.

Mr. GINGRICH. Let me just say further, we repeal the excise tax. Repealing the excise tax, we have had heart-rending speeches made out here by the gentleman from Kansas [Mr. NICHOLS], who represents Beechcraft. Beechcraft estimated that the excise tax increase killed one job for every $264 collected in taxes, literally killed a job, put a family without a breadwinner for $264 in taxes.

I believe this step alone, repealing the excise tax on boats, on aircraft, on cars and other things, that alone I believe is going to be worth over 100,000 new jobs. We do not count that in our calculation. We do not have that fit in here, but I honestly believe, based on everything we have heard, all the testimony we have been given, that that has killed a lot of jobs, and we began to discover when you talk about laying off in the boat business, you are talking about laying off the refrigerator makers who put refrigerators in the boats. You are talking about laying off the fiberglass maker. You are talking about laying off the glassmaker, the radio maker, and all of a sudden we have a good Member here who had 800 workers unemployed in Ohio because they made refrigerators that were very small that were designed for boats.

We have people in the timber industry laid off because the wood goes into boats.

All of a sudden we realized that if you do not have economic growth, if you do not have a final product to sell, you lay people off all the way up the chain through manufacturing and raw materials and transportation, and all of a sudden you may have laid off 100 people in what looked like just a simple sale at the very end.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to my friend, the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, does the gentleman mean to

say, in my district last year where the gentleman to the left forced through that tax the gentleman mentioned a moment ago, it caused the outboard marine plants, one closed, the other two dropped their employment by 50 pecent.

Now, is the gentleman telling me that we may be able to get some of those people back to work, over 1,000 people without jobs in high-unemployed areas might be able to come back to work, rather than wondering whether or not they are going to get unemployment benefits?

Mr. GINGRICH. Let me say to my friend, the gentleman from North Carolina, if we can get enough people excited in the next 4 days, on Saturday, Sunday, Monday, and Tuesday, to contact their Congressman and their Senator, if we can get enough people to understand that we are trying to put America back to work and we could pass this on Tuesday and attach it to the Resolution Trust Corporation funding and get it through the Senate, I believe by January or February you would have people being called back to work in those plants. That is how real this opportunity is.

There are real families in western North Carolina who are going to have a tough Thanksgiving and a tough Christmas because we raised the tax last year that killed jobs.

We have an opportunity in the Economic Growth Investment and Job Creation Act, we have an opportunity right now to repeal that tax increase, to lower those taxes and to put those families back to work.

If you went home Tuedsay night and you could say to them, it is not going to turn around by Thanksgiving on Thursday, but it is going to start turning around in the next few weeks, you would have small towns in your district that would for the first time in a year see the beginning of a hopeful future.

Mr. TAYLOR of North Carolina. Mr. Speaker, if the gentleman will yield further, I would say to the gentleman that would be the best Christmas present we could give the people in western North Carolina, because those three plants, one closed, the other two reduced employment by 50 percent because of the tax of the gentleman to the left, that news that they might be able to come back to work would be worth more than any of the crocodile tears I have heard on the floor talking about blaming the President and others for employment or any of the efforts to create unemployment benefits, giving those people back their jobs, and these are modern plants, these are hard-working people, and giving those jobs back would mean more than anything else we could do.

Mr. GINGRICH. Let me just say, I think the gentleman has put his finger right on it, we are going to have a chance Tuesday night to vote to give the American people a Thanksgiving present and a Christmas present of new jobs, new opportunities, new savings incentives, new chance to buy a house, new chance to go out and save and invest, or we are going to give them a pretty bleak Christmas by failing to do our job, leaving town without having done a single thing to turn around this economy and get us out of this recession.

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

Mr. GINGRICH. I am glad to yield to my friend the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, let me give the gentleman one other example, because I think it helps make the same point that the gentleman from North Carolina has just made.

One of the most distinguished names in boating is headquartered in my district, Trojan Yacht. Trojan builds boats that have been known worldwide. They are considered some of the finest boats in the world. They have had an export market which is unbelievable. Just 2 years ago that plant employed 450 people. As a result of both the recession and this excise tax, employment in the plant is off 90 percent, only 43 people are still employed at that plant.

Mr. GINGRICH. Let me make sure I understand. Over 400 people in that one plant alone have been forced into unemployment because of the recession and this tax increase that we are trying to repeal?

Mr. WALKER. That is precisely right, and they are not rich people. They are blue-collar workers and so on, good, hard-working folks who because of policy stupidity in Washington find themselves in the unemployment lines.

The solution that Congress has had for that is to provide additional unemployment compensation, not to put them back to work, but provide them with additional unemployment compensation.

I have talked to a lot of those folks. They want to go back to work. They want to go back to building the finest boats in the world. They want to begin to export that product again. They want to begin to do all the things that they had done up until then to be so successful and they cannot do it because of the kinds of policies that have driven them out.

We are hoping in this bill to correct those problems. Obviously, as the gentleman says, it could be done within a few days if Congress gets a wakeup call.

Mr. GINGRICH. Let me go on. Not only do we repeal the excise tax, but we also have a brandnew idea that the gentleman from Washington [Mr. CHANDLER] has developed, which is a 50-percent capital gains exclusion if you invest in new entrepreneurial activities.

This is a tremendous idea that says we are going to give you a better tax break if you will go out and invest it in a new company, a new venture, or a new approach. We are going to encourage new startups.

Now, why is that important? It is important because the fact is big corporations shrink the total number of jobs. Little bitty companies create new jobs. If you are going to have a dynamic economy, if those 8½ million unemployed people are going to have a chance to go to work, they have to be in a position to know that somebody out there is starting a small business, a baby business, that is going to grow, the Apple Computer, the IBM, the Ford Motor Co. of the future.

What this new idea does is it gives a tremendous incentive to go out and invest to find that new entrepreneurial exciting idea, the next generation's McDonald's, the next generation's cable television, all those growth industries that we take for granted once they get big, but somebody had got to go out there early on and have the vision and the dream and the courage to get them off the ground.

In addition to that, we allow businesses, small businesses to take a larger deduction, called expensing, for machinery and other equipment.

Now, why is this important? In a very small business, you very often do not make a profit, you do not make a big enough profit to need some kind of after-tax, like a tax credit. If you are not making a big profit, you are not paying any taxes. If you are not paying any taxes, the tax credit does not help you; but you need to buy that new computer. You need to buy that new machine tool, or you need to buy that new refrigerator, something that is going to make your little business more successful, more profitable, help you grow, help you hire additional people.

What we do is increase the amount of money that you can write off in one year as an investment. We let you treat investing in new technology and investing in new machinery just like you treat other costs. When you do them, you get to write them off.

□ 2140

For small businesses there is a tremendous incentive to modernize, to be competitive, to create new jobs and to be successful. In addition to that, if you already have an individual retirement account, we allow you to take your money out without penalty in order to buy your first home. And we allow your parents or grandparents to withdraw money and use them, loan them to their children or grandchildren to buy their first home.

We have, I think the number is, $150 billion or $180 billion in individual retirement accounts locked up in the United States right now, waiting for people to retire.

What we are saying here is we are going to let you, if you have an IRA, we are going to allow you to take that money out either for yourself if you want to buy a home or to loan to your children or grandchildren if they want to buy a home.

We think this is very profamily, it rebonds economically parents, grandparents and grandchildren, very prohomebuying also, which we think is good for a stable, secure America. Homes are one of the ways that we come out of recession. Every recession since World War II has been ended because the housing industry and the auto industry led us to prosperity. This is one more step towards that prosperity.

Mr. Speaker, I yield to my friend, the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. The information that the gentleman gave us on small business, I would tell the gentleman that I communicate with 20,000 small businesses in my district. Small business creates 95 percent of the jobs. I can tell you, in the communications I have had with them they are scared to death not because of any lack of courage for investing but they are concerned about what they see coming from this Congress, mandated leave that many of them say will destroy them, the play-or-pay plan that the gentlemen to the left have been offering, and health insurance which does not consider small business, it says to them, "We are going to tax you and tax you and tax you even if you do not have the ability to play." More and more regulations they see coming from this body.

Now, the gentleman is saying that the plan he is offering is an incentive, something that would encourage, give these small businesses faith to get out and get jobs created and moving again.

Mr. GINGRICH. The gentleman is exactly right. Let me give you an example of why a lot of people should be interested in it. If you own a small business, you ought to be interested in this because it is going to be a tremendous help to you in being competitive and to make a profit. If you work for a small business, you ought to be interested in this because it is going to make your job more secure, give you a chance to get a better paycheck, and it will mean that you are going to be part of a growing company.

If you are a manufacturer, you ought to be in favor of this, or if you work for a manufacturer, because this is going to increase the amount that is bought, which is going to increase jobs.

So as you go all the way around, this concept which NANCY JOHNSON of Connecticut introduced and really developed for us is really going to help a lot of people create a lot of jobs all over America.

I yield to the gentleman.

Mr. TAYLOR of North Carolina. I would say to the gentleman, too, that whenever you create a job in manufacturing or with a small business, you generate other jobs around. If you pay that employee unemployment insurance, you help him for a short period of time, but you do not create the jobs you do when you have a manufacturing operation that is turning out other jobs and creating other materials.

Mr. GINGRICH. I say to my friend—we recently had a big fight here over 6 weeks versus 13 weeks versus 20 weeks. The gentleman and I want to create a lifetime of jobs. We would like someone in a job for 10 years; that is 520 weeks. We want to encourage somebody to have a job for 20 years; that is 1,040 weeks. Even our most liberal friends have not suggested that we have 1,000 weeks of unemployment insurance.

So what we are trying to do is give people a permanent lifetime opportunity to hold down a job, to earn a living, to buy a home, to have a savings account and an individual retirement account to do all the things that an American ought to want them to do and reward them for doing it. That is why I think that the Economic Growth, Investment and Job Creation Act is so important and why I hope people will call their Congressmen and Senators in the next 3 or 4 days, because I think Tuesday night we are going to have a chance on the floor of this House to see whether or not those people, who tell us how worried they are about the unemployed, are willing to vote to end unemployment now by creating jobs and creating growth.

Let me mention two other large parts of what we are doing. We do two things to capital gains: First, we cut it. We cut it based on how long you hold it. We encourage stability because we tell folks that if you will be in a position to hold the capital gain, to invest and to save it for at least a year, we are going to give you a little bit of a tax break. In other words, if you will take the risk of investing in a new company, if you will take the risk of having a farm or having a small business or having some timber, we are going to give you a tax incentive to do the right thing. If you hold it for 2 years, we are going to encourage you even more; if you hold it for 3 years, we are going to encourage you even more.

So all those folks who have been saying:

> You know, Americans are too shortsighted, we need the long-term vision of the Japanese, we are not patient, we are not willing to invest in the long run.

We are going to create a tax incentive to invest and to be patient, and that runs up to 3 years.

We are going to do a second thing: We are going to index capital gains for the future, so if you go out and buy a farm and 20 years from now you decide to sell that farm, you are not going to be paying tax on inflation, you are not going to be paying tax on paper money. We are going to protect you against inflation. And I think that is going to turn out over the long run to be one of the most powerful things we are doing in this bill because over the long run for farmers, for timber owners, small businesses, people are patient investors, indexing capital gains, indexing investments so you do not have to pay for inflation, that is going to turn out to be a tremendous incentive to get Americans back into the business of saving and investing and creating jobs.

I yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

You know, the argument that has been made very often on the House floor against this kind of proposal is the fact that it is a tax break for the rich. And I think the gentleman has described what is going on here very well.

What this particular provision means is that this will not be a tax break for the rich. This will not be capital gains for people who are rolling over stocks every couple of weeks.

What this is is something which helps the small businessman, the farmer and others who have a long-term investment but who at some point in their career or in their life want to sell off that investment, in many cases to retire.

The farmers in my district, for example, regard that as an important part of the whole interest in farming, that at some point you build a farm and you sell it and use the money that you make from selling the farm for your retirement.

You pay a tremendous capital gains tax under the present law.

Under the proposal we have here, first of all you would not have to pay on the inflation cost over that period of time, second, because you have held it for a long period of time the break you get on your capital gains taxes would be substantially more. So this is something that would be a real advantage to middle-class America as they seek money to retire and is not something that would simply be some kind of tax break for the rich.

This is a true incentive for savings and investment by all Americans.

Mr. GINGRICH. Let me emphasize your point for a second: For those folks who have seen the movie "The Bonfire of the Vanities" or who have read the novel, those kind of traders who make their money every day, swap stocks, swap bonds, swap the marketable securities, who are really in the hustle and bustle of Wall Street in that kind of a short kind of trader business where they do not create value really, they just create paper, those folks do not gain a dime, not a penny out of this proposal.

Now, if you are a serious investor and you go out and you invest your capital and 5 years from now you create a new

company, if you go out and you invest and buy stock in a company that is a sound company and 2 or 3 years from now you decide to sell that stock, then you make some money. But the fact is, and this may be one of our major differences with our liberal Democratic friends, in a free enterprise society, if you do not encourage somebody to do something, nothing happens.

We do not have a socialist state-owned government economy.

So one of the points is we are trying to encourage folks to go out to create new jobs and we are willing to say to them, "Yes, we are going to let you keep a little bit, and we are going to reward you if you create enough jobs."

Let me make one other point before I yield. It is estimated by very respectable economists that this one provision is worth over 1 million new jobs, 1 million new jobs.

Now, that million new jobs, I am guessing the average job now is $26,000, that million new jobs is a $26 billion increase in the gross national product in terms of money earned by people who would not have a job, if it were not for this kind of excitement, this investment and this enthusiasm to go out and create jobs.

Mr. WALKER. That is 2,000 jobs for every congressional district in the country.

Mr. GINGRICH. Exactly, 2,000 jobs for every single district.

Would that not be a tremendous Thanksgiving gift to have voted to create 2,000 jobs in every congressional district before going home?

Let me go a step further: You will see all sorts of tables in here that say what helps the rich and what helps the poor. There will not be a single table brought in by our friends of the liberal Democratic Party, not a single table which will show you the effect of those million jobs.

So they will never count $26 billion in additional income earned by Americans, by working Americans, by average everyday folks who are today unemployed but who would have a chance to earn a living.

I yield to my friend from North Carolina.

□ 2150

Mr. TAYLOR of North Carolina. Mr. Speaker, the gentleman knows I am in a district with a registration about two to one Democrat to Republican with small business, small farms. Our per capita income is about 60 percent of the Piedmont area in North Carolina. One could not say that is a district of the rich or that I represent the rich in that district, and yet in the overwhelming communication I have with those small business people, they are for the capital gains. They want that opportunity that the capital gains will pass on to them, and these are not rich people, these are not wealthy people. These are average workers, average small farmers and small business owners who recognize that benefit.

I do not know where the gentlemen to the left are getting the idea that this tax is just for the rich. They have not been out talking to the average small business person in the street, and, if they did, they would find out very quickly those are the people that want that particular gain. They recognize that the wealthy people do not need this gain. As the gentleman pointed out, these folks have adequate wealth. The ones that want it are the small business people and the people who want to build a business.

Mr. GINGRICH. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, understand there is a reason for that as well, and that is that, if people do not have an incentive to invest in risk kinds of enterprises with something like fair capital gains treatment, where they put their money is into sheltered kinds of tax breaks; government bonds, for example, government bonds that finance all the spending that goes on in Washington. And so they have almost a vested interest in keeping people from putting their money into risk enterprise because, if the money goes into risk enterprise, it is less money that goes into the government bonds that helps pay for the spending here in Washington, DC.

Mr. Speaker, it is a very, very dangerous philosophy because it is the kind of philosophy again, emphasizing the fact that what the liberal Democratic establishment wants to do is pull money into Washington so that they can spend it rather than having people make determinations on their own about what is good for themselves and what is good for the country.

Mr. GINGRICH. Mr. Speaker, let me, if I might; I know my good friend from Pennsylvania has some time in a minute, and what I would like to do is summarize three things to wrap up this hour.

Mr. Speaker, I would like to first point out the key provisions; second, point out what they will do; and, third, suggest that what we desperately need is action by the people of America, because the only hope we have, the only hope we have, of passing this economic growth investment and job creation act on Tuesday is to have a tremendous outpouring of phone calls, and faxes, and telegrams, and even personal visits by people who care about America's future and want to end the recession, and they have got to do it in the next 4 days.

First, the 12 key provisions: it increases the earning limit on Social Security so that senior citizens can work without being penalized by their Government. It sets up apprenticeship programs so young people can work directly with businesses to learn faster, to learn better, to have a better job. It repeals the excise tax on boats, and aircraft, and automobiles and other things so that we can create jobs in industries that have been crippled by tax increases. It has a million-dollar income savings plan so that people whose growth income is under $50,000 can save and earn up to $350 apiece or $700 a family, tax free, from their savings interest. It sets up an IRA plus so that every American can have an individual retirement account so everyone has an incentive for savings. It allows small business to take as a direct expense, additional amounts of investment so that we are encouraging small business to be able to go out and to buy new equipment. It has a capital gains differential so that we encourage people to save, to invest, to create new jobs. It has a 50 percent capital gains exclusion, if it is a venture, if it is a new business, if it is a new undertaking, so encouraging the investment of the big companies of the future. It has perspective indexing of capital gains so, when one invests, they will know we are not going to tax them on inflation. We are only going to attach them on their real gain, and it is a tremendous incentive for people to invest. It repeals the key mistakes that were made on passive loss rules for real estate and for home building so we can encourage people to be back in the real estate industry, so we can raise the value of homes, so we can encourage people to be back increasing property values and saving us from an even bigger Resolution Trust Corp. bailout. It has no penalty on IRA withdrawal for a first-time home buyer or for a parent or grandparent who wants to take the money out to loan it to their children or grandchildren so they can buy a home. And finally it allows them, if they lose money on the sale of their home, to treat that as a capital loss so that they actually get to save a little bit of money they have lost, and they are not punished for having lost the money.

Now what do these 12 provisions of the Economic Growth Investment and Job Creations Act do? They create over a million new jobs; I believe over a 1,500,000 new jobs. They generate a tremendous amount of additional revenue for the Government that offsets any cost of doing these things. They increase home ownership, they increase savings, they increase investment, they increase the capacity of our parents and grandparents to work after 65, and they will help every person to have IRA's

How can we get it passed? I believe, given the bias of the liberal Democrats which is keeping us in a recession, which is increasing unemployment, which is weakening the economy, the only way the American people can take an action step this fall to help us end the recession, to help increase eco-

nomic growth, is to call their Congressman or their Senator to get actively involved to do it in the next 4 days, to recognize that Tuesday, probably Tuesday evening, we are going to be asked to vote in this House on whether to slink out of town having done nothing, to go back home, to have a nice Thanksgiving while people around us are unemployed and desperately want a chance to get a job, or whether we are going to have the courage to stand up, to insist on passing a growth package, and to insist that we are going to jump start this economy and increase the number of jobs and increase the value of real estate.

Mr. Speaker, I firmly hope that every American who become acquainted with the Economic Growth Investment and Job Creation Act, every American who is worried about the economy, every American who wants to see us get ahead in this country, will call their Congressman or their Senator in the next 4 days.

THE ECONOMIC GROWTH PACKAGE: A PRIORITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

Mr. WALKER. Mr. Speaker, earlier in the evening I had made mention of the fact that there are going to be 23 bills on the calendar tomorrow under suspension. That gives some idea, maybe, of the priorities that the Democratic leadership have put in place other than taking up an economic growth package. They are a group of interesting bills.

Mr. Speaker, the first bill is the U.S.-Flag Cruise Ship Competitiveness Act of 1991. My guess is that there are lots of unemployed Americans who will not see that as being something that directly affects them, since they cannot afford to take a cruise at the present time, and probably would prefer us to be dealing with something on economic growth.

But a few of the other bills: the technical amendments to Alaska Maritime National Wildlife Refuge boundary law is the second bill, the Flower Garden Banks National Marine Sanctuary, the Federal Debt Management Responsibility Act of 1991, the Drug Testing Quality Act, the Technical Correction in Public Law 101-549, the NTIA Organization and Authorization Act, the Pelican Island Texas Act, the Wappinger Creek in New York Act, the Tourism Policy and Export Promotion Act, a bill to permit the Secretary of Health and Human Service to waive certain recovery requirements with respect to facilities, another bill that designates the Lamprey River as a Wild and Scenic River, the Lower Merced River, the Snake River Birds of Prey National Conservation Area, Jemez National Recreation Area of New Mexico, a bill relating to White Clay Creek, a bill relating to the Chattahoochee Wilderness, the Big Thicket National Preserve in Texas, the San Carlos Indian Irrigation Project, the Oklahoma Native American Cultural Center Study, the technical amendments to Indian laws, a bill to expand the boundaries of the Stones River National Battlefield in Tennessee, and, finally, a bill regarding human rights in East Timor.

Those are a few of the items that we will be taking up tomorrow. Many of them may be matters of intense local importance or maybe even national importance, but I would suggest that certainly economic recovery is at least as important as anything which has been committed to the calendar by the Democratic leadership at this point.

Mr. Speaker, what I really wanted to talk about this evening, though, relates to conversations I have heard among Democratic leaders on the House floor over the last couple of weeks and the last several nights as they discuss their view of where the country is and what needs to be done, because I have been struck, as I have sat and listened to those discourses, that they do not seem to have any vision at all; that it strikes me that it is the same old patterns of behavior and the same old ideas, wrapped somewhat in new packages, but as ideas go they are not very imaginative or very innovative.

The reason why I think it is important to understand that they are suggesting is not good enough is to understand the nature of the times in which we live. Too often in this body we become so wrapped up in the details of what is going on that we fail to see the macroeconomic and macropolitical picture and fail to understand what is happening around us.

I admit to being guilty of that. I often get wrapped up in the rules that we are considering on the floor or some technical details or so on. I do a lot of that on the House floor in my role as an enforcer out here. But I hope that we can from time to time step back and understand something about the times in which we live, so that we can respond to the needs of the times in which we live.

I would suggest that we live in absolutely revolutionary times. I regard this time as being the most exciting period in the history of humankind to be alive. I say that because literally there are revolutions happening around us that are changing the world as we know it and the world as future generations will know it. This is a fantastic time in which to see change taking place. I would submit that mankind has not had a similar period in history since the end of the 18th century.

At the end of the 18th century we saw revolutions taking place that changed the world as men knew it then and as we have to come to understand it. There was a political revolution that took place, characterized by the American revolution, that changed for all time the way men governed themselves and the way women participated in society.

We had an economic revolution that changed us from an agrarian economy to an industrial economy. We had a cultural revolution that changed the way that men and women interacted, largely because they moved off the farms into the cities, and we built huge new cities and we developed an urban culture. We developed the middle class, a major economic and cultural revolution.

There was a technological revolution as we moved away from the idea that muscle power of human beings would drive the economy and we went to machines, and thereby created a technological revolution.

That is a time that was very, very challenging for the people that lived in it. In fact, there were two men of letters writing at that time, both of whom looked at the world a little bit differently. One of the people writing at that time was Thomas Malthus. Thomas Malthus saw the agrarian society around him, the feudal society, if you will, deteriorating, and he came to the conclusion that everybody was going to starve to death; that there was no way, with the population increasing and the feudal society deteriorating, that we were going to be able to feed the population of the future, so therefore, everyone was going to starve to death.

Thomas Malthus turned out to be wrong, because the fact is that what arose was an industrial society that permitted agriculture to be more productive, and in fact today we have agricultural surpluses in the industrial nations of the world, not people that are starving to death as the result of a lack of food.

We had another writer at that time, Adam Smith. Adam Smith saw something entirely different. Adam Smith saw the rise of a pin factory, and he wrote about it and he talked about the fact that there were going to be ways of developing new wealth, that there was going to be the rise of the middle class, that men and women would no longer derive their wealth only from the land, they would derive it from the production of goods, from the sale of goods; that we would end up having the merchant class that ultimately became the middle class that we have known.

Adam Smith turned out to be exactly right in his analysis. Thomas Malthus turned out to be wrong in his, and yet the interesting thing is that Thomas Malthus would have been regarded as the person most attuned to the history, because Thomas Malthus based his analysis on everything that we had known up until that time. He looked

back through history and saw historic patterns and suggested that if historic patterns continued to play their way out, we were in deep trouble.

Adam Smith saw something new happening. Adam Smith saw the revolution. Well, the fact is that we have many of the same kinds of analyses taking place today.

What I hear from the Democratic leadership when they come to the floor in these evenings too often is a Malthusian kind of analysis: that everything is deteriorating, that we have no chance for growth, that everything is coming apart, that jobs cannot be created, that there is no hope for growth, so therefore the only hope we have is to take the wealth that exists and try to redistribute it in ways which they regard as fair. That is probably a conclusion that one can draw if one thinks that the world of the 1990's is like the world of the 1930's, or like the world of the 1940's, or the 1950's, or even the 1960's. But it is not.

I would submit as my thesis that we live in revolutionary times not unlike those of Adam Smith and Thomas Malthus; that what we see happening around us today is revolutionary in the same sense that the revolution at the end of the 18th century took place.

We see today a political revolution taking place that has to be understood. If you look around the world, you have to know that there is a political revolution taking place. In just the last few months we have seen not only the dissolution of the Soviet empire, we have seen the dissolution of the Soviet Union itself. That is a major political revolution, but it is not the only political revolution. There are political revolutions happening in Latin America, in Africa, in Europe, in the Far East, and in the Middle East, political revolutions that largely center around a decentralization of power.

More and more we are finding that the institutions of government that have tried to become entire economies or entire ways of doing things out of one central model fail. It is much what happened in the Soviet Union. The central government, the central authority, the party became so corrupt it could no longer stand; in part it was corrupt in a personal sense, but corrupt in an overall sense. It was just deteriorating from within.

That decentralization of power that is taking place in the Soviet Union is a part of a worldwide phenomenon, a major political revolution, one that in all honesty we in this country need to be aware of, because too often the reforms that we hear discussed by some of our friends in the Democratic Party call not for decentralization of power, not for being a part of the revolution of the future, but for centralization of power. They are calling on the United States to move precisely in the same direction that has failed in other parts of the world.

For example, when they talk to us about health care these days, the most important concepts that come forward from Democratic leaderships tend to be more and more centralization of power in the health care regime, rather than finding ways to allow individuals more access and more quality in their own lives in the health care system.

I do not know that I have all the answers to health care, but I am sure that the answers given to us by the liberal Democrats are precisely opposite from where the revolution is going that is driving the world. We live in revolutionary times. They are at least two or three steps behind the political revolution.

Just as important as the political revolution is the economic revolution. The economic revolution is twofold in nature, and just as important as the change that took place at the end of the 18th century, when we moved from a feudal society, with lords of the manor who controlled the economies of their local area, and we moved from that to national economies.

□ 2210

At the same time in that period of time we moved, as I stated before, from an agrarian society, an agriculturally based society, to an industrially based society.

Two similar kinds of revolutions are taking place economically today. We are moving from national economics to a world economy. We are moving away from the idea that all national structures in the economy are the only thing that works to the idea that the world is the basis for the economy.

That is seen in many ways. The small businessman in a small town in the United States can no longer think of his competition as just being down the street or in the next town or in the next county or in the next State. He has to think about the fact that his competition may be halfway around the world. He has to begin to think in terms of the kinds of products that he has, the kind of quality in those products, the kind of productivity in his workplace. He has to make certain that he can compete not only just down the street, but halfway around the world.

That is the advent of the world economy. You have to be awfully good to participate in that kind of an economy.

In addition to moving from a national economy to a world economy we are also moving to some kind of a post-industrial economy. I do not know exactly the nature of it. I do know that it is one that is going to be very much information based. I do know that it is going to depend upon the mind as being the principle ingredient of driving the economy.

Remember I said the muscle power of human beings used to drive the economy? Then we moved to machines to replace the muscle power of human beings. Now in the new economy we are going to depend upon the mind of the human being.

That is something which has to be very scary, because you are talking about a whole new way of thinking about how wealth is created. But it is going to be a fantastic opportunity for growth of unimaginable kinds in the years just ahead.

We no longer are tied to the old business cycles that have driven us over the last several years. I hear again my colleagues who are way behind the times in the liberal Democratic ranks who keep talking about the fact that of course we are going to have a recession, and so on, and they talk about the old business cycles.

The old business cycles no longer apply. Because of the revolution of both our world economy and moving to a grand new kind of post-industrial economy, the potential is there for virtually unlimited growth into the future.

The problem is that we in Washington are perfectly capable of messing it up. We are perfectly capable of developing policies that, instead of helping people to grow and invest in new opportunities, keep them from doing so.

We have just finished discussing on the floor some of the ways in the past we did that. We are seeking in the bill that the gentleman from Georgia [Mr. GINGRICH] was describing to correct some of those things, but we have to go much further than that bill does. That is just one step.

What we have to do is rethink our policies so that everything that we are doing in Washington helps drive people toward investing in new ideas, in new concepts, in innovative kinds of technologies.

We are nowhere close to that right now. What we have done is encouraged people to put their money away and shelter it away somewhere so the Government cannot get at it. That is precisely the wrong prescription in an economy which is undergoing literally revolutionary change.

I would also submit that at the very same time the political revolution is going on and an economic revolution is going on, we also have a cultural revolution taking place, a fantastically complicated cultural revolution that is impacting on the lives of all Americans, and, in fact, all people throughout the world.

How is it manifesting itself? It is manifesting itself in part in a rise of fundamentalist religion around the world, fundamentalist religion in America, fundamentalist religion around the world.

Why is that? People see around them all this change. They are struggling with the change that is taking place and they want some kind of stability in their lives. So many of them are reach-

ing out to religion, and even very fundamentalist kinds of religions, to give them the sense of values they need to struggle with all the change that is around them.

That is manifesting itself in the rise of religion in this country, but also in the rise of fundamentalist Islamic religion in some parts of the world. The thing is it will cause some political feedback.

See, all these revolutions interrelate. At some point some of those basic deeply held views in religion come into clash with each other and cause political problems. They cause economic problems.

But the fact is real, that one of the cultural phenomena of our time is to see a change in the religious patterns of human beings around the world as they seek to cling to values.

There is also another kind of cultural change that is taking place. In my mind it is a rise of environmentalism. Not environmentalism in the sense that we often discuss it on the floor as a political agenda, but environmentalism from the standpoint that mankind and humankind have seen themselves now a little differently than they ever saw themselves before.

We have had the chance as a result of our adventures into space to look back at this planet and understand it is a very fragile spaceship. What you have among young people and old people alike is a growing understanding there is some need on their own individual part to do something to preserve that planet for future generations.

So it is not an environmentalism manifested in all of the kinds of crazy details we sometimes see in bills that come up on the floor, it is an environmentalism based in the everyday lives of people who have made changes in the way they behave themselves in order to do some little part in order to preserve the globe around them.

That, too, ought to be encouraged. That is something where we really will get real benefits for the future, and it is a cultural change. It is an understanding that has changed in my lifetime.

We also see an intuitive understanding within culture that if the world is changing so much around us, and if we are going to have to depend upon our thought processes in order to drive the economy of the future, we need better education. So what you are seeing happen in the cultures around the world is an emphasis on education.

Sadly, in this country some of that emphasis has been simply to pour good money after bad, rather than doing a reform of the educational system that will really drive that economy of the future.

In my mind what is really needed in our educational system is more individualized education instruction. I think where the education system is failing us at the moment is the fact that we are still educating people to take part in an industrial economy.

Let us face it, we formed schools at the beginning of this century. The public school system largely arose during this century. We formed the schools at the beginning of this century to teach young people how to work in industrial factories, how to work on production lines. So we mass produced education.

We mass produced children coming out of the schools. That model no longer exists. It is invalid to the times that are changing.

What we need right now is people who are able to think for themselves, people who are able to take the knowledge base that they come with and grow from it.

What you could have in schools right now, if you wanted to do real educational reform, is individualize instructional programs. We already have them for handicapped students. Already if you are a handicapped student, you can go and get a program that is designed specifically for you, and you progress based upon your own talents and upon your own abilities.

We could do the same thing for every child in the classroom. How do you do it if you have 25 or 30 kids in the classroom? You use technology. You can use computers to help guide the child along, to give them the ability to move at their own pace. You can use interaction between students, using that same technology. You can use interactive technology that draws upon the finest minds in the world and brings them into the classroom.

You now have the ability with the information systems that we are developing to bring the top experts in every field into the classroom and utilize them. You now have the ability to tap into libraries. When you are studying World War II, you can give the young people in the classroom the real battle footage of a battle that was fought during that war, or hear the leaders of the world at that time actually talking to the students. You can bring that right to the desk in front of them. So you can tailor individual instructional programs.

Let me tell you, I am someone who is an automobile enthusiast. I was one when I was a student in school. You could have taught me many, many things in education had you tied them all to the automobile.

You could have taught me physics, you could have taught me history, you could have taught me English, you could have taught me all kinds of things if the device in front of me was telling me that it was all related to the automobile.

□ 2220

I would have spent hours poring over that and so on in order to learn that information because it was directly related to something I was interested in. We can do that for every child. And we will end up with an educational system which is more vibrant, more useful and ultimately graduate a much better class of students prepared for the world that is coming. That is a cultural revolution.

Fourthly, I would submit to my colleagues that just like at the end of the 18th century, there is a technological revolution taking place, and the technological revolution is unbelievable. I serve as the ranking Republican, the Republican chairman of the Committee on Science, Space, and Technology. I here all about these new technologies all the time. The scientists who come before us tell us that we are likely to see in the next quarter of a century five times the level of technological change that we have seen in the last century.

Think back to what the world was like in 1890 and then think how much change has taken place in that 100-year period. And then think about the fact that we are going to see five times that level of technical change in just the next 25 years. We get some idea as to how bit the change is going to be.

What kind of changes am I talking about? Well, we are in the process of designing to be built right now something called the national aerospace plane. It is an experimental airplane, the other name for it is the X–30. The interesting thing about that aircraft will be it will have new materials in it, new engines, new ways of integrating the technologies incumbent in the airplane. And the interesting thing is, it is capable of flying across the country in 15 minutes. It is capable of flying anywhere in the world in 2 hours. We are going to have to approve a technology of an airplane capable of taking off from a runway and going anywhere in the world in 2 hours and landing on another runway.

Now, what does that mean for our future? In my view what that means for our future is that it changes the world as we have known it. It means that you can have a businessman who gets up in Washington, DC in the morning and says to his wife, "Honey, I have got business in Tokyo, but do not worry about me. I will be home in time for dinner."

You might say, well, it does not sound very likely to me. Think about it. I think about my own lifetime. When I was a high school kid, we still were flying propeller-driven airplanes. We had not gone to jet airplanes yet.

If you wanted to go to Chicago from Washington, DC, it took you the better part of a day to get the flights, get out there and so on. You were not having very many people that were making a lot of trips in one day from Washington to Chicago and back.

And yet with the advent of the jet airplane, within my lifetime, I, person-

ally, have had the experience on a couple of occasions of getting up in the morning in Washington, DC, flying to Chicago, making a speech, and flying back to Washington, DC and being back here in time for the House of Representatives to go into session at noon.

That kind of change has taken place in my lifetime. This technology will mean a similar kind of change can take place in the lifetime of others.

A few weeks ago we had a fairly heated debate on the House floor with regard to building the space station. There were a lot of things said about the merits of this and the demerits of it, but it is one of those new technologies that will change things in my belief very heavily. Within the last few days there has been an article in the New York Times about a new medical device that could be flown aboard that space station.

What the medical device will be able to do is replicate cells.

In other words, you can take one cell from a human being and have it replicated aboard this on this machine aboard the space station in weightlessness.

You might say, what does that mean? Well, what it means is we can create a new human organ. If someone has liver cancer, we could literally be able to take one cell from that liver, take it to space, create a new liver for that person, bring it back and be able to transplant it for that person. Or a kidney or perhaps an optic nerve for a blind person or they have even already worked with brain cells so that if you had brain cancer, we might be able to replace damaged parts of the brain.

Think about what that means for mankind if you are capable of doing that. But you see it takes a manned space station in order to do it. You have to have human beings there to work the machines. So you have to have a space station. You have to have a livable environment in space in order to make that work.

And that is the kind of new technology that will change the world in ways that you cannot even imagine.

Or communications. We are going to see a revolution in communications. This information-driven economy that I am talking about will be largely technologically created because it is the information flow that will make it possible. With fiber-optic cable, we will be able to have massive amounts of information moving throughout the world. And what that will mean is that people in their homes and in their schools and in their workplaces will be able to have access to information in amounts we have never known before. And the important thing is they are going to be able to process that information.

Because in addition to the communications, we are going to have a revolution in computers. Already we are microminiaturing computers to the point that in the not-too-distant future we will be able to have a computer with the processing capacity of a supercomputer, but it will be the size of a credit card that we can put in our wallets.

And think what that means then in our ability to create artificial intelligence that can be used in robots, robots that will then help improve the livelihood of people and will help make our industries more productive.

What I am saying is that not only do you have all these things happening but that also they are interacting with each other. Each of these revolutions is not a separate compartment, as I have described them here. Each of them is truly taking place, but they are interacting.

I will give a couple of examples. The technological revolution, the communications, we have already seen that impact on the political revolutions taking place. One of the reasons why many men and women around the world were able to rise up against tyrants and oppressors is because they had information, because they had fax machines that were showing them what the rest of the world was seeing.

Even when they could not get information from their own government, they found out in the midst of their revolution what was being said about them in the United States because someone faxed them the information.

The young people in Tianamen Square were understanding what the world was talking about in their revolution because there were literally faxes flowing back and forth. That level of transmission of information makes it almost impossible for tyrannical societies to continue to succeed.

And it is one reason why we see a decentralization of power. The robotic revolution that is just around the corner will certainly have a positive impact on the economies of the future.

One thing that needs to be understood and one thing which is often challenging people, and they do not understand, is how this new economy ends up creating more jobs and better jobs than those that were in the industrial economy.

As a matter of fact, many people see the industrial economy as being in trouble and think that that means that there is no hope ahead. That is the anlaysis too often we get from liberal Democrats right here in the Congress.

Nothing could be further from the truth. Just as agriculture was benefited by industry when we got machines on the farm, it made the farm more productive; information in industry will make the industries more productive.

I will give you an example. If you go to a racetrack around the country and watch automobile racing, you will see hosts of people there with computers measuring tires and looking at the tires and the tire compounds. What are they doing?

They are trying to figure out how to make better automative tires, based upon this very, very tough experience of being at high speed on a racetrack. And the information that they gather there is creating new compounds and new kinds of tires, and they are creating a much better product. It is information-driven technology that is improving industrial performance.

And we are going to see far more of that in the future. That is just one example of many, there are millions of examples of the same kind.

But that is where the technological revolution interacts with the economic revolution and the cultural revolution interacts with the technological revolution because, if, in fact, we are seeing things from space and it is changing our view of the world, that is technology having an impact on culture. And the fact is that as we become more and more interested in things like the environment, we will find that there are technological solutions to some of our environmental problems.

□ 2230

We will find that there are ways of utilizing information that will improve the environment, and also those new technologies will drive us toward a better standard of living.

Here is the problem for America in these revolutionary times: In Congress you have the single most reactionary institution in the country. And I do not say that lightly. Congress is the single most reactionary institution in the country. I assume that that is in part because Congress is so tied to special interests these days that it has to tie itself to the status quo. So when you hear leaders come to the floor and suggest that there is not much we can do, or the only thing we can do is play at the edges, or the only thing that we can do is repackage old ideas, they are really reflecting the fact that they are people incapable of dealing with revolutionary times, because what they are really saying to you is we cannot break out of the status quo because all of the special interests who finance our campaigns, all of the special interests that come out and vote are special interests that we feel tied to. And we can in no way betray them.

The fact is that the special interests tend to be those institutions that have welded themselves to the past, that they do not want real change, and they do not accept the change around them. In fact, what they want to do in most cases is black the change out, they want to erect walls to stop the change from taking place, and every time you erect one of those walls you in fact endanger our ability to be competitive in revolutionary times. And that is what you are hearing from the Democrats in the Congress. They are people wedded

to the status quo and incapable of changing enough to meet the times in which we live.

I am afraid that in many cases I see that within my own party as well. Too often I see it in the leadership that we get from the White House. Too often I see it in the proposals that we bring forward as so-called Republican alternatives on the floor. Too often we are not visionary enough to recognize the times. The only identity we have being the minority party in the House is the fact that we do not have to be as responsive to special interest power as the Democrats do.

Some of the Republicans are. I mean some of them are very much tied to special interest too. But the fact is, as a party we are not as closed to new ideas as a party that has literally been in power in the House for 40 years and thinks that it knows how to maintain that power by keeping things pretty much as they are. We are not as tied to that on the Republican side of the aisle.

So we have a duty, it seems to me, to be somewhat more revolutionary in our thinking. We have to take this reactionary institution and try to change it. And that is what some of us do here on a regular basis. Sometimes it gets a little sticky, sometimes it gets a little tough. We sometimes probably make mistakes doing it. But one of the things I think we have an obligation to do is to try to bring about changes, because if we do not change here, if Government does not change, if institutions do not change in revolutionary times, we will become like the monarchs at the end of the 18th century and the beginning of the 19th century who failed to see the revolution around them, failed to change and were consumed by the revolution.

This country has too much to give. It is too great to allow revolution to sweep it away. Instead, we have a Constitution, a Bill of Rights, a capability not to be consumed by revolution, but to lead the revolution. That is what we ought to be doing. The vision that we have ought to understand that all of these things that are happening around us can in fact be positive, that they can create more jobs, that they can create more hope, that they can give more people the capacity to rise above their station, that people do not have to be poor any more, people do not have to be uneducated. We do not have to have deteriorating cities. We do not have to have all of these ills around us if we will simply tie ourselves to the revolution.

We can do it. There are many days I become discouraged in the Congress because what I see us doing is simply trying to protect ourselves from the winds of change rather than trying to figure out a way to ride those winds of change.

I hope there is a change in the Congress. I hope that maybe in the next session of Congress we will do better than we have done in this session, we will begin to realize that the revolution is here and that we must be a part of it.

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

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. INHOFE, for 5 minutes each day, on November 25 and 26.

Mr. RIGGS, for 5 minutes, today.

Mr. RIGGS, for 60 minutes, on November 23.

Mrs. BENTLEY, for 5 minutes, today.

Mr. GINGRICH, for 60 minutes, on November 23.

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. KOLTER, for 5 minutes, today.

Mr. SWIFT, for 5 minutes, today.

Mr. AUCOIN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Ms. OAKAR, for 60 minutes, on November 25 and 26.

Mr. LIPINSKI, for 60 minutes, on November 25.

Mr. PEASE, for 5 minutes, on November 25 and 26.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RIDGE) and to include exraneous matter:)

Mr. SENSENBRENNER.

Mr. PORTER.

Mr. GALLO.

Mr. MACHTLEY.

Mr. GILMAN in three instances.

Mr. GOODLING.

Mr. BAKER.

Mr. BLILEY.

Mr. GRADISON.

Mr. HORTON.

Mr. GREEN of New York in two instances.

Mr. GEKAS.

Mr. SOLOMON.

Ms. ROS-LEHTINEN.

Mrs. BENTLEY in three instances.

Mr. BURTON of Indiana.

Mr. MCGRATH in two instances.

Mr. COBLE.

(The following Members (at the request of Mr. MCDERMOTT) and to include extraneous matter:)

Mr. BILBRAY in two instances.

Mr. BROWN.

Mr. LANTOS in two instances.

Mr. ACKERMAN.

Mr. KOSTMAYER.

Mr. VISCLOSKY.

Mr. STARK in two instances.

Mr. ENGLISH.

Ms. OAKAR.

Mr. OWENS of New York.

Mr. BENNETT.

Mr. STALLINGS.

Mr. PETERSON of Minnesota.

Mr. LEHMAN of California.

Mr. HOYER.

Mr. FAZIO.

Mr. ASPIN.

Mr. SERRANO.

Ms. SLAUGHTER of New York.

Mr. RAY.

Mr. BRUCE.

Mr. MILLER of California in two instances.

Mr. MCHUGH in two instances.

Mr. LAUGHLIN.

Mr. RICHARDSON in two instances.

Mr. TOWNS.

Mr. DIXON.

Mr. SWETT in two instances.

Mr. LEVINE of California.

Mrs. SCHROEDER.

Mr. JOHNSON of South Dakota.

ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 36 minutes p.m.) under its previous order, the House adjourned until tomorrow, Saturday, November 23, 1991, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2393. A letter from the comptroller of the Department of Defense, transmitting one report of violation that occurred in the Department of the Air Force, pursuant to 31 U.S.C. 1517(B); to the Committee on Appropriations.

2394. A letter from the Deputy Secretary, Department of Defense, transmitting the report of the Commission on the Consolidation and Conversion of Defense Research and Development Laboratories, pursuant to Public Law 101-510, section 246(g) (104 Stat. 1521); to the Committee on Armed Services.

2395. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President intends to exercise his authority under section 506(a) of the Foreign Assistance Act in order to authorize the furnishing of $10 million to support Senegal's deployment of peacekeeping forces in Liberia, pursuant to 22 U.S.C. 2348(c)(2); to the Committee on Foreign Affairs.

2396. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated solution of the Cyprus problem, in-

cluding any relevant reports from the Secretary General of the United Nations covering the period from August through the first part of October 1991, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

2397. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Richard B. Stone, of the District of Columbia, to be Ambassador to Denmark, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2398. A letter from Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112B(a); to the Committee on Foreign Affairs.

2399. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Agency's annual report on the Program Fraud Civil Remedies Act for the year ending September 30, 1991, pursuant to 31 U.S.C. 3810; to the Committee on Government Operations.

2400. A letter from the Clerk, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 1991 through September 30, 1991, pursuant to 2 U.S.C. 104a (H. Doc. No. 102-168); to the Committee on House Administration and ordered to be printed.

2401. A letter from the Secretary of Commerce, transmitting notice of designation for the Flower Garden Banks National Marine Sanctuary, from the National Oceanic and Atmospheric Administration, National Ocean Service, and the Department of Commerce, pursuant to 16 U.S.C. 1431 et seq.; to the Committee on Merchant Marine and Fisheries.

2402. A letter from the Secretary of Transportation, transmitting the Department's report on the potential benefits of a shipper responsibility law; to the Committee on Public Works and Transportation.

2403. A letter from the National Adjutant, the Disabled American Veterans, transmitting the report of the proceedings of the organization's 70th National Convention, including their annual audit report of receipts and expenditures as of December 31, 1990, pursuant to 44 U.S.C. 1332, and section 3 of Public Law 88-504 (H. Doc. No. 102-167); to the Committee on Veterans' Affairs and ordered to be printed.

2404. A letter from the Secretary, Department of Health and Human Services, transmitting the fifth report on tier III Federal agency drug-free workplace programs, pursuant to Public Law 100-71, section 503(a)(1)(A) (101 Stat. 468); jointly, to the Committees on Appropriations and Post Office and Civil Service.

2405. A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled, "Pension Protection in Bankruptcy Act of 1991"; jointly, to the Committees on Ways and Means, Education and Labor, and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 3604. A bill to direct acquisitions within the Eleven Point Wild and Scenic River, to establish the Greer Spring Special Management Area in Missouri and for other purposes; with amendments (Rept. 102-346, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 3327. A bill to amend title 38, United States Code, to provide for the designation of an Assistant Secretary of the Department of Veterans Affairs as the Chief Minority Affairs Officer of the Department (Rept. 102-347). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 1099. A bill to amend the Wild and Scenic Rivers Act by designating segments of the Lamprey River in the State of New Hampshire for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes (Rept. 102-348). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 2431. A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System; with amendments (Rept. 102-349). Referred to the Committee of the Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 294. Resolution waiving the requirement of clause 4(b) of rule XI, against consideration of certain resolutions reported from the Committee on Rules, and for other purposes (Rept. 102-351). Referred to the House Calendar.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 1592. A bill to increase the size of the Big Thicket National Preserve in the State of Texas by adding the Village Creek Corridor unit, the Big Sandy Corridor unit, the Canyonlands unit, the Sabine River Blue Elbow unit, and addition to the Lower Neches Corridor unit; with an amendment (Report. 102-352). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 3370. A bill to direct the Secretary of the Interior to carry out a study and make recommendations to the Congress regarding the feasibility of establishing a Native American cultural center in Oklahoma City, OK; with amendments (Rept. 102-353). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interim and Insular Affairs. H.R. 2141. A bill to establish the Snake River Birds of Prey National Conservation Area in the State of Idaho, and for other purposes; with an amendment (Rept. 102-354, Pt. 1). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3645. A bill to amend the International Travel Act of 1961 to assist in the growth of international travel and tourism in the United States, and for other purposes. (Rept. 102-355). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 2263. A bill to amend title 5, United States Code, with respect to certain programs under which awards may be made to Federal employees for superior accomplishments or cost savings disclosures, and for other purposes; with amendments (Rept. 102-356). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3282. A bill to provide for the equity of revenue availability on American and foreign cruise vessels, the regulation of gaming on vessels, penalties for gambling violations, and for other purposes; with amendments (Rept. 102-357). Referred to the Committee of the Whole House on the State of the Union.

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 3435. A bill to provide funding for the resolution of failed savings associations and working capital for the Resolution Trust Corporation, to restructure the Oversight Board and the Resolution Trust Corporation, and for other purposes; with amendments (Rept. 102-358). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3638. A bill making technical amendments to the law which authorizes modification of the boundaries of the Alaska Maritime National Wildlife Refuge; without amendment. Committee of the Whole House on the state of the Union discharged. Referred to the Committee on Interior and Insular Affairs for a period ending not later than November 25, 1991, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(l) of rule X. (Rept. 102-350, Part, 1). 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. SWIFT;

H.R. 3865. A bill to amend the Solid Waste Disposal Act to authorize appropriations for fiscal years 1993 through 1998, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ORTIZ (for himself, Mr. JONES of North Carolina, and Mr. STUDDS):

H.R. 3866. A bill to provide for the designation of the Flower Garden Banks National Marine Sanctuary; to the Committee on Merchant Marine and Fisheries.

By Mr. BARNARD (for himself, Mr. WYLIE, Mr. MCCANDLESS, and Mr. BAKER):

H.R. 3867. A bill to provide funding for the resolution of failed savings associations and working capital for the Resolution Trust Corporation, to restructure the Oversight Board and the Resolution Trust Corporation, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PANETTA;

H.R. 3868. A bill to provide sanctions against any country that does not prohibit large-scale drift net fishing by nationals and vessels of that country, to enhance fisheries conservation programs, to extend the Fish and Seafood Promotion Act of 1986, and to stabilize the price received by harvesters of sockeye salmon; jointly, to the Committee on Merchant Marine and Fisheries and Ways and Means.

By Mr. INHOFE;

H.R. 3869. A bill to provide a uniform benefit structure for purposes of the Emergency

Unemployment Compensation Act of 1991; to the Committee on Ways and Means.

By Mr. ASPIN (for himself, Mr. GEPHARDT, and Mr. HAMILTON):

H.R. 3870. A bill to provide for the furnishing of emergency humanitarian assistance to the people of the Soviet Union and to assist in the conversion of the military industrial complex of the Soviet Union to civilian uses; jointly, to the Committee on Armed Services and Foreign Affairs.

By Mr. BARTON of Texas (for himself, Ms. PELOSI, Mr. MILLER of Washington, Mr. JONES of Georgia, and Mr. HOBSON):

H.R. 3871. A bill to provide for adjustment to permanent resident status of certain Chinese nationals; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 3872. A bill to establish a commission to assist the Soviet Republics and nations of Eastern Europe during their transition to a market economy, democracy, and stable governments; to the Committee on Foreign Affairs.

By Mr. CONYERS:

H.R. 3873. A bill to express United States policy regarding the restoration of democratic constitutional government in Haiti, to grant temporary protected status to Haitians until such a government is restored, and to terminate the migrant interdiction agreement between the United States and Haiti; jointly, to the Committees on Foreign Affairs, Ways and Means, Merchant Marine and Fisheries, and the Judiciary.

By Mr. DIXON (for himself, Mr. APPLEGATE, Mr. BUSTAMANTE, Mr. CLAY, Mrs. COLLINS of Illinois, Mr. DWYER of New Jersey, Mr. ESPY, Mr. FRANK of Massachusetts, Mr. FUSTER, Mr. HAYES of Illinois, Mr. JEFFERSON, Mr. MFUME, Mr. MRAZEK, Mr. MURPHY, Ms. NORTON, Mr. OBERSTAR, Mr. OWENS of New York, Mr. PERKINS, Mr. RANGEL, Mr. SAVAGE, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. WOLPE, Mr. WASHINGTON, Mr. FORD of Tennessee, Ms. KAPTUR, Mr. EVANS, Mr. FROST, and Mr. CONYERS):

H.R. 3874. A bill to amend the Internal Revenue Code of 1986 to promote the development and preservation of rental housing for low- and moderate-income families; to the Committee on Ways and Means.

By Mr. DONNELLY (for himself, Mr. NEAL of Massachusetts, and Mr. MAVROULES):

H.R. 3875. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for capital gains for middle-income taxpayers and to provide for revenue increases to fund such relief; to the Committee on Ways and Means.

By Mr. DOOLEY (for himself, Mr. LEHMAN of California, Mr. HERGER, Mr. CONDIT, and Mr. DOOLITTLE):

H.R. 3876. A bill to protect, restore, and enhance fish and wildlife habitat within the Central Valley of California, mitigate Central Valley Project impacts in order to maintain the continued orderly operation on the Central Valley Project, and for other purposes; jointly, to the Committee on Merchant Marine and Fisheries and Interior and Insular Affairs.

By Mr. ENGLISH:

H.R. 3877. A bill to provide equal access to Presidential, congressional, and judicial records; to the Committee on Government Operations.

By Mr. FORD of Michigan (for himself, Mr. GAYDOS, Mr. CLAY, Mr. MURPHY, Mr. KILDEE, Mr. PERKINS, Mr. ANNUNZIO, Ms. COLLINS of Michigan, Mr. DEFAZIO, Mr. DELLUMS, Mr. ECKART, Mr. EVANS, Mr. GLICKMAN, Mr. GONZALEZ, Mr. HEFNER, Mr. JONTZ, Mr. KANJORSKI, Ms. KAPTUR, Mr. KLECZKA, Mr. KOLTER, Mr. MCNULTY, Mr. MURTHA, Mr. POSHARD, Mr. STARK, Mr. TOWNS, and Mr. TRAXLER):

H.R. 3878. A bill to provide assistance to employees who are subject to a plant closing or mass layoff because their work is transferred to another country which has low wages or unhealthy working conditions; to the Committee on Education and Labor.

By Mr. GEKAS:

H.R. 3879. A bill to apply to administrative judges of the Merit Systems Protection Board certain protections afforded to administrative law judges appointed under section 3105 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GILLMOR:

H.R. 3880. A bill to repeal exemptions from civil rights and labor laws for Members of Congress; jointly, to the Committees on Education and Labor, House Administration, and Government Operations.

By Mr. GORDON:

H.R. 3881. A bill to expand the boundaries of Stones River National Battlefield, TN, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GUNDERSON (for himself and Mr. ROBERTS):

H.R. 3882. A bill to amend section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act to coordinate and synchronize pesticide data requirements; to the Committee on Agriculture.

By Mr. HUNTER:

H.R. 3383. A bill to amend chapter 73 of title 10, United States Code, to provide a minimum monthly annuity under such chapter; to the Committee on Armed Services.

By Mr. JACOBS:

H.R. 3884. A bill to suspend through December 31, 1994, the duty on ioxilan; to the Committee on Ways and Means.

By Mr. LAFALCE:

H.R. 3885. A bill to amend the Toxic Substance Control Act to increase the criminal penalties, and for other purposes; jointly, to the Committee on Energy and Commerce and the Judiciary.

By Mr. LEVINE of California:

H.R. 3886. A bill to increase the achievement levels of elementary and secondary students by using high quality curricular-based learning resources; to the Committee on Education and Labor.

By Mr. MCEWEN:

H.R. 3887. A bill to amend the Agricultural Act of 1949 to eliminate the loan origination fee charged a producer of oilseed crops; to the Committee on Agriculture.

By Mr. MCGRATH:

H.R. 3888. A bill to amend the Internal Revenue Code of 1986 to revise the application of the wagering taxes to charitable organizations; to the Committee on Ways and Means.

H.R. 3889. A bill to amend the Tariff Act of 1930 to increase the allowance for bona fide gifts sent from persons in foreign countries to persons in the United States; to the Committee on Ways and Means.

By Mr. MOODY:

H.R. 3890. A bill to direct the Administration of the Federal Aviation Administration to issue regulations to require individuals conducting weapon screenings of passengers in air transportation to notify law enforcement officers of discoveries of controlled substances and/or sums of money in excess of $10,000 in accordance with applicable Federal guidelines; to the Committee on Public Works and Transportation.

By Mr. RAMSTAD (for himself, Mr. FISH, Mr. GALLEGLY, Mr. COMBEST, Mr. WEBER, Mr. CUNNINGHAM, Mr. CAMPBELL of California, Mr. SENSENBRENNER, Mr. EMERSON, Mr. HERGER, Mr. OXLEY, Mr. MAZZOLI, Mr. LEWIS of California, Mr. SCHIFF, Mr. FIELDS, Mr. CAMP, Mr. SANTORUM, Mr. PAXON, Mr. STUMP, Mr. COBLE, Mr. MILLER of Ohio, Mr. FRANKS of Connecticut, Mr. ARMEY, Mr. PARKER Mr. SOLOMON, Mr. KYL, and Mr. HANCOCK):

H.R. 3891. A bill to provide life imprisonment without releases for certain criminals convicted a third time: jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. RINALDO (for himself, Mr. HOBSON, and Mr. SMITH of New Jersey):

H.R. 3890. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for expenses paid by an employer for a group health plan if the plan discriminates against adopted children; to the Committee on Ways and Means.

By Mrs. SCHROEDER:

H.R. 3893. A bill to amend title 5, United States Code, to permit the garnishment of an annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, if necessary to satisfy a judgment against an annuitant for physically abusing a child; to the Committee on Post Office and Civil Service.

By Mr. STALLINGS (for himself and Mr. LAROCCO):

H.R. 3894. A bill to prohibit the transportation of certain nuclear waste to the Idaho National Engineering Laboratory; to the Committee on Armed Services.

By Mr. STARK:

H.R. 3895. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on the production or importation of asbestos; to the Committee on Ways and Means.

By Mr. VISCLOSKY:

H.R. 3896. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in Lake County or Porter County, IN; to the Committee on Veterans' Affairs.

By Mrs. VUCANOVICH (for herself, Mr. DOOLITTLE, Mr. STALLINGS, and Mr. HANSEN):

H.R. 3897. A bill to provide for the apportionment and distribution of the award in Indian Claims Commission docket numbered 326-k, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHEAT:

H.R. 3898. A bill to provide for the addition of the Truman farm house to the Harry S. Truman National Historic Site in the State of Missouri; to the Committee on Interior and Insular Affairs.

By Mr. ANDREWS of Maine:

H.J. Res. 380. Joint resolution designating the calendar year, 1993, as the "Year of American Craft: A Celebration of the Creative Work of the Hand"; to the Committee on Post Office and Civil Service.

By Mr. BLILEY:

H.J. Res. 381. Joint Resolution designating January 16, 1992, as "Religious Freedom Day"; to the Committee on Post Office and Civil Service.

By Mr. ROSTENKOWSKI:

H. Res. 292. Resolution expressing the sense of the House of Representatives with respect

to legislation relating to the amortization of goodwill and certain other intangibles; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. BLAZ, Mr. SOLARZ, Mr. ABERCROMBIE, Mr. LEACH, Mr. LAGOMARSINO, Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, Ms. SNOWE, Mr. BOEHLERT, Mr. MCHUGH, Mr. MCCANDLESS, Ms. OAKAR, Mr. LEVIN of Michigan, Mr. THOMAS of California, Mr. LAFALCE, Mr. GREEN of New York, Mr. HORTON, Mr. REGULA, Mr. SAXTON, Mr. BLILEY, Mr. BAKER, Mr. SPENCE, Mr. WEBER, Mr. BURTON of Indiana, Mrs. JOHNSON of Connecticut, Mr. MCEWEN, Mr. BALLENGER, Mr. COBLE, Mr. HANCOCK, Mr. EDWARDS of Oklahoma, Mr. MONTGOMERY, Mr. DUNCAN, Mr. DANNEMEYER, Mr. CUNNINGHAM, Mr. HUCKABY, Mr. HOLLOWAY, Mr. BROOMFIELD, Mr. CAMP, Mr. RANGEL, Ms. SLAUGHTER of New York, Mr. MCGRATH, Mr. RAMSTAD, Mr. DELAY, Mr. CALLAHAN, Mr. DREIER of California, and Mr. ASPIN):

H. Res. 293. Resolution commending the people of Guam and Hawaii for the sacrifices and contributions they made during World War II; to the Committee on Interior and Insular Affairs.

By Mrs. BENTLEY (for herself, Mr. CUNNINGHAM, Mr. PACKARD, Ms. KAPTUR, Mr. TRAFICANT, and Mr. BLACKWELL):

H. Res. 295. Resolution requesting that Japan should apologize; to the Committee on Foreign Affairs.

By Mr. GALLEGLY (for himself, Mr. GILMAN, Mr. UPTON, Mr. PURSELL, Mr. VANDER JAGT, Mr. BROOMFIELD, Mr. SENSENBRENNER, Mr. CAMPBELL of California, Mr. COX of California, Mr. RAVENEL, Mr. HALL of Texas, Mr. LIPINSKI, Mr. TRAFICANT, Mr. ANDREWS of Texas, Mr. MILLER of Washington, Mr. ECKART, Mr. ROHRABACHER, Mr. TORRICELLI, Mr. DOOLITTLE, Mr. TAUZIN, Mr. DANNEMEYER, Mr. KYL, Mr. DREIER of California, Mr. HYDE, Mr. RHODES, Mr. EDWARDS of Oklahoma, Mr. LANTOS, Mr. ACKERMAN, Mr. LAFALCE, Mr. MOORHEAD, Mr. DORNAN of California, Mr. SMITH of New Jersey, Mr. KASICH, Mr. RITTER, Ms. MOLINARI, Mr. RIGGS, Mr. FAWELL, Mr. ANDERSON, and Mr. LIVINGSTON):

H. Res. 296. Resolution expressing the sense of the House of Representatives regarding United States policy toward Yugoslavia; to the Committee on Foreign Affairs.

By Mrs. JOHNSON of Connecticut (for herself, Mr. SPRATT, Mr. HYDE, Mr. PEASE, Mrs. KENNELLY, Mr. DINGELL, Mr. MOAKLEY, Mr. ASPIN, Mr. MURTHA, Mr. CHANDLER, Mr. BROOMFIELD, Mr. FORD of Michigan, Mr. FRANKS of Connecticut, Mr. CARDIN, Mr. CONYERS, Mr. COYNE, Mrs. BENTLEY, Mr. RUSSO, Mr. APPLEGATE, Mr. SAWYER, Mr. BUSTAMANTE, Mr. FAWELL, Mr. MURPHY, Mr. ABERCROMBIE, Mr. COX of California, Mr. DURBIN, Mr. GOODLING, Mr. LUKEN, Mr. RIDGE, Mr. RITTER, Mrs. PATTERSON, Mr. STOKES, Mr. OWENS of Utah, Mr. HORTON, Mr. ECKART, Mr. YATRON, Mr. WALSH, Mr. MCNULTY, Mr. HENRY, Mr. MCGRATH, Mr. COX of Illinois, Mr. CAMP, Mrs. MEYERS of Kansas, Mr. DAVIS, Mr. ATKINS, Mr. CARR, Mr. PAXON, Mr. TOWNS, Mr. BUNNING, Mr. SANGMEISTER, Mrs. BYRON, Mr. MCDADE, Mr. HALL of Ohio, Mr. KENNEDY, Mr. FOGLIETTA, Mr. NEAL of Massachusetts, Mr. WOLPE, Mr. HUNTER, Mr. GEKAS, Mr. HERTEL, Mr. SUNDQUIST, Mr. GILCHREST, Mr. GAYDOS, Mr. MCMILLEN of Maryland, Mrs. MORELLA, Mr. SANTORUM, Mr. OLIN, Mr. SIKORSKI, Mr. HAYES of Illinois, Mr. BALLENGER, Mr. NOWAK, Mr. PORTER, Mr. SENSENBRENNER, Mr. KILDEE, and Mr. SHAYS):

H. Res. 297. Resolution to urge the President to renew the voluntary restraint arrangements with Japan and Taiwan for an additional 5 years; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BROWDER introduced a bill (H.R. 3899) for the relief of Merrill L. Johnson-Lannen; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BEREUTER.

H.R. 47: Mr. ABERCROMBIE.

H.R. 81: Ms. NORTON.

H.R. 144: Mr. ROTH.

H.R. 187: Mr. FLAKE, Mr. TRAXLER, and Mr. FROST.

H.R. 191: Mr. PACKARD, Mr. WALKER, Mr. ROHRABACHER, and Mr. RITTER.

H.R. 194: Mr. DWYER of New Jersey and Mr. KILDEE.

H.R. 252: Mr. SWETT and Mr. WASHINGTON.

H.R. 413: Mr. LAGOMARSINO, Mrs. COLLINS of Illinois, Mr. RICHARDSON, Mr. PACKARD, Mr. ROYBAL, Mr. GILCHREST, and Mr. MCMILLAN of North Carolina.

H.R. 461: Mr. KOPETSKI, Mr. BROWN, Mr. SPRATT, and Mr. JOHNSON of South Dakota.

H.R. 519: Mr. PACKARD.

H.R. 565: Mrs. UNSOELD, Mr. SMITH of Texas, Mr. ANDREWS of Maine, and Mr. MONTGOMERY.

H.R. 606: Mr. ARMEY.

H.R. 643: Mr. AUCOIN.

H.R. 842: Mr. SERRANO, Mr. FISH, Mr. REED, Ms. NORTON, Mr. SYNAR, and Mr. DONNELLY.

H.R. 911: Mr. UPTON.

H.R. 1021: Ms. NORTON.

H.R. 1048: Mr. MARKEY.

H.R. 1124: Mrs. BOXER and Mr. KLECZKA.

H.R. 1147: Mr. APPLEGATE, Mr. ECKART, and Mr. ALLEN.

H.R. 1200: Mr. WALSH, Mr. BEVILL, Mr. KOLTER, Mr. AUCOIN, Mrs. SCHROEDER, Mr. SABO, and Mr. DE LUGO.

H.R. 1240: Mr. CLAY.

H.R. 1300: Mr. FEIGHAN.

H.R. 1502: Mr. DICKS and Mr. MACHTLEY.

H.R. 1509: Mr. MINETA, Ms. SNOWE, Mr. PANETTA, Mr. HAYES of Louisiana, Mr. SPENCE, Mr. ERDREICH, Mr. MCNULTY, Mr. BLAZ, Mr. PERKINS, Mr. OWENS of Utah, Mr. SANTORUM, Mr. COSTELLO, Mr. GEREN of Texas, Mr. HOLLOWAY, Mr. HAYES of Illinois, Mr. BROWN, Mr. DUNCAN, Mr. LIVINGSTON, Mr. MCCRERY, Mr. MCDADE, Mr. MCGRATH, Mr. MARLENEE, Mr. MFUME, Mr. MURTHA, Mr. SAVAGE, Mr. OXLEY, Mr. SPRATT, Mr. TRAFICANT, Ms. SLAUGHTER of New York, Ms. NORTON, Mr. STENHOLM, Mr. MCMILLEN of Maryland, Mr. MORAN, Mr. CALLAHAN, Mr. GINGRICH, Mrs. BENTLEY, Mr. KASICH, Mr. MCCLOSKEY, Mr. MURPHY, Mr. ROWLAND, Mr. FOGLIETTA, Mr. LOWERY of California, Mr. TALLON, Mr. BEVILL, Mr. DREIER of California, Mr. SAXTON, Mr. COBLE, Mr. JONES of North Carolina, Mr. CLEMENT, Mr. MYERS of Indiana, Mr. DEFAZIO, Mrs. MORELLA, Mr. ORTIZ, Mr. DE LA GARZA, Mr. SISISKY, Mr. FRANKS of Connecticut, Mr. MATSUI, and Mr. MARTINEZ.

H.R. 1633: Mr. RAHALL and Mr. BOUCHER.

H.R. 1665: Mr. WEISS.

H.R. 1703: Mr. FOGLIETTA.

H.R. 1730: Mr. SANTORUM, Mr. JOHNSON of Texas, Mr. GINGRICH, Mr. LIVINGSTON, Mr. YOUNG of Alaska, Mr. LAFALCE, Mr. BLAZ, and Mrs. LLOYD.

H.R. 1736: Mr. GILLMOR.

H.R. 1752: Mrs. LOWEY of New York.

H.R. 1898: Ms. PELOSI, Mr. JACOBS, Mrs. UNSOELD, Mr. LIGHTFOOT, Mr. DELLUMS, Mr. LEWIS of Florida, Mr. HORTON, Mr. JEFFERSON, Ms. KAPTUR, Mr. BEREUTER, Mr. RANGEL, and Ms. NORTON.

H.R. 2008: Mr. HEFLEY.

H.R. 2089: Mr. LANTOS and Ms. KAPTUR.

H.R. 2286: Mr. ARMEY and Mr. WALSH.

H.R. 2363: Mr. KASICH, Mr. LEVIN of Michigan, Mr. MCNULTY, Mr. NUSSLE, Mr. DELLUMS, Mr. DE LUGO, Mr. HERGER, and Mr. DIXON.

H.R. 2500: Mr. BROWN.

H.R. 2501: Mr. LIPINSKI.

H.R. 2540: Mr. SMITH of Florida.

H.R. 2541: Mr. BLAZ.

H.R. 2598: Mr. NUSSLE, Mr. ANDREWS of New Jersey, Mr. SCHIFF, Mr. ACKERMAN, and Mr. COLEMAN of Texas.

H.R. 2755: Mr. SLATTERY.

H.R. 2811: Mr. HASTERT.

H.R. 2862: Mr. UPTON.

H.R. 2881: Mr. BEILENSON.

H.R. 2936: Mrs. BOXER and Mr. SCHIFF.

H.R. 2964: Mr. MCCANDLESS, Mr. MARTIN, and Mr. BEILENSON.

H.R. 3058: Mr. JOHNSON of South Dakota, Mr. DWYER of New Jersey, Mr. RAVENEL, Mr. HUGHES, Mr. POSHARD, Mr. NOWAK, Mr. MACHTLEY, Mr. CONDIT, and Mr. PAYNE of Virginia.

H.R. 3059: Mr. JOHNSON of South Dakota, Mr. DWYER of New Jersey, Mr. RAVENEL, Mr. HUGHES, Mr. POSHARD, Mr. NOWAK, and Mr. MACHTLEY.

H.R. 3061: Mr. SOLOMON.

H.R. 3070: Mr. RAY, Mr. CLEMENT, Mr. COLEMAN of Texas, Mr. BEVILL, Mr. SHARP, and Mr. TRAFICANT.

H.R. 3084: Mr. DOOLITTLE and Mr. STEARNS.

H.R. 3102: Mr. AUCOIN, Mr. DIXON, and Mr. FOGLIETTA.

H.R. 3142: Mr. YOUNG of Alaska.

H.R. 3236: Mr. RANGEL and Mr. BONIOR.

H.R. 3253: Mr. DEFAZIO, Mr. TORRICELLI, Mr. RUSSO, and Mr. SMITH of Florida.

H.R. 3277: Mr. STUDDS, Mr. SYNAR, Mr. ENGLISH, Mr. SAXTON, Mr. CHAPMAN, Mr. BOUCHER, Mr. PALLONE, Mr. BREWSTER, and Mr. MOODY.

H.R. 3282: Mr. FRANKS of Connecticut and Mr. CLEMENT.

H.R. 3337: Mr. COLEMAN of Missouri, Mr. DINGELL, Mr. PICKLE, Mr. SUNDQUIST, Mr. RIDGE, Mr. MCMILLAN of North Carolina, Mr. LENT, Mr. SHAW, Mr. RHODES, Mr. THOMAS of California, Mr. BROOMFIELD, Mr. TRAXLER, Mr. HYDE, Mr. HOLLOWAY, Mr. DORNAN of California, Mr. WEBER, Mr. COMBEST, Mr. HANSEN, Mr. QUILLEN, Mr. SMITH of New Jersey, Mr. MCCRERY, Mr. GOODLING, Mr. GRANDY, Mr. TAYLOR of Mississippi, Mr. DARDEN, Mr. JONES of Georgia, Mr. RAHALL, Mr. MCGRATH, Mr. ASPIN, Mr. SPENCE, Mr. HOAGLAND, Mr. PERKINS, Mr. SMITH of Iowa, Mr. SCHAEFER, Mr. ANTHONY, Mr. YOUNG of Florida, Mr. ERDREICH, Mr. MONTGOMERY,

Mr. DELLUMS, Mr. SENSENBRENNER, Mr. HASTERT, Mr. GEKAS, Mr. YOUNG of Alaska, Mr. HUGHES, Mr. LIVINGSTON, Mr. GALLEGLY, Mr. BERMAN, Mr. HERGER, Mr. CALLAHAN, Mr. THOMAS of Wyoming, and Mr. SLATTERY.

H.R. 3373: Ms. HORN, Mr. BRYANT, and Mr. MARKEY.

H.R. 3407: Mr. DYMALLY and Mr. SLATTERY.

H.R. 3420: Mr. BARNARD, Mr. BRUCE, Ms. LONG, Mr. TALLON, Mr. CAMP, Mr. QUILLEN, Mr. NAGLE, Mr. HENRY, Mr. WILLIAMS, Mr. DICKINSON, Mr. VALENTINE, Mr. VANDER JAGT, Mr. JOHNSON of South Dakota, Mr. STENHOLM, and Mr. LANCASTER.

H.R. 3452: Mr. BILIRAKIS.

H.R. 3464: Mr. MARKEY.

H.R. 3473: Mr. DWYER of New Jersey, Mr. STALLINGS, and Mr. SWIFT.

H.R. 3540: Mr. RANGEL.

H.R. 3553: Mr. SWIFT.

H.R. 3555: Mr. PALLONE.

H.R. 3561: Mr. HYDE, Mr. KLUG, Mr. HERGER, Mr. MOORHEAD, Mr. PAXON, and Mr. FRANKS of Connecticut.

H.R. 3616: Mr. DANNEMEYER.

H.R. 3627: Mr. BUNNING, Mr. ROGERS, Mr. CHANDLER, Mr. EWING, Mr. JOHNSON of South Dakota, Mr. JOHNSTON of Florida, Mr. NEAL of North Carolina, Mr. KILDEE, Mr. SWIFT, Mr. RAY, Mr. STUMP, Mr. CRANE, Mr. NICHOLS, Mr. TAYLOR of North Carolina, Mr. PORTER, Mr. MARLENEE, Mr. RIDGE, Mr. HUNTER, Mr. DANNEMEYER, Mr. MAZZOLI, Mr. HYDE, Mr. AUCOIN, and Mr. GALLO.

H.R. 3649: Mr. TOWNS and Mr. JONTZ.

H.R. 3675: Mr. RANGEL, Mr. JONTZ, Mr. SCHUMER, Mr. WAXMAN, and Mr. DWYER of New Jersey.

H.R. 3706: Mr. TORRICELLI, Mr. DORGAN of North Dakota, Mr. KLECZKA, Mr. ENGEL, Mr. FROST, and Mr. PAXON.

H.R. 3748: Mr. BONIOR, Mr. EVANS, Mr. BRYANT, Mr. DIXON, Mr. FAZIO, Mr. PANETTA, Mr. MCCLOSKEY, Mr. DELLUMS, Mr. CLAY, Mr. FORD of Tennessee, Mr. ESPY, Mr. FROST, Mr. SERRANO, Mr. LEWIS of Georgia, Mr. DE LUGO, Mr. GREEN of New York, Mrs. MORELLA, Mr. PRICE, and Mrs. KENNELLY.

H.R. 3816: Mr. FISH, Mr. GRANDY, Mr. KLUG, Ms. MOLINARI, Mr. WELDON, Mr. KOLTER, Mr. MCCOLLUM, Mr. SARPALIUS, Mr. GILCHREST, Mr. BEVILL, Mr. JOHNSON of Texas, Mr. SHUSTER, Mr. ATKINS, Mr. BEREUTER, Mr. GOODLING, Mr. JAMES, Mr. MARLENEE, Mr. SMITH of Texas, Mr. NICHOLS, Mr. STEARNS, Mr. TAYLOR of North Carolina, Mr. RIDGE, Mr. BLAZ, and Mr. NEAL of Massachusetts.

H.R. 3820: Mr. GLICKMAN and Mr. SCHUMER.

H.R. 3822: Mr. LOWERY of California and Mr. LAGOMARSINO.

H.R. 3824: Mr. COMBEST, Mr. DOOLITTLE, and Mr. HANCOCK.

H.R. 3825: Mr. SCHIFF, Mr. COSTELLO, Mr. IRELAND, Mr. POSHARD, and Mr. COLEMAN of Texas.

H.R. 3864: Mr. CHAPMAN and Mr. GEKAS.

H.J. Res. 212: Mr. GOODLING, Mrs. VUCANOVICH, Mr. YOUNG of Alaska, Mr. TORRES, and Mr. DURBIN.

H.J. Res. 244: Mrs. BENTLEY, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BORSKI, Mr. DELLUMS, Mr. FAZIO, Mr. FORD of Tennessee, Mr. GILMAN, Mr. LIPINSKI, Ms. LONG, Mr. MCHUGH, Mr. MACHTLEY, Mr. MILLER of Ohio, Mr. MRAZEK, Mr. ORTON, Ms. WATERS, Mr. WILSON, Mr. JONES of Georgia, Mrs. BOXER, and Mr. PASTOR.

H.J. Res. 248: Mr. SUNDQUIST, Mr. MCMILLAN of North Carolina, and Mr. ALLEN.

H.J. Res. 272: Mr. HAYES of Louisiana, Mr. NEAL of Massachusetts, Mr. VALENTINE, Ms. LONG, Mr. BREWSTER, Mr. GUNDERSON, Mr. MCMILLEN of Maryland, Mr. HALL of Texas, Mr. MCNULTY, Mr. TRAXLER, Mr. SAXTON, Mr. ESPY, Mr. BEVILL, Mr. JOHNSON of South Dakota, Mr. LEACH, Mr. EMERSON, Mr. BUSTAMANTE, Mr. STENHOLM, Mr. STALLINGS, Mr. ZIMMER, Mr. SARPALIUS, Mr. NEAL of North Carolina, Mr. DURBIN, Mr. SKEEN, Mr. WILSON, Mr. EWING, Mr. ERDREICH, Mr. TANNER, Mr. JONTZ, Mr. DORGAN of North Dakota, Mr. KOLTER, Mr. DEFAZIO, Mr. LAROCCO, Mr. PAYNE of Virginia, Mr. MCHUGH, Mr. HOYER, Mr. BROWDER, Mr. FASCELL, Mr. COLEMAN of Missouri, Mr. GRANDY, Mr. HASTERT, Mr. LAUGHLIN, Mr. BARRETT, Mr. LIGHTFOOT, Mr. BEREUTER, Mr. LEVIN of Michigan, Mr. CHAPMAN, Mr. KASICH, Mr. WALSH, Mr. POSHARD, Ms. KAPTUR, Mr. ROE, Mr. MARTINEZ, Mr. THOMAS of Georgia, Mr. LEHMAN of California, Mr. PANETTA, Mr. FROST, Ms. SLAUGHTER of New York, Mr. SANGMEISTER, Mr. HUGHES, Ms. NORTON, Mr. COSTELLO, Mr. TRAFICANT, Mr. ROEMER, Mr. BRUCE, Mr. WISE, Mr. CONYERS, Mr. PETERSON of Florida, Mr. GEKAS, Mr. GILLMOR, and Mr. EVANS.

H.J. Res. 290: Mr. KENNEDY and Mr. ALLEN.

H.J. Res. 342: Mr. MCMILLEN of Maryland.

H.J. Res. 348: Mr. HOBSON, Mr. WYLIE, Mr. ALEXANDER, Mr. OXLEY, Mr. KASICH, Mr. FAWELL, Mr. RAMSTAD, Mr. ROTH, and Mr. GUNDERSON.

H.J. Res. 352: Mr. TAUZIN, Mr. HAYES of Louisiana, Mr. FISH, Mr. MCCRERY, Mr. ROEMER, Mr. FIELDS, Mr. PAYNE of Virginia, Mr. DE LUGO, Mr. MCCLOSKEY, Mr. RITTER, Mr. POSHARD, Mr. LAFALCE, Mr. SAVAGE, and Mr. EDWARDS of California.

H.J. Res. 353: Mr. ALEXANDER, Mr. BERMAN, Mr. BILBRAY, Mr. CHANDLER, Mr. CRAMER, Mr. DE LA GARZA, Mr. DE LUGO, Mr. DIXON, Mr. DORNAN of California, Mr. DYMALLY, Mr. EMERSON, Mr. FASCELL, Mr. FORD of Tennessee, Mr. GEKAS, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HUCKABY, Mr. JENKINS, Mr. JOHNSON of South Dakota, Ms. KAPTUR, Mr. KASICH, Mr. KENNEDY, Mr. LAFALCE, Mr. LENT, Mr. LIVINGSTON, Ms. LONG, Mr. MCDADE, Mr. MCDERMOTT, Mr. MCGRATH, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. PAXON, Mr. QUILLEN, Mr. RANGEL, Mr. RHODES, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. STARK, Mr. TOWNS, and Mr. WELDON.

H.J. Res. 358: Mr. DERRICK, Mr. JONTZ, Mr. RANGEL, Mr. LAGOMARSINO, Mr. GALLEGLY, Ms. SLAUGHTER of New York, Mr. FROST, Mr. SMITH of Texas, Ms. LONG, Mr. POSHARD, and Mr. DONNELLY.

H.J. Res. 364: Mr. COUGHLIN, Mr. FOGLIETTA, and Mr. FORD of Tennessee.

H.J. Res. 375: Mr. MARTINEZ, Mr. WALSH, Mr. POSHARD, and Mr. PAXON.

H. Con. Res. 8: Mr. PURSELL.

H. Con. Res. 58: Mr. SMITH of Florida.

H. Con. Res. 119: Mr. ENGEL.

H. Con. Res. 194: Mr. INHOFE and Mr. SOLOMON.

H. Con. Res. 210: Mr. OWENS of New York.

H. Con. Res. 224: Mr. ACKERMAN, Mr. CAMP, and Mr. FROST.

H. Con. Res. 225: Mr. PAXON.

H. Con. Res. 232: Mr. LAGOMARSINO, Mr. COYNE, Mr. HUGHES, Mrs. MEYERS of Kansas, Mr. DELLUMS, Mr. SHAW, and Mrs. UNSOELD.

H. Con. Res. 233: Mr. TORRICELLI, Mr. HORTON, Mr. ANNUNZIO, Mr. LENT, Mr. RITTER, Mrs. MEYERS of Kansas, Mr. PAYNE of Virginia, Mr. FISH, and Mr. BEREUTER.

H. Con. Res. 236: Mr. HAMMERSCHMIDT, Mr. MURPHY, Mr. MFUME, Mr. MARLENEE, Mr. BURTON of Indiana, Mr. HUGHES, and Mr. LENT.

H. Con. Res. 240: Mr. FROST, Mr. HUGHES, Mrs. SCHROEDER, Mr. WHEAT, and Mr. PORTER.

H. Res. 215: Mr. HEFLEY, MR. SOLOMON, and Mr. SANTORUM.

H. Res. 271: Mr. SOLARZ, Mr. STARK, Mr. RANGEL, Mr. SHAYS, Mr. SCHUMER, Mr. ROYBAL, Mr. MATSUI, Mr. FOGLIETTA, and Mr. FEIGHAN.

H. Res. 284: Mr. BARNARD, Mr. MINETA, and Mr. SCHEUER.

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. 201: Mr. BOEHNER.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

132. The SPEAKER presented a petition of Lithuanian American Council, Inc., relative to the Republic of Lithuania; which was referred to the Committee on Foreign Affairs.