

## HOUSE OF REPRESENTATIVES—Wednesday, May 15, 1991

The House met at 10 a.m.

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

Of all your gifts to us, O God, by which you have blessed us and breathed into us the very breath of life, we are grateful for the gifts of love and respect that can exist between individuals. We know that so many relationships in our homes or communities are not as they could be and the light and goodness of friendship and appreciation one for another is lost amid the pressures of the day. We are aware of the blessings of faith and hope in our lives and for those gifts we give thanks, but we raise our voices in a joyous chorus for that greatest gift that binds people together in mysterious and blessed ways, the gift of love. In Your name, we pray. 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 California [Mr. ROHRBACHER] please come forward and lead the House in the Pledge of Allegiance.

Mr. ROHRBACHER led the Pledge of Allegiance as follows:

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 707. An act to amend the Commodity Exchange Act to improve the regulation of futures and options traded under rules and regulations of the Commodity Futures Trading Commission; to establish registration standards for all exchange floor traders; to restrict practices which may lead to the abuse of outside customers of the marketplace; to reinforce development of exchange audit trails to better enable the detection and prevention of such practices; to establish higher standards for service on governing boards and disciplinary committees of self-regulatory organizations; to enhance the international regulation of futures trading;

to regularize the process of authorizing appropriations for the Commodity Futures Trading Commission; and for other purposes.

The message also announced, that the Senate insists upon its amendment to the bill (H.R. 707) "An Act to amend the Commodity Exchange Act to improve the regulation of futures and options traded under rules and regulations of the Commodity Futures Trading Commission; to establish registration standards for all exchange floor traders; to restrict practices which may lead to the abuse of outside customers of the marketplace; to reinforce development of exchange audit trails to better enable the detection and prevention of such practices; to establish higher standards for service on governing boards and disciplinary committees of self-regulatory organizations; to enhance the international regulation of futures trading; to regularize the process of authorizing appropriations for the Commodity Futures Trading Commission; and for other purposes", and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEAHY, Mr. BOREN, Mr. HEFLIN, Mr. CONRAD, Mr. LUGAR, Mr. DOLE, and Mr. COCHRAN to be the conferees on the part of the Senate.

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

S. 100. An act to set forth U.S. policy toward Central America and to assist the economic recovery and development of that region; and

S.J. Res. 134. Joint resolution designating May 22, 1991, as "National Desert Storm Reservists Day."

### RESIGNATION AS MEMBER OF SELECT COMMITTEE ON HUNGER

The Speaker laid before the House the following resignation from the Select Committee on Hunger:

HOUSE OF REPRESENTATIVES,  
MAY 10, 1991.

Hon. TOM FOLEY,  
*Speaker of the House, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER, I am asking permission to resign from the Select Committee on Hunger. Due to new assignments on my legislative agenda, I am unable to give this committee the commitment it deserves.

Thank you for your immediate consideration of this request.

Sincerely,

FRANK RIGGS,  
*Member of Congress.*

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

### PERMISSION FOR SUBCOMMITTEE ON INVESTIGATIONS OF COMMITTEE ON ARMED SERVICES TO SIT TODAY DURING 5-MINUTE RULE

Mr. EVANS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations of the Committee on Armed Services be permitted to sit today while the House is proceeding under the 5-minute rule.

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

Mr. ROHRBACHER. Reserving the right to object, Mr. Speaker, I understand this has been cleared by the minority. With that understanding, there is no objection, but we do reserve the right to object.

Mr. Speaker, I have just learned that it has been cleared, so I withdraw my reservation of objection.

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

There was no objection.

### LAST DECADE NOT THE BEST OF TIMES FOR WORKING FAMILIES

(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, in the opening paragraph of his masterpiece, "A Tale of Two Cities," Charles Dickens wrote: "It was the best of times, it was the worst of times."

He was writing about 18th century France, but the House Ways and Means Committee's just published "Green Book" makes clear his words equally describe the last decade in America under Republican economic policy.

If your income and wealth put you in the top 20 percent of all Americans, the last decade has been "the best of times." Their income soared by 20 percent.

But if you are an average working American—the other 80 percent of America—things were not quite so rosey. Your earnings went down.

In fact, 60 percent saw their earnings drop by 11.1 percent.

And it was working families with kids—families just starting out—who were hit the hardest. The wealthiest 20 percent of those young families registered a 7-percent increase, while the other 80-percent majority saw their an-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

nual income drop a whopping 13 percent.

And while the wealthiest among us were enjoying a 17.6-percent tax cut, the tax burden for average working families was going up.

Mr. Speaker, unfairness of this magnitude does not just happen. It is the inevitable result of the policies of a President who goes to the mat to block an increase in the minimum wage over three thin dimes, but who makes a massive reduction in the capital gains tax the economic centerpiece of his Presidency.

After 10 years of trickle down economic policy, it is now quite clear: average working families got soaked.

#### THE UNFAIRNESS OF H.R. 1

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

Mr. PAXON. Mr. Speaker, I believe everyone in this body is in favor of fairness and equal opportunity for all employees.

Unfortunately, H.R. 1—the quota bill—does not achieve these goals.

In fact, I believe the bill will work against fairness and equal opportunity. We have heard much about the so-called benefits of H.R. 1.

But let us not forget the dire impact of this bill on employees and employers alike.

First, is the real, tangible, financial cost of this bill. Allowing jury trials and punitive and compensatory damage awards that could reach into the millions of dollars, is a huge burden to be borne by the Nation's employers and employees.

These expenses coupled with attorneys fees are massive costs, which will mean less funds available for jobs, denying working men and women the opportunity to earn a living.

And there are also nontangible costs: fairness and opportunity will suffer.

Employers, faced with impossible standards and huge monetary awards will be forced to hire by quotas to avoid expensive lawsuits.

Quotas will also cost working men and women their jobs, and that is unfair.

Mr. Speaker, unfair preferences—a quota system—is too high a price to pay.

#### SLOGANS, NOT SUBSTANCE, DOMINATE ADMINISTRATION'S ECONOMIC POLICIES

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

Mr. STAGGERS. Mr. Speaker, in political speeches around the Nation, the President is hailing the economic policies of his administration as pro-

growth. Well, in a sense they are: the wealth of the wealthy is growing at a record pace.

According to a recent report, the income of the richest 1 percent of Americans grew by 113 percent between 1977 and the present, while the income of our poorest Americans decreased by over 10 percent. During that period of time, income tax rates for the richest 1 percent of Americans decreased by 15 percent, while tax rates for most others increased.

Mr. Speaker, what does this tell us about the direction of our Nation? What does it tell us about the quality of life for most Americans in 1991?

If nothing else, this tells us that most Americans are working harder and longer for less and less. And I believe that it should tell us that we cannot afford another decade of neglecting the needs of the great majority of Americans.

The policies of this administration are based on slogans instead of substance. You do not have to be a lip-reader to see the hungry mouths in our society. And you do not have to be able to count points of light to count the points of merit in the Working Family Tax Relief Act.

Let us move from slogans to solutions, and let us make some tax changes that reward the hard work of the many instead of the paper profits of the few.

#### H.R. 1 GOES TOO FAR BEYOND CURRENT LAW

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

Mr. DELAY. Mr. Speaker, we often hear how much the average American needs, and wants, enactment of H.R. 1, the quota bill. I do not know who the proponents are speaking to, but I do not believe that is the case.

There was a poll taken recently of over 700 Americans on some of the requirements of H.R. 1.

H.R. 1 provides, for the first time, for jury trials and unlimited punitive and compensatory damages in employment law cases. In this Penn & Schoen survey, 70 percent of respondents say that remedies should be based on lost wages and benefits, as in current law, and not be allowed to collect unlimited damages.

In addition, 54 percent oppose court trials for these cases, rather they believe existing administrative processes should be used to resolve the case.

H.R. 1 simply goes too far beyond current law, imposing an entirely new, costly, ineffective system that will benefit trial attorneys, not the average American. I urge my colleagues to heed the results of this poll and reject the quota bill.

□ 1010

#### H.R. 1: LAWYERS' BONANZA

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

Mr. DOOLITTLE. Mr. Speaker, the quota bill, H.R. 1, will not provide job opportunities for qualified women and minorities, as proponents claim, but rather will provide job opportunities for trial lawyers. H.R. 1 prohibits a waiver of attorneys' fees as part of the settlement. Also, even when the judge and the parties have both agreed upon a settlement, an attorney can still hold hostage the agreement until his fees are negotiated and paid.

Whose interests are being served here, anyway?

A recent scientific survey of Americans, performed by Penn & Schoen, showed that 78 percent of the respondents believe that lawyers will be more likely to go to court on the chance of a big money award in discrimination cases rather than to attempt to settle out of court. I believe this costly lawyers' bonanza is unacceptable; it is unfair, and this is just one more reason to oppose the quota bill, H.R. 1.

#### WE HAVE TO GET BACK TO A FAIR TAX SYSTEM, FAIR TO MIDDLE-CLASS AMERICANS

(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, over the last 10 to 12 years the administration policies in this country have led to a grossly unfair tax system. We are faced with the reality that 80 percent of the people in this country today have less money in their pockets after taxes than they had in 1980.

Those policies have been directed and guided by the administrations in power during that time. It is also significant to keep in mind that earnings of working families in this country fell an average of 8.7 percent between 1979 and 1989, while the wealthiest reaped a 12.3-percent increase in their earnings.

Mr. Speaker, we have got to get back to a system, a fair tax system in this country where the average middle-class American has a chance to improve his standard of living and look forward to a positive future for both himself, herself, and their families.

#### REPEALING THE 1990 TAX INCREASES

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

Mr. DANNEMEYER. Mr. Speaker, last October, this House adopted the so-called budget summit agreement.

Its proponents claimed that this agreement would reduce budget deficits by almost \$500 billion over 5 years, shrink Federal spending to under 18.2 percent of GNP by 1995, and double the rate of economic growth in 1991.

In July 1990, the Congressional Budget Office estimated the baseline deficits between 1991 and 1995 would total \$949 billion. In February 1991 after the summit agreement was approved, CBO estimated the 5-year baseline deficit had grown to \$1.174 trillion, an increase of \$225 billion.

Federal spending now exceeds 25 percent of our GNP, the highest level ever with the exception of World War II. This year, domestic discretionary and entitlement spending grew by 9.1 percent and 12.5 percent, respectively, more than double the rate of inflation.

As for strengthening the economy, the \$170 billion of tax increases contained in the agreement helped push our Nation into a serious recession. Higher unemployment stalks now the land. The luxury tax on pleasure boats has plunged the marine construction and maintenance industry into a depression. The CBO, which certainly cannot be accused of being a friend of supply-side economics, estimates that a weaker economy will cause tax collections to fall \$206 billion over 5 years, completely offsetting the additional revenue from the 1990 tax increases.

May 8 was Tax Freedom Day, the day in which the average American stop working to pay Federal, State, and local taxes and start working for themselves and their families. Tax Freedom Day falls 3 days later this year due mainly to the taxes contained in the budget summit agreement.

Mr. Speaker, the budget summit agreement is failure in every aspect. The American people are crying out for relief. The time has come for Congress to recognize its mistake and renounce this heinous legislation. As a first step, I am today introducing a bill to repeal all the budget summit agreement tax increases.

The American people are fed up with high taxes. I urge my colleagues to join with me and speedily enact a repeal of the 1990 tax increases.

#### SADDAM HUSSEIN'S ECOTERRORISM

(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, I rise to focus the attention of the Congress on the environmental damage to the gulf region wrought by Saddam Hussein's ecoterrorism.

Fires continue to rage—spewing tons of toxics into the atmosphere, oil continues to spill—blackening gulf waters and creating lakes of oil on the desert sand. Pollution from this environ-

mental disaster has been detected thousands of miles from the gulf region—in EPA air samples at their Hawaii station, in Black Snow in the Himalayas, in soot northeast of Tokyo and in the upper atmosphere. No one knows what the effects might be on human health, either long term or immediate.

The damage to the environment is of unprecedented scope and yet little has been done to relieve the situation. The dire emergency supplemental appropriation included language for the President to initiate an international agreement for environmental monitoring, assessment, remediation, and restoration of the Persian Gulf region of effects of the recent war.

Sixty Members of this body joined Congressman GILMAN and me on April 19 in sending a letter to the President to encourage his swift action for an international agreement to heal the gulf environment.

Instead of initiating a response to the crisis, the administration has censored information. On January 25, the Department of Energy [DOE] issued a memorandum to control information about the war's environmental effects, advising employees:

The extent of what we are authorized to say about environmental impacts of fires/oil spills in the Middle East follows: "Most independent studies and experts suggest that the catastrophic predictions in some recent news reports are exaggerated. We are currently reviewing the matter, but these predictions remain speculative and do not warrant any further comment at this time.

Despite DOE assertions, a government scientist now claims, "This is the most intense burning source, probably, in the history of the world."

Mr. Speaker, we cannot ignore this crisis. The President was directed to submit a report within 60 days of enactment identifying proposed actions for an international agreement on the environment. June 10 will mark the end of the 60-day period. Nothing has happened to date. As we put the war maps away, let us now map out a plan to restore the gulf region.

#### MOTOR CARRIER SAFETY ASSISTANCE PROGRAM REAUTHORIZATION ACT OF 1991

(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, I am introducing today the Motor Carrier Safety Assistance Program Reauthorization Act of 1991. Two years ago, residents of the Washington metropolitan area heard too often of truck accidents on the beltway or I-270. This legislation, which is a companion bill to S. 631, addresses truck safety, which continues to be a matter of serious concern for many of us who live and work in this region.

The Motor Carrier Safety Assistance Program [MCSAP] was created in 1982 as a part of the Surface Transportation Assistance Act. It is a program, which gives grants to States for motor carrier safety inspections. It has saved lives and reduced accidents involving commercial motor vehicles. It needs to be continued and expanded to allow traffic enforcement activities when combined with a safety inspection to be reimbursable under MCSAP.

It rewards States that demonstrate innovative, cost-efficient programs promoting motor carrier safety and hazardous materials transportation safety. It strengthens enforcement of the commercial drivers license.

Mr. Speaker, I urge support of truck safety issues. MCSAP works. This legislation makes it work more effectively.

#### TRIBUTE TO FRANK DAVIDSON AND RAYMOND BOWER RECIPIENTS OF 1991 MATILDA MANDREY AWARD

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

Mr. SWETT. Mr. Speaker, I invite my colleagues to join me today in honoring two New Hampshireites—Frank Davidson of Greenfield and Raymond Bower of Salem. Tonight these outstanding men will receive the Matilda Mandrey Award in recognition of their exemplary volunteer service.

Frank Davidson is being honored for his work with the mentally retarded. Last year he was "Coach of the Year" for the Special Olympics. As a teacher, he has worked to provide opportunities for handicapped children. Frank has also helped educate the public about the special needs of the mentally retarded.

Raymond Bower has made outstanding efforts with the Scotland Avenue Help the Handicapped Club. Over the past two decades he has raised thousands of dollars which have gone to support a variety of programs for the handicapped and for terminally ill children.

Mr. Speaker, I pay tribute to Frank Davidson and Raymond Bower. They have shown that one person can make a difference in enriching the quality of life for these special handicapped individuals, and they provide an example that all of us should follow.

#### STATE DEPARTMENT AUTHORIZATION BILL SHOULD BE SUBSTANTIALLY REDUCED

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

Mr. DUNCAN. Mr. Speaker, today we will pass the State Department author-

ization bill by a very large margin. I have great respect for all who have worked so hard on this bill, but I must oppose it on fiscal grounds.

This bill contains an increase of more than \$700 million over last year. It contains an 85-percent increase in the foreign buildings account. It has a 9-percent increase in the salary and expense account, and a 17.3-percent increase for the State Department overall.

I know the work of the State Department is important, but our national debt is now over \$4 trillion. The Federal Government is now losing close to \$1 billion a day.

We cannot keep giving all these Federal agencies big increases. We have to start holding the line some place or we are going to cause this Nation's economy to collapse. Our constituents do not want us to keep sending so many billions overseas. I realize \$5.6 billion does not sound like much in the whole scheme of things, but it is enough to give \$100,000 each to 56,000 families across this land.

It is too much to spend on this one bill. This authorization should be decreased substantially.

#### JAPANESE BUSINESSMEN FOUND GUILTY OF BID RIGGING

(Mr. TRAFICANT asked and was given permission to address the House and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, a group of Japanese businessmen were found guilty, stone-cold guilty of bid rigging a \$100 million contract with the Pentagon.

Now, how does that sort of frost your samurai today?

□ 1020

But what is the big news about that, my colleagues? Japanese companies have already been convicted of illegally dumping titanium and steel in our markets, taking away our jobs, wrecking our companies. Meanwhile, Americans cannot even display a bag of rice in Japan, let alone sell it.

Mr. Speaker, now we are talking about free trade with Mexico, fast track. That is not free trade. That is wimp out in America, folks.

If free trade is so great, I ask, "Why doesn't Japan use it?"

In addition, while we are here promoting free trade, Japan is literally bid rigging our assets off.

#### WHALE-EATING ORGY IN JAPAN

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

Mr. RAVENEL. Mr. Speaker, of all God's creatures, the greatest in size and gentleness that have ever lived are the great whales. For years now the people of this world have labored to stop their shameful slaughter. All peo-

ple; that is except, principally, the Japanese, those notorious destroyers of our precious environment. Soon the International Whaling Commission will review their ban on whaling, which of course the Japanese have evaded, cruelly murdering almost 1,200 whales in the last 4 years.

So what do the Japanese do? They recently held a banquet in Tokyo, according to the Associated Press, featuring raw whale meat, pink whale skin, whale bacon, and whale tongue soup. The whale-eating orgy was attended by dozens of politicians and 300 other guests.

Mr. Speaker, I say, "Shame on you, Japan. Shame on you, Japan."

#### FAST TRACK WILL BE BAD FOR BUSINESS

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

Mr. RAHALL. Mr. Speaker, as the debate on the extension of fast track and the Mexican free trade agreement rages on, it is important to review the differences in the way that the United States and Mexico conduct business. As reported to me, there are very few options available for American businesses if they are involved in a legal dispute with a Mexican company or individual. The same holds true if you are an American business person who is trying to initiate a business venture in Mexico. The sad truth is, if you want to conduct business in Mexico, you better be prepared for a business climate as scorching as the desert sands.

If an American business becomes involved in a legal dispute with a Mexican entity, it can become a lawyer's field day. If you sue in an American district or Federal court and are able to receive a judgment, your chances of receiving compensation are slim at best. In the past, Mexico has been extremely unresponsive to foreign judgments, therefore making them virtually unenforceable. If you choose to seek legal action through the Mexican court system, you will have to endure endless delays, exorbitant costs, and the likely possibility that you will never receive any type of compensation. Is this the type of system in which we want to conduct business?

I realize The Inter-American Commercial Arbitration Commission exists to solve international disputes, but how much faith should we put in this organization? Congress should be given the chance to strengthen this organization and make sure Mexican business will adhere to any agreement set down by the Commission. Without the right of Congress to negotiate a free trade agreement, American business will have to take its chances when negotiating contracts with their Mexican counterparts.

Fast track must be stopped. If we continue on our present course and grant the President his extension, too many crucial issues will be swept under the rug. Further scrutiny is needed into what type of changes a free trade agreement will bring. Under fast track, Congress will not be given ample time or the authority to question the ramifications of a free trade agreement with Mexico. We must delay a free trade agreement until we are sure what type of changes such an agreement will bring to the American worker and business person.

#### INTRODUCTION OF THE ECONOMIC RESURGENCE AND JOBS FOR AMERICA ACT

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

Mr. ZELIFF. Mr. Speaker, I come to the floor today to introduce the Economic Resurgence and Jobs for America Act. I am joining more than 40 of my colleagues in introducing this legislation because we believe that this simple legislation is the most effective way to restore strength and vitality to our economy and create thousands of jobs for American workers.

This proposal will reinstate a 5-percent investment tax credit for qualified purchases and reduce the rate of taxation on capital gains to 15 percent. My friends, plain and simple, there is no better way to significantly increase capital investment in our economy, make us more competitive in the international arena, and put America back to work than the investment tax credit.

Investment in our companies will expand operations, make businesses more profitable, allow us to hire more workers and, ultimately, pay more taxes.

Regarding a reduction in capital gains taxation, to those who claim it is a break for the rich, let me share a story with you. Edith Robertson is a 76-year-old retired schoolteacher from Laconia, NH.

After teaching for 40 years she retired and currently has a monthly income of \$1,500.

In 1940 she purchased three lots on Winnisquam Lake and built a summer camp. She now wants to sell that property and move to a retirement home in Florida. In doing so she is going to get socked by the Government—a 34-percent tax on the capital gain.

This ripoff will take away her opportunity to stay self-sufficient.

Edith Robertson never made more than \$16,000 a year and she currently lives on \$1,500 a month—hardly the definition of rich. A moderate reduction of the capital gains taxation rate will help Edith Robertson and millions more like her.

This legislation will replace our current punitive tax system with one that

is progrowth and fair and will ultimately restore strength to our economy and benefit millions of Americans from all walks of life.

#### H.R. 1 SOWS SEEDS OF RESENTMENT, MALICE, AND RACIAL ANIMOSITY

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

Mr. ROHRABACHER. Mr. Speaker, we hear about quotas, we hear people talk about reverse discrimination, which is nothing more than pure unadulterated racism. We hear about racial norming, we hear about political corrupt thought as an excuse for repressing ideas that do not conform to a left-wing vision of America. Mr. Speaker, it is about time the American people reject this liberal nonsense and stand up for fairness and good will for all.

The H.R. 1 quota bill sows the seeds of resentment, of malice, and of racial animosity. It will not help the less fortunate. It should be defeated for the quota bill that it is.

#### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman will state it.

Mr. WALKER. Mr. Speaker, is the President of the United States accorded the same privileges as Members of the House with regard to statements made about their personal views?

The SPEAKER pro tempore. There cannot be personal ridicule of the President of the United States on the House floor.

Mr. WALKER. I thank the Chair.

#### MEXICAN FREE TRADE

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

Mr. GOSS. Mr. Speaker, these days phrases like "fast track" and "NAFTA" are household words in Florida—especially for the State's citrus, vegetable, and sugar growers.

They have legitimate concerns—a trade agreement with Mexico, that does not take into account disparate wage scales, underenforced environmental standards, and unfair competition, could prove disastrous for some of Florida's most important industries. A bad, so-called free-trade agreement is worse than no agreement. But no agreement is far worse than the good agreement we can achieve if we negotiate carefully. This is a tremendous opportunity—to create jobs, open new markets, and strengthen ties with our neighbors.

Mr. Speaker, there has been plenty of confusion. But let us be honest—a vote

for fast track is a vote to continue the process—nothing more. Make no mistake, without fast track, there will be no negotiations, and no trade agreement.

The administration is committed to ensuring a fair deal and listening to the American people. Let's test that commitment—I urge Florida's growers to continue making themselves heard and I urge my colleagues to remember that fast track does not mean we have to sell out American interests in the interests of something called free trade.

□ 1030

#### PEACE PROCESS IN THE MIDDLE EAST STALLS AGAIN

(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, Secretary of State Baker is back in Israel, trying to move the peace process along. He is working hard, but has had little success, and he doesn't seem to be learning from his mistakes. Frankly, I am tired of Mr. Baker's one-sided approach to diplomacy.

Every time the peace process stalls, Secretary Baker reserves his greatest pressure for Israel, when, in fact, Israel is the only nation making compromises.

Israel has made concessions on European participation in the peace conference, release of Palestinian security prisoners, and economic improvements for Palestinians in Israel.

Meanwhile, Mr. Baker has grown very quiet about Arab foot dragging. Only a month ago, the State Department talked as if the Saudis would recognize Israel and lead its Arab allies to the peace table. Now, its time to realize that these promises meant nothing. The Saudis won't even agree to participate fully in a peace conference, let alone work actively for peace in the region.

The administration continues to go forward with plans to resume arms sales to the Arab nations, arms that may be used against our ally, Israel. Israel is also being pressured to cap nuclear weapons production in exchange for a ban on Arab chemical weapons. It is typical of Mr. Baker that he places Arab chemical weapons—weapons which have been used tragically in attacks upon neighboring states—on the same moral plane as Israel's arsenal, which has never been used and would only be used in defense against aggression from those Arab States which refuse to acknowledge Israel's right to exist.

It is high time for Mr. Baker to realize that the Arab nations hold the key to peace in the Middle East. The Camp David accords prove that Israel is will-

ing to compromise if guarantees of her safety are made in good faith. The Arab nations are poised to make such commitments. The Secretary needs to place pressure where it is needed, on Saudi Arabia and Kuwait, not on Israel.

#### MEXICO FREE-TRADE AGREEMENT—AN IMPORTANT VOTE

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

Mr. DREIER of California. Mr. Speaker, 1 week from today we are going to be casting one of the most important votes in a decade. I do not want to go so far as to say it will be the most important vote, but I believe it will be among the top 10. It will be a vote to determine whether or not we are going to unite with our southern neighbors and move ahead by expanding opportunities for consumers to get the best quality product at the lowest possible price, and that is the free-trade agreement.

The question of fast track is not whether or not we are going to sign the agreement but whether or not we are going to allow the negotiators to move ahead and try to bring about a deal that is acceptable to both the United States and Mexico.

This afternoon, following legislative business, I and a number of my colleagues who have been proponents of this will be taking out a special order to discuss some of the details of fast track and the prospects for a free-trade agreement. I encourage not only those who are proponents of fast track but also those who are opponents to join us this afternoon and pose some of the questions that surround this issue. I am convinced that following this time, Mr. Speaker, we will have very strong support for what is absolutely necessary to bring this about, and that is a vote in favor of fast track.

#### FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 147 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1415.

□ 1034

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1415, to authorize appropriations for fiscal years 1992 and 1993 for the Department of State, and for other purposes, with

Mr. NAGLE, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, May 14, 1991, all time for general debate had expired.

Pursuant to the rule, the Committee amendment in the nature of a substitute now printed in the reported bill shall be considered by parts of titles as an original bill for the purpose of amendment.

It shall be in order to consider en bloc amendments offered by the gentleman from California [Mr. BERMAN]. Said amendments en bloc shall not be subject to a demand for a division of the question and may amend portions of said substitute not yet considered for amendment.

It shall be in order to consider en bloc amendments offered by the gentleman from Maine [Ms. SNOWE] or her designee. Said amendments en bloc shall not be subject to a demand for a division of the question and may amend portions of said substitute not yet considered for amendment.

The Clerk will report section 1.

The Clerk read as follows:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1992 and 1993".

EN BLOC AMENDMENTS OFFERED BY MR.

BERMAN

Mr. BERMAN. Mr. Chairman, I offer en bloc amendments authorized by the rule.

The Clerk read as follows:

En bloc amendments offered by Mr. BERMAN:

Page 19, line 14, insert "appropriations and" after "subject to".

Page 25, after line 25, insert the following: "(e) IMPLEMENTATION.—In order to carry out this section, the Secretary of State shall reprogram the position of Deputy Assistant Secretary for South Asian Affairs."

Page 29, line 11, strike "who is not" and insert "unless there is reason to believe that the alien is".

Page 35, strike line 1 and all that follows through line 25 on page 41.

Page 60, after line 12, insert the following:  
SEC. 172. HOUSING BENEFITS OF THE UNITED STATES MISSION TO THE UNITED NATIONS.

(a) REVIEW.—The Secretary of State shall direct the United States Mission to the United Nations to conduct a review and evaluation of policies and procedures for the provision of housing benefits (including leased housing, housing allowance, differential payments, or any comparable benefit) to United States Government personnel assigned to the United States Mission to the United Nations. Such review shall consider the December 1989 recommendations of the Inspector General of the Department of State concerning the housing benefits issue.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a comprehensive report of the findings of such review and evaluation to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Rela-

tions of the Senate. Such report shall include—

(1) a summary of all leased housing policy changes; and

(2) information concerning the implementation of recommendations of the Inspector General for the Department of State in December 1989, including an explanation for not implementing any recommendation.

Page 63, line 24, insert "review and" before "selection".

Page 64, strike line 20, and insert "DELETIONS, AND REVISIONS."

Page 64, line 22, strike "October 1, 1991," and insert "180 days after the date of the enactment of this title."

Page 64, line 24, after "procedures", insert ", consistent with the requirements of the originating agency pursuant to this title,".

Page 65, line 10, strike "Secretary of State" and insert "Historian".

Page 66, after line 10, insert the following: "(2) If the Historian determines that the meaning of the records proposed for inclusion in a volume of the FRUS series would be so altered or changed by deletions made under paragraph (1) that publication in that condition could be misleading or lead to an inaccurate or incomplete historical record, then the Historian shall take steps to achieve a satisfactory resolution of the problem with the originating agency."

Page 66, line 11, strike "(2)" and insert "(3)".

Page 66, strike line 16 and insert "subsection (a)(3) that the selection of documents could".

Page 66, line 21, strike "(3)" and insert "(4)".

Page 67, line 1, strike "(4)" and insert "(5)".

Page 67, strike line 13 and all that follows through line 2 on page 68 and insert the following:

"(1) Nothing in this section shall be construed as requiring access to or publication of information for which the President asserts a claim of privilege under the Constitution or laws of the United States.

"(2) A department, agency, or entity of the United States may withhold information based on a claim of privilege only if explicitly instructed to do so by the President.

"(3) If the President instructs a department, agency, or entity of the United States to withhold information based on a claim of privilege—

"(A) a note to this effect shall be made at the appropriate place in the FRUS series; and

"(B) the President shall notify Congress, in writing, describing the nature of the records in question and the justification for withholding them.

Page 69, lines 6 and 7, strike "Such members shall serve at the pleasure of the Secretary".

Page 72, line 6, strike "Department of State" and insert "United States".

Page 73, line 16, strike "each classified document" and insert "classified documents".

Page 73, strike line 20, and insert "years after preparation of the document."

Page 74, line 8, insert "(1)" before "In".

Page 74, after line 15, insert the following:

(2) If the Secretary cannot reasonably meet the requirements of paragraph (1), the Secretary shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives and indicate how the Department of State plans to meet the requirements of paragraph (1). In no event shall volumes subject to paragraph (1) be published later than 5 years after the date of the enactment of this Act.

Page 82, after line 10, insert the following:  
SEC. 190. REPORT CONCERNING MILLER PRINCIPLES.

(a) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of State shall submit a report to the Congress and to the Secretariat of the Organization for Economic Cooperation and Development, describing whether United States nationals operating industrial cooperation projects in the People's Republic of China and Tibet are—

(1)(A) using goods, wares, articles, and merchandise that are mined, produced, or manufactured, in whole or in part, by convict labor or forced labor, or (B) using forced labor in an industrial cooperation project;

(2)(A) allowing political or religious views, sex, ethnic or national background, involvement in political activities or nonviolent demonstrations, or association with suspected or known dissidents to influence hiring, lead to harassment, demotion, or dismissal, or in any way affect the status or terms of employment at an industrial cooperation project, and (B) discriminating in terms or conditions of employment in an industrial cooperation project against persons with past records of arrests or internal exile for nonviolent protest or membership in unofficial organizations committed to non-violence;

(3) seeking to ensure that methods of production used in an industrial cooperation project do not pose an unnecessary physical danger to workers and neighboring populations and property and are seeking to prevent unnecessary risks by an industrial cooperation project to the surrounding environment, including by consulting with community leaders regarding environmental protection with respect to an industrial cooperation project;

(4) able to use as potential partners in an industrial cooperation project, business enterprises that are not controlled by the People's Republic of China or its authorized agents and departments;

(5) forced to allow a military presence on the premises of an industrial cooperation project;

(6) able to promote freedom of association and assembly among the employees of the United States national;

(7) able to discourage or prevent compulsory political indoctrination programs from taking place on the premises of the operations of an industrial cooperation project; and

(8) able to promote freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media.

(b) DEFINITIONS.—For purposes of this section—

(1) the term "industrial cooperation project" means a for-profit activity the business operations of which employ more than 25 individuals or have assets greater than \$25,000 in value; and

(2) the term "United States national" means—

(A) a citizen or national of the United States, or

(B) a corporation, partnership, and other business association organized under the laws of the United States, any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

Page 98, after line 6, insert the following:  
**SEC. 216. ELIGIBILITY OF NED FOR GRANTS.**

Section 504 of the National Endowment for Democracy Act (22 U.S.C. 4413) is amended by adding at the end thereof the following:

"(j) After January 31, 1993, an individual who is an officer or employee of the Free Trade Union Institute, the Center for International Private Enterprise, the Republican Institute for International Affairs, or the Democratic Institute for International Affairs may not serve as a member of the Board of Directors or as an officer or employee of the Endowment."

Page 100, after line 6, insert the following:  
**SEC. 242. TELEVISION BROADCASTING TO CUBA ACT.**

Section 247 of the Television Broadcasting to Cuba Act (22 U.S.C. 1465ee) is amended by adding at the end thereof the following:

"(c) **AVAILABILITY OF FUNDS.**—Amounts appropriated to carry out the purposes of this part are authorized to remain available until expended."

Page 104, line 12, insert "(a) **REPORT.**—" before "Not".

Page 104, after line 21, insert the following:  
(b) **REPORT ON EXPANSION OF UNITED STATES PRESENCE IN THE SOVIET REPUBLICS.**—

(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report to the Congress on the feasibility of expanding and enhancing the United States presence in the Republics of the Soviet Union. Such report shall consider—

(A) the diplomatic, legal, and economic obstacles to the expansion of United States private sector investment in the various Soviet Republics; and

(B) the establishment in the Soviet Republics of branches of the United States Embassy in Moscow, or other approaches which would meet the desire of certain republics for improved economic relations with the United States.

(2) The report under paragraph (1) shall also consider whether it is feasible and appropriate to appoint a cultural representative to any Soviet Republic which requests such a representative. Such a cultural representative to a Soviet Republic would work to expand United States cultural contacts and citizen exchange programs with the Republic. Cultural representatives would make a concerted effort to foster nongovernmental funding for such exchanges.

Page 104, line 12, inset "(a) **REPORT.**—" before "Not".

Page 104, after line 21, insert the following:  
(b) **REPORT OF U.S. PRESENCE IN THE SOVIET UNION.**—

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall report to Congress on the feasibility of expanding and enhancing the United States presence in the Republics of the Soviet Union. Such a report may include, but shall not be limited to, investigations into diplomatic, legal, and economic obstacles to the expansion of United States private sector investment in the various republics and the establishment of branches of the United States Embassy in Moscow, or other approaches which would meet the desire of certain republics for improved economic relations with the United States. The Secretary shall also include in the report the feasibility and appropriateness of appointing a cultural representative to any Republic of the Soviet Union that requests such a representative to expand United States cultural contacts and citizen exchange programs with

such republic. Such representatives would make a concerted effort to foster nongovernmental funding for such exchanges.

Page 32, after line 18, insert the following:  
**SEC. 133. POSSIBLE MOSCOW EMBASSY SECURITY BREACH.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report on the extent to which United States assets were compromised by Soviet "firefighters" in the March 1991 fire at the United States embassy complex in Moscow. Such report shall include an accounting of the embassy's political, military, communications, and intelligence capabilities, and shall be submitted in classified, as well as unclassified, form.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that the en bloc amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BERMAN. Mr. Chairman, I have introduced and we have before us now a series of amendments authorized by the rule and adopted for this bill, amendments which have been agreed to by the minority, by the gentlewoman from Maine [Ms. SNOWE], and I will just take one moment to specify the specific amendments included in the en bloc amendments.

The first amendment deals with budget authority issues. It is a technical amendment which makes the amounts authorized in this bill subject to appropriations.

The second amendment relating to the Assistant Secretary for South Asian Affairs created by this legislation provides for reprogramming a position in order to create the Assistant Secretary's slot.

The third amendment was requested by the Committee on the Judiciary relating to the automated visa look-out system in title I, section 126 of the bill, which would allow the listing of persons on the basis of reason to believe their excludability.

The fourth amendment is a technical amendment to delete section 144 at the request of the Committee on Ways and Means, a provision regarding retirement and eligibility of Federal employees who transfer to international organizations.

The fifth amendment was originally proposed by the gentleman from Ohio [Mr. KASICH] relating to housing benefits of the U.S. mission to the United Nations. We are including the Kasich amendment in the en bloc amendments, and this new section would require the State Department to conduct the review and evaluation of housing benefits for U.S. Government personnel assigned by the U.S. mission to the United Nations, and a report to the Congress on the results of this study.

The sixth amendment of the en bloc amendments relates to the "Foreign

Relations of the United States" historical series. This amendment provides technical clarification and meets the remaining administration concerns on this subject.

The next amendment is referred to as the "Report on the Miller Principles." The gentleman from Washington [Mr. MILLER] had legislation originally in the bill that was going to be shifted to the foreign aid bill, and instead he has offered it as a substitute and we are including in the en bloc amendments a new section which requires the State Department to report on whether or not human rights principles are being observed in United States industrial cooperation projects in China and Tibet.

The next amendment is an amendment proposed by the ranking minority member of the subcommittee, the gentlewoman from Maine [Ms. SNOWE], relating to the National Endowment for Democracy. This amendment requires that NED phase out the practice of having NED grantees serve as NED board members or employees.

The next amendment relates to TV Marti, and it provides a parallel section authorizing no year funding for TV Marti, the same as we now have in law for Radio Marti.

The next amendment in the en bloc amendments relates to United States presence in Soviet Republics, and it requires that the State Department report on expanding the United States presence in Soviet Republics within 90 days after the enactment of this legislation.

The last of the amendments in this en bloc amendment is the amendment originally proposed by the gentleman from New York [Mr. SOLOMON] regarding a report on the recent fire at the Moscow Embassy. This provision would require a State Department report on the extent of the penetration of the Embassy in Moscow during the recent fire.

Mr. Chairman, that constitutes an explanation of each of the amendments contained in the en bloc amendment. As I mentioned at the beginning, it is my understanding that the minority has no objection to those amendments.

Ms. SNOWE. Mr. Chairman, I rise in support of the en bloc amendments, and I want to concur with the statement of the gentleman from California [Mr. BERMAN], the chairman of the subcommittee, in his statement that we have used en bloc amendments as a means of expediting consideration of this legislation. The minority has supported the provisions that are contained in the en bloc amendments. The en bloc amendments contain a number of technical corrections to the bill that are noncontroversial. They are consensus amendments, and I urge their adoption.

□ 1040

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

Mr. Chairman, I would ask the floor manager, is this the en bloc amendments that would contain the Solomon amendment?

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

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

Mr. BERMAN. Mr. Chairman, the last of the amendments in the en bloc amendments, which I mentioned, specifically includes the exact language that the gentleman from New York is planning to offer as a separate amendment relating to the fire at the Moscow Embassy and requiring a report by the State Department on the extent of Soviet penetration as a result of that fire.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman. If I might be recognized just to speak on that portion of the en bloc amendment for a moment.

Mr. Chairman, on March 28, the Soviet KGB agents posed as firemen and went into the United States Embassy along with other so-called firefighters, only they did not help in putting out the fire. Instead they actually collected documents, secret materials from safes, sabotaged secure telephones and communications equipment items, and removed them from the building.

In fact, one of the KGB agents tried to leave the Embassy with Deputy Chief of Mission John Joyce's briefcase. Some firefighters.

Needless to say, Mr. Chairman, this is an inconvenient moment for the United States' most important asset for monitoring events in the Soviet Union to actually go up in smoke as it did. This, coupled with the fact that the newly built Embassy adjacent to the old Embassy is completely inoperable, which we will be debating a little bit later on this bill, due to all the electronic listening devices that were found embedded in that building. To date, it is not clear what caused the fire that destroyed our Embassy's political, military and our intelligence offices. It is also unclear whether the Soviet Government was involved in the arson or not, and we will not accuse them of it since we do not know for sure.

What is clear is that the Kremlin is the prime beneficiary of this devastating impact this blaze will have on the U.S. Embassy's operations, and that is why I am offering an amendment for a report on possible security breaches.

The amendment will ask that the Secretary of State prepare and submit to this Congress on the extent of United States assets that were compromised by the Soviet KGB firefighters in the March 1991 Embassy fire. This report will include an accounting of the Embassy's political, military, communications and intelligence capabilities, and that is really all it does.

I appreciate the subcommittee chairman and the ranking Republican for accepting this amendment in their en bloc group.

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from California [Mr. BERMAN].

The amendment en bloc were agreed to.

AMENDMENT EN BLOC OFFERED BY MS. SNOWE

Ms. SNOWE. Mr. Chairman, I offer amendments en bloc explicitly made in order under the rule.

The Clerk read as follows:

Amendments en bloc offered by Ms. SNOWE: Strike paragraph (7) of section 101(a).

Strike section 132 and insert in lieu thereof the following:

**SEC. 132. MOSCOW EMBASSY SECURITY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 401(a) of the Diplomatic Security Act (22 U.S.C. 4851) is amended—

(1) in paragraph (4) by striking "Amounts" and inserting "Except as provided in paragraph (5), amounts"; and

(2) by adding after paragraph (4) the following new paragraph (5):

(5) MOSCOW EMBASSY SECURITY.—Of the amounts authorized in paragraph (4), \$130,000,000 shall be available for fiscal year 1993 only for the costs of deconstruction of the partially constructed new chancery of the United States Embassy in Moscow to the basement level and reconstruction of a new chancery on the same site."

(b) EXTRAORDINARY SECURITY SAFEGUARDS.—

(1) In carrying out the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section), the Secretary of State shall ensure that extraordinary security safeguards are implemented with respect to all aspects of security, including materials, logistics, construction methods, and site access.

(2) Such extraordinary security safeguards under paragraph (1) shall include the following:

(A) Exclusive United States control over the site during reconstruction.

(B) Exclusive use of United States or non-Soviet materials and workmanship with respect to the new chancery structure.

(C) To the extent feasible, prefabrication in the United States of major portions of the new chancery.

(D) Exclusive United States control over construction materials during the entire logistical process of reconstruction.

(c) UNITED STATES-SOVIET RECIPROcity CONCERNING OCCUPANCY OF NEW CHANCERY BUILDING.—

(1) Subject to section 151 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989, and paragraph (a) under Department of State, "Acquisition, Operation, and Maintenance of Building Abroad" of Public Law 99-88, the Secretary of State may not permit the Soviet Union to use or occupy the new chancery, protocol, and consular buildings at its new embassy complex in Washington, District of Columbia, or any other new facility in the Washington metropolitan area, until—

(A) the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section) has been completed and the new chancery building for the United States Embassy in Moscow is ready for occupancy; and

(B) The Secretary of State and the Director of Central Intelligence certify, on the basis of the best available information, that the new chancery building for the United States Embassy in Moscow provides a secure working environment for all sensitive diplomatic activities from unclassified but sensitive functions to the most highly classified functions, provides adequate secure or secureable office space for future mission needs, and can be safely and securely occupied by the United States and use for its intended purpose.

(d) CONFORMING AMENDMENTS.—

(1) Section 304 of Public Law 100-202 (The Department of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1988) is repealed.

(2) Section 154 of Public Law 99-93 (The Foreign Relations Authorization Act, Fiscal Years 1986 and 1987) is amended by striking out subsection (a).

(e) EFFECTIVE DATE.—This section shall take effect October 1, 1991.

Ms. SNOWE (during the reading). Mr. Chairman, I ask unanimous consent that the amendments en bloc be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

Ms. SNOWE. Mr. Chairman, the amendment that I am offering, which is called the Snowe-Moscow amendment, would require the complete tear-down and reconstruction of the Embassy in Moscow, and it would replace the so-called top hat approach to security at this most important, most sensitive of all of our posts worldwide.

My amendment would require the Secretary of State and the Director of the Central Intelligence Agency to certify jointly on the security of the structure. It strengthens the existing prohibition on the Soviet access to Mt. Alto facilities until such time as we are able to occupy a new and secure Embassy in Moscow.

Mr. Chairman, I would like briefly for a moment to explain how we arrived at this juncture. I have worked on this issue for 6 years, since then-chairman of the subcommittee, Dan Mica, and I suspended the construction on a new office building when it was determined that the Soviets had fully compromised that facility.

In the last 4 years, we have been reviewing every option and every alternative possible. We gave the Reagan administration the opportunity to review exhaustively all the alternatives, and they recommended tear-down. The Bush administration reviewed it exhaustively and they recommended tear-down.

We even gave money to the State Department, and they reviewed it through an independent contractor and they recommended tear-down. Even in the State Department's budget request this February, they asked in their own words for funds to demolish the existing building and begin construction of a new facility. So we kept returning to

teardown as the best and the only effective method.

I have worked on this issue for a very long time. I have looked at all of the issues. We have had independent review. And I cannot in good conscience stand here today and recommend anything other than teardown. We thought it would be the last resort. That is why we gave the State Department more than 4 years to examine this issue and look at it from all dimensions.

What we need to understand here is that this facility was thoroughly compromised by the Soviets because the State Department gave full and unabated access to the Soviets for complete construction of this building, off-site as well as onsite. Therefore, they were able to develop a very creative approach in compromising this Embassy.

All I can say is they designed it to make it very difficult, if not impossible, to remove the bugging devices. So remember one thing during the course of this debate. This new building is not one which has had listening devices implanted. This building is a listening device.

The top hat proposal keeps the majority of the KGB-bugged Embassy in place, reconstructing only the top floors, and then adding two additional floors to heighten the new office building that is partially constructed. So, one, we have a solution for solution's sake and on the other hand, with teardown, we have the right solution which everybody agrees to.

There have been numerous Central Intelligence Agency reports, time and again. I have had conversations in meetings with analysts within the agency regarding the Embassy. They all support teardown.

Now, I understand that Secretary of State Baker and the Director of the Central Intelligence Agency, Webster, wrote an endorsement of top hat. They said, and I quote:

We have both stated to the Congress that the best solution from a security standpoint would be to avoid the use of the existing Soviet-built structure.

So their endorsement of top hat is lukewarm and backhanded at best.

The fact is that no one can guarantee the security of top hat. Technical analysts still have not fully determined the nature of the bugging devices in the Embassy. Therefore, we have not developed effective countermeasures.

Members should ask themselves this: Should we be willing to cast our vote in favor of an alternative to allow our personnel to continue to work in a KGB-built facility that has already been completely compromised?

The proponents of top hat, including the Secretary of State and the Director of the Central Intelligence Agency, acknowledge that the success of top hat is contingent on one key factor. And as they wrote in their letter to us, and I quote, "Iron-clad security procedural

rules will be followed pertaining to use of the remaining floors." Well, the certitude of that statement simply cannot be had, given the State Department's abysmal record on security. That is the reason why we are in the difficulty that we are in today, because they ignored standard security procedures.

They ignored all the guidance and advice they were given and instructed to be given in terms of building this new office Embassy. In fact, the Department's record on security procedures is so abysmal that in testimony that was provided to the subcommittee on March 21, the State Department's own inspector general cited security failures as the Department's single greatest deficiency. He harshly criticized poor training, poor equipment, poor program focus and, more importantly, apathy toward security at the State Department.

Security simply is not part of the culture, and yet we are told that the success of top hat is contingent upon the Department's commitment to security.

Now, another of top hat's failures is a documented shortage of secure space.

□ 1050

The Intelligence Committee has recommended that we at least need 60,000 square feet. Top hat is a full 20 percent short of that required amount.

So to live with this shortage under the top hat proposal, they will have to use the thoroughly compromised areas of the office building for classified and sensitive materials and also for briefings, and so what we are going to have is a department that is not committed to security. We will have to use areas that have been thoroughly compromised by the Soviets for the conduct of classified and sensitive activities.

Top hat does not provide for expansion in the future. There is no flexibility for the use of classified space over the next 40 to 50 years, and I might add, if it sounds incredulous to you about 40 to 50 years, I will tell you the agreement for the construction of this new office building began back in the 1960's. Construction did not take place until 1980.

Now, proponents of top hat will say it is going to be cost savings, that that is an advantage for that proposal. That is interesting, because the State Department has provided their own in-house estimate of what it is going to cost to provide top hat as opposed to the teardown. The teardown figures have been verified by even an independent contractor, but I might also add that the design work has not even begun on top hat. It cannot begin until this legislation has been signed into law by the President.

Design takes probably 6 months to a year. Design phase for teardown has already begun. In fact, it is well under

way. So I think that the cost savings is not even an argument when it comes to comparing top hat to teardown.

Finally, I would say that when we talk about what we are going to get for our money, we are going to spend \$215 million, according to the State Department, under the top hat proposal to reconstruct four floors, whereas, under the teardown, you get \$280 million for eight secure floors.

Finally, we say a time advantage. Well, again, the State Department said, well, with top hat we can move right in after this fire; we are going to be able to now move into this new Embassy much more quickly, into top hat. They said 4 years and 1 month. But they have not considered the design phase, which takes 6 months to a year. For teardown, it is 5 years, and the design work has already begun, and it is almost completed.

Finally and more importantly, the success of top hat depends on successful negotiations with the Soviets in order to get the additional airspace to heighten the building by two stories. Now, the State Department assures us that the Soviets will not demand access to the Mount Alto facilities, and that is an interesting statement coming from the State Department, because they are already demanding access to the Mount Alto facility.

More arrogantly is that the State Department has already allowed Soviet workers to use the Mount Alto facilities. In fact, they call them construction workers. That is in direct violation of the prohibition that this congress passed a few years ago, and if they are construction workers, I suppose we could say that those were really Soviet firefighters who were tearing out the listening devices in the old Embassy building, trying to abscond with the briefcase and trying to steal classified materials and rifling open safes.

So, Mr. Chairman, what we are talking about here is that in order to get an agreement with the Soviets on the airspace, we are going to have to give something up in return, and the fact is the State Department has already come to this committee and has asked for approval for a practice that they have already permitted the Soviets to engage in.

The CHAIRMAN. The time of the gentlewoman from Maine [Ms. SNOWE] has expired.

(At the request of Mr. BERMAN and by unanimous consent, Ms. SNOWE was allowed to proceed for 3 additional minutes.)

Ms. SNOWE. Finally, Mr. Chairman, I find that the notion of rewarding the Soviets by allowing them access to Mount Alto is perverse and repugnant given the fact of what they did to our new office building in Moscow is going to cost the American taxpayers millions and millions of dollars.

Furthermore, it is what they have done to our personnel that work in the

present building in Moscow. It is a fire-trap. We have had two fires there since 1987, and so it is the Soviets who are responsible for the fact that our American personnel have to continue to work in that Embassy, because we were not able to complete it because of the fact that they have bugged it so completely that we cannot move in to conduct our work in the Soviet Union.

One final point, the Secretary of State and the Director of the CIA both indicated that teardown was the preferred solution. So they are not recommending or endorsing top hat because it is the best solution, the most effective solution, to our problem, or the most secure solution in the conduct of our activities in the Soviet Union. They are recommending top hat because they are saying, "This is the only thing that we can get through Congress." In fact, in their letter to the members of the committee, they said, "Efforts to obtain funding for teardown and rebuild option have been unavailing," so what they are saying is, "Yes, we support teardown, we think that is the best approach, but we do not think that Congress is going to give us the money to do it. So, therefore, we are coming up with a lesser alternative."

I would ask the Members to consider what is right in these circumstances, to look at the facts as I have for 4 years.

Back in 1987, I voted against teardown so that we could respect the process within the Department to come up with the best solution. The burden is on us. They are saying it is up to us. It is our call in terms of what is right, and I am in hopes that we will make the right decision, because ultimately if we make the wrong decision, the burden is going to be placed on Congress' doorstep.

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

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

Mr. BERMAN. Mr. Chairman, I would like just to recognize publicly what I know to be the case, and that is that there is probably nobody else in the Chamber who has spent more time on this subject than the gentlewoman from Maine. She has been the ranking Republican on the subcommittee for 6 years or 5 years, and this issue came up early in that period of time. No one else presently in the chamber has spent as much time on it.

For purposes of just this colloquy, I would like to see if we can establish some parameters for the debate issues that there is agreement on.

The CHAIRMAN. The time of the gentlewoman from Maine [Ms. SNOWE] has again expired.

(At the request of Mr. BERMAN and by unanimous consent, Ms. SNOWE was allowed to proceed for 3 additional minutes.)

Mr. BERMAN. If the gentlewoman will yield further, my first question is: Is it the gentlewoman's understanding, because it is mine from the intelligence agencies in a form that we are allowed to reveal on this floor, that looking at the chart that she has there, that under the top hat proposal, the 48,000 square feet of new secure space with, I noticed, the editorial quotes around the word "secure," compared to the teardown-rebuild proposal, the 60,000 square feet, that there is no dispute that that 48,000 would be as secure as the 60,000? We are keeping the existing foundation and the basement even under the teardown-rebuild option, so as to those two proposals, are they of equal security under the proposals? Is that a fair statement?

Ms. SNOWE. I think that is a fair statement. The problem goes further.

Mr. BERMAN. Is it also not a fair statement to say that in the present deplorable existing office building, the amount of secure space is approximately one-eighth, maybe as much as one-tenth, as little as the proposal under top hat?

Ms. SNOWE. Yes. But that is the problem, is that when this new office building was proposed to be constructed, it was recommended by the Central Intelligence Agency for 60,000 square feet. We have completed a decade in which this building should have been completed. So the point is we are now saying we are going to go to 48,000 square feet for classified purposes.

If we ever want to expand in the future, we are going to have to go down under top hat into the areas that have been thoroughly compromised by the Soviets for the conduct of sensitive activities which I think all of us would say are also important even if they are not classified, because it makes a difference in how you can perform and function as an American in that Embassy.

In addition to that, in order to expand their ability to conduct classified activities, they are going to have to use this area, and I think it is well known that we have not determined how we can develop countermeasures, so we will know that is not always secure.

Mr. BERMAN. If the gentlewoman will yield to me once again, the issue of whether that 48,000 square feet is adequate is certainly an issue that is appropriate for debate and one around which there is controversy.

□ 1100

Ms. SNOWE. But it is part of an 8-story building; in the gentleman's case it is 10 stories, ours is 8 stories. What the gentleman is saying, he is just looking at the four floors, but we have the rest of the building to talk about.

Mr. BERMAN. Well, if the gentlewoman will yield further, I only wanted to try to establish the parameters of this debate.

The CHAIRMAN. The time of the gentlewoman from Maine has expired.

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

Mr. BERMAN. Mr. Chairman, if the gentlewoman will yield further, I want to establish some parameters for the debate; one, which the gentlewoman has already indicated that she feels as well as I do, that the top four floors under top hat have the same level of security protection as the teardown rebuild part.

Ms. SNOWE. We have the recommendation of the CIA on that part.

Mr. BERMAN. Second, that the 48,000 square feet—and we can debate and perhaps will debate whether or not it is adequate—but that it is 8 or 10 times more than the 5,000 or so square feet of present space in the Moscow Embassy.

Ms. SNOWE. But it is less than what was originally proposed 20 years ago; so now we are 20 years later and we are still saying 48,000, which is less than the 60,000 proposed 20 years ago. This agreement was signed in 1972.

Mr. BERMAN. I appreciate that. I do not argue with what was recommended. All I wanted to do was set a framework for the debate, that even under top hat there is a massive, massive increase in the amount of secure space, certainly not as much in the teardown-rebuild option, but a massive multiple increase in space.

Ms. SNOWE. Well, I would say then to the members of the committee that we are now having 48,000 square feet under top hat sitting atop almost 52 or 60,000 square feet that has been thoroughly compromised; so you cannot isolate the top floors from the problem that exists on the bottom floors.

In addition to that, you have got to get obviously the two stories, you have to get an agreement from the Soviets for that additional air space, which is another part of the problem that we have not talked about in terms of time.

Mr. BERMAN. All those points are legitimate to make. They will be amplified further presumably in this debate.

I just simply wanted to indicate to the body that there is a consensus on those two issues, that on both options there is a significant, and under teardown an even more significant, increase in secure space from the existing office building and the issue of the top four floors versus the building, same level of security.

Ms. SNOWE. Well, I would remind the Members that when this new office building was first proposed more than 20 years ago, it was intended to replace the old office building that we are presently in; so now the State Department will continue with that present office building, so there is an abundance of unclassified space, and then we are going to have the new office building of

100,000 square feet and another perhaps 60,000 square feet of unclassified space under top hat; and yet we are going to have so little in terms of secure space, by the recommendations of the Central Intelligence Agency more than 20 years ago, and now we are coming in for less.

This building has to last for 40 to 50 years, and I think people ought to recognize that, in terms of the long-term needs of this country, given the difficulties that we have had in constructing this facility—which began in the early 1960's and we ultimately reached the conclusion of the building in 1980—in terms of construction, it has taken us that long, and that is why we have to go with the most effective way.

In addition, I would also add that under top hat you have to spend \$215 million for four floors, and \$280 million for complete restoration.

AMENDMENT OFFERED BY MR. BERMAN TO THE AMENDMENTS EN BLOC OFFERED BY MS. SNOWE

Mr. BERMAN. Mr. Chairman, I offer an amendment to the amendments en bloc.

The Clerk read as follows:

Amendment offered by Mr. BERMAN to the amendments en bloc offered by Ms. SNOWE:

Page 1, after "Strike paragraph (7) of section 101(a)" insert "and insert the following:

(7) MOSCOW EMBASSY.—Subject to the provisions of section 132, for construction of a new United States Embassy office building in Moscow, Soviet Union, \$130,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal year 1993.

Page 1, strike subsection (a) (lines 2 through 16) and insert the following (and redesignate subsections as may be appropriate):

(a) LIMITATION.—Amounts authorized to be appropriated under section 101(a)(7) shall be available for obligation and expenditure subject to the provisions of this section.

(b) COMPREHENSIVE PLAN.—

(1) Not later than 180 days after the date of enactment of this Act, the Secretary of State, in coordination with the heads of other appropriate Government agencies, shall prepare and submit to the appropriate committees of the Congress, a comprehensive plan which sets forth current and future space requirements for the United States Mission in Moscow and how such requirements will be met.

(2) In addition to such other information as the Secretary of State considers necessary and appropriate, such plan shall include detailed information concerning requirements for:

(A) United States constructed and secure office space to house all classified or sensitive activities from the most secure to unclassified but sensitive functions;

(B) unclassified nonsensitive office functions;

(C) staff housing that is physically safe, secure, and adequate for the needs of the entire United States Mission, both permanent and transient;

(D) secure and unsecured warehousing;

(E) recreational facilities;

(F) expanded activities of the United States Information Agency, including offices and cultural activities;

(G) expanded consular activities of the Mission;

(H) expanded activities of the Foreign Commercial Service/Department of Commerce; and

(I) all other anticipated United States Government space requirements.

(c) IMPLEMENTING DOCUMENTS.—The Secretary of State shall make available to the appropriate committees of Congress copies of all agreements, including memoranda of understanding, exchanges of letters and all other written agreements with the governments of the Soviet Union, the Russian Republic, and the City of Moscow necessary to implement the comprehensive plan under subsection (b).

(d) REPORT.—

(1) Not later than 60 days before the obligation or expenditure of any funds authorized to be appropriated under section 101(a)(7), the Secretary of State and the Director of Central Intelligence shall submit to the appropriate committees of the Congress a joint written report on alternative approaches to the reconstruction of the new office building at the United States embassy in Moscow (as authorized under section 101(a)(7)).

(2) CONTENTS OF REPORT.—The report under paragraph (1) shall contain a detailed comparison of the relative advantages and disadvantages of all alternatives considered with respect to the new office building at the United States embassy in Moscow and shall identify the alternative selected for implementation. Such report shall include an analysis of the following factors:

(A) Estimated cost of completion, based on comparable levels of fit, finish, and equipment.

(B) Estimated time to completion.

(C) Total amount of secure and nonsecure space available for office and other functions.

(D) Whether classified or sensitive functions would be conducted in nonsecure areas, and, if so, how the conduct of such functions would be made secure.

(E) Whether, and to what extent, embassy functions or normal work practices would have to be rearranged in order to accommodate limitations on secure space.

Page 2, lines 2 through 4, strike "under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section)".

Page 2, strike paragraph (2)(B) on lines 13 through 15, and insert the following (and redesignate as appropriate):

(B) Exclusive use of United States or non-Soviet materials with respect to the new chancery structure.

(C) Exclusive use of United States workmanship with respect to the new chancery structure.

Page 2, line 22, strike "Subject to section 151" and all that follows through subparagraph (A) on line 10 of page 3, and insert the following:

The Secretary of State may not permit the Soviet Union to use any new office building at the Soviet Union's new Mount Alto embassy complex in Washington, District of Columbia, or any other new facility in the Washington metropolitan area, until—

(A) the new chancery building for the United States Embassy in Moscow is ready for occupancy;

(B) the Soviet Union agrees to provide full reimbursement (in the form of cash payment, property, or other goods and services of real monetary value) to the United States for costs incurred by the United States as a result of the intelligence activities of the Soviet Union directed at the New United States Embassy in Moscow; and

Page 4, after line 3, insert the following:

(h) DEFINITIONS.—For the purposes of this section, the term "appropriate committees

of the Congress", means the Committee on Foreign Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Intelligence of the Senate.

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

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

There was no objection.

Mr. BERMAN. Mr. Chairman, this is a very complicated and controversial issue. The gentlewoman from Maine in reciting the history that led to the offering of her amendment has indicated on a number of occasions in the subcommittee, in the full committee, in her Dear Colleague letters to the Members of the House and on the floor, both yesterday and again this morning, that both Secretary Baker and CIA Director Webster would prefer the teardown-rebuild option if they could have their way; but that because they have not been able to get the Congress of the United States to support and fund that alternative, they have now in effect capitulated to the realities of the political situation here in the Congress and are offering an alternative called top hat to get this issue off the dime.

The amendment that I have offered says: Let us try and extricate ourselves from what has been a 4- or 5-year debate on what to do about the absolutely deplorable, embarrassing, and really serious situation that now exists in Moscow as a result of the Soviet activities that the gentlewoman referred to, as a result of all the carelessness that took place in earlier efforts to try to deal with this Moscow Embassy.

If this were not such a serious subject, this would be a comedy of errors, starting back in 1969 when the first property agreements were negotiated between the Nixon administration and the Soviets.

My amendment says let us get away from this debate. Even though the administration is now pushing top hat, even though the House Foreign Affairs Committee, with all Democrats and three Republicans supporting it, endorsed the administration's proposal for top hat, let us not risk further paralysis, thereby leaving an absolutely intolerable condition in the existing office building in Moscow, complicated even more by that fire. Let us find what everyone agrees the administration might be able to obligate during the next fiscal year, that is, \$130 million, strike all of the language of the majority in the Foreign Affairs Committee which we put in at the request of the administration directing the top hat alternative, strike the language offered by the gentleman from Maine that recommends the teardown and rebuild alternative, and give the admin-

istration the chance, unfettered by the politics of this place, what the chairman of an Appropriation Subcommittee might think or what the Appropriations Subcommittee chairman on the Senate side might think or what I think or what you think. Let us give them discretion to go with the option that in terms of security and costs and time—and time is very important—that meets our needs. I plan to read a number of reports from the inspector general and others regarding the present conditions in the existing office building, and how terrible it is, and why no American should be assigned to work in these kinds of conditions. It will be years before we are ever able to get out of that condition, and how many years depends on how fast we act. Let us get rid of that whole debate and give the administration the discretion to develop the plan that it thinks meets our needs in all those considerations, security, cost, and time, come back to the Congress with a detailed notification, not for approval by the Congress. We are going to fund them now. We are going to go out there and give them the \$130 million in authorization, and then have the administration come back, notify what they are going to do, certified by the Director of the Central Intelligence Agency and the Secretary of State that this meets our needs in security dealing with classified and sensitive information and then either continue or start new plans.

The options are made. We have two up here, top hat and teardown and rebuild. Others have suggested getting out of this new office building altogether and building a new building. That could take 8 or 10 years, but might provide us the best opportunity for the kind of security that everybody would like to see, but at a tremendous cost to our present situation.

□ 1118

So it could be said in response to this amendment, "Hah, very cute, you just give the discretion to the administration, and when the appropriators come up here, we know what the Appropriations Subcommittee will say.

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

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

Mr. BERMAN. Mr. Chairman, it could be said that when the appropriators come up here, they will put conditions on the language funding top hat or the Senate will put conditions on their appropriations bill funding teardown. Well, I have spoken with the gentleman from Iowa [Mr. SMITH], chairman of the Subcommittee on Appropriations, the gentleman to whom the gentlewoman from Maine has referred as the single largest obstacle to

the administration's preferences for teardown-rebuild, and he has assured me and would say on the floor today, except for the fact that he is at a funeral back in his district and he cannot be here today, that he would hereby pledge and represent to the committee that it is his intention to resist any effort to legislate what option the administration must pursue, either in the bill that comes through the House later in the spring, the appropriations measure or in the conference committee.

He would likewise resist very strongly any effort to legislate the teardown-rebuild option that the gentlewoman from Maine prefers. He is willing at this particular point—and I suggest it is the appropriate thing to do—to meet the gentlewoman halfway. She has said over and over again that the administration, left to its own devices, able to choose, would choose teardown-rebuild. Let us give them the \$130 million so we can get this process off the dime, let them tell us what they decide to do after they prepare their report on the alternatives, and let us move this and not let fiscal years 1992 and 1993 go by with more paralysis, failure to act and embarrassment to the Congress, to the administration, and to the United States, by letting this situation continue.

I think this is an offer made in good faith. This amendment is a perfecting amendment to the gentlewoman's amendment. I would ask her to seriously consider it as a way of letting us come to a conclusion on this issue.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I am somewhat surprised that the gentleman would offer this amendment because, in essence, it is suggesting that we should abdicate our responsibilities as Members of Congress. I know the chairman of the Subcommittee on Appropriations has apparently indicated to the gentleman that he would resist very strongly any attempts to place restrictions on any recommendation that came down from the State Department. We have had that option for quite some time, and he has not ever given that response to the State Department when it has recommended teardown. In fact, in his statement on the floor yesterday he indicated that teardown simply was not an option. So, I see the gentleman's approach as a de facto top hat approach because, obviously, the State Department came in with top down because of the response from the Committee on Appropriations. I mean that is basically why we are here today, and they have said that.

And I think that it is our responsibility as Members of Congress to make a decision.

I think the gentleman can appreciate this because he is a very hard-working, serious Member, well-respected member of this body, that if he worked on an issue for 6 years, he has all the facts, he has had two administrations that have worked on it, he has had an independent analysis all recommending the same proposal, and we are now saying Congress is going to abdicate its responsibility and not vote on this issue. And I am surprised the gentleman would say, "Let the executive branch now make the recommendation, come back to Congress," and we will be where we were originally on this issue.

They recommended in the budget request in January for the teardown.

Mr. BERMAN. Reclaiming my time so that I may be allowed to respond.

I do not understand the gentlewoman's position. The major difference between what I am proposing and what has been done in past years is that nothing has been done in past years. We have had paralysis, we have had roadblocks, we have not funded any option. We have been in a debate about which of many different options is the best option.

I am saying let us finally get off the dime. We are authorizing in my amendment \$130 million in year one, fiscal year 1992, and such sums as may be necessary in fiscal year 1993. The reason we are doing that is we are removing our smaller authorization which was for top hat in fiscal year 1993. The administration has said all we can spend on whatever option we do is \$130 million in 1992. We have taken out the limit on 1993 that would have directed it toward top hat and authorized such sums as may be necessary. The chairman of the Subcommittee on Appropriations, a man who I do not think anyone in this House would suggest has ever said he would do something that he does not do, says, "I will fund that authorization. I will resist, I will forgo the opportunity to legislate my preference—and there is no doubt what his preference is as there is no doubt what the gentlewoman's preference is—" "I will forgo the opportunity to legislate top hat, I will resist any effort by people who have a different view to legislate their alternative, and I will take the gentlewoman at her word in terms of her comments." The administration, given the money, would, the gentlewoman from Maine says, do teardown-rebuild. I do not know that she is right about that suggestion.

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

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

Mr. BERMAN. I do not know that she is right, but I do know that if they are given the money and our process becomes one of being notified do oversight but not direct or block any spe-

cific alternative, that argument goes out the window; the administration is no longer faced with, "How do we get through the appropriations process here? How do we get through appropriations there?"

My position is we should trust the administration, we assume they are going to do something that meets security standards, and we get this off the dime.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I know that the gentleman has worked on a number of issues, whether on the Committee on Foreign Affairs or on the Committee on the Judiciary; but if he worked on those issues for 6 years, I doubt he would recommend sending it back to the Justice Department, for example, on the immigration issue that the gentleman has worked on, because we cannot reach a consensus. We each have a vote here. We have all the facts. There has been a mass of them, time and again for the last 4 years. I say it is now our responsibility to make that decision. I gather that when the gentleman embraced top hat, he agrees to the merits of that proposal. He really has the votes, he is part of the majority. I have got the argument and the merits of my position. Let us debate the issue, let us vote on the issue. I think it is not only abdicating our responsibility; it is an attempt in a political way to shift the burden of responsibility back to the department who had originally recommended the tear-down time and again.

Mr. BEREUTER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the Berman amendment.

Mr. Chairman, I rise in opposition to the perfecting Berman amendment in support of Representative SNOWE's amendment. That support is unwavering. It is rooted in my strong conviction that acceptance of top hat anything other than outright rejection of top hat and moving to a tear down would be yet another in a long series of U.S. decisions to accept unsatisfactory and ultimately disastrous conditions for a new Moscow Embassy.

Since the 1930's, we have, time and again, compromised on our preferred course of action, usually in order to make supposed progress toward completion of a badly needed embassy. Each time, history showed those decisions to be tragically wrong. It is plain that this occasion would be no different. Yet some in this House would, like lemmings, migrate to their own destruction. Stop and think. We must finally learn our lesson. We must finally do what we know to be right, and not settle for a clearly inferior alter-

native, for something that will later cost us dearly. We must not bring down on this House and the Congress the blame for a certain disaster.

Yes, this whole mess started 60 years ago. By the early 1930's, we already judged the current Embassy to be unsatisfactory. In 1934, Ambassador Bullitt wangled from Stalin a promise for prime land in the Lenin Hills—a far better site than the current one. Congress appropriated money, but Soviet negotiators stalled for years; when they finally were softening, we spent our funds elsewhere. We ceded rights to the land in 1939.

It was another 20 years before we again raised the topic, in 1959, 2 years after the Soviets had begun searching for their own site here. It took 3 years to reach agreement in principle on an exchange of sites, and 7 years before we offered them one of the highest points in Washington, notable both for its view and its facilitation of communications intercepts—Mount Alto. In turn, they offered us the site where the unfinished new building now stands. It was definitely less than optimal, and doubtless had been nominated by the KGB for this very reason. We accepted.

For 2 years, we haggled over U.S. insistence that each party have full control of its building site and construction. The Soviets objected to this, and also sought to limit building height—they already had all the height they needed at Mount Alto. We finally agreed to break the impasse by accepting a Soviet proposal to negotiate in two stages: First on site exchange and then on construction conditions. The next year, Mount Alto formally was exchanged for the Moscow property. But then, when it was too late to pull out, the Soviets dug in their heels on construction control, insisting that Soviet labor and materials be used as a matter of "cultural pride" and to preserve the architectural "spirit of Moscow."

After the 1972 Nixon-Brezhnev summit, the White House apparently pressured the State Department to relent and accept a compromise offered by the Soviets: Soviet labor and materials would be used for the basic structure, but we could finish the interior ourselves. The KGB had become confident that the building could be bugged primarily within the basic structural members. We accepted the deal.

There followed lengthy negotiations. These included Soviet rights to use prefabricated concrete. We submitted architectural plans which specified structural components and even identified the future occupants of various offices. Lengthy talks regarding construction costs no doubt gave the KGB more time to finalize plans for attack. The concluding 1979 contract provided for Soviet supply of all structural materials except the brick facing. The Soviets had patiently haggled another 7 years to get most of what they wanted,

and probably also to buy time for the KGB. Ground was broken in 1979. The Soviets took full advantage of provisions allowing them control of their Embassy site, but our security in Moscow was minimal. Their compound here proceeded rapidly, but the Soviet firm doing our work constantly missed deadlines—all the better to allow time for customized work. We permitted them to move into their living quarters well before we had any prospect of completing ours, thereby losing much of our potential leverage to force cooperation.

It has been a decade since we first suspected systemic penetrations of our building, and 6 years since construction stopped. Still we wring our hands, searching for a way to avoid the obvious conclusion—that we should start all over. Not surprisingly, the Soviets have been very forthcoming in expediting top hat. You would be, too, if you had that much investment in custom collection sensors. Under top hat, they can still vacuum up data from six of the original eight floors.

And this House proposes to spend \$215 million to allow them that privilege. One marvels at the phenomenon. One wonders whether we truly have taken leave of our senses.

The State Department fought very hard last year for money to tear down and rebuild, but this House was primarily responsible for blocking it. Having waited six decades, and desperate for a functional and even partially secure embassy, State came back this year with top hat. Maybe there's also some primeval drive to remain true to their legacy. In any case, some members of this House have seemed more than willing to accommodate the fallback, whatever their former concerns about financial probity, security, and common sense. How they could justify it to their constituents I do not know.

But I do know that if, 10 or 20 years from now, a well-placed defector comes in from the cold, he will tell us everything the Soviets implanted there, and the value of the information collected. And then the fingers will wag. The fingers will point at us—that silly House, that unthinking Congress. They blocked the solution consistently recommended by the experts and stuck us with this swiss cheese building, this top hat on a tuning fork. This House will be the fall guy, and rightly so.

The State Department and intelligence agencies have, repeatedly, clarified that they still prefer tear down and that top hat was forced upon them by stubborn congressional resistance to tear down. An intelligence report published in December 1990, reflecting the consensus of all intelligence agencies and the State Department, concluded once again that tear down was the way to go. Why? The report contains a lot of eye-opening de-

tails, but let me quote the overall reasoning:

The New Office Building has serious security vulnerabilities. Soviet Intelligence Services planned and executed a sophisticated technical attack against the building during its construction. Moreover, . . . [the building will continue to be] vulnerable to further technical intrusions.

In other words, this building, like the old Embassy, is intrinsically vulnerable to a technical intelligence attack. It is already laced with sensors, but the Soviets can insert and activate more as they see fit. It is the functional equivalent of a tape recorder. That this House would collude to give the Soviets such a capability is beyond rational comprehension. We are tying a \$215 million bow around their collection package. We will hand it back to them as a gift to be enjoyed for the next 50 years.

So I ask my colleagues: Why not spend \$65 million more, for tear down? For this we will get: a drilling barrier at the foundation, rather than above the sixth floor; completely rebuilt office spaces, free of bugs and built to resist later penetration attempts; and 25 percent more totally secure space, which might be expanded further with much higher confidence and lower cost, if need be.

□ 1120

It is going to be in use for 50 to 60 years. We are going to have 14 to 18 generations of Foreign Service officers working in that lower sixth floor. I am told that security is going to be maintained at an adequate level. I am told it is not important to know who works in the classified section at top hat and who works below. What does that tell the KGB? It tells them far, far too much.

Now let me come finally to the alternative of the gentleman from California [Mr. BERMAN], his perfecting amendment. I recognize the chairman's difficult position. He is trying his best to help the administration with their alternative request. He is doing it in good faith. He has frankly had a difficult job thrust upon him. But what happens with the Appropriations Subcommittee? That Appropriations Subcommittee can be said to be involved in aggressive oversight on matters that relate to embassy construction around the world. Some people would say they are involved in micromanagement.

Mr. BEREUTER. And what happens when future requests go from the State Department for building other embassies? The micromanagement of the aggressive oversight conducted by the Appropriations Subcommittee is going to be something that will surely cause the State Department concern and future difficulties. I ask my colleagues, "Do you think the State Department is really going to go with the tear-down approach when they know what kind of micromanagement the Appropriations Subcommittee has given them in past

on embassy construction and will in the future undoubtedly give them. Now the Appropriations Committee has a legitimate responsibility for oversight. Some people suggest that subcommittees may have gone way too far. Believe what you will but I can tell my colleagues with certainty that the pressure is still, still, on the State Department to go ahead on a top hat proposal under the Berman perfecting amendment. Chairman BERMAN is making a good-faith effort, but it is not the right way to go. Failing to support the unamended Snowe amendment is an abdication of our responsibility in the House and Congress.

Mr. Chairman, my colleagues, we know what is right. This is the authorizing committee, and we ought to do what is right. America and the Executive Branch and the Congress has taken a compromise, second-best, or third-best solution year after year after year, and this is the time to do what the entire intelligence community and the State Department tells us is the proper step, and that is the essence of the amendment of the gentleman from Maine [Ms. SNOWE] to proceed with the teardown approach.

Mr. Chairman, I urge my colleagues to reject the perfecting amendment of the gentleman from California [Mr. BERMAN] and support the amendment of the gentleman from Maine [Ms. SNOWE].

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

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

Mr. BERMAN. Mr. Chairman, I appreciate the gentleman from Nebraska [Mr. BEREUTER] yielding. He makes his case for why he thinks teardown rebuild is better. He asserts again with assuredness that that is what the administration prefers.

Mr. Chairman, we have a letter here from James Baker and William Webster saying " \* \* \* we want to reaffirm the administration's strong conviction that we must move now to complete our new Moscow Embassy chancery. The recent embassy fire underscores the urgency of moving without further delay," et cetera.

□ 1130

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(On request of Mr. BERMAN, and by unanimous consent, Mr. BEREUTER was allowed to proceed for 1 additional minute.)

Mr. BERMAN. Mr. Chairman, if the gentleman will yield further, let me read:

We recognize that this has been a controversial issue. We believe the Top Hat option, as provided for in sections 101(a) (7) and 132 of the bill reported by the Committee on Foreign Affairs, takes account of the full range of views and offers the most promising solution \* \* \*.

So we are saying that you think underlying that letter is there belief that this is the reality on the Hill, that they cannot get anything unless they do top hat. We on the Foreign Affairs Subcommittee are saying that we want the administration to make its decision without any further mandates from Congress about which of the two options, on which there are many arguments on both sides, they wish to undertake. It is condescending and arrogant to say that a majority of the Foreign Affairs Committee, which decided that top hat was acceptable really believed that it was not. That assigns to the majority of the Foreign Affairs Committee a view they did not express. What we are saying is that we are prepared to put aside our belief that top hat makes more sense in order to give the administration the right to divorce this issue from all the wrangling that is going on back and forth.

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has again expired.

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

Mr. BEREUTER. Mr. Chairman, reclaiming my time, the gentleman has been reading a letter from William Webster and the Secretary of State, and if it is the same letter I have seen, the letter makes it quite clear that they are doing this and recommending the top hat teardown approach because the alternative has been denied them by congressional inaction and opposition to the teardown approach. That is what the letter I have says.

Mr. BERMAN. Mr. Chairman, if the gentleman will yield, on May 15, 1991, these two gentlemen sent letters to Speaker FOLEY and Minority Leader MICHEL urging top hat. This amendment that is before us now pulls out all of the top hat language, complicated by the commitment of the Appropriations Subcommittee saying we should let the administration decide.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, I would say to the chairman of the subcommittee that those two individuals who sent us the letter said in the letter I'm referring to, in effect, "Given the fact that you are not going to give us the money, we will take the top hat because we have to go ahead." Furthermore, I do not think it is appropriate for the gentleman to make a suggestion of what this Member thinks the Foreign Affairs Committee and the majority have as their motives. I do not think that appropriate. But I do believe that if we looked for a consensus, if we took the consensus of the Intelligence Committee and we took the consensus of what they would prefer, absent a recommendation from the administration of what they think is right, that would be clearly coming down on the side of the teardown approach.

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has again expired.

(On request of Ms. SNOWE, and by unanimous consent, Mr. BEREUTER was allowed to proceed for 2 additional minutes.)

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the distinguished gentlewoman from Maine for a clarification.

Ms. SNOWE. Mr. Chairman, I first want to congratulate the gentleman for his very thorough statement. I appreciate having his thoughts and efforts on this issue.

I would like to respond to what the gentleman has offered in terms of what the administration wants. I am reading a letter from both Secretary of State Baker and the Director of the Central Intelligence Agency, Mr. Webster, of May 13, 1991, and that states the situation very clearly:

Should the House fail now to support the committee language on Moscow, we could risk an impasse which would prevent us from moving ahead for the foreseeable future.

So it is very clear in this letter that they are saying Congress should make the determination on this issue, and that is what this is all about.

Frankly, I am surprised that the majority of the Foreign Affairs Committee would embrace a proposition and now, not feeling strongly about it, saying, "Let's throw it back to the administration," so we come back then to the same problem that we have had in the past, which is the Appropriations Committee. I thought we had recognized we each have a goal here. Let us make a decision.

Mr. BEREUTER. Mr. Chairman, reclaiming my time for a question to the ranking Republican: I know that in the past it has been suggested that certain Members of the other body were adamantly opposed to a teardown approach, and one of those gentlemen often cited in news accounts was the junior Senator from the State of South Carolina. I am wondering if the gentlewoman would share with the body the contents of the letter that was handed to her today, or at least a portion of it.

Mr. Chairman, I yield to the gentlewoman for that purpose.

Ms. SNOWE. Absolutely, Mr. Chairman, and I thank the gentleman for yielding.

In fact, it is a letter from the Senator to the State Department indicating that—

The intelligence community continues to endorse the tear down and rebuild option as the approach that offers the best future security against Soviet intelligence gathering. Further, as we have learned from the existing situation, the U.S. Government will have to live with the choice we make now for many years to come. We believe that if the taxpayers are being asked to finance over \$200 million for a new embassy building in Moscow, then the U.S. should be building the

best, most secure facility possible. By the State Department's own admissions, the new top hat proposal does not meet these criteria.

Accordingly, the subcommittee did not approve the reprogramming request of the Department.

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has again expired.

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

Mr. BEREUTER. Apparently, Mr. Chairman, if the remarks alleged for the junior Senator from South Carolina in the past were true, we have a convert. He is suggesting that the top hat approach is not the way to go, reprogramming is denied, and the correct way is the teardown approach. This is one more bit of evidence to explain why it is important that we reject the well-intentioned Berman perfecting amendment and do what we think is right and adopt the Snowe amendment.

Mr. Chairman, I urge my colleagues to adopt the Snowe amendment.

Mr. SOLARZ. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, let me first of all pay tribute to the very distinguished chairman of the subcommittee who is managing the first bill he has brought before the House as chairman of the Subcommittee on International Operations. I think he has done an extraordinarily conscientious job.

He has given very careful thought to how best to resolve this very vexing issue, and I think the amendment he has brought before us which perfects the amendment offered by the gentlewoman from Maine [Ms. SNOWE] is Solomonic in its wisdom and provides a basis on which we can move forward toward the resolution of this problem.

I also want to pay tribute to the gentlewoman from Maine [Ms. SNOWE], the distinguished ranking minority member of the subcommittee, who has been absolutely tenacious in her pursuit of her vision of how best to resolve this problem. She is clearly one of the most knowledgeable Members of the House on the question. She has devoted years to trying to get a better handle on it, and I think the vigorous way in which she has promoted her perspective has contributed very significantly to this debate and to the understanding of the members of this committee and of the House on the issue. She has in fact more or less persuaded me that in fact the teardown approach would be better than the top hat approach.

My problem with the amendment she has offered, however—and I am sure she recognizes that this represents no disrespect whatsoever of her—is that it is a classic example in my judgment of the perfect being the enemy of the good.

On one thing all of us can agree on both sides of the aisle and on both sides

of the issue: The status quo in Moscow is utterly unacceptable. The conditions under which our diplomats have to labor are not fit for either man or beast, and it is simply not possible for them to do the kind of job that we ask them to do under these conditions. It is even worse now that this fire has occurred.

I have been there, the gentlewoman has been there, and many Members of the House have been to our Embassy in Moscow. These are old, outdated facilities, and they must be replaced.

So the issue before us today is how to go about replacing them, either with the teardown or with top hat. The wisdom of the approach offered to us by the chairman of the subcommittee, the gentleman from California [Mr. BERMAN] is that it in effect, first of all, authorizes the money. For the first time money for the reconstruction of the Embassy will be enacted into law. Second, it then gives the administration the opportunity to come back and say that it really does prefer teardown after all.

If the gentlewoman is correct, that in their heart of hearts the President, Secretary Baker, and Director Webster and their associates really prefer teardown, the BERMAN amendment gives them the opportunity to come back and say so.

Furthermore, we have an assurance relayed by the gentleman from California [Mr. BERMAN] from the chairman of the Appropriations Subcommittee that if that is what the administration asks for the House passes the Berman amendment, the Appropriations Committee will provide the money necessary for the teardown option.

□ 1140

I have to say that I have a lot of respect for Jim Baker. I have a lot of respect for Bill Webster. I do not think they have been drugged. I do not think they have been duped. I do not think they have been brainwashed. I do not think they have been tortured. They have made a judgment that it is better to move forward with top hat than not to have anything at all.

However, if the Berman amendment is adopted and teardown as well as top hat is now permissible and the money is there to back it up, they will have an opportunity, if in fact they really prefer the teardown option, to say so. At that point, the prospects for actually moving forward with teardown will be greatly enhanced.

I have to say to my very good friends on the other side of the aisle that from their perspective, I truly do not understand their position to the Berman amendment because this is an authorization bill. The most that can realistically be hoped for is that we authorize a formula which will make it possible to move forward with teardown from their perspective. That is exactly what the Berman amendment does.

It authorizes language which will make it possible to move forward with teardown if that is in fact what the administration really prefers.

Now, if the Berman amendment is adopted, the administration comes to the conclusion that it still wants to recommend top hat rather than teardown because they believe the assurances of Mr. SMITH, notwithstanding that if they recommend teardown it will get bogged down in a morass of conflict in the relevant committees and they will end up with nothing. I would have to say that is a legitimate judgment. It is better to have something than nothing.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

Mr. SOLARZ. My only point is that the Chairman's amendment keeps hope alive. It keeps hope alive for those who want teardown. It keeps hope alive for those who believe we should move forward with top hat rather than do nothing at all. And the issue can be definitively resolved very shortly.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman from Maine.

Ms. SNOWE. Again, it just creates more confusion. We are going to develop, with the gentleman's amendment, a further impasse on this issue. It does not resolve the decision.

Let me just quote from a letter from Ivan Selin, from the State Department, who was the one that engineered the top hat proposal, Under Secretary of State for Management. He said in his letter to the chairman of the International Operations Subcommittee on April 19:

Almost a year has passed. In the intervening year design work has begun under the terms of the June 27 notification that we have not been able to obtain congressional support for the administration's preferred option. We have concluded that prospects for obtaining effective support for that option, which is known as Teardown and Rebuild are no better this year. Therefore, I would like to bring you up to date on developments and explain to you how we propose to proceed on design work in the months ahead.

And therefore, they proposed top hat. So they have made their intentions known time and again.

I have never known that our committee has been reticent about taking a position when all the facts are before us. Why not make that decision and give our approval on one alternative or another? I am prepared to take that vote here and now.

Mr. SOLARZ. Mr. Chairman, the gentlewoman raises a very good question. If we really prefer teardown, why do we not go ahead with that? We have never hesitated to make decisions before.

My answer to the gentlewoman is that if we go ahead with teardown, which would mean rejecting the amendment now before us offered by

the gentleman from California, and then adopting the amendment offered by the gentleman from Maine, we run the very real risk of preserving the same paralysis which has prevented us from moving forward before. Because of that point, at that point, if it turns out the administration really prefers top hat, as the gentlewoman knows, it will be almost impossible to get this through the Congress and into law over the opposition of the administration. And we are told that if in fact the gentlewoman's amendment is adopted, the Appropriations Subcommittee will not provide the money to move ahead.

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

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

Mr. BERMAN. Just for a point of clarification, Mr. Chairman, the gentleman indicated that, based on the representation of the gentleman from Iowa, the chairman of the Appropriations Subcommittee, if the administration recommends an option, he will fund it.

Ms. SNOWE. Mr. Chairman, if the gentleman will yield, they have recommended an option.

Mr. BERMAN. The gentleman's representation was actually that he will fund the \$130 million without reference to what option the administration chooses. That appropriations process will be underway long before this bill is on the President's desk.

Look at the situation we are in. We come into a new authorization cycle, and the administration comes and says they would like top hat. New facts are available. In January and February of this year for the first time the Soviets indicated informally and then repeated in formal negotiations that they would be willing to raise the height ceiling for construction in Moscow. So now top hat offers us an adequate, secure alternative to a proposal that at many times in the past but not in every time in the past we have supported—teardown and rebuild—and we might actually get it.

We say, OK, we talked to some of the Members of the minority and they think, let us go with the administration. We want to go with the administration. We want to give them flexibility. And most of all, we want to deal with the terrible conditions and not spend 2 more years abdicating our responsibility.

I will tell the gentlewoman what abdication of our responsibility is. It has been our performance for the past 4 or 5 years as this situation has been battled back and forth between Houses, between parties, Congress versus the administration.

Now we say we will do what the administration wants. We come to the floor and we find ourselves in the anomalous situation of a majority, every Democrat on the House Foreign

Affairs Committee, with some Republican support, saying, let us give the administration what it is now asking for under the changed circumstances, their ability to add new floors and, therefore, have adequate secure space. And we find that for a variety of different reasons, the Republicans, the minority, do not want to support the administration on this issue.

Why? Because they say the administration has been blackjacked. It has been twisted by the appropriators who want top hat so that this top hat recommendation they are giving is not their true, heartfelt, as the gentleman from New York [Mr. SOLARZ] has mentioned, heartfelt suggestion. So we say we will deal, we will deal with this belief.

And we go and we speak to the Appropriations Committee and say, look, this is the situation.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has again expired.

(On request of Mr. BERMAN, and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. BERMAN. Mr. Chairman, if the gentleman will continue to yield, we say we will go through 2 more years without ever getting off the dime if this happens. I can see where this is going. I can see that my colleagues on the majority side are going to come and say, we do not know what teardown-rebuild, top hat, all these options are. We are not construction engineers. You are asking us to support the administration, and the Republicans are out there attacking and bombing it.

They are saying that is not what the administration really wants. So I offer an amendment, and I get the chairman of the Appropriations Subcommittee—who has been supporting top hat and who thinks top hat makes more sense—to say, I will not try to legislate top hat in the appropriations process. I will fund this authorization. Let the administration decide, exercising its good judgment.

As the gentleman from New York has said, these people are not drugged. Bill Webster and Jim Baker are not reckless with national security. The President of the United States is not reckless with national security. Give them the money; have them inform us fully. Then we will not be abdicating our responsibility because our responsibility in the most ultimate sense of the word will have been met.

We are dealing with a terrible security, a terrible health, a terrible workplace situation in the most important mission we have, and we are doing it as expeditiously as possible in a way that stops the paralysis from continuing for 2 more years.

Mr. SOLARZ. Mr. Chairman, I thank the gentleman for returning the time. I am reminded of a statement that was

made by the distinguished Senator, I think from Vermont, Mr. Aiken, who said, "In Vietnam we ought to declare victory and get out."

May I say to the gentlewoman from Maine, she has won a real victory here. If this amendment is adopted, you get an authorization which makes tear-down possible. You have a pledge from the chairman of the relevant appropriations subcommittee that if the administration, pursuant to the adoption of this amendment, requests tear-down, that he will fund it. That is a very significant step forward.

I would hope in the spirit of comity and amity and in recognition of the wisdom and the leadership of the chairman of the subcommittee, we would join hands on this and let this process move forward.

□ 1150

Let this process move forward.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has again expired.

(At the request of Mr. BEREUTER and by unanimous consent, Mr. SOLARZ was allowed to proceed for 1 additional minute.)

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

Mr. SOLARZ. I am happy to yield to the gentleman from Nebraska.

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

The gentleman from New York, for whom I have great respect, wants to know why we cannot accept the Berman perfecting amendment.

This gentleman, speaking for himself, says that the reason is that he believes the power of the appropriations subcommittee over future embassy construction decisions across the whole world will intimidate the State Department to the point that they will accept the top hat approach even with the option that our very understandably frustrated chairman would give them by his perfecting amendment.

Mr. SOLARZ. I thank the gentleman for his observation. I can only say that the Secretary of State who is standing up to the leader of the evil empire surely should be capable of standing up to the benign intentions of the chairman of the relevant appropriations subcommittee.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

#### MESSAGE FROM THE PRESIDENT

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

The SPEAKER pro tempore. The Chair will receive a message.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was commu-

nicated to the House by Mr. McCathran, one of his secretaries.

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

□ 1152

#### FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

The Committee resumed its sitting.

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

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

To shift our responsibility for resolving this issue back to the administration, I think, is appalling, and I rise in strong support of the proposal by the gentlewoman from Maine [Ms. SNOWE].

The Snowe amendment not only provides an appropriate and a secure environment for the State Department personnel in Moscow, but also would prohibit the Soviets from using any of their facilities on Mount Alto in Washington or any other site in Washington until our personnel can occupy a safe and secure site in Moscow.

While I have the greatest respect for the good intentions of the gentleman from California [Mr. BERMAN], I believe it is a relinquishment of our congressional prerogatives and our responsibility to turn this issue back to the State Department which has so woefully mismanaged this proposal for the past 7 years. Moreover, it is appalling that the gentleman from California is asking the Congress to bow to the arbitrary resistance of one subcommittee on appropriations. And that has been the major roadblock for resolving this.

Mr. Chairman, what he is saying is, "Let us agree to allow that subcommittee on appropriations to make the final decisions." This is an important decision. It is worthy of the full consideration by the entire Congress, and let us not shirk that responsibility.

I ask my colleagues to fully examine why the Snowe amendment to tear down and rebuild is so worthy of our full support, and the State Department's so-called Top Hat proposal is so inappropriate.

First, tear down and rebuild is simply more secure. Independent analysis by our intelligence community and two separate interagency studies by experts during both the Reagan and the Bush administrations have repeatedly endorsed the tear down and rebuild proposal as the only sure way to remove the threat of extensive electronic penetration of our new office building in Moscow.

The Top Hat proposal would not only rebuild the top few floors of the structure, leaving in place the bulk of the KGB-built embassy, a second important reason for supporting the Snowe

amendment is because it is more cost effective. The cost of tear down and reconstruct has been thoroughly scrutinized.

The State Department only recently proposed Top Hat and has not yet begun any design work on the concept. Cost estimates for the Top Hat are only rough estimates, probably overly optimistic, and despite this, the proposed \$215 million for Top Hat construction would provide only four secure floors sitting right on top of six penetrated, bugged floors.

For \$280 million, the tear down and rebuild would provide an eight floor, fully secure structure with a great deal more working space that is so sorely needed in Moscow.

It is obvious to many of my Republican colleagues and to some of our colleagues on the other side of the aisle that the best solution to this problem is by starting anew. It is equally clear that the Top Hat proposal was born out of the State Department's belief that Congress would not be inclined to fund a new office building, that a subcommittee on appropriations has been unwilling to go that route for the past few years.

Simply, it is a bad idea. It would result in an insecure facility. Top Hat is penny-wise and dollar-foolish.

I urge my colleagues: Let us not put any icing on a burnt cake. I urge support for the Snowe amendment and defeat of the Berman amendment.

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

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

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

Words are important in all of this, and I implore the minority to, and I will repeat it again, to assess carefully how they characterize the chairman of the Appropriations Committee, the devil in all of this, according to some because he has said, "I think Top Hat is better." By the way, so do I.

But I see the problem of letting 2 more years pass where we go through this paralysis. I will not use the authorization bill to try and mandate my favorite and this is what I think reasonable people should want to do in this situation.

My only request is that the minority party not go against the administration and try to mandate a different alternative.

I will try to convince the Appropriations Committee, and I have talked to, I would say, at least a strong majority of that subcommittee already, and they have every intent of funding our authorization of \$130 million for the administration to do what it decides is best.

The gentleman talked about design. The gentleman was at a briefing on this subject, and we were told that the design work is nowhere near complete

on either option. At a briefing 3 weeks ago, the State Department informed us and our staffs that the first preliminary design work was rejected as unacceptable. The one that we talked about here as being so advanced has already been rejected by the administration. That was on teardown.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has expired.

(At the request of Mr. BERMAN and by unanimous consent, Mr. GILMAN was allowed to proceed for 1 additional minute.)

Mr. BERMAN. Mr. Chairman, if the gentleman will yield further, those cost figures on both options as supplied by the administration are questionable.

In the 1987 trip report, both the gentlewoman from Maine and the gentleman from Florida, Mr. Mica, our former colleague, included both options in their trip report about what might be done. One the issue of Mount Alto, we have the exact same language that the gentleman insists on that prohibits any Soviet occupancy of any of the buildings on Mount Alto until such time as an option is selected, be it the new building, the teardown, be it a newly constructed office building be it Top Hat. So that is no longer an issue, because that is contained in our amendment as well.

So I would suggest, please, do not rely on an argument that may have been accurate on the speculations that existed 2 days ago, but based on these representations from the gentleman from Iowa and what I am saying, the Members can be assured this will get funded. This will not grab up and slap you at the end through the appropriations process. He will fund the \$130 million.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has again expired.

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

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding, and I commend him on his statement, because he has been a valuable member of the subcommittee, and in the past, in fact, was the ranking Republican of that subcommittee, so he is very familiar with the subject before him. I appreciate his support on this amendment.

It is interesting to hear, as the gentleman will acknowledge, the comments made from the chairman of the International Operations Subcommittee. The chairman embraced the top hat proposal.

Why is there a sudden reluctance to vote on these proposals right here and now? That is the issue here. We are

willing to give up our responsibility, and I find it interesting that the majority somewhat very generously now is accommodating the administration views, because the Republicans have been unwilling to support the top hat because it is not the right approach.

The gentleman mentions the report that we made based on the trip back in 1987. That was 4 years ago, and we have had numerous studies.

This issue is before us today to make a choice. We were either prepared to go back and give a blank check and decide what might happen sometime, somewhere in this institution when we are the authorizing committee.

□ 1200

We either decide we are an authorizing committee and do our job that we are capable, I assume, of doing, and move the process on.

I am prepared to cast a vote here and now, top hat versus teardown, based on the facts. I think every Member deserves this. I feel as a Member of this body who has worked on this issue for 6 long years, has the right to have a vote on this issue today because it is the issue that has been recommended time and again from those who should know.

Now, we can imply with words, but every letter that has come from the administration has said that teardown is the preferable option. I would be glad to get Webster's dictionary out there to define "preferred." We know what the situation is. It said on the Committee on Appropriations, and that is where it will go back.

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

Mr. GILMAN. I would like to respond to the distinguished chairman of our subcommittee. If the subcommittee chairman and the Committee on Appropriations is now willing to entertain a decision on either top hat or teardown, then why not abide by the expert decisions that we have already received in our committees? The other side has examined them. I have examined them. From the Committee on Intelligence, from the two expert analysis, from our own administration, that says teardown, and make a decision now, without the necessity for going back to the administration and then coming back to the House and delaying it an additional 6 months to an additional year.

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

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

Mr. BERMAN. I do not wear top hats. I do not, and it is not the look of the building. All I know is I meet with the administration, I get briefed in a classified briefing, and they tell me top hat is preferable because it is cheaper, it is quicker, and it gives adequate security protection for what we need.

Mr. GILMAN. And they will put it in writing that they prefer to teardown.

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

Last year we did not have a debate on this issue because out of respect for the gentlewoman from Maine [Ms. SNOWE] I went along with her recommendations, and subsequently visited the Embassy around the July 4th recess.

I was convinced then that we ought to tear the place down, so we did not have an issue on that. Subsequently, after listening to the facts on the other side and recognizing we have reached an impasse, it seemed to me most appropriate that we should support the Berman amendment, because it gives the administration the opportunity to make the final decision.

Now, President Bush, and I think it was at Princeton, stated that the Members of Congress were getting in his way in the area of foreign affairs, and for what I thought he was referring to me because I had some 14 earmarks in the African bill. I have subsequently eliminated all of them. Now I see he is referring to his own Members because they want to legislate foreign affairs in this piece of legislation.

Now, the gentlewoman from Maine's [Ms. SNOWE] position and the facts stated by her are very credible. No one can question that. She has studied this issue, and she is most deliberate and sincere in her efforts. But the fact of the matter is that this amendment gives the Secretary of State, the President, the National Security Council, the CIA, the opportunity to look at both sides a second time and make the final decision, which is what the President is authorized to do in the area of foreign affairs.

This, in my judgment, is a reasonable compromise and does not detract from the arguments advanced by the gentlewoman from Maine [Ms. SNOWE] because hers is a very credible and factual position. This to me is about the only solution we have.

Now, as to the Embassy, I said in a very cynical manner that the fire may have helped everyone, because that place needs to be torn down. Not the new one; the old. We should tear it down because it is a firetrap and it is a safety hazard. We need to do something. It is a very critical situation, one of the worst embassies in the world. This, in my judgment, provides an opportunity for the administration to move expeditiously and solve this dilemma which we face.

Mrs. MEYERS of Kansas. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the Berman amendment. I think that if we pursue the course of the Berman amendment, we will truly be abdicating our responsibility.

I rise in strong support of the Snowe amendment. The choice between the

alternatives of tearing down the Embassy and rebuilding it or adding the top hat should be made by just using common sense. This decision should be made by Members now, today. We can go with the known commodity that has been recommended to Members by experts, or we can go with the top hat idea that was recommended late in the game because Congress would not provide the funds to do what was right. If we do not make this decision here and now today, we have no true assurance that Congress will provide the funds in the future.

It does not make sense to proceed with occupying an embassy where the walls have so many ears. Other agencies, such as the Department of Defense, have to use the Embassy besides the State Department. At the least, they should be able to have a say as to whether the top hat plan will meet their needs.

We know that building a new embassy will cost \$280 million, whereas the State Department thinks building four new floors will cost \$215 million. It will probably cost more, even if we can get the permission from the Soviets to build the new floors. We have no idea what complications will arise when trying to mate the top hat with what the Soviets have left us. To save perhaps \$65 million, we will get an embassy that is thoroughly compromised, and does not have nearly enough secure space to protect sensitive activities. There is another important thing to remember. Although the Soviets are good at planting bugs, the quality of their construction techniques leave a lot to be desired. How safe is this new Embassy building? If this is a bargain, I have some ocean front property in my district I would like to sell you.

This is not a question of going after the impossible dream of perfect security. The KGB and GRU will continue to try to gather intelligence from our embassy, and occasionally they will succeed. The actions of the KGB as recently as the fire of March 28, when officers went into the burning building to steal classified documents, shows that they will continue to do everything possible to collect intelligence information. But do we have to make it so easy for them? It is the difference between locking your front door when you go on vacation and leaving it wide open with a sign saying, "Help yourself."

Mr. Speaker, the buck is stopping with us. We in this House must bear the responsibility for deciding whether our most important Embassy in the entire world will have adequate security. The administration has covered itself. Read between the lines of the Secretary of State's letter. He says that he would prefer, for security reasons, the teardown option. But in order to get our people out of the inhumane firetrap in Moscow, he will accept the top hat

proposal if that is all Congress will give him, and try to make the security work. The security will not work. We must agree to the Snowe amendment.

We must accept our responsibility. Mr. LAGOMARSINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Berman amendment and in strong support of the Snowe amendment requiring the complete teardown and rebuilding of the U.S. Embassy in Moscow. The present provision, the so-called top hat, which requires only the top two floors of the Embassy be torn down and replaced by four secure floors sitting atop six thoroughly bugged floors, is woefully inadequate at best. I strongly supported the teardown-rebuild option presented by Ms. SNOWE, the ranking minority member of the Foreign Affairs Subcommittee on International Operations, in committee and my conviction that her proposal is the right one has not changed.

There is no question that our new Embassy in Moscow, our most important and sensitive Embassy in the world, has been thoroughly compromised. In fact, we still do not know the full extent of Soviet bugging and we may never know. This building is so embedded with Soviet eavesdropping devices, it is unusable for diplomatic purposes. While the bugging is the fault of the Soviets, the blame for letting it happen lies with the State Department which failed to take even the most basic security precautions. But, rather than dwell on failures of the past, our first priority should be repairing the damage and ensuring similar catastrophes are avoided in the future. The Snowe amendment does just that.

There are two basic, yet serious, deficiencies with top hat. First, the amount of U.S.-built secure space would be woefully inadequate for current needs for classified and sensitive activities, and would allow no possibility for expansion of secure space if our needs should change. Given the Soviet Union's uncertain future and knowing this Embassy will have to serve us for many, many years to come, such restrictions are dangerous as well as foolish.

The teardown-rebuild solution offered by Ms. SNOWE is far more secure. Independent analysts, administration security professionals, the intelligence community, and two separate interagency studies in both the Reagan and Bush administrations have repeatedly endorsed teardown and rebuild as the only way to remove the threat the extensive electronic eavesdropping systems embedded throughout the building pose to classified and sensitive activities.

Top hat places only a few floors on top of a KGB-built structure. It is like building a house on a toxic waste dump and pretending none of the poisons will affect the house and those living in it.

Teardown-rebuild is actually more cost effective, based on thorough scrutiny. Its costs have been examined and reexamined and are based on real designs and proposals. The State Department only recently proposed top hat, and has not yet begun any design work on the concept. I can think of too many examples where guesstimates of cost came out way below actual cost. I believe the so-called savings of top hat are overly optimistic. Even if top hat could be done for the proposed \$215 million per floor. And, they're on top of six thoroughly bugged floors. How many costly upgrades, security protection improvements and so on will be needed? How many millions will these cost over time? Will they ever provide the security we originally envisioned and planned for? Once a lemon, always a lemon. Teardown-rebuild, at \$280 million provides an entire eighth floor, secure structure at only \$35 million per floor. In other words, we trade the lemon in for what we originally ordered.

The issue of secure space is a serious one. Top hat would provide only 48,000 square feet of secure space. Yet, the intelligence community estimates a current need, and I expect future needs to be greater, of 60,000 square feet. The result is the State Department would have to store classified materials and conduct sensitive and classified activities in the lower Soviet-bugged floors. We might as well conduct this business in KGB headquarters or the Kremlin.

What if we have a fire or some other problem in the top-hat area of the new Embassy? We have no alternative place to conduct classified and sensitive business. With teardown-rebuild, we can shift operations around the building to suit any variety of circumstances. The recent fire at our old Embassy clearly highlights the danger of limiting our operational flexibility in terms of secure floor space.

I realize that the State Department vows to maintain ironclad security procedural rules. But, the State Department's own inspector general has identified numerous security failures calling these security disasters the Department's single greatest deficiency. Top hat only encourages more disasters. For example, officers would have refrain from ever typing or producing classified information on the lower floors. Presumably, they would always have to leave their offices and move to the upper floors for this activity. How does that improve efficiency or security?

Good diplomacy requires good security. It is already known that the Soviet Union has bugged floors in our current Embassy building that are not normally considered classified. The bugging of these floors was an extraordinarily expensive undertaking for the Soviets, but they evidently concluded that the value of certain kinds of even

unclassified information justifies the cost. Access of this kind provides important insights into all areas of the U.S. national interest, including economic, trade, and scientific matters. It provides the Soviets with information about our Embassy staff's schedules and personnel information allowing them to identify the duty of each officer and facilitating their recruitment of spies. Further, the Soviets have unrestricted access to our contacts with Soviet citizens, dissident groups, and other organizations. One of the reasons we built a new Embassy was to avoid these exact problems.

For those looking only at budget numbers, how much does it cost when security is compromised? What billion dollar weapons system or important national policy or secret negotiating principle is wiped out when its key component is stolen by the Soviets through their eavesdropping at our Embassy? How much is lost when a key Soviet dissident or movements bringing about positive change in the Soviet Union—change that benefits America requiring less defense spending or greater opportunities for American business—are discredited because of their contacts or the contents of their discussions with United States diplomats? Surely these costs and other like them far exceed the purported savings of top hat. An ounce of prevention, the teardown-rebuild option, is worth 10 pounds of cure.

The second serious deficiency of top hat is that in order to gain Soviet approval to add two extra stories to our Embassy in Moscow, they want immediate and full use of at least one of the three Soviet Embassy office buildings on Mount Alto, although I understand that is covered now in the Berman amendment. In other words, the Soviets completely bug our Embassy making it totally useless, add \$200 to \$300 million in cost to the American taxpayer to partially and then only partially and inadequately fix it, add years of delay forcing us to remain in the unsafe, overcrowded, bugged fire hazard of an Embassy we currently occupy jeopardizing safety and security, and expect Congress to reward them for this outrage by letting them move into their new, secure eavesdropping center on Mount Alto. That is crazy.

I believe we should make the Soviets pay for cleaning up the mess they created in violating our Embassy agreements, not reward them. I understand that already the State Department is allowing the Soviets to use their consular building for housing, in violation of the law. This insult to the American taxpayer must be stopped now.

The bottom line is do we want a safe, secure, and manageable Embassy in Moscow? If the answer is yes, we need teardown-rebuild without further delay. The State Department and the CIA strongly agree that teardown-re-

build is best. Both Secretary Baker and Director Webster reconfirmed in a recent letter that:

The best solution from a security standpoint would be to avoid the use of the existing Soviet-built structure. Efforts to obtain funding for "teardown and rebuild" option, however, have been unavailing.

Hence, the reason the Moscow Embassy debacle continues and could get worse lies with Congress. The administration, urgently needing a new Embassy in Moscow, has proposed top hat only out of desperation that Congress, particularly the Appropriations Committee, will refuse to fund what is right. If we go the route of top hat, Congress—not the State Department, not the CIA—but Congress will be directly responsible for the future security failures in Moscow that will inevitably result. And, the cost of security failures in terms of policy, national interest, taxpayer dollars, and so on is far, far greater than the relatively small cost of teardown-rebuild.

Congressional debate on this issue has already delayed having a new Embassy ready for too long. With either top hat or teardown-rebuild, it will take another 5 years before we can move in. Let's properly and responsibly solve this problem once and for all by enacting the Snowe amendment.

□ 1210

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

Mr. Chairman, I rise in opposition to the Berman amendment and in support of the Snowe amendment.

There is no doubt to anyone who has listened to this debate that we have a deplorable situation. I first stumbled onto this situation in 1987 when we first determined how badly the Soviets had bugged our new Moscow Embassy and how much they were illegally occupying their brand new, shiny, secure, safe, and comfortable embassy on what has to be the most preferred location in Washington, a location from which with electronic eavesdropping devices they can literally listen in to every important conversation in this town, and they are allowed to be there while our people remained trapped in an obsolete rundown fire trap in Moscow.

This is a deplorable circumstance, brought on by the fact that the Soviets defaulted on the deal made in the 1960's that gave them the preferred location and all the rights to build in accordance with their own desires and specifications by bugging our new embassy and turning it into an 8-story microphone plugged into the Politburo. If the Soviets had acted in good faith, we would have been obliged to continue with that deal, but they have broken it all along while our people live in those terrible deplorable conditions where the fires break out and the KGB runs in to save important files, and to hell

with the lives of Americans who serve us in the Soviet Union. That circumstance is due to the duplicity of the Soviets and the complacency of the State Department.

Now, we must do something, and our choice today is the Snowe amendment that says speak on behalf of the American people's preference for freedom over peace, that says to the Soviets, "You cannot continue to occupy that property until you reimburse us for the damage you have done and we have built a new secure facility with American material and manpower."

Or we could vote for the Berman alternative that says, "Trust the State Department."

Now, I have heard what the chairman of the Appropriations Subcommittee would like. I have heard what the Secretary of State would like. I have heard what the recently resigned Director of the CIA would or would not have liked. I have heard what this distinguished chairman would like. I have heard what this ranking Member would like, and I do not care what they would like. I do not cast my vote on their behalf.

The people in my district are angry. We have been had. Because our State Department would rather have peace than fight for freedom and stand up for the rights of the American people, we got a hollow shell full of bugging devices and they got a mansion. We want them out of that property on Mount Alto and we want that mess in Moscow torn down. We want a new safe secure embassy for our people that keeps the Soviets out, keeps their bugging equipment out, and allows us to conduct the business of the American people.

Now, if you want that for your constituents, I would say to you that you must vote down the Berman amendment, because we have seen already in this saga that the Soviets are as willing to heap insult on to injury as the State Department is willing to accept it, and they have accepted it for 20 years over this business of building these embassies.

So now we must assert our vote on behalf of the American people and say to the State Department, say to the committee chairmen, say to the Appropriations Committee, we must have a safe secure embassy for our people, and the Soviets must stay off Mount Alto until we have it, and the only way to have that, to have it entirely safe and secure is to tear down the mess and build a new embassy and do it now.

I say vote "no" on Berman, vote "yes" on Snowe and you will vote for the integrity and the dignity of the American people with respect to embassies.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I appreciate the gentleman's statement.

The CHAIRMAN. The time of the gentleman from Texas has expired.

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

Ms. SNOWE. Mr. Chairman, if the gentleman will continue to yield, I want to congratulate the gentleman on his statement, because he has worked on this issue probably as long as I have and certainly has offered amendments concerning the Mt. Alto facilities.

What I find interesting is that the proponents of the top hat have suggested that one of the advantages of top hat is having these two additional floors, but as the gentleman knows, the Soviets are going to want something in return for those two floors. That agreement is not in print yet. That will have to be developed after the passage of this legislation, so we know what the Soviets want. They want access to Mt. Alto, which I find incredulous, I would say to the gentleman from Texas, for the State Department allowing the Soviets to use the facility, which is in direct violation of the language that was proposed by the gentleman here several years ago.

So the State Department went ahead and said "yes" to the Soviets. We lost the leverage back in 1980. We were supposed to construct our Embassy at the same time the Soviets were constructing theirs here in Washington, DC. What happened is that we fell behind. The Soviets completed theirs with the housing compound. We allowed the Soviets to move in to the housing compound. We lost the leverage to negotiate a fair construction agreement.

□ 1220

And what we ended up with, as the gentleman well knows, is Soviet construction workers. We had no American supervision.

So they constructed this building off-site with prefabricated walls and floors and columns and embedded very sophisticated devices in that building.

This is our problem.

Now the State Department is saying, "Well, yes, you know, with this top hat we will negotiate an agreement with the Soviets." They have said orally they will not ask for anything in their turn. Yet they know full well once we are locked into this top hat agreement we are going to have to give up access to Mt. Alto.

That is what they want. The State Department has already begun to give access in spite of the violation that they have committed by doing so.

So I appreciate the statement of the gentleman and his support on this issue.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ARMEY] has expired.

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

Mr. ARMEY. Mr. Chairman, I want to take a moment to thank the gentlewoman from Maine for her leadership on this issue. Certainly she is absolutely correct. The story is so sordid that all the details cannot be told here.

The fundamental fact is our State Department has repeatedly over the course of these years made bum deals with the Soviets and ignored the requirements of legislation passed by Congress.

If we are going to have a secure Embassy, the fundamental question is do we put our confidence in the complacency of the State Department or trust the gentlewoman from Maine? And I for one would say, should either of the two be selected to build my home, I would entrust it to the gentlewoman from Maine and not the State Department, and I recommend that for the rest of the body as well.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of worlds, and I rise in support of the Ber- man amendment.

Mr. Chairman, I know that I am not going to change anyone's vote, I have got better sense than that.

But many of us have been dealing with this issue for a long time.

So I will just add my remarks for the RECORD.

The CHAIRMAN. The time of the gentleman from Florida [Mr. FASCELL] has expired.

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

We have 139 diplomatic posts operating at top-secret level, 63 at a secret level, 33 at a confidential level, 28 at an unclassified level, for a total of 263.

In not one of those overseas posts, not one, is the entire embassy building approved for the most sensitive national security and communications operations.

We have varying degrees of security in overseas posts to meet different levels of security vulnerability and threat.

The CHAIRMAN. The time of the gentleman from Florida [Mr. FASCELL] has again expired.

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

Mr. FASCELL. I am just about through.

I thank the gentleman for getting this time.

Mr. Chairman, the lower floors will be less secure, but this is consistent with embassy configurations that occur anywhere and everywhere. I do not know of a place anywhere that I have been that did not have the secure areas on the top. We have always had this problem.

So, like other posts, classified conversations will be permitted only in the bubble and, like all other posts, we are going to have our problems.

Now, the security will be somewhat easier because I understand that the department is going to have Americans doing all the building.

So, regardless of which way we go, I agree with the debate that we ought to get to a vote on this thing so Congress gets out of the middle of this, make whatever decision it has to make, put the problem where it belongs, back in the administration's lap, to get the matter resolved internally and externally.

Mr. Chairman, I submit the full text of the letter for the RECORD.

The text of the letter is as follows:

U.S. DEPARTMENT OF STATE,  
Washington, DC, May 14, 1991.

Hon. HOWARD S. BERMAN,  
Chairman, Committee on Foreign Affairs, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: As floor action on the Foreign Relations Authorization Act for FY 1992 and 1993 approaches, I wanted once again to express the Department's appreciation for the assistance that you, the International Operations Subcommittee, the Foreign Affairs Committee and all of the staff have supplied during the process to date. Changes at the full committee markup have generally served to make a good bill better, and we are happy to be able to support most of it. In particular, we are pleased that the Committee has authorized the Administration to build a new chancery in Moscow using its preferred approach of removing two floors and adding four new ones; and that it has authorized full payment of arrearages to International Organizations and for Peacekeeping, with the amounts to be scored over a four year period as funds are made available for payment.

However, we continue to have concerns about certain provisions of the bill. With respect to authorization levels, we are pleased to note that in general they reflect the administration's request. We think, however, that any further reductions could run the risk of major damage to our programs. Where reductions have been made, it is especially important for us to retain maximum flexibility to determine how to absorb them so as to be least harmful, without specific reductions designated in statute or report language. We continue to oppose all earmarks because, in a time of limited budget resources, they limit unduly our flexibility to manage programs.

The Department has particular difficulty with changes in the structure of the confidential fund (sections 101(c)/113), denial of passports (section 112), creation of an Assistant Secretary for South Asia (section 121), changes in the visa lookout system (section 126), transition for refugee shortfalls (section 181), mandates concerning the Foreign Relations of the U.S. Series (section 183), reports on recognition of Israel (section 188) and PLO Commitments Compliance (section 301), and other provisions that infringe the President's constitutional authority (sections 171(b)(1), 184(b)(2) and 185(b)). These are detailed in the attached commentary on each provision of the bill.

As we noted in commenting on the subcommittee version of the bill earlier, we look forward to continuing to work with the Committee and its staff in the spirit of mutual cooperation which has prevailed to date. Naturally, we will provide any assistance possible to facilitate enactment of a sound Authorization Act.

The Office of Management and Budget advises that there is no objection to submission of this report to Congress from the standpoint of the Administration's program.

Sincerely,

JANET G. MULLINS,

Assistant Secretary, Legislative Affairs.

DEPARTMENT OF STATE COMMENTS ON COMMITTEE SUBSTITUTE FOR H.R. 1415, AS REPORTED MAY 8, 1991

Part A. Authorization of Appropriations.

Sections 101-105.—In general, the Department continues to believe that the requested amounts should be authorized, and without earmark limitations when resources are so scarce. Following are specific comments on individual sections.

Section 101. Administration of foreign affairs.—We continue to hope that ways can be found to avoid the \$15.7 million reduction in the FBO accounts and the smaller reduction in S&E in order to fund Committee-sponsored projects, and that any reductions taken not be earmarked. The increase in authorization for the Protection of Foreign Missions and Officials account, since it had to be taken from other priority areas, is of concern, and we cannot support this change. As noted above, the other earmarks in this section also present difficulties, in particular for language training in S&E, which is too high; and \$2,000,000 for enumerated activities in the Emergencies Account, which is too low for these activities (the FY 1990 expenditure level was \$2.4 million). We are also concerned that the reference to \$750,000 for CSCE is substantially higher than our current expectation for the amount required, and that such a figure would create unrealistic expectations of the level of participation required or affordable.

Section 102. International organizations and conferences.—We very much appreciate the Committee's decision to include the full amounts for arrearages in the President's request, for a total of \$1,120,541,000 for CIO and \$201,292,000 for CIPA, with the arrearages made available (and thus scored) in increments over the next four years.

Section 103. International commissions.—There are no problems with this section as drafted.

Section 104. Migration and refugee assistance.—The President's budget request is sufficient to meet the anticipated requirements for refugee assistance and admissions in FY '92. Requirements for Iraqi refugees, beyond contributions already made from FY '91 accounts, are being addressed separately through consideration of supplemental appropriations for FY '91. The Administration opposes the add-on above the request and the earmarking of this account. In particular, we believe that the requirements of the program for refugees to Israel are appropriately addressed in the President's budget request, at \$40 million. This provision would have a serious impact on FY 1992 and 1993 program funds, if we are required to take the extra amount from other proposed refugee activities. Section 104(c) earmarks not less than \$1.75 million additional for assistance to unaccompanied minor children and other cases of special humanitarian concern in both FY 1992 and 1993. The Administration's request includes a sufficient amount for this purpose, and the earmark would be at the expense of other program needs.

Section 105. Other programs.—We continue to believe that the request level of \$15.367 million is appropriate for the Asia Foundation, given other important funding requirements. The 17 percent increase (\$2.63 million)

is particularly objectionable because reductions were made in other accounts to fund it.

Section 111. Consular and diplomatic posts abroad.—This provision is a significant improvement over current law. Inclusion of any restriction in this area infringes the President's constitutional authority with respect to the conduct of diplomatic relations with and recognition of foreign governments. We continue to prefer only the repeal of the current section 122 of the FY '88-'89 Authorization.

Section 112. Denial of passports.—This provision on passports, as elaborated on in report language which seriously mischaracterizes Department of State practice, is ill founded and strongly objectionable. The provision serves no purpose except to generate confusion and litigation.

Section 113. Emergencies in the diplomatic and consular service.—We strongly believe that for effective conduct of the nation's foreign affairs, the Secretary must have a confidential fund for certain kinds of expenses. In particular, we are concerned that mandatory public disclosure of potentially sensitive diplomatic activities can be inimical to the success of U.S. foreign policy and raises constitutional concerns. We similarly are concerned about the hard earmark under section 101 since it is below the level needed to sustain necessary levels of diplomatic activity in this demanding period. The current exhaustive confidential reporting requirements to the Congress provide information necessary to ensure effective oversight of the use of these funds.

Section 114. Lease authority.—We appreciate inclusion of this provision, and the addition at the full committee of an exemption from competition in contracting for FBO leases overseas. We continue to feel that the same exemption should apply to purchases of buildings overseas as well.

Section 115. Multiyear contracting for Moscow.—We appreciate inclusion of this important provision. However, we believe that subsection (d) should be amended to read "(d) SUNSET PROVISION.—The authority to enter into multiyear contracts contained in this section shall cease to have effect after September 30, 1993." Since a multiyear contract entered into under this authority would likely continue in effect and performance after this sunset date, the sunset provision needs to be clarified to ensure that it does not affect contracts awarded prior to the sunset date and, in particular, that the Department may utilize the Foreign Service Buildings Fund to pay any contractual cancellation charges which might arise if out-year appropriations were not forthcoming.

Section 116. Transfers and reprogrammings.—We appreciate the Committee's willingness initially to include the Buying Power Maintenance Account transfer authority in subsection (a), although given the provisions of the BEA we understand it will be deleted on the floor. We hope to continue to work with the Committee to find an acceptable way to accomplish this purpose. We also appreciate inclusion of appropriations transfer authority in subsection (b). With respect to the latter, it would be helpful if the amount that could be transferred could be larger for the small accounts, in particular the Emergencies and ICC accounts. We appreciate inclusion of updated authority to transfer authorization in the second year of a two-year authorization cycle; and of the administration's request to change the threshold for reprogramming from \$250,000 to \$500,000 to conform with the level included in recent appropriations legislation. We con-

tinue to believe that a streamlined approach to reprogramming in the FBO area, by repealing section 401(c) of the Inman legislation and going to quarterly reports for true reprogrammings under strictly controlled conditions would be beneficial. Finally we would also propose that the reprogramming requirement for transfers in emergency situations be modified by inserting at the end of new 24(f)(3): "except that the 15-day period shall apply only insofar as consistent with the emergency nature of the situation." This would allow obligations and expenditures of transferred funds without waiting the full 15 days after a notification is submitted when the emergency so warrants.

Section 117. Administrative services.—We welcome the intent of this section. We think that the phrase "or to protect United States foreign policy interests" should be added in subsection (b)(2) of this amendment to section 23 of the Basic Authorities Act as an additional grounds for a waiver by the Secretary and that current section 23 be amended by deleting everything after the word "service" the second time it appears in the last sentence to avoid confusion.

Section 118. International meetings.—We continue to think that it would be useful to extend the statutory authority to hire without regard to the civil service laws for international meetings. Such authority is currently limited to the ICC account, and we would like to have equally certain authority in other accounts. The Department would continue to apply the Civil Service classification standards in such situations.

Section 119. Child care facilities at certain posts abroad.—We appreciate inclusion of this Administration proposal.

Section 120. Availability of funds.—This technical amendment is as requested.

Section 121. Assistant Secretary of State for South Asian Affairs.—The Department strongly urges deletion of this section. As reported to the Committee in the study mandated by Section 127 of the 1990-1991 Foreign Relations Authorization Act, we believe that the Department's current organization is best suited to provide sound policy management of the important issues arising in this geographic area. A single Assistant Secretary handling both the Near East and South Asia enables us to apply a broad range of resources and to develop sophisticated expertise on such crucial problems as proliferation of weapons of mass destruction, the Islamic revival, and the Afghan issue—all of which involve both the countries of South Asia and those of the Near East. From a management perspective, this would be a much smaller bureau than any of the others by almost any measure, as we have explained in the study mentioned above, and therefore would be inefficient. Finally, this provision exacerbates the problem of creating bureaus by statute, rather than reserving this authority to the Secretary of State, as the Administration has proposed in its draft bill.

Section 122. Fees received for use of Blair House.—We appreciate the Subcommittee's calling our attention to the need for this provision.

Section 123. Foreign Service Institute facilities.—As requested.

Section 124. Maintenance management of overseas property.—We appreciate changes in this provision made in consultation with the Committee, and have no objection to the current version. We think in finding (3) that "insufficient" in place of "neglect of" better describes the situation; and that the word "program" should be added after "specific maintenance" in subsection (b)(4).

Section 125. Defense trade controls registration fees.—As requested.

Section 126. Visa lookout systems.—We understand the intent of this provision and intend to follow its spirit. However, for a number of reasons we cannot comply with it in its current form, and must oppose it as now drafted. The requirement to purge the files can only be accomplished by reviewing individual files spread around the world. The Department does not have the staff to perform this task, especially in view of the new burdens resulting from the Immigration Act of 1990. The remedial provision contained in section 601(c) of that Act represents a carefully considered and workable solution to this problem. In addition, by prohibiting retention of information on aliens who are not "excludable," this provision would prohibit our keeping track of information on people who are, for example, suspected terrorists, narcotics offenders, Nazi war criminals, and intelligence operatives, unless the formal adjudication had already been made that they were in fact excludable. We could also not keep other useful information, e.g., FBI interest in arresting an individual if he or she entered the U.S., Congressional interest in an individual, or pending immigrant visas.

Section 131. Diplomatic construction program.—We appreciate inclusion of this simplifying and cost-saving provision.

Section 132. Moscow embassy construction.—We strongly support the provision included by the full Committee. As we have argued, a firm decision on the approach to be followed is needed as quickly as possible, and the Administration believes that the Top Hat option best meets all of the concerns expressed on this subject. We think any other approach would simply lead to impasse, which must be avoided.

Section 141. Ambassadorial appointments.—As requested.

Section 142. Chief of Mission salary.—As requested.

Section 143. Authority of Secretary to suspend employees convicted of crimes.—We are disappointed that our proposed revisions which would have limited the practice of prescriptive relief for employees facing separation from the Foreign Service and conform Foreign Service practices to those in the Civil Service have been eliminated. We continue to believe that placing the two systems on the same basis is warranted.

Section 144. Retirement eligibility for certain Federal employees who transfer to international organizations.—We believe this section would have facilitated our ability to attract strong candidates for assignments to International Organizations. We understand that it will have to be dropped at this time for jurisdictional reasons, but seek the Committee's support in working with us and other committees to find a mutually-agreed approach to dealing with this issue.

Section 145. Commissary access.—As requested.

Section 146. Storage of personal effects.—As requested.

Section 147. Transportation of remains.—As requested.

Section 148. Amendments to title 5.—We appreciate inclusion of these requested changes, which make minor but helpful changes in a number of personnel and allowance provisions. We have one minor suggestion. We believe that changing 148(e)(3)(B) so that it would add "and such educational services as are provided by the States under the Individuals with Disabilities Education Act" instead of the currently proposed language would eliminate possible confusion

concerning the availability of allowances with respect to pre-school education for disabled children.

Section 149. Voluntary leave bank program.—As requested.

Section 150. Reassignment and retirement of former presidential appointees.—We can accept this provision as drafted.

Section 161. Contributions to the International Red Cross.—As requested.

Section 162. Reform in budget decision-making procedures of the United Nations and its specialized agencies.

(a) As requested.

(b) We have no objection to informing the Congress when it is necessary to withhold contributions pursuant to section 162(a), but would prefer to do so informally as opposed to a formal Presidential notification. The President has made clear his intention to pay previously withheld contributions where legally permissible and the annual appropriation request to the Congress should serve as the basis for Congressional notification as to how much will be paid to each organization each year.

(c) As requested.

(d) This section should be deleted, since Congress will be fully informed through the President's annual appropriation request and any subsequent reprogrammings notifications.

Section 163. Permanent International Association of Road Congresses.—As requested.

Section 164. Report to Congress concerning United Nations secondment.—As requested.

Section 165. International Boundary and Water Commission.—As requested.

Section 166. International fisheries commissions advance payments.—As requested.

Section 167. Japan-United States Friendship Commission.—As requested.

Section 168. British-American Interparliamentary Group.

Section 169. U.S. delegation to the CSCE assembly.—In each case, we believe it important that both House and Senate representatives to these groups be drawn from both major U.S. political parties. We understand this is the intention. As is the case with U.S. travel to other inter-parliamentary fora, funds for each group should be provided through a legislative appropriation.

Section 170. Report Concerning the United Nations Educational, Scientific and Cultural Organization.—We oppose this section as being unnecessary.

Section 171. Inter-American Foundation.—This provision contains the Administration's request with respect to funding. We note that the proposed restrictions on the qualifications of individuals the President may nominate to the Board of Directors of the Foundation infringes both on the President's authority under the Appointments clause of the Constitution, and the role of the Senate in giving advice and consent to presidential nominees.

Section 181. Transition for refugee shortfall.—We are very sympathetic to the idea that operational problems should not lead to a reduction in total refugee admissions. However, we are not comfortable with the idea of singling out any specific category for special treatment. The Administration is extending every effort to resolve the problem of departures of approved refugees from the Soviet Union in FY '91. If these steps are successful, then this proposal would be moot. In addition, the Refugee Act of 1980 gives the President only the authority to set annual refugee admissions levels, a procedure which is working well and does not need to be changed. We can also address some of these

problems in the context of the Administration's consultations with the Congress on the FY '92 refugee ceilings, which begin this year in July. We therefore think this provision is premature and unnecessary, and that it should be dropped for the time being. We are also concerned that there is a danger that the rollover provision might lead FY '92 costs which may be subject to the "pay-as-you-go" provisions of the Budget Enforcement Act.

Section 182. Travel advisory for Jalisco, Mexico.—As requested.

Section 183. The foreign relations of the United States historical series.—While we think the provision in the bill is a substantial improvement over previous versions, we continue to have practical and constitutional concerns with it. The Administration continues to believe that legislation is not necessary in this area, and that the plan we have developed will resolve those problems which have been identified.

Section 184. Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women.—We note that the requirement that the Secretary of State submit to Congress a preliminary version of a report to the United Nations Secretary General infringes the President's constitutional authority with respect to the conduct of diplomacy.

Section 185. Study of visa refusal for U.S. citizens.—We are sympathetic to the aims of the legislation but believe it is unnecessary as the Department of State already possesses information and makes it available publicly to U.S. travelers. The Administration is of course willing to provide this information to Congress. We believe that the problem can best be approached diplomatically, and note that decisions about the conduct of diplomacy are reserved by the Constitution to the President.

Section 186. Study of Technical Security and Counterintelligence Capabilities.—Although we have no objection to this provision, it cannot restrict the President's constitutional authority to protect sensitive diplomatic communications and state secrets from disclosure.

Section 187. GAO Study of the Food and Agricultural Organization.—A technical correction is needed to clarify the jurisdiction of the GAO. The Department has no position on this provision at this time.

Section 188. Reports Concerning Israel.—We strongly oppose this section. The Administration is committed to and actively pursuing the repeal of United Nations General Assembly Resolution 3379 equating Zionism with Racism. Interested members of the Congress are regularly informed of our progress on this issue. We believe, however, that the report directed by this section will focus attention negatively on this effort, making achievement of this goal more difficult. The Administration does not support rescission of United Nations Security Council Resolution 487. The bombing of the Iraqi nuclear reactor in 1981 was an action which the United States strongly opposed. It would be inappropriate to approve it ten years later. We discern no support at all for such an effort among the other members of the council. The United States firmly supports Israeli efforts to gain international recognition, and we continually urge all nations to establish full diplomatic relations with Israel. Again, however, we do not believe that maintaining a running tally as would be required by this section is appropriate or productive. Finally, the Administration strongly supports the recognition of and establishment of full dip-

lomatic relations between Israel and the Arab states, but we believe that a "Report Concerning the Recognition of Israel by Arab Nations" would complicate our intense, active efforts to achieve this objective.

□ 1230

Mr. DORNAN of California. Mr. Chairman, I rise in support of the amendment of the gentlewoman from Maine [Ms. SNOWE].

Mr. Chairman, the American people are now watching the proceedings in this Chamber at ever-increasing numbers. Every day that a home construction project is finished, 999 times out of a thousand a cable television system is installed. There are now 4,031 cable outlets carrying these proceedings, Mr. Chairman, and 801 carrying the Senate Chamber. That is a rolling audience in any given week for the House of about 53.7 million Americans. So let me go over a little history for all those viewers as we discuss this top hat arrangement.

Here is a bird's-eye view of our U.S. compound grounds. Here is the old, rundown building on Chaikovskogo Blvd. across the street from the decaying apartment buildings that have wire screens just above the first floor extending about 12 feet over the sidewalk to keep pedestrians from being hit on the head by falling concrete. Our old U.S. Embassy is not in much better shape, either before or after the fire. Over here, off our compound, are taller Soviet buildings with listening devices. KGB people have been in there for decades with all sorts of binoculars watching everything that goes on at the compound grounds. Over here, of particular interest, is the old Orthodox church, closed down by Stalin in the early 1920's. One team of Americans walked in there once when the guards were on a break and they pushed open a door, and here were all of the KGB functionaries with their headsets on, twirling knobs, listening to everything that went on in our Embassy. The Embassy has a cute name for this church: Our Lady of the Listening Devices, or something to that effect, but when I visited over a decade ago, it was filled with a lot of old government records. In the spirit of perestroika, they ought to give that building back to the Orthodox bishop of Moscow, and let it be a church again. Over here are the newly constructed living quarters, all bugged from top to bottom, so there's no pillow talk in there of a sensitive nature. We believe the entire newly constructed facility is bugged throughout.

This new building, the top hat idea notwithstanding, is an insult to the American people. I hope that some of the tours around Washington take American taxpayers up to Mount Alto, where the new Soviet embassy was built. When I was visiting with a future President of the United States at the old Naval Observatory, the home of the

Vice President, we were standing in front of the house, and I asked, "That new building over the top of the trees, that wouldn't be Mount Alto, would it?"

And this future President said, "It certainly is."

I said, "Well, the two top floors there have a full view here of the Vice President's mansion," and this future President gave them a wave, as if to say, "Hi," and he said, "Oh, yeah, they photograph everybody who comes to see the Vice President here."

He said, "They are probably a few feet back from those dark anodized windows with big, powerful Nikon 1500 millimeter lenses."

Mr. Chairman, that is how high the Mount Alto area is. It dominates the landscape with a direct eyeball view of the vice presidential mansion and all goings-on there.

To think that we could be taken in this way over the past two decades without our great State Department intervening is incredible. I agree with the prior speaker, our distinguished chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], that the State Department is a terrific operation with a lot of dedicated people, but to allow diplomacy to run roughshod over the American people by allowing this beautiful compound up on Mount Alto to be built, while we suffer the indignity of listening posts all around our diplomatic compound in Moscow, with firemen going in purportedly to save our building, but instead stealing classified material, is beyond comprehension.

There will be an amendment submitted shortly by the gentleman from Michigan [Mr. UPTON] to make the Soviets pay for this insult, and although they are broke and do not have enough money to feed their people, the symbolism of such an amendment is very important. So, I not only rise to support the gentlewoman from Maine [Ms. SNOWE], but to support the gentleman from Michigan [Mr. UPTON] in his amendment.

As my colleagues know, the Speaker told me as I held up my cane which I hope to get rid of in a month, we ought to put a cane of some kind to go with the top hat on our Moscow Embassy. Yes, maybe a campanile, like at the San Marco piazza in Venice, a bell tower to restore to Moscow the bells that Trotsky melted down in the Red Army's war—

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

Mr. DORNAN of California. Thereby ushering in 74 years of unbelievable agony for the Soviet people. It is about time we stood up and said, "The games are over. If glasnost is real, if perestroika is real, if you're asking Mr. Gorbachev for a billion and a half dollars to rescue your country from revo-

lution, then let's do the decent thing here: Tear this building down." And if this is not the most sensitive area in the world, the crossroads of the world, I do not know what is, outside of Jerusalem.

Mr. Chairman, we should have the most secure building anywhere in the world right here.

Yesterday I had lunch with probably the most important Soviet defector in the last 12 years. He said he fully expects a revolution in the Soviet Union unlike any ever seen in the world, with no direction, just spontaneous rioting in every city within the next 6 months. So, whether it be 5 years or 4½ years, we probably won't get anything built for a decade due to the utter decay of the Soviet Union. But let us at least send the right signals.

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

Mr. DORNAN of California. Let us send the right signals to the Soviet Union. Let us let not just the American people, but the whole world, know that we have been treated in an ugly, underhanded manner here that has nothing to do with diplomacy. They have this beautiful tourist site facility up on Mount Alto, and we are left with this mess in Moscow, and it is about time we went back to square one and demanded a facility be built that honors the United States of America.

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

Mr. DORNAN of California. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, I think the gentleman from California [Mr. DORNAN] has made a good point. I have been sitting here for the last hour listening to this debate, and I recall having listened to the same debate in a numerous number of Congresses in the past, and apparently we have come to the conclusion that we do not want to really make a decision or come to a conclusion. I do not know whether it is driven by the Office of Management and Budget, the State Department, or CIA, or whoever drives it, or perhaps even our own committees of the House. At this point it seems to me that we need a new embassy. We need a secure embassy, and a country that is spending \$300 or \$400 billion a year on defense spending and intelligence work around the world, it seems to me that in the most secure area of the world where we need that protection, \$200 million, which I think is only \$85 million more or less; that is what we are arguing about. It is time the Congress got off the dime, make the decision.

Mr. Chairman, I rise in opposition of the amendment of the gentleman from California [Mr. BERMAN] and support the gentlewoman from Maine [Ms. SNOWE].

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

Mr. DORNAN of California. Mr. Chairman, there are going to be important decisions made in our Embassy in Moscow by Fighting Jack Matlock, our Ambassador, but his time is about up. Whoever follows him will most likely be the most important and sensitive diplomatic appointment in the last 70 years. There are going to be decisions made on the grounds of this compound over the next decade and indeed, as far as we can see into the future. Even we cannot achieve perfect security, even if the bubble is compromised—which I doubt—or the people that made the bubble, our Embassy should have the highest security of anywhere in the world.

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

Mr. DORNAN of California. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. All I would say to my fellow Members is to just make the supposition that we all knew that our hearing rooms were bugged, or our reception rooms in our offices, and as casual and informal as Americans are, would we want to know that we can only talk in our staff room or our private offices and could not talk in our reception room? It seems to me that sometime over the next 5 or 10 years somebody is going to be in the first six floors of that building and talk about material that could be picked up, could be related, and could be a major breach of security.

Mr. DORNAN of California. Well said.

□ 1240

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

Mr. Chairman, I am pleased that we are finally on the floor today trying to find some resolution to this problem. I commend both the chairman of the subcommittee and the ranking minority member for trying to bring us to this point.

I, too, have been to the Moscow Embassy. I, too, have been in numerous hearings for a number of years now on this particular issue. I think we are now at a time when clearly there has to be a decision and we need to move forward. That was accentuated by the recent fire in the existing building. I do not think there is any question about that.

I think there is consensus on both sides, whatever position we are coming from on the embassy, that we have to have a safe and secure facility to operate effectively, and that there has been great concern about the existing structures. Unfortunately, we do not have a great deal of time to continue this debate from the standpoint that our men and women who are serving in Moscow today are in a greater state of inconvenience and probable risk than they have ever been in.

Now, had the fire not occurred, I am not sure we would have been pushed so

rapidly to this position, because, quite frankly, what the committee is doing is presenting the administration's position.

In the Intelligence Committee, the security people for both the State Department and the intelligence community, including the Director himself, have stated that they have signed off on the top hat proposal, that the top four floors provides them with all the space they envision they will need for the foreseeable future. It is ironic that the chairman of the subcommittee is thwarting the administration's position and the Republicans are arguing that the administration is not as concerned about the overall security. I was amazed when some of my colleagues on the floor were saying, "The State Department," or "Our State Department." The question is, who is the Secretary of State? Who is the Director of Central Intelligence? Who was appointed?

A former DCI made those appointments. Yet when they come forward and say they are satisfied with this position and they are satisfied with the agreement that was reached, they agree that it may not be the best, but that it is time to move on, and it is ironic that they are not supported from the other side.

Having said that, I think the position of the gentleman from California [Mr. BERMAN] is reasonable. We should put it back on the administration and make them come forward with the decision. We can call their bluff, if necessary.

Quite frankly, Mr. Chairman, I am somewhat amazed by this. The Soviet Union is changing dramatically. It may be in chaos as we speak, or it is soon to be in that position. So if we want to wait 6 months, a year, 2 years, or 5 years, it may become irrelevant. Where we ought to be is in the Republics. We ought to have offices in locations throughout that country, because that is where the change is occurring. The change is not occurring in Moscow itself; it is occurring in the Republics. They are the ones that are going to decide the future of that country, and for us to sit around in some ideological litmus test, showing how conscientious we are on this position or that position, and failing to recognize the change in that country and seeing our failure to have offices that we can work with quickly is, I think, missing the point.

We have for the past 40 years overestimated the performance of the Soviet economy. We have underestimated the desire for change by the Soviet people themselves, and yet we sit around deciding as a country whether we want to tear the darned building down or build a new one or add two or three or four floors. I believe that is ridiculous.

If the administration is secure in its position that they believe this top hat

can provide the necessary space to continue operations, then we ought to move forward. If this Congress is so concerned that that cannot occur, then we at least ought to adopt the amendment offered by the gentleman from California [Mr. BERMAN] and force the administration to come back and either say that this is the ultimate position, that this is the best we can do at this time, or it is not. But I believe that for us to go through this so-called litmus test is ridiculous.

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

(On request of Mr. BERMAN and by unanimous consent, Mr. MCCURDY was allowed to proceed for 2 additional minutes.)

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

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

Mr. BERMAN. Mr. Chairman, I appreciate the gentleman's comments, and I thought they were right on the mark.

I think at this point it makes sense for the body to hear from the inspector general who, I know both parties agree, is an objective and independent person who monitors the State Department with rigorous oversight. Let us read what the Inspector General said about the present Moscow Embassy and why it is so important for us to get off the dime here and do something. The Inspector General said this:

Almost everyone in Moscow works amidst dirt, noise, extremes of heat and cold, dust, pollution, power outages, constant disruptions and interruptions. Mission personnel are literally working in a construction site. Security considerations hamper nearly every aspect of living and working in Moscow. Mission personnel operate under a constant microscope of congressional, press, and public scrutiny, as well as intense intelligence efforts by the Soviets.

I am not sure which is worse.

Long hours, aborted weekends, holidays, due to a mounting visitor load, and an unbelievably cumbersome, hostile Soviet bureaucracy create what is referred to as the Moscow syndrome, a grinding, pervasive, and cumulative debilitation of morale deficiency and health. In the collective experience of the inspection team members who have served in more than 60 posts, including many hardship posts in the Third World, Moscow has the most difficult environment of any for efficient administration objectives.

The inspector general goes on to say:

I am not here to carry the Department's water. I am here as an independent IG to tell you a decision must be made to address the situation in the short term. While we sit back and wait for a realization of the perfect long-term situation, the short-term situation is inhumane, unsafe, and insecure.

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

(On request of Ms. SNOWE, and by unanimous consent, Mr. MCCURDY was allowed to proceed for 2 additional minutes.)

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. Mr. Chairman, will the gentleman yield just for a moment so I may finish?

Mr. MCCURDY. I yield to the gentleman from California first.

Mr. BERMAN. Mr. Chairman, let me just say before I sit down that that report was presented by the inspector general on March 21, 1991, in the context of saying that he felt that top hat was an adequate, secure proposal in the context of different options.

Mr. MCCURDY. Mr. Chairman, before I yield to the gentlewoman from Maine, I would like to just say one thing to my distinguished colleague, the gentlewoman from Maine, for whom I have the highest regard and respect: I have not been wedded to either proposal. I know the gentlewoman has invested considerable time in this project.

What amazes me in the early debate is this: The gentleman from California had a map of the actual grounds there, and at one point I suggested that we might just acquire the land in between the existing building and the new building and build another structure there. At the time they said, "Well, that is not possible because of existing structures, and we can't get permission from the Soviet Government."

Since then the city of Moscow has taken over, and they granted us that land. We now have a contiguous site here. What I have argued is that we are going to need space out there eventually, especially if there are economic opportunities in the future, and maybe we should go ahead and do the top hat and then build a new building, and if we want security in that in-between space, we could go ahead and tear the old one down.

But the more we debate this, the more we get involved and the longer it takes, and we are getting nowhere. We have gotten nowhere in 4 or 5 years. I expected a new building in 1985, and I know the gentlewoman from Maine has been working on it for that long as well.

Ms. SNOWE. Mr. Chairman, will the gentleman yield now?

Mr. MCCURDY. I am glad to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I appreciate the gentleman's yielding.

Mr. Chairman, on that last point, that is what I am concerned about, because the new building was supposed to replace the old building. So we are going to have the old building and this new building in whatever form, and if it is top hat, we are going to have to have the additional building because it will not be adequate for the classified space.

Mr. Chairman, let me just make a point concerning the inspector general's report.

□ 1250

Yet I would acknowledge the hazardous conditions. In fact, the subcommittee several years ago wrote a report, after our trip to Moscow, about the difficult working conditions that our American personnel have to work under.

Let me say this: The Inspector General talked to my staff the other day and he said if teardown could win, he would make phone calls urging Members to vote for it, because he thinks that is the better alternative.

I am asking the gentleman from Oklahoma, do you not think that we have an obligation to make a choice here today to vote one way or the other? I know the gentleman from Oklahoma. He is very serious and hard-working. If one has worked on an issue for 6 years, everyone has examined it, every agency, every possible dimension of this issue has been examined, and it comes back to one conclusion. What is the impact? We each have a vote. Let us vote on this issue and move it on.

The amendment of the gentleman from California really is going to get back to where we were at the beginning. We are going to be at an impasse. It is making no decision at all.

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

(By unanimous consent, Mr. MCCURDY was allowed to proceed for 3 additional minutes.)

Mr. MCCURDY. Mr. Chairman, I continue to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, that is the point I think we are all trying to make here today. If you think top hat is the right solution, which obviously the gentleman from California did because he embraced it, so I assumed he examined the merits of that proposal and decided that was the best approach. I on the other hand and members of the Republican side of the Foreign Affairs Committee decided that teardown was in conjunction with the reports that have been made to this Congress in the past. I voted against teardown in 1987 so that we would have an opportunity to make a rational judgment on this issue.

I have waited 4 years, and what we have come to is going back to where we started. I say that we have an obligation as an institution. I prefer to be a Member who takes a stand on an issue. I want to take a stand on an issue.

I have heard from that side in the past, we must take stands on issues. I heard us going back to the administration after we have looked at this issue from every dimension possible.

Mr. MCCURDY. Mr. Chairman, if I can reclaim my time, I would respond, first of all, it is not unusual for us to either face money or provide funds for the administration to come back with a position of what is a final decision.

We do it in Armed Services every day on weapon systems. We do it in military construction. This is not in the jurisdiction of the Intelligence Committee.

We have had hearings, and we have been told that there is sufficient space to secure an area to perform whatever functions that we require.

The President of the United States should make this decision. The gentlewoman from Maine is basically arguing for an ideal position. Great. If that position would be satisfied, if we could reach that, then I would agree. But the fact of the matter is, the other body has not supported that in those committees. For the first time the gentleman from California has offered, because those other committees that have jurisdiction have now said they agree, they will authorize or appropriate the funds once the administration comes back with a decision.

Ms. SNOWE. The administration has made a recommendation, if the gentleman would yield further. They have told us, let us move forward. Why are we afraid to vote on this issue? Why is the gentleman afraid to vote? We are 435. Let us cast our vote and make a decision. What are we afraid of?

I would like to get an answer from that side in terms of what are we afraid of about voting on the issue. We have examined it. We have three examinations. An exhaustive review by the CIA, our counterparts in the Senate, the Senate Intelligence Committee support strongly teardown. So what is the problem here? It is not that the administration has not made a decision.

The administration came back with top hat. They wanted teardown, but there was an impasse in the appropriations. They now recommend top hat. We know what the facts are.

Mr. MCCURDY. Mr. Chairman, I reclaim my time.

What we are only saying here is the administration, yes, the administration came back with top hat. They said that satisfies their requirements. They may ideally want the other, but they know that it takes more than just one house in order to accomplish that. And what we are offering them is this.

We are trying to resolve the impasse here. We are trying to actually resolve it and not further it by having a conflict with the other body. So if you accept the reasonable position of the gentleman from California, who is saying, if the administration believes it, the money is there, then that is the position we will take.

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

(On request of Ms. SNOWE and by unanimous consent, Mr. MCCURDY was allowed to proceed for 1 additional minute.)

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

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

Ms. SNOWE. I did not know we had a problem with the other body. In fact, the other body refused the reprogramming to the State Department on this issue recently. So there is not a problem.

Mr. McCURDY. The problem is, it is not just one body versus the other.

Ms. SNOWE. It is no position.

Mr. McCURDY. Mr. Chairman, we have two separate committees on the other side. We may be violating the rules here. There are two other committees over there that have taken opposite positions. We have had the same here, although we are saying we have an opportunity now, because we have gotten them to agree, to put the money in the one pot. And if the administration says that is what they want to do, at least you have a position of the House in total. Then we can go to the other body and say, look, here is our position. Why do you not do the same?

I think that is the way we resolve it. It is politics. It is compromise.

I know that is difficult to understand. It does not meet the perfect litmus test, but it is reality today. And it is the only way we are going to get a solution to this problem.

AMENDMENT OFFERED BY MR. UPTON AS A SUBSTITUTE FOR THE AMENDMENTS EN BLOC OFFERED BY MS. SNOWE

Mr. UPTON. Mr. Chairman, I offer an amendment as a substitute for the amendments en bloc.

The Clerk read as follows:

Amendment offered by Mr. UPTON as a substitute for the amendments en bloc offered by Ms. SNOWE:

Strike paragraph (7) of section 101(a).

Strike section 132 and insert in lieu thereof the following:

**SEC. 132. MOSCOW EMBASSY SECURITY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 401(a) of the Diplomatic Security Act (22 U.S.C. 4851) is amended—

(1) in paragraph (4) by striking "Amounts" and inserting "Except as provided in paragraph (5), amounts"; and

(2) by adding after paragraph (4) the following new paragraph (5):

"(5) MOSCOW EMBASSY SECURITY.—Of the amounts authorized in paragraph (4), \$130,000,000 shall be available for fiscal year 1992 and \$150,000,000 shall be available for fiscal year 1993 only for the costs of deconstruction of the partially constructed new chancery of the United States Embassy in Moscow to the basement level and reconstruction of a new chancery on the same site."

(b) EXTRAORDINARY SECURITY SAFEGUARDS.—

(1) In carrying out the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section), the Secretary of State shall ensure that extraordinary security safeguards are implemented with respect to all aspects of security, including materials, logistics, construction methods, and site access.

(2) Such extraordinary security safeguards under paragraph (1) shall include the following:

(A) Exclusive United States control over the site during reconstruction.

(B) Exclusive use of United States or non-Soviet materials and workmanship with respect to the new chancery structure.

(C) To the extent feasible, prefabrication in the United States of major portions of the new chancery.

(D) Exclusive United States control over construction materials during the entire logistical process of reconstruction.

(e) UNITED STATES-SOVIET RECIPROcity CONCERNING OCCUPANCY OF NEW CHANCERY BUILDINGS.—Subject to section 151 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989, and paragraph (a) under Department of State.

"Acquisition, Operation and Maintenance of Buildings Abroad" of Public Law 99-88, the Secretary of State may not permit the Soviet Union to use or occupy the new chancery, protocol, and consular buildings at its new embassy complex in Washington, District of Columbia, or any other new facility in the Washington metropolitan area, until—

(A) the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section) has been completed and the new chancery building for the United States Embassy in Moscow is ready for occupancy; and

(B) the Secretary of State and the Director of Central Intelligence certify, on the basis of the best available information, that the new chancery building for the United States Embassy in Moscow provides a secure working environment for all sensitive diplomatic activities from unclassified but sensitive functions to the most highly classified functions, provides adequate secure or securable office space for future mission needs, and can be safely and securely occupied by the United States and used for its intended purpose.

(d) SOVIET REIMBURSEMENT.—The Secretary of State shall seek reimbursement from the Soviet Union of the full costs incurred by the United States as a result of the intelligence activities of the Soviet Union directed at the new United States Embassy in Moscow, including an amount equal to—

(1) \$65,000,000; or

(2) the sum necessary to complete the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section); whichever is greater.

(e) CONFORMING AMENDMENTS.—

(1) Section 304 of Public Law 100-202 (The Department of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1988) is repealed.

(2) Section 154 of Public Law 99-93 (The Foreign Relations Authorization Act, Fiscal Years 1986 and 1987) is amended by striking out subsection (a).

(f) EFFECTIVE DATE.—This section shall take effect October 1, 1991.

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

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

There was no objection.

Mr. UPTON. Mr. Chairman, the Upton substitute is simple and it is fair. The substitute includes the Snowe language and would require that the Soviet Union pay the difference between the top hat and the teardown proposals, which could be as much as \$65 million or more.

The substitute would not further delay the tearing down of the bug-ridden U.S. Embassy in Moscow. It would not stop the construction of a new U.S. Embassy in Moscow as provided for under the original Snowe amendment. And it would not raise the cost of the original committee bill by one penny and would provide the most secure building possible for a new U.S. Embassy in Moscow.

Mr. Chairman, the substitute does not require that the Soviet Union pay the full cost of the new construction of the U.S. Embassy, which some rightly argue that they should. It requires instead that the Soviet Union pay the difference between the two proposals.

The amendment is fair. It is reasonable. The Soviet Union broke the agreement on the construction of the new embassy. They are the ones that bugged it and, damn it, they are the ones that ought to pay for it.

The United States has waited long enough to get this matter resolved, and the Congress has dragged its feet too long. My colleague from Maine indicated that she has been working on this for 6 long years. We know the issues. Let us vote on it, up or down. That is what the American public demands.

Ms. SNOWE. Mr. Chairman, would the gentleman yield?

Mr. UPTON. I yield to the gentleman from Maine.

Ms. SNOWE. I appreciate the gentleman's amendment because I think it is an important amendment. We do not, obviously, know the difference in cost between top hat and the teardown because at this point it is an estimate by the State Department, but it is an important principle because the Soviets ought to reimburse us for the damages that have occurred to this embassy.

This is very unusual. It is very unique. It is costing the American taxpayer millions and millions of dollars. It is certainly consistent with the language that was incorporated in the amendment that I and the former chairman of the subcommittee, Mr. Mica, offered several years ago that would require the State Department to seek reimbursement through the form of arbitration talks with the Soviets to recover some of the damages concerning this new building.

I appreciate the gentleman's effort and it certainly, I think, strengthens the principle here that the Soviets ought to assume responsibility and accountability for the damages that have occurred and prevent our American personnel from moving into a more habitable working environment that has certainly jeopardized the life and safety of individuals who work there, given the two fires that have occurred since 1987.

So again I want to thank the gentleman for his amendment.

Mr. HYDE. Mr. Chairman, I rise in support of the Upton amendment.

Mr. Chairman, I want to preface my brief remarks by commending the gentleman from California [Mr. BERMAN]. Not only is he one of the most useful Members of this House, but he is a creative foreign policy expert. And he has come forward with a very innovative approach to an almost intractable problem. I recognize that, and I commend him for his efforts.

I also want to commend the gentlewoman from Maine who has done heroic work on this very difficult subject, has shown great courage and persistence.

□ 1300

It is not easy disagreeing with your own administration, just as I dare say some on the other side find it not easy to support the administration.

But, in any event, we have a very difficult problem, and I think we should back up for a second and take a fresh look at it. Clearly, the weight of evidence from all of the experts and the people who have studied this is that teardown is the way to go.

Moscow is the most sensitive station on the globe. And this embassy ought to have maximum security.

What is standing between us and maximum security is \$64 million. I would suggest that amount of money drops from the table unnoticed on some of the expensive matters we budget around here. But the difference between top hat, which is a jerryrigged, partial, fractional solution to the problem of security in Moscow, and the teardown is \$64 million. Surely we can find that somewhere. We might even cut a portion of the National Endowment for the Arts budget, just a one-time excision, to help up procure a secure embassy in Moscow should your priorities direct you that way.

This problem is compounded because the State Department has almost thrown in the towel. They have run into the brick wall so many times they have decided that if you cannot get dinner you take an hors d'oeuver, and they believe they cannot get teardown, so they are going to take whatever they can get, which in this circumstance is something we call top hat.

I say that this body has a responsibility to the people who sent us here to provide the most secure embassy obtainable in Moscow, and that means voting for teardown, and so let us vote for teardown. Then let the chips fall where they may.

I think the other body is going to support us. I think there has been a change of heart over there. I know of one prominent Senator who was for top hat before and now is for teardown. In any event, this is not going to be solved here. It is not going to be solved across the Rotunda. It is going to be solved in a conference committee.

We go to a conference committee with some strength if this House is on

record for teardown. So I suggest we go on record for teardown. So I suggest we go on record for teardown with as many votes as we can.

Let us ask the State Department to bite its lower lip for a few weeks while the Congress works its will. But I am hoping that lightning will strike. I am hoping that the Appropriations Committee will come to understand what we understand and that is teardown is the most secure embassy premises we can have. We deserve it. Our people deserve it. Our country deserves it.

We can afford it, and so let us go into conference with some strength, with a position staked out, and I say that with a bow of admiration for the creativity, the inventiveness of the gentleman from California.

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

Mr. HYDE. I am happy to yield to the gentleman from Pennsylvania.

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

Mr. Chairman, I wanted to associate myself with the remarks of the gentleman from Illinois.

In my judgment, anything less than a teardown would be a supreme gamble on our part. Top hat itself, in my judgment, would reconstitute the possibility of whatever they did on the original one and could be done on the top hat portion of the existing building.

Mr. HYDE. Would the gentleman suggest that people who have to visit the top three floors, three floors under top hat, could be identified as intelligence personnel, and those that stayed downstairs be identified as nonintelligence personnel, and would that intelligence help the adversary?

Mr. GEKAS. If the gentleman would yield further, I think I would say yes.

Mr. HYDE. I thank the gentleman.

Mr. GEKAS. I thank the gentleman for yielding.

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

Mr. Chairman, I rise in support of the Berman perfecting amendment. Let me begin by offering a bit of my own credentials on this issue and—in the spirit of “truth in advertising”—telling you where I come from.

First of all, I am a member of the appropriations subcommittee, that body that has supposedly been the problem on this issue here in the House of Representatives.

Second, I have supported the ideal of a partial teardown since I have had an opportunity to look at this and get involved in this issue.

The third point I want to make is I have not spent as much time as the gentlewoman from Maine, who has done admirable work on this, and certainly knows the issue very well.

But I have been over there twice to look at our Embassy, and I have been involved in this for 3 years; I've attended countless briefings and meet-

ings here in the United States, meetings in my office, classified briefings before our subcommittee on this issue. So, I think I have some knowledge of where we are coming from on this.

I have always believed that the partial teardown and rebuild makes more sense from the standpoint of time and money. I have been over to that Embassy. It is a miserable situation. The conditions they are working in are miserable, and we need more secure space.

The most compelling argument for the partial teardown, now we are calling it top hat, is that it gets the job done more quickly. Yes, in an ideal world, we should tear down the whole building. In an ideal world, we probably should build the Embassy somewhere on the Moon, I suppose, or certainly out in the middle of Siberia where we would not be close to any other kinds of buildings or sewers or any other kinds of underground infrastructure. But we do not live in an ideal world in the Soviet Union. It is not a perfect world.

I believe it is a fact that the partial teardown option we are talking about here today can give us the kind of security that we need to do our secure work in the Soviet Union. It also gives us almost as much space, not quite as much, but 80 percent as much of the secure space that we would get with a complete new building. But the most compelling reason is the time we would save and only secondarily is the money we would save.

So I believe top hat is the better approach. However, I have said, and I have said before in the subcommittee, and I have said to the people from the State Department, I said that we have got to get off the dime on this. If the only thing we can do is tear it down and rebuild it, I will support that. Let us get going with some plan for a new building.

But we don't have a consensus for a new building, so here we are faced once again with this problem. If the Snowe amendment were to pass, we are going to be right back in the same impasse. That is why I think the Berman amendment, which my colleague from California has offered, is a reasonable approach to this thing.

It says let us get this impasse off the back of the six committees and the Congress of the United States, three in the Senate, three in the House, where we cannot get together on this thing. Let us get this off our back and give the decision back to the administration.

I can only speak absolutely for myself, but I believe that I know what the other members of the appropriations subcommittee in the House of Representatives will do with this issue, and I know the commitment the chairman has made. The commitment is that we will fund this construction. We will fund it regardless; we will not fund

it and write language in that says it has to be the partial teardown, the top hat proposal. We will allow the decision to be made by the intelligence community and the State Department. Let them make the decision. Put it back in the hands of the experts. Take it out of Congress where the impasse is very clear.

It is for that reason that I believe that we must do this.

Let me also add that if there ever was any question about this issue, the last fire that we experienced this spring ought to have made it very clear that we need to do something and do it quickly. We cannot occupy anything but a very small part of our old Embassy. All the secure work is now being done in the basement underneath the new facility that we cannot occupy.

As Ambassador Matlock told us in our briefing, if we were to do the total teardown, he would have to vacate that space. There would be no place, no place for them to do the work during the interim of the 5 years we are talking about of tearing down and rebuilding an entire new building.

So, I think the arguments are compelling for top hat, but I am prepared to let somebody else make that decision. If it is better for us to somehow work out in the open in tents or work around the swimming pool or in the bowling alley over there, then OK, we will do that, and we will tear the whole thing down. We will get it out from under Congress where the decision can't be made. It does not have to be made wondering whether or not Congress will fund this option or that, because there is a commitment to fund whatever the administration decides is the best approach.

For those reasons, I argue in favor of the Berman amendment and hope that it will be adopted.

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

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

Mr. BERMAN. Mr. Chairman, I appreciate very much the gentleman's remarks, and I think he has articulated the reason behind my amendment.

It is to try and come to some kind of compromise to get this thing going because of the deplorable conditions that now exist at our Embassy in Moscow.

I think it is important to point out that the gentleman from Michigan [Mr. UPTON] has offered an amendment as a substitute for the amendment offered by the gentleman from Maine [Ms. SNOWE] which essentially embodies the Snowe amendment, proposing teardown.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. KOLBE] has expired.

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

Mr. BERMAN. If the gentleman will yield further, I would like the gentle-

man's reaction to the situation. Now, I am advised that the gentlewoman from Maine plans to accept, if my amendment is defeated, plans to accept a substitute to her language offered by the gentleman from Michigan [Mr. UPTON]. The substitute offered by the gentleman from Michigan [Mr. UPTON] essentially is the teardown proposal, but requires the Soviets to pay part of the cost.

Mr. KOLBE. All of which is being negotiated now as a matter of claims between the two countries.

□ 1310

Mr. BERMAN. That is right. However, if it is conditional, even if the administration decides that teardown is the right ideal and the Upton amendment is in law, they will not be able to commence action on the teardown alternative until such time as they have resolved these claims. This now puts in the hands of the Soviet Union the ability to prolong and prolong and prolong the teardown proposal, even if they decide that is what they want to do.

Mr. KOLBE. I think the gentleman has made a very good point. These are obviously very difficult negotiations that are going on.

We have a claim. We think we have a good claim. The Soviet Union has shown some willingness to compromise on the issue and talk about this, to adjudicate our claim. But we are not going to do it if we have this kind of legislation. We cut the ground out from under our negotiations.

I think it is correct to say that we would, by the Upton proposal, make it more difficult and certainly add another year to the 5-year teardown, and perhaps make it another 6 or 7 years before we get anything done. The conditions there are absolutely deplorable.

Mr. Chairman, I yield to the gentleman from Maine.

Ms. SNOWE. Mr. Chairman, I appreciate the gentleman from Arizona yielding, and I would like to clarify the point. It does not hold up construction as drafted.

It says shall seek reimbursement, nothing about construction cannot commence. This would be part of the arbitration talks that we passed legislation on several years ago.

So, it is instructing the State Department that they shall seek reimbursement. That is an important point.

Second, what is interesting about top hat proposal, which the gentleman supports, is that we will have to get permission through a written agreement that will have to be signed by both the Soviet Union and the United States for the additional space in order to heighten the proposal under top hat. We do not know how long that will take. We do not know what the Soviets will ask in return for providing that additional air space. That certainly could lengthen the time in addition to the design

work that will have to be done on top hat, which obviously has not been done, and well under way for teardown.

There is a major difference in time in terms of where teardown is. We can move ahead with that, under any circumstances. We cannot move ahead with that under top hat. Due to the design work, it will take 6 months to a year, plus we have to negotiate a written agreement with the Soviets.

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

Mr. KOLBE. Mr. Speaker, I yield to the gentleman from Maine.

Ms. SNOWE. I want to add a final point, in looking at the Berman legislation, because I think it does hold up construction. It said that the new chancery building for the United States Embassy in Moscow is ready for occupancy. The Soviet Union agrees to provide full reimbursement for the goods and services of real monetary value in addition to the form of cash payment to the United States for costs incurred by the United States as a result of the intelligence activities of the Soviet Union directed to the United States Embassy in Moscow.

Mr. KOLBE. Mr. Chairman, reclaiming my time on the question of the top hat requiring approval to go up an additional 9 meters. The Berman amendment puts this approval back with the administration. If we cannot get consent by the time the design is finished in the fall, we can say, "Let's go." The administration could say, "Let's go with the total teardown."

Ms. SNOWE. If the gentleman will continue to yield, that will add more time, because we have not done the design work. That will lengthen the process.

If we passed teardown and it was signed into law, we can proceed with teardown. Cannot do that with top hat. We have to negotiate an agreement with the Soviets which is not in writing. Second, the design work that has to be taken for that proposal has not commenced.

Mr. KOLBE. Mr. Chairman, I suggest the administration could come to that conclusion and go with teardown immediately. This is an amendment to get past the impasse in Congress. We pass the Snowe amendment, we are right back in the impasse that has blocked resolution of this issue for years.

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

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

Mr. BERMAN. The gentlewoman from Maine, if she looks at the language she read from the Berman amendment, the language with respect to the Soviet Union having to agree to provide full reimbursement to the United States for costs incurred by the United States as a result of their intel-

ligence activities is a condition for their occupying Mount Alto, not for the United States to proceed with an alternative that makes sense from a security, from a time, and from a cost point of view.

Mr. KOLBE. Mr. Chairman, I yield to the gentlewoman from Maine.

Ms. SNOWE. I appreciate the gentleman's indulgence, and I appreciate the disagreement that we have on this issue.

I guess the concern that I have is that we have made decisions here today as committees, as Members of Congress, the executive branch has made their decision, and I am concerned that it is going to lead to another impasse based on what the gentleman is proposing from California, because it virtually is no decision, and it will leave everyone languishing.

The administration wants direction from Congress, and I think we are fully capable, based on the information that has been given to this Congress, on what to do. It has taken 4 years. We know what the information is, and I think we should be comfortable about moving forward.

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

As someone who does not serve on the committee, as the debate has gone on, I have ended up with a couple of questions. I wonder if the gentlewoman from Maine might help me a little bit.

Am I right in assuming from the debate, that if everyone has their druthers, the diplomatic community and in the Congress and elsewhere, if everyone has their druthers, that they would prefer teardown, but that other things have gotten in the way? But that the preferable option here is to tear it down and start over again?

Ms. SNOWE. If the gentleman will yield, the gentleman is absolutely correct. The State Department, the Central Intelligence Agency, independent report, Members of Congress, we have considered this issue, and actually the administration is looking for direction from the Congress because there has been an impasse in the past on this issue.

So it comes down to, as the gentleman recognizes here in this debate here, it comes down to teardown. Many of the Members have indicated, I think teardown is the best approach, but let the administration come back and make that decision which they already said is the preferable option.

So what is the problem?

Mr. WALKER. That is somewhat confusing here because everybody is quoting from the administration letters which they claim supports now, top hat over teardown, and it gets a little confusing for people who have not dealt with this issue closely for the last several weeks, about where the administration really stands on this.

Do I understand that the State Department position is essentially that they would like to do teardown, but they do not think they can get that through the Congress? So in order to get things moving along the way, they will take top hat, if that is what they have to take? But if they could somehow wrangle teardown through the Congress, they would prefer that?

Ms. SNOWE. The gentleman is correct. They prefer teardown.

Mr. WALKER. It is confusing.

Ms. SNOWE. They prefer teardown. The letters have been read here today. We prefer teardown, but we are concerned with not getting the appropriations for this teardown alternative, so they came back to top hat as to what they viewed as consensus solution because they had no choice.

They said in terms of security, teardown is the best approach.

Mr. WALKER. The thing that confuses those Members who are off the committee, it sounds like the State Department is more afraid of the Congress than the Soviets; but it is, I think, something which we have to take into account.

The other thing that somewhat puzzles me, it sounds like the Soviets end up winning all the way around if we do not go to the teardown approach. For example, the KGB bugged the building, did they not?

Ms. SNOWE. That is correct.

Mr. WALKER. So the Soviets, in fact, were the ones who built this bugged building in the first place, and now they have come up with a scenario that the State Department will force the United States to take the building that the Soviets bugged?

The reason why our hand was forced in this was because there was fire at the Embassy building that now exists. Is that fire at all suspicious?

Ms. SNOWE. That may be suspicious, and that is why it is important to have had an investigation into the fire at the old Embassy.

Mr. WALKER. So we have a suspicious fire that forced the United States out of the old building, forced the United States maybe into the new building. The new building is the one they bugged in the first place. In the meantime, they are violating the agreement, and already occupying the new Embassy up on Mount Alto, is that the case? Where do they lose?

Ms. SNOWE. They do not. They will be rewarded in the top hat proposal because they will be allowed to move into the Mount Alto facility because the State Department has already allowed them to use the space, contrary to existing law.

It is interesting if we look at this whole proposal, back in 1980, the Soviets held up our construction agreements to our detriment as we now well see, because we had to use Soviet personnel. We did not use any Americans'

supervision, or very little if that, and we allowed the Soviets to move into the housing compound up at Mt. Alto, so we lost our leverage with the Soviets to negotiate the construction agreement that would have been in our interest. So this is what we ended up with, the partially built, thoroughly compromised building in Moscow.

□ 1320

That is exactly what we will end up doing with top hat if we have to lock ourselves into that proposal. We will end up agreeing to give up access to the Soviets because we need the additional space, and they will know that we are locked into that agreement.

Mr. WALKER. Well, the KGB ends up the big winner because the State Department does not want to face down the Appropriations Committee. I mean, this is a fairly strange kind of operation that we have going there.

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

Mr. WALKER. Yes, I am glad to yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, I cannot believe what I am hearing. Essentially, this gentleman is weaving a web here of a State Department, of an administration that is either infiltrated up and down with spies, traitors, treason to the United States and to the people of this country, or is so foolish and so naive and so disingenuous that it is making a proposal which will advance the interest of the KGB and the Soviet Union.

This echoes of some of the most extreme cries that everything that was befalling us that was not good was the responsibility of some people here. The logical extension and the implication of this gentleman's remarks are simply absurd on their face.

Mr. WALKER. Well, reclaiming my time, Mr. Chairman, the gentleman is becoming hysterical over nothing. All I was suggesting was that the KGB somehow ends up a big winner out of what is going on here.

Mr. BERMAN. Exactly.

Mr. WALKER. The KGB did in fact bug the building. Does the gentleman disagree with that?

Mr. BERMAN. The KGB bugged the building, yes. Now we have to do something about it.

Mr. WALKER. The gentleman is suggesting a scenario whereby the State Department may at some point, because their hand has been forced by a fire in the Embassy, to occupy the bugged building that the KGB built. It seems to me that somewhere along the line the KGB is not going to be all that unhappy about that. If we can put the State Department into a building where they can listen to everything that goes on in the bottom six floors, it seems to me they are going to be mighty happy campers over there in the KGB. That is all I am suggesting. I

am not suggesting any conspiracies. There is nothing hysterical about this. It is just the fact the KGB is going to be the winner.

Mr. BERMAN. Mr. Chairman, will the gentleman yield further?

Mr. WALKER. Surely, I am glad to yield to the gentleman from California.

Mr. BERMAN. The recommendation of the administration, the CIA Director, and the State Department for the partial teardown top hat alternative emerged before the fire at the Moscow Embassy. It was because they finally were given information from the Moscow City Council and others that they could now build above the previous height limit, and therefore have adequate secured space.

The gentleman from Arizona, myself, every Democrat, and three Republicans on the Foreign Affairs Committee are not pushing a proposal to serve the interest of the KGB, wittingly or unwittingly, and to suggest otherwise creates a laughable proposition and demeans the position of the gentlewoman from Maine and all that she has been fighting for over a number of years.

Mr. WALKER. Well, Mr. Chairman, I thank the gentleman for his contribution, but all this gentleman is suggesting is that there appears to be a major victory here for the people who originally built the building in defiance of the diplomatic treaties, namely, to build a bugged building. That gives me some pause as a Member of this House.

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

Mr. WALKER. Surely, I am glad to yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I appreciate the gentleman yielding to me.

I hope I am not hysterical and I do not think the gentleman is hysterical, either, in suggesting that the State Department is completely riddled with traitors.

Mr. WALKER. There was no suggestion of that kind.

Mr. KOLBE. I understand that.

I would just like to make two points, Mr. Chairman. First of all, the overwhelming evidence is that this last fire was not suspicious, unless I suppose the American worker who was doing the welding was perhaps some plant of some sort, but it would appear to have been caused by slag which fell from the welding. That is the overwhelming evidence, but certainly does deserve to be investigated.

The second thing is that while the State Department, it is true that the State Department would want ideally to have a teardown, I think the fire has changed that.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

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

Mr. WALKER. Mr. Chairman, I am happy to continue to yield to the gentleman.

Mr. KOLBE. Just very quickly, Mr. Chairman, if that was the case, it has been changed. Ambassador Matlock, unless he is absolutely not telling us the true story, believes now that because of the fire and the requirement that they are now having to work in the basement that top hat is the best solution to the problem, not only the urgency of getting it down faster, it is even more urgent, but also where they are now working that full teardown simply does not work out.

Mr. WALKER. Well, Mr. Chairman, if I can reclaim my time for just a moment, yes, I am sure that in the immediacy of the situation, that is true.

The problem is we are building a 50-year asset here, so we are trading maybe our need for something over a period of 50 years because we have an immediate situation brought on by a fire, that even the gentleman admits ought to be investigated, that is what gives this gentleman some pause about the situation that we now face there.

Mr. COX of California. Mr. Chairman, will the gentleman yield?

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

Mr. COX of California. In response, Mr. Chairman, to the earlier comments by my colleague, the gentleman from California, I would just like to reiterate what has been said earlier in this debate, that the State Department and the CIA both prefer teardown and rebuild. In a joint letter, Secretary of State Baker and the Director of Central Intelligence, Mr. Webster, wrote:

We have both stated to the Congress that the best solution from a security standpoint would be to avoid the use of the existing Soviet built structure. Efforts to obtain funding for a teardown and rebuild option, however, have been unavailing. The administration as a consequence proposed top hat only out of desperation because Members of the Congress—

specifically our colleagues on the other side of this issue—

will refuse to make these funds available.

I think it is pretty clear in this era that no one inside the Soviet Union who is respectable from the Western standpoint is defending the KGB. Many people are worthy of our support now in this changing world inside the Soviet Union, but the KGB is not such a group. The KGB is still to be feared and we ought as Americans to be concerned about it.

Top hat, because it leaves in place, as the gentleman has pointed out, those bugged floors which were bugged for a purpose, helps the KGB. Teardown and rebuild helps America, and that is what this vote is all about.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I appreciate the gentleman's comments, because in the final analysis there is no question that the Soviets gain in this whole tragic episode when it comes to looking at how this new office building was so seriously compromised.

Back in the 1970's, it took us more than 4 years to reach an agreement with the Soviets in terms of how to construct this.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

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

Ms. SNOWE. Mr. Chairman, will the gentleman continue to yield?

Mr. WALKER. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. So, Mr. Chairman, it took 4 years to reach an agreement on construction with the Soviets.

In the final analysis, we relinquished our ability to supervise that construction. The Soviets gained, because they were able to do things to that building that were so unique, so unusual, that it would be difficult for us to offer countermeasures that would be effective and secure for the long run.

I was reviewing the CONGRESSIONAL RECORD and a statement that was submitted to the RECORD last fall by the gentleman from Illinois [Mr. HYDE]. He talks about an individual who is a member of the Moscow Security Advisory Group from 1976 to 1981. He said that sophisticated measures were recommended to avoid and solve security problems at the Moscow complex during the course of construction. He concludes that most or all those recommendations must have been rejected by our own people, probably for politically expedient reasons.

So the problem has been with our own Department in terms of the construction of that building; so now we have to take the best, most secure approach.

The fact of the matter is that the State Department still is not giving credibility to security issues even by the admission of their own inspector general, so we could face these problems down the road.

Getting back to top hat, in order for that to be successful, and the first floors will still be utilized that have been bugged by the Soviets, it will be dependent upon the commitment of the State Department, stringent commitment to security procedures, which heretofore they have not demonstrated whatsoever. That is why we are in this problem today. They have not been committed to security in the past. They have not been committed to security in the present, and I have to say that I do not know if they are going to be committed to security in the future.

So I think we have to take the extra step, given the enormous importance of our facility in Moscow.

I want to again thank the gentleman for his comments.

Mr. WALKER. Mr. Chairman, I thank the gentlewoman for her remarks.

Just to wrap this up, Mr. Chairman, in all honesty the name top hat kind of fascinates me, because it reminds me of the diplomat who is proceeding out on the town at night with his top hat on, but with bugs in his pants. He may well look good at first blush, but he is going to spend a mighty uncomfortable evening.

In the case of top hat in the building, I think it may look good, but it will make for a most untenable situation for our diplomatic and intelligence work.

I would hope that the amendment of the gentlewoman would be approved.

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

Mr. Chairman, I rise in strong support of the teardown proposal and in vigorous opposition to top hat.

□ 1330

I would hope we could focus on one singular point, and it is this: That if we let the existing structure stand, the existing eight stories, for the next 50 years American personnel in there will have to proceed under the assumption that what they are saying and doing is being bugged.

Now, what kind of a nation are we that we would put our top State Department officials and other Government officials in a building, the most sensitive Embassy in the world, not where we think, maybe, there is a suspicion that what they say and do might be bugged; but, rather, we know with certainty that it has been bugged and it has been bugged in such a sophisticated way that there is virtually no way we can be sure that secure conversations can take place in that facility. It boggles the mind that the United States of America would proceed for the next 50 years in a building of eight stories where we know our conversations are bugged when indeed there is a reasonable alternative.

So, I say let us adopt the reasonable alternative. Let us not be snickered at by the other nations of the world as they walk past this Embassy in Moscow and say to themselves and to others, "There stands the monument to the KGB."

Let us not be snookered, let us cast the right votes today in order to bring about the teardown of this building so we can have a relatively secure Embassy.

Ms. SNOWE. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Berman amendment.

Mr. Chairman, very briefly, members of the committee, because I know we

are nearing a vote on the Berman amendment, it really gets down to the fact as to whether or not we are prepared as an institution, as an authorizing committee to make the decision on an issue that has been examined and thoroughly studied for at least 4 years and has been a problem for the last 6 years. I believe that we have an obligation as well as a responsibility to demonstrate that we care enough about this issue, that we have studied it thoroughly, that we can reasonably disagree on these issues but we are prepared to take a stand on this issue.

I would hope that we would not give a blank check to the State Department to make that determination or to decide that somewhere down the road it somehow will get resolved. I think it is unfair to the executive branch, to the members of this committee who worked on this issue, it is unfair to the authorizing committees because that is what we are all about and we should give direction to the Committee on Appropriations and to this institution in terms of how we stand on an issue.

We are required to give our very best judgment. I have given my very best judgment. I have given 6 years to this issue, and I would hope, ladies and gentlemen, for whichever way we would vote, whether it is top hat or teardown, let that be the choice. Do not vote for the Berman amendment, which is no choice. It is absent any decision, it is absent any responsibility that we have assumed. It is saying, "Let the agency make another decision," which they have already made, by the way, and then maybe the Committee on Appropriations might accept it somewhere down the road.

That is an abdication of why we are here. I for one want to serve in a body where I can take stands on issues.

If there was one message in this last election, it is that the American people want us to do our job. They want us to do something. If I have worked on an issue for 6 years with the committee, and respected the process within the process of the executive branch, within the Congress, within my own party, within the Democratic Party, the majority in the House of Representatives, I have done everything, and now we are saying, "No, we will send it back to the administration. Let them make that difficult decision. We seem unable to or are ill-equipped to make a tough decision even though we have all the facts before us."

So I would urge members of this committee, please understand that most of you who serve on the authorizing committee will find themselves in a position of having worked on an issue for 6 years only to suggest that somebody else would make that decision, but we are not capable of making a choice between top hat and teardown.

So I would urge you to vote against the Berman amendment because it is

really doing nothing, it is saying that this institution cannot make a decision and is afraid to cast a vote on a difficult issue.

So I would urge a "no" vote on the Berman amendment.

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

Mr. Chairman, I am not against the chairman's measure. It will not hurt at all. He is a great chairman. He has established himself as a leader on foreign affairs.

But, ladies and gentleman, we are the Congress, and the Congress should make some decisions. The Soviet Union bugged a new embassy, with callous disregard and with intent to spy and gain secrets and access to our Government to the benefit of their own, which flies in the face of any international sanity that we should be a part of.

So I think that today Congress should set an example for the Soviet Union and Congress should institute some perestroika, some glasnost. And we should say, "Listen here, we don't like what you did. You bugged our embassy. It is going to cost us money to straighten it out. And even though it might delay this project, we want a new embassy, we don't want any damned bugs and we want you to pay for the difference."

And I am making this statement because I think the gentlewoman from Maine is exactly right. We have a constitutional responsibility. We pass the laws. The State Department carries out the policy of our Nation.

Did anybody ever realize that we set the policy? What we are talking about now is not the Embassy. We are talking about policy and I think what we should be doing in the Congress is Congress should get back to making the laws, setting the policy. And I have to agree, I have to agree with the gentleman from Pennsylvania [Mr. WALKER]. I do not think what he said was that there are all these spies in our State Department. But I will tell you this, if Congress is going to be so passive and weak as to turn their cheek on a blatant act by the Soviet Union to bug their Embassy, then we leave open the gates for someday having a hell of a lot of spies in the State Department.

And in closing, I hope no one gets mad at me, I have a little Buy American amendment. And if Ms. SNOWE's amendment passes and Mr. UPTON's, I would like one of the companies in my district who wrecks buildings to go over there and get the job.

The CHAIRMAN. The Chair will indicate the order of the votes.

We will first vote on the Berman amendment to the Snowe amendment. Second, we will vote on the Upton substitute for the Snowe amendment. Third, we will vote on the Snowe amendment at that point.

PARLIAMENTARY INQUIRIES

Mr. BERMAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BERMAN. Mr. Chairman, were the Berman amendment to pass, would then the Upton substitute be a substitute for the Berman amendment?

The CHAIRMAN. If the Berman amendment were to be adopted, the Upton substitute would be for the Snowe amendment, as amended. But it would, if adopted, eliminate the Berman perfecting amendment.

Mr. BERMAN. And restore the Snowe amendment with the additional provisions regarding Soviet funding.

The CHAIRMAN. The gentleman is correct.

Mr. BERMAN. At this particular point, you will ask for a vote on the Berman amendment. If there is a rollcall requested following that vote, is there a way to deal with the Upton amendment, or do we have to wait until after that 15-minute rollcall vote?

The CHAIRMAN. The Chair would announce pursuant to clause 2(c), rule XXIII its intent that if a subsequent recorded vote should be ordered without intervening business or amendment or debate, that the Chair would then intend to reduce to not less than 5 minutes the votes on any subsequent recorded votes. The Snowe amendment and amendments thereto.

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

Mr. BERMAN. On the point of parliamentary inquiry.

Mr. VOLKMER. Just a point of clarification.

□ 1340

There is no time limit on debate; is that correct?

The CHAIRMAN. The gentleman from Missouri [Mr. VOLKMER] is correct.

Mr. VOLKMER. In addition, Mr. Chairman, if the amendment of the gentleman from California [Mr. BERMAN] is successful or not, either way, to the amendment of the gentlewoman from Maine [Ms. SNOWE], I could still rise at the end of that, and, if recognized by the Chair, be able to offer a motion at that time?

The CHAIRMAN. The gentleman is correct, and should that debate or intervening business take place, the subsequent vote will not be reduced to 5 minutes.

The question is on the amendment offered by the gentleman from California [Mr. BERMAN] to the amendments en bloc offered by the gentlewoman from Maine [Ms. SNOWE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BERMAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 223, noes 185, not voting 22, as follows:

[Roll No. 90]

AYES—223

- |              |               |                |
|--------------|---------------|----------------|
| Abercrombie  | Guarini       | Payne (NJ)     |
| Ackerman     | Hall (OH)     | Payne (VA)     |
| Anderson     | Hall (TX)     | Pease          |
| Andrews (ME) | Hamilton      | Pelosi         |
| Andrews (NJ) | Hayes (IL)    | Penny          |
| Andrews (TX) | Hefner        | Perkins        |
| Annunzio     | Hertel        | Peterson (FL)  |
| Anthony      | Hoagland      | Peterson (MN)  |
| Aspin        | Hochbrueckner | Petri          |
| Atkins       | Horn          | Pickett        |
| AuCoin       | Hoyer         | Pickle         |
| Bacchus      | Huckaby       | Poshard        |
| Berman       | Hughes        | Price          |
| Bevill       | Hutto         | Rahall         |
| Bilbray      | Jacobs        | Rangel         |
| Bonior       | Jefferson     | Ray            |
| Borski       | Johnson (CT)  | Reed           |
| Boucher      | Johnson (SD)  | Regula         |
| Brewster     | Johnson (SD)  | Richardson     |
| Brooks       | Jones (NC)    | Roemer         |
| Browder      | Jontz         | Rogers         |
| Brown        | Kaptur        | Rostenkowski   |
| Bruce        | Kennedy       | Rowland        |
| Bustamante   | Kennelly      | Roybal         |
| Byron        | Kildee        | Russell        |
| Cambell (CO) | Kleczka       | Sabo           |
| Cardin       | Kolbe         | Sanders        |
| Carper       | Kopetski      | Sarpaluis      |
| Carr         | Kostmayer     | Savage         |
| Chapman      | LaFalce       | Sawyer         |
| Clay         | Lancaster     | Schroeder      |
| Clement      | Lantos        | Schumer        |
| Coleman (TX) | LaRocco       | Serrano        |
| Collins (IL) | Laughlin      | Sharp          |
| Condit       | Lehman (CA)   | Sikorski       |
| Conyers      | Levin (MI)    | Sisisky        |
| Costello     | Lewis (GA)    | Skaggs         |
| Cox (IL)     | Long          | Skelton        |
| Coyne        | Lowey (NY)    | Slattery       |
| Darden       | Luken         | Slaughter (NY) |
| de la Garza  | Manton        | Smith (FL)     |
| DeFazio      | Markey        | Solarz         |
| DeLauro      | Matsui        | Spratt         |
| Dellums      | Mavroules     | Staggers       |
| Dickinson    | Mazzoli       | Stallings      |
| Dicks        | McCloskey     | Stark          |
| Dixon        | McCurdy       | Stenholm       |
| Donnelly     | McDermott     | Stokes         |
| Dooley       | McHugh        | Studds         |
| Dorgan (ND)  | McMillen (MD) | McNulty        |
| Downey       | Mfume         | Swett          |
| Durbin       | Miller (CA)   | Swift          |
| Dwyer        | Mineta        | Synar          |
| Dymally      | Mink          | Tallon         |
| Early        | Moakley       | Taylor (MS)    |
| Edwards (CA) | Mollohan      | Thomas (GA)    |
| Edwards (TX) | Montgomery    | Torricelli     |
| Engel        | Moran         | Towns          |
| Fascell      | Mrazek        | Traxler        |
| Fazio        | Murphy        | Unsoeld        |
| Feighan      | Nagle         | Valentine      |
| Flake        | Natcher       | Vento          |
| Foglietta    | Neal (MA)     | Visclosky      |
| Ford (MI)    | Neal (NC)     | Volkmer        |
| Ford (TN)    | Nowak         | Washington     |
| Frank (MA)   | Oberstar      | Waters         |
| Frost        | Obey          | Waxman         |
| Gejdenson    | Ortiz         | Weiss          |
| Gephardt     | Orton         | Wheat          |
| Geren        | Owens (NY)    | Whitten        |
| Gibbons      | Owens (UT)    | Wise           |
| Glickman     | Pallone       | Wolpe          |
| Gonzalez     | Panetta       | Wyden          |
| Gordon       | Patterson     | Yates          |
| Gray         |               |                |

NOES—185

- |           |           |               |
|-----------|-----------|---------------|
| Allard    | Bennett   | Camp          |
| Applegate | Bentley   | Campbell (CA) |
| Archer    | Bereuter  | Chandler      |
| Arney     | Bilirakis | Clinger       |
| Baker     | Bliley    | Coble         |
| Ballenger | Boehert   | Coleman (MO)  |
| Barnard   | Boehner   | Collins (MI)  |
| Barrett   | Bunning   | Combest       |
| Barton    | Burton    | Cooper        |
| Bateman   | Callahan  | Coughlin      |

- |               |               |                |
|---------------|---------------|----------------|
| Cox (CA)      | Ireland       | Ritter         |
| Crane         | James         | Roberts        |
| Cunningham    | Jenkins       | Roe            |
| Dannemeyer    | Jones (GA)    | Rohrabacher    |
| Davis         | Kanjorski     | Ros-Lehtinen   |
| DeLay         | Kasich        | Roth           |
| Doolittle     | Klug          | Roukema        |
| Dornan (CA)   | Kyl           | Sangmeister    |
| Dreier        | Lagomarsino   | Santorum       |
| Duncan        | Leach         | Saxton         |
| Eckart        | Lent          | Schaefer       |
| Edwards (OK)  | Lewis (CA)    | Schiff         |
| Emerson       | Lewis (FL)    | Schulze        |
| English       | Lightfoot     | Sensenbrenner  |
| Erdreich      | Lipinski      | Shaw           |
| Espy          | Livingston    | Shays          |
| Evans         | Lloyd         | Shuster        |
| Fawell        | Lowery (CA)   | Skeen          |
| Fields        | Machtley      | Slaughter (VA) |
| Fish          | Martin        | Smith (NJ)     |
| Franks (CT)   | McCandless    | Smith (OR)     |
| Galleghy      | McCollum      | Smith (TX)     |
| Gallo         | McCrary       | Snowe          |
| Gaydos        | McDade        | Solomon        |
| Gekas         | McEwen        | Spence         |
| Gilchrist     | McGrath       | Stearns        |
| Gillmor       | McMillan (NC) | Stump          |
| Gilman        | Meyers        | Sundquist      |
| Gingrich      | Michel        | Tanner         |
| Goodling      | Miller (OH)   | Tauzin         |
| Goss          | Miller (WA)   | Taylor (NC)    |
| Gradison      | Mollinari     | Thomas (CA)    |
| Grandy        | Moorhead      | Thomas (WY)    |
| Green         | Morella       | Thornton       |
| Gunderson     | Morrison      | Trafcant       |
| Hammerschmidt | Myers         | Upton          |
| Hancock       | Nichols       | Vander Jagt    |
| Hansen        | Nussle        | Vucanovich     |
| Harris        | Olin          | Walker         |
| Hastert       | Oxley         | Walsh          |
| Hayes (LA)    | Packard       | Weber          |
| Hefley        | Parker        | Weldon         |
| Henry         | Paxon         | Williams       |
| Herger        | Porter        | Wilson         |
| Hobson        | Pursell       | Wolf           |
| Holloway      | Quillen       | Wyllie         |
| Horton        | Ramstad       | Yatron         |
| Houghton      | Ravenel       | Young (AK)     |
| Hubbard       | Rhodes        | Young (FL)     |
| Hunter        | Ridge         | Zeliff         |
| Hyde          | Riggs         | Zimmer         |
| Inhofe        | Rinaldo       |                |

NOT VOTING—22

- |            |             |            |
|------------|-------------|------------|
| Alexander  | Hatcher     | Murtha     |
| Belenson   | Hopkins     | Oakar      |
| Boxer      | Kolter      | Rose       |
| Broomfield | Lehman (FL) | Scheuer    |
| Bryant     | Levine (CA) | Smith (IA) |
| Cramer     | Marlenee    | Torres     |
| Derrick    | Martinez    |            |
| Dingell    | Moody       |            |

□ 1404

The Clerk announced the following pair:

On this vote: Mr. Lehman of Florida for, with Mr. Broomfield against.

Messrs. ESPY, MCCANDLESS, GRANDY, and RIGGS, and Mrs. VUCANOVICH changed their vote from "aye" to "no."

Messrs. PICKETT, CONYERS, ROSTENKOWSKI, MCCLOSKEY, BEVILL, and RAY changed their vote from "no" to "aye."

So the amendment to the amendments en bloc were agreed to.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. UPTON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. MCDERMOTT). The gentleman will state it.

Mr. UPTON. Mr. Chairman, is it my understanding that the next vote will

be the Upton substitute, which seeks reimbursement from the Soviets?

The CHAIRMAN pro tempore. The next vote will be on the Upton substitute amendment.

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

Mr. Chairman, the Upton amendment does two things: first, it seeks to immediately revisit the issue we have just voted on, to take away the administration's discretion, and legislate one of the options available to the administration.

Second, it seeks for any costs above the administration's current favored option of top hat to be paid by the Soviets by directing us to seek reimbursement.

If the Upton amendment is defeated, I will accept the subsection of the Upton amendment respecting Soviet reimbursement as an amendment to the Snowe amendment as amended. So if Members would like to not revisit the issue we have just finished voting on, vote "no" on Upton, and know that we will accept the provisions of Upton amendment dealing with Soviet reimbursement when it is offered against the final Snowe amendment as completely amended.

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

Mr. Chairman, I would hope that Members would give strong consideration to the amendment that is offered by the gentleman from Michigan (Mr. UPTON). It is essentially asking the Soviets for reimbursement for the difference in the proposals between Top Hat and Teardown, if in fact there is a difference in cost to the United States. I think the last thing we would want to do is say that we would reward the Soviets for having seriously compromised our new office building in Moscow, at the cost of millions and millions of dollars, and now say that we are not going to direct the State Department to try to seek reimbursement for the additional costs in the proposal that is before us.

□ 1410

I think that is the very least that we can do.

Mr. Chairman, as I have said earlier in debate, I have worked on this issue for 6 years. I think at the very least this issue deserves to be voted on one way or the other. I think that we need to make a decision.

I do not prefer to send it back to the administration for them to make a decision at some point, some time. I think it is now our obligation to make that decision right here and now, after this issue has been studied so thoroughly, so exhaustively for the last 4 years and everyone has made a proposal for teardown.

The gentleman's amendment will say that the State Department shall seek

reimbursement during the course of arbitration talks to ensure that we recover our costs from the Soviets. And I think that is the very least that we can ask, given the fact that we have placed the lives of Americans in jeopardy in Moscow in the old building because the Soviets have thoroughly compromised and bugged our new facility so they have not been able to be moved in. Yet the Soviets have completed their facility here in Washington, DC. We should demand reciprocity, and we should demand payment from the Soviets for what they have done to this embassy. I would urge adoption of the Upton amendment.

#### PARLIAMENTARY INQUIRY

Mr. RUSSO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. McDERMOTT). The gentleman will state his parliamentary inquiry.

Mr. RUSSO. Mr. Chairman, as I understand the parliamentary situation, we are now voting on the Upton amendment which, if you voted for Berman, you would vote no to Upton.

The CHAIRMAN pro tempore. The gentleman from Illinois is not stating a parliamentary inquiry.

The question is on the amendment offered by the gentleman from Michigan [Mr. UPTON] as a substitute for the amendment en bloc offered by the gentleman from Maine [Ms. SNOWE] as amended.

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

#### RECORDED VOTE

Mr. UPTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 207, not voting 27, as follows:

[Roll No. 91]

#### AYES—196

Allard	Cunningham	Gradison
Applegate	Dannemeyer	Grandy
Archer	Davis	Green
Arney	DeLay	Guarini
Baker	Dickinson	Gunderson
Ballenger	Doolittle	Hall (TX)
Barton	Dornan (CA)	Hammerschmidt
Bateman	Dreier	Hancock
Bennett	Duncan	Hansen
Bentley	Edwards (OK)	Harris
Bereuter	Emerson	Hastert
Bilirakis	English	Hayes (LA)
Bliley	Erdreich	Hefley
Boehlert	Espy	Henry
Boehner	Evans	Herger
Bunning	Fawell	Hobson
Burton	Fields	Holloway
Callahan	Fish	Horton
Camp	Franks (CT)	Houghton
Campbell (CA)	Gallegly	Hubbard
Carper	Gallo	Hunter
Carr	Gaydos	Hutto
Chandler	Gekas	Hyde
Clinger	Geren	Inhofe
Coble	Gilchrest	Ireland
Coleman (MO)	Gillmor	Jacobs
Combest	Gilman	James
Cooper	Gingrich	Johnson (CT)
Coughlin	Glickman	Jones (GA)
Cox (CA)	Goodling	Jones (NC)
Crane	Goss	Kanjorski

Kasich	Nussle	Smith (NJ)
Klug	Olin	Smith (OR)
Kyl	Oxley	Smith (TX)
Lagomarsino	Packard	Snowe
Leach	Pallone	Solomon
Lent	Parker	Spence
Lewis (FL)	Paxon	Stearns
Lightfoot	Penny	Stump
Lipinski	Porter	Sundquist
Livingston	Pursell	Tallon
Lloyd	Quillen	Tanner
Lowery (CA)	Ramstad	Tauzin
Luken	Ravenel	Taylor (MS)
Mahtley	Rhodes	Taylor (NC)
Marlenee	Ridge	Thomas (CA)
Martin	Riggs	Thomas (WY)
McCandless	Rinaldo	Torricelli
McCollum	Ritter	Traficant
McCrery	Rohrabacher	Upton
McDade	Ros-Lehtinen	Vander Jagt
McEwen	Roth	Walker
McGrath	Roukema	Walsh
McMillan (NC)	Sangmeister	Weber
Meyers	Santorum	Weldon
Michel	Saxton	Williams
Miller (OH)	Schaefer	Wilson
Miller (WA)	Schiff	Wolf
Molinari	Schulze	Wylie
Mollohan	Sensenbrenner	Yatron
Moorhead	Shaw	Young (AK)
Morella	Shays	Young (FL)
Morrison	Shuster	Zeliff
Murphy	Skeen	Zimmer
Neal (NC)	Slaterry	
Nichols	Slaughter (VA)	

#### NOES—207

Abercrombie	Edwards (TX)	McMillan (MD)
Ackerman	Engel	McNulty
Anderson	Fascell	Mfume
Andrews (ME)	Fazio	Miller (CA)
Andrews (NJ)	Feighan	Mineta
Andrews (TX)	Flake	Mink
Annunzio	Foglietta	Moakley
Anthony	Ford (TN)	Montgomery
Aspin	Frank (MA)	Moran
Atkins	Frost	Mrazek
AuCoin	Gejdenson	Myers
Bacchus	Gephardt	Nagle
Barnard	Gibbons	Natcher
Berman	Gonzalez	Neal (MA)
Bevill	Gordon	Nowak
Bilbray	Hall (OH)	Oberstar
Bonior	Hamilton	Obey
Borski	Hayes (IL)	Ortiz
Boucher	Hefner	Orton
Brewster	Hertel	Owens (NY)
Brooks	Hoagland	Owens (UT)
Browder	Hochbrueckner	Patterson
Brown	Horn	Payne (NJ)
Bruce	Hoyer	Payne (VA)
Bryant	Huckaby	Pease
Bustamante	Hughes	Perkins
Byron	Jefferson	Peterson (FL)
Campbell (CO)	Jenkins	Peterson (MN)
Cardin	Johnson (SD)	Petri
Chapman	Johnston	Pickett
Clay	Jontz	Pickle
Clement	Kaptur	Poshard
Coleman (TX)	Kennedy	Price
Collins (IL)	Kennelly	Rahall
Collins (MI)	Kildee	Rangel
Condit	Kiecicka	Ray
Conyers	Kolbe	Reed
Costello	Kopetski	Regula
Cox (IL)	Kostmayer	Richardson
Coyne	LaFalce	Roe
Cramer	Lancaster	Roemer
Darden	Lantos	Rogers
de la Garza	LaRocco	Rostenkowski
DeFazio	Laughlin	Rowland
DeLauro	Lehman (CA)	Roybal
Dellums	Levin (MI)	Russo
Dicks	Lewis (GA)	Sabo
Dixon	Long	Sanders
Donnelly	Lowey (NY)	Sarpalius
Dooley	Manton	Savage
Dorgan (ND)	Markey	Sawyer
Downey	Matsui	Scheuer
Durbin	Mavroules	Schroeder
Dwyer	Mazzoli	Schumer
Dymally	McCloskey	Serrano
Early	McCurdy	Sharp
Eckart	McDermott	Sikorski
Edwards (CA)	McHugh	Sisisky

Skaggs	Swett	Visclosky
Skelton	Swift	Volkmer
Smith (FL)	Synar	Washington
Solarz	Thomas (GA)	Waxman
Spratt	Thornton	Weiss
Staggers	Torres	Wheat
Stallings	Towns	Whitten
Stark	Traxler	Wise
Stenholm	Unsold	Wolpe
Stokes	Valentine	Wyden
Studds	Vento	Yates

NOT VOTING—27

Alexander	Hatcher	Oakar
Barrett	Hopkins	Panetta
Beilenson	Kolter	Pelosi
Boxer	Lehman (FL)	Roberts
Broomfield	Levine (CA)	Rose
Derrick	Lewis (CA)	Slaughter (NY)
Dingell	Martinez	Smith (IA)
Ford (MI)	Moody	Vucanovich
Gray	Murtha	Waters

□ 1429

The Clerk announced the following pair:

On this vote:

Mr. Broomfield for, with Mr. Lehman of Florida against.

Messrs. ANTHONY, THORNTON, AUCOIN, ROEMER, ANDREWS of New Jersey, HUCKABY, BEVILL, and BROWN changed their votes from "aye" to "no."

Mr. DICKINSON and Mr. GLICKMAN changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendments en bloc, as amended, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. UPTON TO THE AMENDMENTS EN BLOC OFFERED BY MS. SNOWE, AS AMENDED

Mr. UPTON. Mr. Chairman, I offer an amendment to the amendments en bloc, as amended.

The Clerk read as follows:

Amendment offered by Mr. UPTON to the amendments en bloc offered by Ms. SNOWE, as amended: At the end thereof insert the following:

(f) SOVIET REIMBURSEMENT.—The Secretary of State shall seek reimbursement from the Soviet Union of the full costs incurred by the United States as a result of the intelligence activities of the Soviet Union directed at the new United States Embassy in Moscow, including an amount equal to—

- (1) \$65,000,000; or
- (2) the sum necessary to complete the reconstruction project under section 401(a)(5) of the Diplomatic Security Act (as amended by subsection (a) of this section); whichever is greater.

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

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

Mr. BERMAN. Mr. Chairman, I object to the unanimous-consent request. I would like to hear the amendment read.

The CHAIRMAN pro tempore. Objection is heard.

The Clerk will read.

The Clerk completed the reading of the amendment.

Mr. UPTON. Mr. Chairman, I do not intend to take the 5 minutes. It is my understanding that the gentleman from California will accept the amendment. We have spoken on this amendment long enough today.

My amendment simply amends the Snowe amendment as now amended by Mr. BERMAN, which simply seeks reimbursement from the Soviets.

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

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

Mr. BERMAN. The gentleman from Michigan has correctly described our position on this amendment. This amendment makes sense. We should require the administration to seek reimbursement from the Soviets for all of these costs. I intend to support the gentleman's amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan [Mr. UPTON] to the amendments en bloc offered by the gentleman from Maine [Ms. SNOWE], as amended.

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

RECORDED VOTE

Mr. BERMAN. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 414, noes 0, not voting 16, as follows:

[Roll No. 92]

AYES—414

Abercrombie	Bryant	Dingell	Mazzoli	Rowland
Ackerman	Bunning	Dixon	McCandless	Roybal
Alexander	Burton	Donnelly	McCloskey	Russo
Allard	Bustamante	Dooley	McCollum	Sabo
Anderson	Byron	Doolittle	McCrary	Sanders
Andrews (ME)	Callahan	Dorgan (ND)	McCurdy	Sangmeister
Andrews (NJ)	Camp	Downey	McDade	Santorum
Andrews (TX)	Campbell (CA)	Dreier	McDermott	Sarpalius
Anunnzio	Campbell (CO)	Duncan	McEwen	Savage
Anthony	Cardin	Durbin	McGrath	Sawyer
Applegate	Carper	Dwyer	McHugh	Saxton
Archer	Carr	Dymally	McMillan (NC)	Schaefer
Arney	Chandler	Early	McMillen (MD)	Scheuer
Aspin	Clay	Eckart	McNulty	Schiff
Atkins	Clement	Edwards (CA)	Meyers	Schroeder
AuCoin	Clinger	Edwards (OK)	Mfume	Schulze
Bacchus	Coble	Edwards (TX)	Michel	Schumer
Baker	Coleman (MO)	Emerson	Miller (CA)	Sensenbrenner
Ballenger	Coleman (TX)	Engel	Miller (OH)	Serrano
Barnard	Collins (IL)	English	Miller (WA)	Sharp
Barrett	Collins (MI)	Erdreich	Mineta	Shaw
Barton	Combust	Espy	Mink	Shays
Bateman	Condit	Evans	Moakley	Shuster
Beilenson	Conyers	Fasell	Molinari	Sikorski
Bennett	Cooper	Fawell	Mollohan	Sisisky
Bentley	Costello	Fazio	Montgomery	Skaggs
Bereuter	Coughlin	Feighan	Moorhead	Skeen
Berman	Cox (CA)	Fields	Moran	Skelton
Bevill	Cox (IL)	Fish	Morella	Slattery
Bilbray	Coyne	Flake	Morrison	Slaughter (VA)
Bilirakis	Cramer	Foglietta	Mrazek	Smith (FL)
Billey	Crane	Ford (MI)	Murphy	Smith (NJ)
Boehlert	Cunningham	Ford (TN)	Murtha	Smith (OR)
Boehner	Dannemeyer	Frank (MA)	Myers	Smith (TX)
Bonior	Darden	Frank (CT)	Nagle	Snowe
Borski	Davis	Frost	Natcher	Solarz
Boucher	de la Garza	Galleghy	Neal (MA)	Solomon
Brewster	DeFazio	Gallo	Neal (NC)	Spence
Brooks	DeLauro	Gaydos	Nichols	Spratt
Broomfield	DeLay	Gejdenson	Nowak	Staggers
Browder	Dellums	Gekas	Nussle	Stallings
Brown	Dickinson	Gephardt	Oakar	Stark
Bruce	Dicks	Gerren	Oberstar	Stearns
			Obey	Stenholm
			Olin	Stokes
			Ortiz	Studds
			Orton	Stump
			Owens (NY)	Sundquist
			Owens (UT)	Swett
			Oxley	Swift
			Packard	Synar
			Pallone	Tallon
			Panetta	Tanner
			Parker	Tausin
			Patterson	Taylor (MS)
			Paxon	Taylor (NC)
			Payne (NJ)	Thomas (CA)
			Payne (VA)	Thomas (GA)
			Pease	Thomas (WY)
			Pelosi	Thornton
			Penny	Torres
			Perkins	Torricelli
			Peterson (FL)	Towns
			Peterson (MN)	Trafficant
			Petri	Traxler
			Pickett	Unsold
			Pickle	Upton
			Porter	Valentine
			Poshard	Vander Jagt
			Price	Vento
			Pursell	Visclosky
			Quillen	Volkmer
			Rahall	Vucanovich
			Ramstad	Walker
			Rangel	Walsh
			Ravenel	Washington
			Ray	Waters
			Reed	Waxman
			Regula	Weber
			Rhodes	Weiss
			Richardson	Weldon
			Ridge	Wheat
			Riggs	Whitten
			Rinaldo	Williams
			Ritter	Wilson
			Roberts	Wise
			Roe	Wolf
			Roemer	Wolpe
			Rogers	Wyden
			Rohrabacher	Yates
			Ros-Lehtinen	Yatron
			Rose	Young (AK)
			Rostenkowski	Young (FL)
			Roth	Zeliff
			Roukema	Zimmer

## NOT VOTING—16

Boxer	Hopkins	Moody
Chapman	Kolter	Slaughter (NY)
Derrick	Lehman (FL)	Smith (IA)
Dornan (CA)	Levine (CA)	Wyllie
Gray	Lewis (CA)	
Hatcher	Martinez	

□ 1452

Mr. BEILENSEN changed his vote from "no" to "aye."

So the amendment to the amendments en bloc, as amended, was agreed to.

## PERSONAL EXPLANATION

Mr. BROOMFIELD. Mr. Chairman, I was absent for rollcall votes 90 and 91.

Had I been present, I would have voted the following way on the amendment to H.R. 1415, the State Department authorization bill. I would have voted "no" on rollcall vote 90, the Berman amendment, which amends the Snowe amendment which opposes the top hat option for Embassy Moscow. I would have voted "yes" on rollcall 91, the Upton amendment, as a substitute for the Snowe amendment, that revisits the Embassy issue and requires the Soviets to pay the difference between the cost of tearing down and rebuilding the Embassy, and the top hat proposal.

The CHAIRMAN pro tempore (Mr. McDERMOTT). The question is on the amendments en bloc, offered by the gentleman from Maine [Ms. SNOWE], as amended.

The amendments en bloc, as amended, were agreed to.

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

Mr. Chairman, I have asked for this time to enter into a colloquy with the chairman of the subcommittee, the gentleman from California [Mr. BERMAN].

Mr. Chairman, I have an amendment pending on this legislation. I have had a conversation today with the chairman of the full committee and the chairman of the subcommittee, and it is my intention to not offer this amendment today but rather to offer a similar amendment when the foreign aid bill comes to the floor in 2 weeks.

The purpose of this amendment is to link America's foreign aid to efforts by our allies to reduce the production and ownership of chemical and biological weapons. I believe that this effort to make certain that the countries receiving foreign aid will join with us in Geneva to reduce the stockpile of chemical and biological weapons is a policy which we should pursue.

I will be asking this body to consider it when the foreign aid bill comes before us in a few weeks.

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

Mr. DURBIN. I yield to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman both for his decision to propose this amendment and for his recognition that the more appropriate place for

this amendment is on the foreign aid bill.

The fact is that there are very few things more important than doing everything we can to reach the goal of limiting the proliferation of chemical weapons. The gentleman has proposed a serious effort to tie our security and economic assistance to the willingness of countries to abandon chemical weapon programs and support a chemical weapons treaty.

But the bill in which those funds are authorized is the foreign aid bill, which is in the process of being marked up now, and which will probably be on the floor in the next few weeks.

Mr. Chairman, I will strongly support making sure that whatever rule is adopted for that bill will allow the gentleman to proceed with his amendment and to work with him closely on trying to reach the goals that he and I share.

Mr. DURBIN. I thank my colleague. Mr. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, concerns have been raised about the effects of section 126, which relates to the automated visa lookout system maintained by the State Department to screen visa applicants at our consulates overseas. The people whose names are on this system as excludable are individuals who fall within one of the groups of aliens who are ineligible to receive visas under section 212 of the Immigration and Nationality Act.

The grounds for exclusion were amended by section 601 of the Immigration Act of 1990, which also provided a mechanism in subsection 601(c) for aliens who are no longer excludable to have their names removed from the system. Section 601 becomes effective on June 1, 1991.

Section 126 of H.R. 1415 directs the Secretary of State to go through the 500,000 names on the system, research their files, and remove anyone who is no longer excludable. An amendment in the en bloc amendment will allow the names of aliens who reasonably appear to be excludable, such as suspected terrorists, to remain on the list.

However, even as amended, implementation of section 126 would force the State Department to purge its files of people who continue to be excludable because the Department does not have the resources to conduct a case-by-case review in the time required.

This would seriously undermine the purpose of the lookout system which is to serve as a prescreening system for aliens wishing to enter the United States. If a person's name is on the list, they are not automatically denied a visa, but they are given a closer look. Not only does this help prevent entry by excludable persons such as suspected terrorists, it also assists the Immigration and Naturalization Service in its inspections of visas at ports of entry.

If section 126 as currently written becomes law and the INS can no longer depend on consular offices abroad to check visa applicants, its inspectors will have to spend more time checking aliens as they enter at airports and other ports of entry. This would slow down a process that is already a bottleneck for international travel.

□ 1500

There is wide agreement on avoiding any such consequences. However, language that provides for cleaning up the State Department's lookout system without undermining its purpose has not yet been worked out, although I understand commitments have been made to do so.

At this time, Mr. Chairman, because of this, I would like to know if the gentleman from California [Mr. BERMAN] would engage in a colloquy with me regarding section 126 to H.R. 1415 of this bill that is here right now before us as authorization.

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

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

Mr. BERMAN. Mr. Chairman, I would simply indicate that I would be happy to engage in such a colloquy.

Mr. MCCOLLUM. It is my understanding that you have made a commitment to the Under Secretary of State for Management to accommodate the State Department's concerns regarding the conditions under which the State Department must review its files and delete the names of aliens who no longer are excludable as a result of changes to section 212 of the Immigration and Nationality Act that were made by section 601 of the Immigration Act of 1990. Because section 126 is not intended to replace or amend subsection 601(c) of the Immigration Act of 1990, that provision's mechanism of review would operate during any period of revision required under section 126 of H.R. 1415 as well as thereafter.

I understand further that you will be working with our colleagues in the other body and in conference to work out a compromise that allows for cleaning up the automated visa lookout system without undermining its effectiveness as a means of prescreening aliens who apply for visas. Is that correct?

Mr. BERMAN. The gentleman from Florida [Mr. MCCOLLUM] is correct. We want to get to the heart of any bureaucratic complications that might come from our proposal. I have assured the Under Secretary for Management in the State Department that that is our intent, and, between passage of this bill and conference committee, we will be meaning to do just that.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from California [Mr. BERMAN] very much for that understanding and clarification. As the

ranking member of the Subcommittee on International Law, Immigration, and Refugees, that was important for us to clarify, and I appreciate greatly, knowing his service in that area as well, his accommodation on this.

The CHAIRMAN pro tempore (Mr. MCDERMOTT). The Clerk will read part A.

The Clerk read as follows:

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

**TITLE I—DEPARTMENT OF STATE**

**PART A—AUTHORIZATION OF APPROPRIATIONS**

Sec. 101. Administration of foreign affairs.

Sec. 102. International organizations and conferences.

Sec. 103. International commissions.

Sec. 104. Migration and refugee assistance.

Sec. 105. Other programs.

**PART B—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES**

Sec. 111. Consular and diplomatic posts abroad.

Sec. 112. Denial of passports.

Sec. 113. Emergencies in the diplomatic and consular service.

Sec. 114. Lease authority.

Sec. 115. Multiyear contracting for Moscow.

Sec. 116. Transfers and reprogrammings.

Sec. 117. Administrative services.

Sec. 118. International meetings.

Sec. 119. Child care facilities at certain posts abroad.

Sec. 120. Availability of funds.

Sec. 121. Assistant Secretary of State for South Asian Affairs.

Sec. 122. Fees received for use of Blair House.

Sec. 123. Foreign Service Institute facilities.

Sec. 124. Maintenance management of overseas property.

Sec. 125. Defense trade controls registration fees.

Sec. 126. Visa lookout systems.

**PART C—DIPLOMATIC RECIPROcity AND SECURITY**

Sec. 131. Diplomatic construction program.

Sec. 132. Moscow embassy construction.

**PART D—PERSONNEL**

Sec. 141. Ambassadorial appointments.

Sec. 142. Chief of Mission salary.

Sec. 143. Authority of Secretary to suspend employees convicted of crimes.

Sec. 144. Retirement eligibility for certain Federal employees who transfer to international organizations.

Sec. 145. Commissary access.

Sec. 146. Storage of personal effects.

Sec. 147. Transportation of remains.

Sec. 148. Amendments to title 5.

Sec. 149. Voluntary leave bank program.

Sec. 150. Reassignment and retirement of presidential appointees.

**PART E—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS**

Sec. 161. Contributions to the International Red Cross.

Sec. 162. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.

Sec. 163. Report to Congress concerning United Nations secondment.

Sec. 164. Permanent International Association of Road Congresses.

Sec. 165. International Boundary and Water Commission.

Sec. 166. International fisheries commissions advance payments.

Sec. 167. Japan-United States Friendship Commission.

Sec. 168. British-American Interparliamentary Group.

Sec. 169. United States delegation to the parliamentary assembly of the Conference on Security and Cooperation in Europe (CSCE).

Sec. 170. Report concerning the United Nations Educational, Scientific and Cultural Organization.

Sec. 171. Inter-American Foundation.

**PART F—MISCELLANEOUS PROVISIONS**

Sec. 181. Transition for refugee shortfall.

Sec. 182. Travel advisory for Jalisco, Mexico.

Sec. 183. The Foreign Relations of the United States historical series.

Sec. 184. Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women.

Sec. 185. Denial of visas to U.S. citizens.

Sec. 186. Study of technical security and counterintelligence capabilities.

Sec. 187. General Accounting Office study of the Food and Agriculture Organization.

Sec. 188. Reports concerning Israel.

Sec. 189. Sense of Congress concerning sexual harassment at the Department of State.

**TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS**

**PART A—UNITED STATES INFORMATION AGENCY**

Sec. 201. Authorization of appropriations.

Sec. 202. Reprogramming of funds.

Sec. 203. Authority of the Secretary.

Sec. 204. Basic authority.

Sec. 205. Payment of certain expenses for participants.

Sec. 206. USIA posts and personnel overseas.

Sec. 207. Implementation of Beirut agreement.

Sec. 208. Special immigrant status for certain USIA employees.

Sec. 209. Center for cultural and technical interchange between north and south.

Sec. 210. Soviet-East European research and training.

Sec. 211. Claude and Mildred Pepper scholarship program.

Sec. 212. Program review of NED.

Sec. 213. USIA grants.

Sec. 214. Distribution within the United States of United States Information Agency photographic works of Richard Saunders.

Sec. 215. Israeli Arab scholarship program.

**PART B—BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS**

Sec. 221. Authorization of appropriations.

**PART C—BUREAU OF BROADCASTING**

Sec. 241. Authorization of appropriations.

**PART D—BOARD FOR INTERNATIONAL BROADCASTING**

Sec. 261. Authorization of appropriations.

**TITLE III—MISCELLANEOUS FOREIGN AFFAIRS PROVISIONS**

Sec. 301. PLO commitments compliance.

Sec. 302. Sense of Congress regarding reciprocal diplomatic status.

Sec. 303. Expansion of United States support for and presence in the Baltic States.

**TITLE I—DEPARTMENT OF STATE**

**PART A—AUTHORIZATION OF APPROPRIATIONS**

**SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

(a) **DIPLOMATIC AND ONGOING OPERATIONS.**—The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry

out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law (other than the diplomatic security program):

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", of the Department of State \$1,749,359,000 for the fiscal year 1992 and \$1,954,287,000 for the fiscal year 1993.

(2) **ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD.**—For "Acquisition and Maintenance of Buildings Abroad", \$311,628,000 for the fiscal year 1992 and \$328,423,000 for the fiscal year 1993.

(3) **REPRESENTATION ALLOWANCES.**—For "Representation Allowances", \$4,802,000 for the fiscal year 1992 and \$5,140,000 for the fiscal year 1993.

(4) **EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.**—For "Emergencies in the Diplomatic and Consular Service", \$8,000,000 for the fiscal year 1992 and \$9,560,000 for the fiscal year 1993.

(5) **OFFICE OF THE INSPECTOR GENERAL.**—For "Office of the Inspector General", \$23,928,000 for the fiscal year 1992 and \$26,650,000 for the fiscal year 1993.

(6) **PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.**—For "Payment to the American Institute in Taiwan", \$13,784,000 for the fiscal year 1992 and \$15,073,000 for the fiscal year 1993.

(7) **MOSCOW EMBASSY.**—Subject to the provisions of section 132, for completion of a new embassy office building in Moscow, Soviet Union, by removing the existing top two floors and replacing them with four floors of United States-constructed secure space, \$130,000,000 for fiscal year 1992 and \$85,000,000 for fiscal year 1993.

(b) **DIPLOMATIC SECURITY PROGRAM.**—In addition to amounts authorized to be appropriated by subsection (a), the following amounts are authorized to be appropriated under "Administration of Foreign Affairs" for the fiscal years 1992 and 1993 for the Department of State to carry out the diplomatic security program:

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", \$300,328,000 for the fiscal year 1992 and \$330,000,000 for the fiscal year 1993.

(2) **PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.**—For "Protection of Foreign Missions and Officials", \$11,464,000 for the fiscal year 1992 and \$13,937,000 for the fiscal year 1993.

(c) **LIMITATIONS.**—

(1) Of the amount authorized to be appropriated for "Emergencies in the Diplomatic and Consular Service" under subsection (a)(4), not more than \$2,000,000 for each of the fiscal years 1992 and 1993 is authorized to be appropriated for activities authorized under subparagraphs (C), (D), (E), (F), (G), (H), and (J) of section 4(b)(2) of the State Department Basic Authorities Act of 1956.

(2) Of the amount authorized to be appropriated for "Salaries and Expenses" under subsection (a)(1)—

(A) not less than \$10,000,000 for each of the fiscal years 1992 and 1993 shall be available only to the Foreign Service Institute and the Geographic Bureaus for language training programs;

(B) not more than \$4,100,000 shall be available for fiscal year 1992, and not more than \$5,400,000 shall be available for fiscal year 1993, only for procurement of ADP equipment for the Beltsville Information Management Center; and

(C) not more than \$750,000 of the amount authorized to be appropriated for fiscal year 1992 is authorized to remain available until expended to pay shared costs of Conference on Security and Cooperation in Europe (CSCE) parliamentary meetings and CSCE parliamentary assessments (including shared costs of the CSCE Secretariat) and any shared costs and assessments for CSCE parliamentary activities for fiscal year 1991.

(3) Of the amount authorized to be appropriated for "Acquisition and Maintenance of Buildings Abroad" under subsection (a)(2) not more than \$41,500,000 shall be available for fiscal year 1992, and not more than \$44,700,000 for fiscal year 1993, for administration.

(4) Of the amount authorized to be appropriated for "Acquisition and Maintenance of Buildings Abroad" under subsection (a)(2) and amounts authorized to be appropriated under section 401 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 a total of not more than \$55,466,000 is authorized to be appropriated for fiscal year 1992 for capital programs.

#### SEC. 102. INTERNATIONAL ORGANIZATIONS AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) There are authorized to be appropriated for "Contributions to International Organizations", \$1,120,541,000 for the fiscal year 1992 and \$787,200,000 for the fiscal year 1993 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States with respect to international organizations and for other purposes authorized by law.

(2) Of the amounts authorized to be appropriated under paragraph (1) for fiscal year 1992, not more than \$370,876,000 are authorized to be appropriated to pay arrearages for assessed contributions for prior years, of which not more than \$93,082,000 may be made available for obligation or expenditure for fiscal year 1992, and not more than \$92,628,000 may be made available for obligation or expenditure for any subsequent fiscal year.

(b) CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING ACTIVITIES.—

(1) There are authorized to be appropriated for "Contributions to International Peacekeeping Activities", \$201,292,000 for the fiscal year 1992 and \$72,300,000 for the fiscal year 1993, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and for other purposes authorized by law.

(2) Of the amounts authorized to be appropriated under paragraph (1) for the fiscal year 1992, not more than \$132,423,000 are authorized to be appropriated to pay arrearages, of which not more than \$38,360,000 may be made available for obligation or expenditure for fiscal year 1992, and not more than \$31,354,000 may be made available for obligation or expenditure for any subsequent fiscal year.

(c) INTERNATIONAL CONFERENCES AND CONTINGENCIES.—There are authorized to be appropriated for "International Conferences and Contingencies", \$5,500,000 for the fiscal year 1992 and \$5,900,000 for the fiscal year 1993 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and for other purposes authorized by law.

#### SEC. 103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For "International Boundary and Water Commission, United States and Mexico"—

(A) for "Salaries and Expenses" for the fiscal year 1992, \$11,400,000 and, for the fiscal year 1993, \$12,546,000; and

(B) for "Construction" for the fiscal year 1992, \$10,525,000 and, for the fiscal year 1993, \$19,925,000.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International Boundary Commission, United States and Canada", \$768,000 for the fiscal year 1992 and \$799,000 for the fiscal year 1993.

(3) INTERNATIONAL JOINT COMMISSION.—For "International Joint Commission", \$3,732,000 for the fiscal year 1992 and \$3,881,000 for the fiscal year 1993.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For "International Fisheries Commissions", \$12,647,000 for the fiscal year 1992 and \$15,682,000 for the fiscal year 1993.

#### SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, \$600,000,000 for the fiscal year 1992 and \$650,000,000 for the fiscal year 1993, of which \$5,000,000 for each of the fiscal years 1992 and 1993 may be available for migration assistance to displaced ethnic Armenians resettling in Armenia.

(2) Of the amount authorized to be appropriated under paragraph (1) for each of the fiscal years 1992 and 1993, not less than \$75,000,000 for each fiscal year shall be available only for assistance for refugees resettling in Israel.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to subsection (a) are authorized to remain available until expended.

(c) ALLOCATION FOR UNACCOMPANIED MINORS.—Of the amounts authorized to be appropriated under subsection (a)(1), not less than \$1,750,000 for each of the fiscal years 1992 and 1993 shall be available only for assistance to unaccompanied minor children and other cases of special humanitarian concern that have generally been referred to special committees established pursuant to the Comprehensive Plan of Action for Indochinese Refugees in first asylum countries in Southeast Asia and Hong Kong. The President shall seek to ensure that such assistance supplements, and does not supplant, United Nations High Commissioner for Refugees and other funding that would have been directed toward assistance to unaccompanied minors and other cases of special humanitarian concern in the absence of this subsection. Assistance may be provided under this subsection notwithstanding any other provision of law.

#### SEC. 105. OTHER PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS.—For "United States Bilateral Science and Technology Agreements", \$2,250,000 for the fiscal year 1992 and \$5,200,000 for the fiscal year 1993.

(2) SOVIET-EAST EUROPEAN RESEARCH AND TRAINING.—For "Soviet-East European Research and Training", \$5,000,000 for the fiscal year 1992 and \$5,000,000 for the fiscal year 1993.

(3) ASIA FOUNDATION.—For "Asia Foundation", \$18,000,000 for the fiscal year 1992 and \$18,900,000 for the fiscal year 1993.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that section 2 and part A be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. DYMALLY  
Mr. DYMALLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DYMALLY: Page 7, line 8, strike "and".

Page 7, 18, strike the period and insert "and".

Page 7, after line 18, insert the following:

(D) \$1,500,000 shall be available for fiscal year 1993 for the Department of State to enter into contracts with the International Career Program in order for students from historically-black colleges and universities to enter into programs of recruitment and training for careers in the Foreign Service and in other areas of international affairs.

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

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

There was no objection.

Mr. DYMALLY. Mr. Chairman, the purpose of this amendment is to increase African-American involvement in the Foreign Service as well as other areas of international affairs.

While I was chairman of the Subcommittee on International Operations, the subcommittee held several hearings on the Foreign Service personnel system at the Department of State. Though the Department continually promises to increase recruiting and other affirmative action efforts for minorities and women, progress has been slow and tedious. Though the complexion of our society is changing, the Foreign Service remains predominantly white and male.

Not fully integrating the Foreign Service denies it the opportunity of benefitting from the cultural diversity that is inherent in our society. Better representation assists us in our diplomatic efforts by showing other countries that America is trying to live up to the promises it attempts to export—the promise of equality and opportunity for all.

This program involves designating liaisons from each participating institution who would receive specific training and classes aimed at encouraging students to take the Foreign Service exam. This would be followed by a summer institute to give students exposure to and an in-depth understanding of a broad range of international issues. All participating students will be encouraged to attend the institute which will be conducted at Lincoln University in Pennsylvania.

The final stage of the training program will involve an intensive training seminar held in Washington, DC aimed specifically at preparing candidates for the Foreign Service written examination.

By supporting this initiative, we give an opportunity to serve in the Foreign Service to many qualified and talented individuals who may never have had the privilege of being a diplomat.

I urge my colleagues to support this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. DYMALLY].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments to part A?

The Clerk will read part B.

The Clerk read as follows:

**PART B—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES**

**SEC. 111. CONSULAR AND DIPLOMATIC POSTS ABROAD.**

(a) TECHNICAL AMENDMENT.—The State Department Basic Authorities Act of 1956 is amended—

(1) by striking out section 48; and

(2) by inserting immediately after the enacting clause the following: "That this Act may be cited as the 'State Department Basic Authorities Act of 1956'."

**(b) CONSULAR AND DIPLOMATIC POSTS ABROAD.—**

(1) The State Department Basic Authorities Act of 1956 (as amended by subsection (a)) is amended by adding after section 47 the following:

**"CLOSING OF CONSULAR AND DIPLOMATIC POSTS ABROAD**

**"SEC. 48. (a) PROHIBITED USES OF FUNDS.—**Except as provided under subsection (d) or in accordance with the procedures under subsections (b) and (c) of this section—

"(1) no funds authorized to be appropriated to the Department of State shall be available to pay any expense related to the closing of any United States consular or diplomatic post abroad; and

"(2) no funds authorized to be appropriated to the Department of State may be used to pay for any expense related to the Bureau of Administration of the Department of State (or to carrying out any of its functions) if any United States consular or diplomatic post is closed.

"(b) POST CLOSING NOTIFICATION.—Not less than 45 days before the closing of any United States consular or diplomatic post abroad, the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(c) REPROGRAMMING TREATMENT.—Amounts made available to pay any expense related to the closing of a consular or diplomatic post abroad shall be treated as a reprogramming of funds under section 34 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogramming.

"(d) EXCEPTIONS.—The provisions of this section do not apply with respect to—

"(1) any post closed because of a break or downgrading of diplomatic relations between the United States and the country in which the post is located; or

"(2) any post closed because there is a real and present threat to United States diplomatic or consular personnel in the city where the post is located, and a travel advisory warning against travel by United States citizens to that city has been issued by the Department of State.

"(e) DEFINITION.—As used in this section, the term 'consular or diplomatic post' does not include a post to which only personnel of agencies other than the Department of State are assigned."

(2) REPEAL.—Section 122 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656 note) is repealed.

**SEC. 112. DENIAL OF PASSPORTS.**

The State Department Basic Authorities Act of 1956 is amended by adding after section 48 the following new section:

**"IMPERMISSIBLE BASIS FOR DENIAL OF PASSPORTS**

**"SEC. 49. A passport may not be denied issuance, revoked, restricted, or otherwise limited because of any speech, activity, belief, affiliation, or membership, within or outside the United States, which, if held or conducted within the United States, would be protected by the first amendment to the Constitution of the United States."**

**SEC. 113. EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.**

Section 124 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2680 note) is amended by adding at the end thereof the following: "Items included in each such report concerning representation, official travel, and gifts shall be submitted in unclassified form."

**SEC. 114. LEASE AUTHORITY.**

(a) INCREASE IN LEASE AUTHORITY.—Section 10 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 300) is amended by striking out "\$25,000," and inserting in lieu thereof "\$50,000".

(b) ADVANCE PAYMENTS.—Section 10 of the Foreign Service Buildings Act, 1926 is further amended—

(1) by inserting "(a) LEASES.—" after "SEC. 10."; and

(2) by adding after subsection (a) the following new subsection:

"(b) ADVANCE PAYMENTS FOR LONG TERM LEASES AND LEASE PURCHASE.—The Secretary may make advance payments for long term leases and lease-purchase agreements, if the Secretary determines, in each case, that such payments are in the interest of the United States Government in carrying out the purposes of this Act."

(c) EXCEPTION OF LEASES FROM COMPETITION.—Section 3 of the Foreign Service Buildings Act, 1926, (22 U.S.C. 294) is amended in the second sentence by inserting "leases and for" after "contracts for".

**SEC. 115. MULTIYEAR CONTRACTING FOR MOSCOW.**

(a) MULTIYEAR CONTRACT.—For purposes of this section the term "multiyear contract" means a contract in effect for a period not to exceed five years.

(b) AUTHORITY.—The Secretary of State may enter into multiyear contracts for the acquisition of property and the construction of diplomatic facilities in Moscow, as authorized by the Foreign Service Buildings Act, 1926, if—

(1) there are sufficient funds available for United States Government liability for—

(A) total payments under the full term of a contract; or

(B) payments for the first fiscal year for which the contract is in effect, and for all estimated cancellation costs; and

(2) the Secretary of State determines that—

(A) a multiyear contract will serve the best interests of the United States Government by—

(i) achieving economies in administration, performance, and operation;

(ii) increasing quality of performance by, or service from, the contractor; or

(iii) encouraging effective competition; and

(B) a multiyear contract will not inhibit small business concerns from submitting a bid or proposal for such contract.

(c) CONTRACT PROVISIONS.—

(1) Unless funds are available for United States liability for payments under the full term of a multiyear contract, a multiyear contract shall provide that United States Government payments and performance under the contract during the second and any subsequent fiscal

year of the contract period are contingent on the availability of funds for such year.

(2) A multiyear contract may provide for payment to the contractor of a reasonable cancellation charge for a contingency under paragraph (1).

(3) The Secretary is authorized to use such funds as may be available from the Foreign Service Buildings Fund for payments under paragraph (2).

(d) SUNSET PROVISION.—This section shall cease to have effect after September 30, 1993.

**SEC. 116. TRANSFERS AND REPROGRAMMINGS.**

(a) BUYING POWER MAINTENANCE ACCOUNT.—Section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696) is amended by adding at the end of subsection (b) the following new paragraph:

"(7)(A) Subject to subparagraphs (B) and (C), not later than the end of the fifth fiscal year after the fiscal year for which funds are appropriated or otherwise made available for an account under 'Administration of Foreign Affairs', the Secretary of State may transfer any unobligated balance of such funds to the Buying Power Maintenance account.

"(B) The balance of the Buying Power Maintenance account may not exceed \$100,000,000 as a result of any transfer under this paragraph.

"(C) Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 34 and shall be available for obligation or expenditure only in accordance with the procedures under such section.

"(D) This paragraph shall cease to have effect after September 30, 1993."

(b) TRANSFER OF APPROPRIATIONS.—Section 24 of the State Department Basic Authorities Act of 1956 is amended by adding after subsection (e) the following new subsection:

"(f)(1) Subject to paragraphs (2) and (3), funds appropriated for the Department of State in the Department of State Appropriations Act for any fiscal year may be transferred to any other appropriations accounts in an emergency situation.

"(2) The 'Salaries and Expenses' and 'Acquisition and Maintenance of Buildings Abroad' accounts may not be increased by a transfer under this subsection by more than 5 percent of the amount specifically appropriated for each account. No other appropriations account may be increased by a transfer under this subsection by more than 10 percent of the amount specifically appropriated for such account.

"(3) Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 34 and shall be available for obligation or expenditure only in accordance with the requirements of that section.

"(4) The requirements and limitations of section 15 shall not apply to the transfer of funds under this subsection.

"(5) This subsection shall cease to have effect after September 30, 1993."

(c) INCREASE IN REPROGRAMMING LIMITATION.—Section 34(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706(a)) is amended in paragraph (7) by striking out "\$250,000" and inserting in lieu thereof "\$500,000".

(d) APPROPRIATIONS.—Section 24(d) of the State Department Basic Authorities Act is amended to read as follows:

"(d)(1) Subject to paragraphs (2) and (3), funds authorized to be appropriated for any account of the Department of State in the Department of State Appropriations Act, for the second fiscal year of any two-year authorization cycle may be appropriated for such second fiscal year for any other account of the Department of State.

"(2) Amounts appropriated for the 'Salaries and Expenses' and 'Acquisition and Maintenance

nance of Buildings Abroad' accounts may not exceed by more than 5 percent the amounts specifically authorized to be appropriated for each such account for a fiscal year. No other appropriations account may exceed by more than 10 percent the amount specifically authorized to be appropriated for such account for a fiscal year.

"(3) The requirements and limitations of section 15 shall not apply to the appropriation of funds pursuant to this subsection."

#### SEC. 117. ADMINISTRATIVE SERVICES.

Section 23 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695) is amended—

(1) by adding before the section designation the following section heading: "ADMINISTRATIVE SERVICES";

(2) by inserting "(a) AGREEMENTS.—" after "Sec. 23."; and

(3) by adding at the end thereof the following new subsection:

"(b) PAYMENT.—

"(1) A Federal agency which obtains administrative services from the Department of State pursuant to an agreement authorized under subsection (a) shall make full and prompt payment for such services through advance of funds or reimbursement.

"(2) The Secretary of State shall bill each Federal agency for amounts due for services provided pursuant to subsection (a). The Secretary shall notify a Federal agency which has not made full payment for services within 90 days after billing that services to the agency will be suspended or terminated if full payment is not made within 180 days after the date of notification. Except as provided under paragraph (3), the Secretary shall suspend or terminate services to a Federal agency which has not made full payment for services under this section 180 days after the date of notification. Any costs associated with a suspension or termination of services shall be the responsibility of, and shall be billed to, the Federal agency.

"(3) The Secretary of State may waive the requirement for suspension or termination under paragraph (2) with respect to such services as the Secretary determines are necessary to ensure the protection of life and the safety of United States Government property. A waiver may be issued for a period not to exceed one year and may be renewed."

#### SEC. 118. INTERNATIONAL MEETINGS.

The State Department Basic Authorities Act of 1956 is amended by adding after section 49 (as inserted by section 112) the following:

##### "INTERNATIONAL MEETINGS

"SEC. 50. (a) AUTHORITY TO PAY EXPENSES.—If the United States Government hosts an international meeting or conference in the United States, the Secretary of State is authorized to pay all reasonable expenses of such meeting or conference. Such expenses may include rental of quarters (by contract or otherwise) and personal services.

"(b) RETENTION OF REIMBURSEMENTS.—To the extent provided in an appropriation Act, transfers of funds or other reimbursements for payments under subsection (a) are authorized to be retained and credited to the appropriate appropriation account of the Department of State which is available."

#### SEC. 119. CHILD CARE FACILITIES AT CERTAIN POSTS ABROAD.

Section 31 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2703) is amended in subsection (e) by striking out "1990 and 1991," and inserting in lieu thereof "1992 and 1993,".

#### SEC. 120. AVAILABILITY OF FUNDS.

Section 2 of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2669) is amended—

(1) in subsection (k) by striking out the period and inserting in lieu thereof "; and"; and

(3) by adding after subsection (k) the following new subsection:

"(l) pay obligations arising under international agreements, conventions, and binational contracts to the extent otherwise authorized by law."

#### SEC. 121. ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS.

(a) ESTABLISHMENT OF POSITION.—There is established in the Department of State the position of Assistant Secretary of State for South Asian Affairs, which is in addition to the positions provided under the first section of the Act of May 26, 1949 (22 U.S.C. 2652).

(b) APPOINTMENT.—The Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

(c) RESPONSIBILITIES.—The Assistant Secretary shall have responsibility within the Department of State with respect to India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan, Afghanistan, and the Maldives.

(d) CONFORMING AMENDMENT.—

(1) POSITIONS AT EXECUTIVE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new item:

"Assistant Secretary for South Asian Affairs, Department of State."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 1991.

#### SEC. 122. FEES RECEIVED FOR USE OF BLAIR HOUSE.

Section 46(a) of the State Department Basic Authorities Act of 1956 is amended by striking out "for the fiscal years 1990 and 1991,".

#### SEC. 123. FOREIGN SERVICE INSTITUTE FACILITIES.

Section 123 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4021 note) is amended in subsection (c)(2) by striking out "\$50,000,000" and inserting in lieu thereof "\$70,000,000".

#### SEC. 124. MAINTENANCE MANAGEMENT OF OVERSEAS PROPERTY.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Department of State has begun to address the long-standing neglect of overseas real property management. In 1988, the Office of Foreign Buildings Operations contracted with two engineering firms to develop a baseline of information about facility conditions and to document necessary post repairs at the 250 overseas posts. The Office of Foreign Buildings Operations also established two maintenance assistance centers and is equipping each newly constructed office building with an overall maintenance program.

(2) A September 1990 General Accounting Office report found that while recent actions of the Office of Foreign Buildings Operations will improve overseas real property management, serious additional problems will remain. Of the fourteen posts that the General Accounting Office visited, none had conducted annual surveys to systematically identify maintenance and repair requirements; none were following all of the maintenance management principles as outlined in the Buildings Maintenance Handbook; and the vast majority of posts were not tracking maintenance expenditures. The report concluded that the Office of Foreign Buildings Operations exercised insufficient oversight of overseas maintenance activities.

(3) The neglect of maintenance oversight by the Office of Foreign Buildings Operations has repeatedly resulted in the deferment of necessary maintenance which has led to higher repair costs and shorter building life.

(b) MAINTENANCE OVERSIGHT.—The Director of the Office of Foreign Buildings Operations shall—

(1) direct overseas posts to make annual building condition assessments of buildings and facilities used by the post;

(2) not later than 90 days after the date of the enactment of this Act, revise the Foreign Affairs Manual to stipulate that the Buildings and Maintenance Handbook shall be used by each post to identify their maintenance needs, standardize their maintenance operations, and conduct annual assessments as required by paragraph (1);

(3) direct the Office of Foreign Buildings Operations to provide proper training and assistance to posts to ensure that annual surveys are effectively completed; and

(4) direct overseas posts to ensure that all maintenance program fiscal transactions are properly encoded in the Department of State accounting system to enable compilation of actual expenditures on routine maintenance and specific maintenance funded by the Office of Foreign Buildings Operations.

#### SEC. 125. DEFENSE TRADE CONTROLS REGISTRATION FEES.

Section 45 of the State Department Basic Authorities Act of 1956 is amended—

(1) by striking out the heading and inserting the following: "DEFENSE TRADE CONTROLS REGISTRATION FEES;

(2) in subsection (a)—

(A) by striking out "Munitions Control" both places it appears and inserting in lieu thereof "Defense Trade Controls";

(B) by striking out "munitions control" both places it appears and inserting in lieu thereof "defense trade controls"; and

(C) by striking out "\$500,000" and inserting in lieu thereof "\$700,000".

#### SEC. 126. VISA LOOKOUT SYSTEMS.

(a) VISAS.—The Secretary may not include in the Automated Visa Lookout System, or any system or list which maintains information about the excludability of aliens under the Immigration and Nationality Act, the name of any alien who is not excludable from the United States under the Immigration and Nationality Act.

(b) CORRECTION OF LISTS.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall—

(1) correct the Automated Visa Lookout System, or any system or list which maintains information about the excludability of aliens under the Immigration and Nationality Act so as to be consistent with this section; and

(2) report to the Congress concerning the completion of such correction process.

(c) APPLICATION.—This section refers to the Immigration and Nationality Act as in effect on and after June 1, 1991.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part B be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN pro tempore. Are there any amendments to part B?

If not, the Clerk will read part C.

The Clerk read as follows:

#### PART C—DIPLOMATIC RECIPROcity AND SECURITY

#### SEC. 131. DIPLOMATIC CONSTRUCTION PROGRAM.

Section 402(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4582(a)) is amended—

(1) in paragraph (1) by striking out "\$5,000,000" and inserting in lieu thereof "\$10,000,000"; and

(2) by amending paragraph (2) to read as follows:

"(2) bid on a diplomatic construction or design project which involves technical security, unless the project involves low-level technology, as determined by the Assistant Secretary for Diplomatic Security."

#### SEC. 132. MOSCOW EMBASSY CONSTRUCTION.

(a) LIMITATION.—Amounts authorized to be appropriated under section 101(a)(7) shall be available for obligation and expenditure subject to the provisions of this section.

#### (b) COMPREHENSIVE PLAN.—

(1) Not later than 180 days after the date of enactment of this Act the Secretary of State, in coordination with the heads of other appropriate Government agencies, shall prepare and submit to the appropriate committees of the Congress, a comprehensive plan which sets forth current and future space requirements for the United States Mission in Moscow and how such requirements will be met.

(2) In addition to such other information as the Secretary of State considers necessary and appropriate, such plan shall include detailed information concerning requirements for:

(A) United States constructed and secure office space to house all classified or sensitive activities from the most secure to unclassified but sensitive functions;

(B) unclassified nonsensitive office functions;

(C) staff housing that is physically safe, secure, and adequate for the needs of the entire United States Mission, both permanent and transient;

(D) secure and unsecured warehousing;

(E) recreational facilities;

(F) expanded activities of the United States Information Agency, including offices and cultural activities;

(G) expanded Consular activities of the Mission;

(H) expanded activities of the Foreign Commercial Service/Department of Commerce; and

(I) all other anticipated U.S. Government space requirements.

(c) IMPLEMENTING DOCUMENTS.—The Secretary of State shall make available to the appropriate committees of Congress copies of all agreements, including memoranda of understanding, exchanges of letters and all other written agreements with the governments of the Soviet Union, the Russian Republic, and the City of Moscow necessary to implement the comprehensive plan under subsection (b).

(d) DEFINITIONS.—For the purposes of this section, the term "appropriate committees of Congress", means the Committee on Foreign Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part C be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN pro tempore. Are there any amendments to part C?

If not, the Clerk will read part D.

The Clerk read as follows:

#### PART D—PERSONNEL

#### SEC. 141. AMBASSADORIAL APPOINTMENTS.

Section 302 of the Foreign Service Act of 1980 (22 U.S.C. 3942) is amended in subsection (a)(1) by inserting "as an ambassador," after "ambassador at large,".

#### SEC. 142. CHIEF OF MISSION SALARY.

(a) ELECTION.—Section 302 of the Foreign Service Act of 1980 (22 U.S.C. 3942) is amended in the second sentence of subsection (b) by striking out all that follows "assignment" and inserting in lieu thereof "may elect to continue to receive the salary of his or her salary class, to remain eligible for performance pay under chapter 4, and to receive the leave to which such member is entitled under subchapter I of chapter 63, title 5, United States Code, as a member of the Senior Foreign Service, in lieu of receiving the salary and leave (if any) of the position to which the member is appointed by the President."

(b) PAY CAP.—Section 401 of the Foreign Service Act of 1980 (22 U.S.C. 3961) is amended in subsection (a) by—

(1) striking out "Each" and inserting in lieu thereof "Except as provided in section 302(b), each"; and

(2) striking out "level II of such" and inserting in lieu thereof "level I of such".

#### SEC. 143. AUTHORITY OF SECRETARY TO SUSPEND EMPLOYEES CONVICTED OF CRIMES.

(a) SEPARATION FOR CAUSE.—Section 610(a) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)) is amended—

(1) in paragraph (3) by striking out "there is reasonable cause to believe that a member has committed a crime" and inserting in lieu thereof "a member has been convicted of a crime";

(2) in paragraph (4)(A) by striking out "suspension, including the grounds for reasonable cause to believe a crime has been committed" and inserting in lieu thereof "suspension"; and

(3) in the second sentence of paragraph (5) by striking out "there exists reasonable cause to believe a crime has been committed for which a sentence of imprisonment may be imposed" and inserting in lieu thereof "the conviction requirements of subsection (a)(3) have been fulfilled".

(b) FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.—Section 1106 of the Foreign Service Act of 1980 (22 U.S.C. 4136) is amended in the third sentence of paragraph (8) by striking out "determined that" and all that follows through the period and inserting in lieu thereof "exercised his authority under subsection (a)(3) of section 610.".

(c) CONFORMING AMENDMENT.—Section 586 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended by striking out subsection (c).

#### SEC. 144. RETIREMENT ELIGIBILITY FOR CERTAIN FEDERAL EMPLOYEES WHO TRANSFER TO INTERNATIONAL ORGANIZATIONS.

(a) CIVIL SERVICE RETIREMENT.—Section 8331(1) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of subparagraph (K);

(2) by inserting "and" after the semicolon at the end of subparagraph (L); and

(3) by adding after subparagraph (L) the following subparagraph:

"(M) an individual who is employed by an international organization pursuant to section 3582 and who, from time of transfer to such employment from employment creditable under this subchapter, currently deposits the employee contributions required by this subchapter;"

(b) LIFE INSURANCE.—Section 8701(a) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (9);

(2) by inserting "and" after the semicolon at the end of paragraph (10); and

(3) by adding after paragraph (10) the following paragraph:

"(11) an individual who is employed by an international organization pursuant to section

3582 and who, from time of transfer to such employment (if insured under this chapter immediately before the date of such transfer), currently deposits the employee contributions required by this chapter;"

(c) HEALTH INSURANCE.—Section 8901(1) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of subparagraph (H);

(2) by inserting "and" after the semicolon at the end of subparagraph (I); and

(3) by adding after subparagraph (I) the following:

"(J) an individual who is employed by an international organization pursuant to section 3582 and who, from time of transfer to such employment (if enrolled in a health benefits plan as an employee immediately before the date of such transfer), currently deposits the employee contributions required by this chapter;"

(d) FEDERAL EMPLOYEES RETIREMENT.—Section 8401(11) of title 5, United States Code, is amended—

(1) by striking "(J), or (K)" in subparagraph (A) and inserting in lieu thereof "(J), (K), or (M)"; and

(2) by inserting after "Internal Revenue Code of 1986" the phrase "or is self-employment for purposes of section 211(c)(2)(C) of the Social Security Act and section 1402(c)(2)(C) of the Internal Revenue Code of 1986".

(e) TAX TREATMENT OF THE THRIFT SAVINGS FUND.—Section 8440 of title 5, United States Code is amended—

(1) in subsection (a)(3)—

(A) by striking "merely because" and inserting in lieu thereof "merely because (A)"; and

(B) by adding immediately before the period at the end thereof ", or (B) having made such election, the employee subsequently transfers to employment with an international organization under conditions specified in section 3582 of this title entitling the employee to continue participation in a retirement system for Federal employees, including submission of employee contributions to the Thrift Savings Fund in accordance with subsection 3582(d)(2)"; and

(2) in subsection (c)—

(A) by inserting "either (1)" after "not be included"; and

(B) by inserting before the period at the end of such subsection ", or (2) for an employee who transfers to employment with an international organization pursuant to section 3582 of this title, as 'net earnings from self-employment' consistent with section 211(c)(2)(C) of the Social Security Act (42 U.S.C. 411(c)(2)(C)) or section 1402(c)(2)(C) of the Internal Revenue Code of 1986.".

(f) FOREIGN SERVICE PENSION SYSTEM PARTICIPANTS.—Section 853 of the Foreign Service Act of 1980 (22 U.S.C. 4071b) is amended in subsection (a) by inserting "or is self-employment for purposes of section 211(c)(2)(C) of the Social Security Act (42 U.S.C. 411(c)(2)(C)) and section 1402(c)(2)(C) of the Internal Revenue Code of 1986," after "chapter 21 of the Internal Revenue Code of 1986,".

(g) INCLUSION AS SERVICE SUBJECT TO TAX ON SELF-EMPLOYMENT INCOME.—Subparagraph (C) of section 1402(c)(2) of the Internal Revenue Code of 1986 is amended by inserting before the comma at the end the following: ", or service described in section 3121(b)(15) performed outside the United States by a citizen of the United States who is entitled to reemployment with a Federal agency pursuant to section 3582 of title 5, United States Code, and whose prior service with such Federal agency was employment for purposes of section 3121(b) of this title".

(h) TAX TREATMENT OF CONTRIBUTIONS TO FEDERAL THRIFT SAVINGS FUND.—

(1) IN GENERAL.—Subparagraph (C) of section 7701(j)(1) of the Internal Revenue Code of 1986

is amended by inserting "(i)" after "merely because", and by inserting before the period at the end the following: ", or (ii) having made such election, the employee subsequently transfers to employment with an international organization under the conditions specified in section 3582 of such title 5 as entitling the employee to continued participation in a retirement system for Federal employees, including submission of employee contributions to the Thrift Savings Fund in accordance with section 3582(d)(2) of such title 5".

(2) COORDINATION WITH SOCIAL SECURITY ACT.—Paragraph (3) of section 7701(j) of the Internal Revenue Code of 1986 is amended by inserting "(A)" after "not be included", and by inserting before the period at the end the following: ", or (B) in the case of an employee who transfers to employment with an international organization pursuant to section 3582 of title 5, United States Code, as net earnings from self-employment for purposes of section 211 of the Social Security Act or section 1402 of this title".

(i) AMENDMENTS TO THE SOCIAL SECURITY ACT.—Subparagraph (C) of section 211(c)(2) of the Social Security Act (42 U.S.C. 411(c)(2)) is amended by inserting before the comma at the end the following: "and service described in section 210(a)(15) performed outside the United States by a citizen of the United States who is entitled to reemployment with a Federal agency pursuant to section 3582 of title 5, United States Code, and whose prior service with such Federal agency was employment for purposes of section 210(a)".

(j) RIGHTS OF TRANSFERRING EMPLOYEES.—Section 3582 of title 5, United States Code, is amended—

(1) in subsection (a)(1) by striking "depository;" and inserting in lieu thereof "depository (in addition to self-employment taxes payable pursuant to section 1402(c)(2)(C) of the Internal Revenue Code of 1986, if an employee's service prior to a transfer under this section was employment for purposes of title II of the Social Security Act);"; and

(2) in subsection (d)—

(A) by redesignating the existing subsection by inserting "(1)" after "(d)"; and

(B) by adding after paragraph (1) the following new paragraph:

"(2) Any employee contributions authorized to be made to the Thrift Savings Fund pursuant to an employee election under section 8351 or 8432 of this title shall in the case of an employee entitled to continue such retirement coverage under subsection (a) of this section be deemed to qualify for preferential tax treatment in accordance with section 8440 of this title, as long as such contributions are submitted on a current basis to the agency from which the employee is transferred, directly by the respective international organization through a salary reduction process or, if the organization advises that this is not possible, by the employee from current salary."

(k) RETROACTIVE APPLICATION.—

(1) Subsections (a), (b), and (c) of this section are effective in the case of any Federal employee who transfers to an international organization on and after October 1, 1988.

(2) Subsections (d) through (j) of this section are effective in the case of any Federal employee who transfers to an international organization on or after January 1, 1987, notwithstanding section 205(c)(5)(F) of the Social Security Act (42 U.S.C. 405(c)(5)(F)).

#### SEC. 145. COMMISSARY ACCESS.

Section 31(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2703(c)) is amended by adding before the period at the end of the first sentence ", and, where determined by the Secretary to be appropriate due to exceptional circumstances, to United States citizens

hired outside of the host country to serve as teaching staff for such dependents abroad".

#### SEC. 146. STORAGE OF PERSONAL EFFECTS.

Section 901(12) of the Foreign Service Act of 1980 (22 U.S.C. 4081(12)) is amended—

(1) in subparagraph (B) by inserting immediately before the semicolon ", except that in extraordinary circumstances the Secretary may extend this period for not more than an additional 90 days"; and

(2) in subparagraph (C) by inserting immediately before the semicolon ", except that in extraordinary circumstances the Secretary may extend this period for not more than an additional 90 days".

#### SEC. 147. TRANSPORTATION OF REMAINS.

Section 901(10) of the Foreign Service Act of 1980 (22 U.S.C. 4081(10)) is amended by inserting immediately before the semicolon "or, if death occurs in the United States, transport of the remains to the designated home in the United States or to a place not more distant".

#### SEC. 148. AMENDMENTS TO TITLE 5.

(a) DURATION OF PAYMENTS; RATES; ACTIVE SERVICE PERIOD.—Section 5523(a)(1) of title 5, United States Code, is amended by striking "agency"—" and all that follows thereafter and inserting the following: "agency" whose departure (or that of the employee's dependents or immediate family, as the case may be) is authorized or ordered under section 5522(a); and"

(b) LUMP-SUM PAYMENT FOR ACCUMULATED AND ACCRUED LEAVE ON SEPARATION.—(1) Section 5551(a) of title 5, United States Code, is amended by inserting "(excluding any differential under section 5925 and any allowance under section 5928)" after "pay" in the second sentence.

(2) The amendment made by paragraph (1) shall apply with respect to service as part of a tour of duty or extension thereof commencing on or after the date of enactment of this Act.

(c) GENERAL PROVISIONS.—Section 5922 of title 5, United States Code, is amended by adding at the end the following:

"(d) When a quarters allowance or allowance related to education under this subchapter, or quarters furnished in Government-owned or controlled buildings under section 5912, would be furnished to an employee but for the death of the employee, such allowances or quarters may be furnished or continued for the purpose of allowing any child of the employee to complete the current school year at post or away from post notwithstanding the employee's death.

"(e) When an allowance related to education away from post under this subchapter would be authorized with respect to an employee but for the evacuation or authorized departure status of the post, such an allowance may be furnished or continued for the purpose of allowing any dependent children of such employee to complete the current school year."

(d) QUARTERS ALLOWANCE.—Section 5923 of title 5, United States Code, is amended—

(1) by striking out "When" and inserting in lieu thereof "(a) When";

(2) in paragraph (1) (in the matter before subparagraph (A))—

(A) by striking "lodging" and inserting "subsistence"; and

(B) by inserting "(including meals and laundry expenses)" after "quarters";

(3) in paragraph (1)(A), by striking "3 months" and inserting "90 days";

(4) in paragraph (1)(B), by striking "1 month" and inserting "30 days"; and

(5) by adding at the end the following:

"(b) The 90-day period under subsection (a)(1)(A) and the 30-day period under subsection (a)(1)(B) may each be extended for not more than 60 additional days if the head of the agency concerned or his designee determines that there are compelling reasons beyond the control

of the employee for the continued occupancy of temporary quarters."

(e) COST-OF-LIVING ALLOWANCES.—Section 5924 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking "Columbia." and inserting "Columbia, except that employees receiving the temporary subsistence allowance under section 5923(1) are ineligible for a post allowance under this paragraph.";

(2) in paragraph (2)—

(A) in the matter before subparagraph (A), by striking "expenses," and inserting "subsistence and other relocation expenses (including unavoidable lease penalties).";

(B) in subparagraph (A), by inserting "the Commonwealth of the Northern Mariana Islands," after "Puerto Rico."; and

(C) in subparagraph (B), by striking "between assignments to posts in foreign areas." and inserting "after the employee agrees in writing to remain in Government service for 12 months after transfer, unless separated for reasons beyond the control of the employee that are acceptable to the agency concerned."; and

(3) in paragraph (4)—

(A) in the matter before subparagraph (A), by striking "dependents," and inserting "dependents (or, to the extent education away from post is involved, official assignment to service in such area or areas).";

(B) in subparagraph (A), by striking "United States," and inserting "United States (including such educational services as are provided by the States under the Individuals with Disabilities Education Act)."; and

(C) in subparagraph (B)—

(i) in the first sentence by striking "undergraduate college education" and inserting "postsecondary educational institution education (other than a program of post-baccalaureate education)";

(ii) in the third sentence by striking "undergraduate college education" and inserting "postsecondary educational institution education (other than a program of post-baccalaureate education)"; and

(iii) by adding at the end the following: "For the purposes of this subparagraph, the term 'educational institution' has the meaning defined under section 1701(a)(6) of title 38."

#### SEC. 149. VOLUNTARY LEAVE BANK PROGRAM.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the third sentence by striking out "(and (B))" and inserting in lieu thereof "(B) programs for voluntary transfers of such leave and voluntary leave banks, which shall, to the extent practicable, be established in a manner consistent with the provisions of subchapters III and IV, respectively, of chapter 63 of title 5, United States Code, and (C)".

#### SEC. 150. REASSIGNMENT AND RETIREMENT OF PRESIDENTIAL APPOINTEES.

Section 813 of the Foreign Service Act of 1980 (22 U.S.C. 4053) is amended to read as follows:

"SEC. 813. REASSIGNMENT AND RETIREMENT OF FORMER PRESIDENTIAL APPOINTEES.—(a) Except as provided under subsection (b), a participant, who completes an assignment under section 302(b) in a position to which he or she was appointed by the President, shall be offered reassignment within 90 days after the termination of such assignment and any period of authorized leave.

"(b) Subsection (a) shall not apply with respect to a participant, if the Secretary of State determines that reassignment of the participant is not in the interest of the United States and the Foreign Service.

"(c) A participant who is not reassigned under subsection (a) shall be retired from the Service and receive retirement benefits in accordance with section 806 or 855, as appropriate."

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part D be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. SOLOMON

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 48, after line 8, insert the following:

**SEC. 151 CONTROLLED SUBSTANCES TESTING PROGRAM FOR EMPLOYEES OF THE STATE DEPARTMENT**

The Congress finds that—

(1) the illegal sale, possession and use of drugs pose a pervasive and substantial threat to the social, educational and economic health of the United States;

(2) the impact of drug abuse is reflected in the criminal violence that it causes and in the disintegration of families, schools, neighborhoods, and workplace safety and efficiency;

(3) the effects of rampant illegal drug trafficking are amply illustrated by national crime statistics and prosecutions across the United States of persons at all economic and social levels, including prominent government leaders;

(4) the chronic problem of drug abuse has contributed to declining productivity levels, escalating health care costs, and the increasing inability of domestic industry to compete in the world market; and

(5) reasonable suspicion exists that the mission of the government to preserve the public health and safety, protect the national security, and maintain an effective drug interdiction program for the United States is being subverted by the possession, sale, and use of drugs by Federal personnel at all levels of government.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of State shall establish and implement a random controlled substances testing program for employees of the Department of State.

(b) DEFINITIONS.—For the purposes of this section—

(1) the term "controlled substance" has the meaning given such term by Section 102 of the Controlled Substances Act; and

(2) the term "employee of the Department of State" includes any member of the Foreign Service.

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

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

There was no objection.

Mr. SOLOMON. Mr. Chairman, I am going to save the Committee time and not give my prepared remarks.

My colleagues, this is an amendment which has been voted on on this floor probably almost a dozen times in the last 2 years. What the amendment does is it establishes random drug testing as a condition of employment for all Federal employees within the State Department.

Unfortunately, Mr. Chairman, it is impossible for me to offer this amend-

ment in the form of a bill that would take in all Federal employees throughout the entire Federal system, but because that bill has not been allowed to come before the floor, it is necessary then to offer it to each authorizing bill for each department, and agency, and bureau of the Federal Government.

So, this amendment has been voted on, I think, three times during this Congress that started in the middle of January and will probably be voted on at least 18 more times.

Mr. Chairman, I would just ask my colleagues to consider the vote that they will be making today because they are going to have to make it time and time again until we do establish in the Federal Government that random drug testing for all Federal employees, not just some, but all, as a condition of employment, as a part of the duty of each individual Federal employee.

Mr. Chairman, the U.S. Supreme Court has ruled in a number of cases dealing with safety and sensitive positions; they have ruled that it is constitutionally correct to have a pre-employment requirement, which is also the same kind of amendment that I offered to all of the authorizing bills. However I do not have to offer it to the State Department because the State Department already does require preapplicant drug testing.

Mr. Chairman and my colleagues, I say, "You know drugs have become such a serious problem that, if you've read the recent FBI report, we now have violent crime spreading all throughout the ghettos of our big cities, all throughout the entire cities. Now it is spreading throughout the suburban areas and even into rural areas such as I represent in northern New York."

As a matter of fact, Mr. Chairman, a recent study by the Rand Corp. showed that 75 percent of all of illegal drug use in this country today is undertaken by casual drug users. Now that does not mean the poor people in the ghettos. My colleagues, that means our constituents. It means maybe the upper middle class college student using drugs casually. It means the young business executive who goes home on the weekend driving his Firebird Pontiac into the ghettos, buying his little bit of marijuana, buying his little bit of cocaine, and taking that back into the suburbs, into middle class America, where he and people like him attend cocktail parties, and they smoke a little marijuana, they snort a little cocaine, and they say to themselves, "We're not doing society any damage at all because we're not really hooked."

Mr. Chairman, they are right. They are not really hooked. But I ask my colleagues, "You know what? They're going to be hooked, and then they're going to become a burden on society

that you, and I and our taxpayers are going to have to support."

□ 1510

But worse than that, what they are doing is pumping up the price of these illegal drugs. I would say to the Members on the other side that I know all of a sudden I see "Dear Colleague" letters coming out from Members I have never heard from before. I see them coming, for instance, from the Black Caucus, and I would say this to members of the Black Caucus: "You know that your constituents are affected even more than mine because it is my constituents who are the casual drug users just on the weekends who drive into your districts and buy those illegal drugs from your people in places where all these murders are taking place, and you are the Members who represent the ghettos and the poor sections of America, and you ought to be standing here and defending this amendment that I offer here today."

Let me tell the Members, for example, what happened to the U.S. military in 1982. In 1982, by their own admission, 27 percent of the entire military were using drugs. Can we imagine that, 27 percent? Can we imagine how effective we would have been in the Persian Gulf if 27 percent of those military people had been on drugs at the time?

Well, we did something about it. A President by the name of Ronald Reagan then instituted random drug testing throughout the entire military, not just for the buck private or the corporal or the sergeant; he did it for the generals and the admirals. And we know what happened. Inside of 6 years that 27 percent drug use in the military dropped.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLOMON] has expired.

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

Mr. SOLOMON. Mr. Chairman, that use of drugs in the military dropped from 27 percent down to 4.5 percent. That is an 82-percent decrease of drug use in the military, and today we have the best educated, the best trained, the best equipped and the most highly motivated military we have ever had in the history of this Nation. They are not on drugs, for one thing.

Just think what would happen if we could get an 82-percent reduction in illegal drug use with our Federal employees. Fortunately, we do not have that many Federal employees on drugs. Most of them are good, upstanding people, but the fact is that there are those out there who are using drugs. Suppose we could get an 82-percent reduction in drug use in the Federal Government, and then, Mr. Chairman, suppose we could get an 82-percent reduction in all of our State governments, the second largest employer in the United States

of America after the Federal Government. And then suppose we could get an 82-percent reduction in all local government employees, the third largest employer in the entire country.

Then, Mr. Chairman, if we set that example throughout all of government from local government up to Federal, suppose that IBM and the General Electric Co. and all of the industries in the private sector introduced random drug testing. Do we know what would happen if we reduced illegal drug use 82 percent all across the board, public and private? There would be no more illegal drug use in this country to speak of. Those drug kingpins would not exist because there would not be a market for their illegal drugs.

I know there are those Members who will say, "What about invasion of privacy?" They will say, "JERRY SOLOMON, you are a strict conservative constructionist. What about invading my privacy?"

First of all, this is not like alcohol. It is against the law in all States to be publicly intoxicated or to drive while intoxicated, but it is not against the law to use alcohol. You can get drunk as a skunk if you want to in the privacy of your own home. But we know that it is against the law for you to get high on marijuana or cocaine or crack or any other illegal drug. It is illegal for you to do that in the privacy of your own home.

So I say to the Members, Mr. Chairman, there is a compelling interest out there for us not only to set the example but, more than that, to say to any prospective Federal employee, "If you are going to work for the government, a part of your job, a condition of that employment, is going to be to submit to random drug testing."

A GAO report just recently said that it is unfair because all Federal employees are not subject to this random testing, only some of them. So I say to the Members that we ought to treat all Federal employees fairly.

Second, if we really intend to test all of these employees, we really could make a dent in it. Again I say I have seen these "Dear Colleague" letters which state that it is unconstitutional, but if we read all of the clippings, we read where it says, "The Court upholds drug testing of Justice Department applicants," and the Court upholds this all the way through. So what we need to do is have a test case in the courts, because if it is unconstitutional, although I do not think it is, then this Member of Congress will not come back here and waste our time with these kinds of amendments. But we need a test in the courts, and that is why I say that each and every Member, regardless of where they come from, ought to be supporting this amendment.

So, Mr. Chairman, I rest my case and hope the Members will all vote for this

amendment and let us get the case on to the Supreme Court.

Mr. Chairman, illegal drug use is our No. 1 domestic problem and my amendment intends to add to the emphasis in the war against drugs by addressing the issue of the casual drug user.

Let us face the facts. We could eliminate every drug lord in the world today and new ones would pop-up tomorrow because of the enormous profits involved in this deadly trade. We have to eliminate the market by eliminating the demand. And this can be done by holding the casual drug user accountable.

Mr. Chairman, the days of regarding casual drug users as victims are over. If we condition Federal privileges to remaining drug-free we can begin to send the message to illegal drug users that they are a major part of the terrible drug problem facing our Nation and will be held accountable for their actions.

In the last Congress, I introduced legislation to condition the privilege of driving with the responsibility of remaining drug free. This measure was included in the fiscal year 1991 DOT appropriations bill which became Public Law 101-516.

My amendment today continues to condition Federal benefits to the responsibility of remaining drug-free by requiring the random drug testing of all State Department employees.

This amendment has already been accepted to the CIA and NASA authorization bills and I will continue to offer it to every authorization bill in the 102d Congress.

If we are going to get serious about user accountability, what better place to start than right here? As the Nation's largest employer, the Federal Government has a compelling interest in establishing reasonable conditions of employment.

Remaining drug-free is completely reasonable for all Federal agencies and particularly for the State Department due to the nature of their business. Clearly, they should have a random testing policy in effect for every employee, but they don't. We cannot afford to have the personnel of this or any agency using drugs. There is far too much at stake.

Our Armed Forces have used this idea with remarkable results. You may remember back in 1982, 27 percent of our military were using drugs by their own admission. Then the military instituted a policy of random drug testing and by 1988, drug use had dropped to 4.5 percent. That is an 82-percent reduction.

If the Federal Government could reduce illegal drug use by 82 percent, and the State and local governments could reduce illegal drug use by 82 percent, and the private sector could reduce illegal drug use by 82 percent, the next thing we would see is no more market for illegal drugs.

Some might argue that drug testing non safety sensitive employees is unconstitutional, but the Supreme Court has yet to render its decision on this matter and I believe this amendment would be the perfect test case.

Finally—a question has been raised about the cost of drug-testing. Keep in mind, it cost less than \$60 million for drug tests on over 3 million servicemen. We know the results.

And, a recent GAO report had two important findings: One Federal drug testing in 18 agen-

cies acts as a strong deterrent to drug abuse two Federal employees are being discriminated against because all are not random drug tested.

Mr. Chairman, let us send the message to casual drug users that we are going to hold them accountable for their actions. Let us support a drug-free government. So, I urge your support of this amendment.

Mr. CLAY. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from New York [Mr. SOLOMON] which would require random drug testing of all State Department employees. As the chairman of the Committee on Post Office and Civil Service, I take strong exception to the manner in which this proposal has been brought before the House. The issue of drug testing of Federal employees and applicants clearly falls under the jurisdiction of the Committee on Post Office and Civil Service.

Our committee has been deeply involved in the Federal employees drug-testing issue since its inception. Beginning with the 99th Congress, our Subcommittees on the Civil Service and on Human Resources have held numerous hearings, developed legislation, conducted surveys, and issued reports on the Government's drug testing of Federal employees.

Under Chairman SIKORSKI's able leadership, the Subcommittee on the Civil Service recently released a staff report which disclosed that over a 1-year period the Government spent \$11.7 million to test approximately 29,000 employees, only 153 of whom tested positive. It cost the Federal Government nearly \$77,000 to identify each employee who tested positive for illegal drug use. What an inordinate waste of money, time, and resources. If nothing else, the subcommittee staff report underscores the message that drug testing of Federal employees has proven to be a very expensive and unproductive use of taxpayer money.

As if wasting money is not enough, we know that Government agencies already have the authority to implement and, in fact, are implementing drug testing programs in a constitutional manner. These programs are being conducted in accordance with Executive Order 12564, which establishes rules for a drug-free workplace, and section 503 of the Supplemental Appropriations Act of 1987 which establishes uniformity among Federal agency drug-testing plans. This amendment therefore is unnecessary.

My colleagues need to know that the State Department currently has a drug-testing program in effect which includes drug testing of applicants as a condition of employment. Additionally, the Department will be implementing a random drug testing program for 90 percent of its employees after the program has been reviewed by its legal staff. The State Department has determined that its current drug

testing program meets its needs. The Solomon amendment is repetitive and unnecessary.

Perhaps the most dangerous aspect of the Solomon amendment is its striking disregard for Federal employee privacy. Random testing of Federal employees is a gross and unconstitutional violation of their right to privacy. It is an intrusion of the worst sort. While there might be a constitutional basis for drug testing employees involved in safety or sensitive areas, there cannot be such an interest in testing IRS telephone operators or stockroom clerks.

Indeed, under the existing Executive order, Federal agencies have the authority to constitutionally test employees performing sensitive tasks. Agencies have used that authority to implement testing programs on the basis of a position-by-position analysis. Where they have overstepped this authority and tested employees for illegitimate purposes, courts have not hesitated to strike down their drug testing programs.

Adoption of the Solomon amendment threatens to reignite litigation that already has been decided. It would force agencies to implement, and the Justice Department to defend, an expensive program that could not have been sustained in court. In the last few years the courts have worked out a careful constitutional accommodation that cannot successfully be swept aside by legislation. The law would merely force the wasteful relitigation of issues that already have been decided. It would divert the attention of agencies and employee unions from other more useful tasks that can improve the Federal workplace. It would also divert crucial resources from important tasks that promise real progress in the war against drugs.

Mr. Chairman, the Solomon amendment must be defeated if we are to uphold the declared constitutional rights of many thousands of Federal employees. It must be defeated if we are to make wise use of the taxpayers' dollars. It must be defeated if we are to wage an effective war on drugs.

I urge my colleagues to vote for civil liberties and the Constitution by voting against the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, will my friend, the gentleman, from Missouri, yield?

Mr. CLAY. I yield to the gentleman from New York.

Mr. SOLOMON. I thank the gentleman for yielding.

The gentleman knows that I have a great deal of respect for him. Long before he took over the committee, let me just say that as the ranking Republican on the Rules Committee I have stood up here time and time again and defended the rights of authorizing committees to have jurisdiction over legislation, particularly when the Appropriations Committee wanted to take

away in many instances the gentleman's committee rights. So I defend the gentleman's right.

But let me just say that I have a copy of the bill that was printed and introduced before the gentleman's committee long before he was the chairman of that committee, when the gentleman from Michigan [Mr. FORD] was there. It was first introduced back on September 13, 1989. The bill has never been let out of committee. That bill talks about cost.

Without reflecting on the gentleman's voting record at all, I have here a copy of the report of the National Taxpayers Union which rates every Member of Congress. They rate this Member of Congress in the 88 percentile group in voting against spending bills.

□ 1520

That is almost at the top.

Mr. CLAY. Mr. Chairman, reclaiming my time, let me say to the gentleman from New York [Mr. SOLOMON] that I am sure that they did not factor in the gentleman's vote for that expensive B-2; they did not factor in all of the gentleman's defense votes; and they did not factor in all of the kinds of votes that really cost the taxpayers money. It is not programs like feeding the hungry children in school that cost the taxpayers money, it is the inordinate amount of money that we spend on that wasteful product called national defense, when we only use it to fight Third World countries.

Mr. Chairman, I want to talk about the gentleman and his defense spending and what the Taxpayers Union does not declare as wasteful spending. When we talk about invading these little, small countries, Third World countries, that is great for us, for our patriotism. But I understand, and the gentleman understands, that we only use these dastardly weapons of destruction on little countries.

When the Soviet Union shot down an airplane, killing a member of this body, what did we say? "We demand an apology." What did they say? They told us where to go. What did we do? We went.

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

Mr. Chairman, I oppose the amendment of my good friend, the distinguished gentleman from New York [Mr. SOLOMON], for six reasons.

First, the Solomon amendment is about testing. It is all about testing. The test, however, is not related to any war on drugs, but the intelligence and common sense of this body and this Congress.

Mr. Chairman, this is not a drug test, it is an intelligence test. Are we going to vote for any foolish and expensive proposal requiring Federal employees to urinate in a plastic cup any time,

anywhere, and at any cost, just because someone waves the "war on drugs" slogan?

Mr. Chairman, that is the test here today. If you believe in a war on drugs, in a purposeful and efficient drug testing program, on letting the administration, through its agencies, administer an extensive drug program, vote no on Solomon. If you want to waste the dollars of the taxpayers of this country and hurt the war on drugs, vote yes on Solomon.

Second point: The Committee on Post Office and Civil Service and the Committee on Foreign Affairs clearly hold jurisdiction under the rules of the House, and they have not supported this proposal, for good reasons. Moreover, the Committee on Post Office and Civil Service exercises jurisdiction over all drug testing of all civil servants, and our extensive oversight shows real flaws in this kind of shotgun, simplistic approach.

Third point: Currently the State Department has a drug testing program which tests all employees whose jobs affect America's national security, health, or safety. In addition, every Foreign Service officer, every Foreign Service employee, is randomly tested for drugs. Finally, the Department is initiating a random drug testing program affecting 90 percent of its employees. Yet, we have the Solomon amendment to go beyond that.

Fourth point: Random drug testing has been characterized by former drug czar William Bennett as a "distraction" from the main task of fighting drug abuse, and it is outrageously expensive. A distraction, and an expensive distraction at that.

Mr. Chairman, the Subcommittee on Civil Service, which I chair, recently finished a survey of 38 Federal agencies that test for drugs. We discovered that for every Federal employee who tests positive for drugs, American taxpayers pay almost \$77,000 for every positive test. That is \$11.7 million to test 28,872 Federal employees, Americans who work for America, to come up with 153 positive tests for illegal drugs. Is it worth the cost?

Mr. Chairman, let us weigh that very carefully, especially when we compare that \$77,000 per positive drug test to the \$467 we invest annually for each American kid on the Women, Infant, and Children Program, or the \$4,639 we invest in education on each American child.

It will cost the Federal Government more than \$186 million a year to randomly test all employees in all agencies as proposed by the distinguished gentleman from New York [Mr. SOLOMON]. It will cost an additional \$339 million per year to test all applicants for Federal jobs, as proposed by the distinguished gentleman from New York [Mr. SOLOMON].

Mr. Chairman, assuming the Congress is willing to commit an addi-

tional half billion dollars of tax money to the war on drugs, and take it away from WIC, take it away from education, or take it from someplace else, that money would be far more effectively spent augmenting the treatment programs and enhancing enforcement. The Solomon amendment wastes dollars.

Fifth point: Random drug testing programs are generally inefficient and crazy-quilt. Our subcommittee survey showed that agencies, for example, differed widely to the point of craziness in the prices they paid for lab tests, in the monitoring which medical review officers perform for accuracy, and the number of people who handle the specimens prior to analysis. Mandating more random drug testing on top of this system is both burdensome and foolish.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. SIKORSKI] has expired.

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

Mr. SIKORSKI. Mr. Chairman, my final point is that our Federal civil servants are some of the most hard-working, most dependable, and most family-oriented and drug-free employees in America. Surveys show that they are older and more conservative than any other work force, private or public, in America. They stood by our troops in the desert, they stand by us at home, and passage of this amendment, and all the other crazy amendments coming up gratuitously requiring random drug testing, is an expensive slap in the face of every one of those Federal employees, just for some sloganeering and posing for holy pictures.

Mr. Chairman, the Federal deficit has never been higher, Federal dollars have never been scarcer, and the scourge of drugs has never been more dangerous. To win the battle against drugs, we must target every dollar for maximum impact and maximum efficiency. Obviously a crazy-quilt, massive, expensive drug testing program—requiring the oldest and most conservative work force in America to randomly urinate in a bunch of plastic cups—is stupid and is not that kind of effective drug program.

Mr. Chairman, for all these reasons, I strongly oppose the amendment, and ask Members to vote no on Solomon.

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

Mr. Chairman, maybe I missed something. Did the drug war end, and no one told us about it? All of a sudden, Members are coming to the floor suggesting that we do not need to do all of the kinds of things that we had just determined a matter of months ago were a necessary part of our drug war.

Now, all of sudden, I hear Members coming to the floor suggesting that the

work that we did towards building drug-free workplaces in this country is no longer necessary. The Federal Government certainly does not have to participate, because, after all, we have won the war. There is no more problem with drugs.

How ridiculous. Of course there is still a drug problem out there. Of course we still need drug-free workplaces in this country, and, of course Federal employees ought to be among those setting the example for others as we look at the drug-free workplace.

Mr. Chairman, drug-free workplaces work. That is in fact something that has now been shown over a period of months and years, that drug-free workplaces are precisely that direction the country ought to be moving.

First of all, drug-free workplaces reduce costs, because what they do is assure that there are people not high on drugs working in jobs, that we do not have people who are high on drugs, who are out working in the workplaces, and thereby causing accidents and causing all kinds of problems that are not there.

Mr. Chairman, that reduces costs. Talk to the employers in your districts, and you will find that nearly all of them who have had experience with a drug-testing program find it a positive step for them, and they are not paying higher insurance costs, they are not paying higher costs in the workplace as a result of their drug testing programs.

Second, you assure quality. Quality work is better with drug-free workplaces in place. When your have people not using drugs, the product that they produce is a much better product, and we get the kind of quality that we need in our workplace.

□ 1530

What is one of the highest things that the country is supposed to aspire to right now? Quality. And all of a sudden we are going to come to the floor and we are going to suggest that we no longer need to have these programs, that quality is no longer important, that we can have druggies working in the workplace and there is no penalty for it. How ridiculous. The gentleman before talked about stupidity. There is stupidity of the first order, if we suggest that this country can have people on drugs, working.

I have heard a number of discussions that somehow this does not work. What about the military? The military, as the gentleman from New York has stated, just a few years ago was at 27 percent of people in the military were on drugs. Today it is down to 4.5 percent. Does anyone seriously suggest that we would have won the war in Iraq if we had had more than 25 percent of the people out in the desert sitting out there on drugs? The point being that what we have happening here is a pro-

gram that worked, and the high quality of people that we saw out there in the desert fighting for this country is in part because we assure that quality with the drug testing program that we have in place.

There is absolutely nothing wrong with having Federal Government employees set the example for the rest of the country. That is what the gentleman from New York is suggesting.

I am amazed, when we had the gentleman's amendment out here the other day, from the Committee on Science, Space, and Technology, on the floor and we were suggesting this for NASA, it was accepted, both sides of the aisle. It was accepted out here. When the Foreign Affairs Committee comes and we suggest it for the State Department employees, all of a sudden the roof blows off the place. "You can't do this to our people in the State Department." Why not?

If we can, if people in NASA can participate in drug testing programs, why not the people at the Department of State?

Maybe part of the answer is because Congress does not even comply. We have drug-free workplace policies here. And guess what? When the Heritage Foundation the other day did a study to find out whether or not we were in compliance, they found that only one-quarter of the offices in the House of Representatives are in compliance with the law of the land and mandate of the Speaker of this House. So probably what has happened here is that the Congress has decided that since we do not want to comply, no one else should have to comply either.

I will tell my colleagues, I do not think the American people are going to buy that. I think what the American people think is that we ought to obey our own laws and comply here, and the rest of the Government ought to be complying, too.

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

Mr. WALKER. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding. The question I wanted to ask him initially, he indicated that we declared the war over.

Mr. WALKER. I said it seem that way.

Mr. HOYER. Let me ask the gentleman something, does the gentleman believe the policy of the Federal employer today is for a drug-free workplace?

Mr. WALKER. I would hope that one of the things that the Federal Government is attempting to do is to assure drug-free workplaces in all of our agencies.

Mr. HOYER. So the gentleman believes that Secretary Baker heads a Government agency that has a drug-free workplace policy?

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 3 additional minutes.)

Mr. WALKER. I think he is attempting to do that. I think that the gentleman from New York is offering him an opportunity to assure that that which he is attempting to do can be accomplished.

Mr. HOYER. If the gentleman will continue to yield. Is the gentleman aware of the fact that the Department does not believe this is necessary to effect that policy?

Mr. WALKER. I do not know who made that decision at the Department, but if they in fact have made that decision, they are probably as dumb about that as they were about the embassy that we talked about here a few minutes ago.

Mr. HOYER. The gentleman also mentioned that in the armed forces we had gone from 27 percent, I believe was the figure the gentleman used, down to 4.5 percent. Is that correct?

Mr. WALKER. That is the figure I had here.

Mr. HOYER. Does the gentleman perceive that to be success?

Mr. WALKER. I think that is moving toward success. I would like to get rid of the other 4.5 percent.

Mr. HOYER. We would like to be down to zero.

Mr. WALKER. And we are not likely to get there by ending testing policies that have taken us from 27 percent down to 4.5 percent.

Mr. HOYER. The gentleman understands, of course, that was achieved some time ago; am I correct?

Mr. WALKER. It has been achieved over the last decade.

Mr. HOYER. But that figure was achieved some time ago; is that correct? Some years ago? 4.5 percent.

Mr. WALKER. I think, yes, I think that is right.

Mr. HOYER. If that is the case then, the armed services does in fact have universal random testing, does it not?

Mr. WALKER. I think that is right.

Mr. HOYER. So that 4.5 percent would seem to be, I would think, a pretty good success. Not good enough. We want zero, but pretty good success.

Mr. WALKER. Yes.

Mr. HOYER. The gentleman is also aware of the fact, as the gentleman from Minnesota just mentioned, that in the Federal Government right now we are at half a percent, a half a percent, 800 percent better than the Armed Forces?

Mr. WALKER. One of the reasons for that is we do not have broad-based drug testing to get accurate figures. I think that the gentleman does not make a valid point when we compare the two.

Mr. HOYER. Mr. Chairman, if the gentleman will yield, Secretary Baker

may be correct in his assertion that this is not necessary to get there because in fact we are getting there.

Mr. WALKER. The gentleman may believe that, and I thank the gentleman, but it seems to me that what he is doing is declaring the war won and walking out on it. And I do not agree with that.

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

Mr. WALKER. I yield to the gentleman from New York.

Mr. SOLOMON. He is also misleading. Let us be fair over there.

Mr. HOYER. We always try to be fair over here.

Mr. WALKER. Could I get the floor back for a moment? I have yielded to the gentleman from New York. Having yielded previously to the gentleman from Maryland, I am now prepared to yield to the gentleman from New York.

Mr. SOLOMON. When STENY HOYER is the acting Speaker up there, he does such a brilliant job. And he generally is quite fair. So I am a little surprised to see him trying to kind of lead you here because he is saying, does the gentleman know, he is talking like a trial lawyer now. I know he did not mean it to be misleading.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has again expired.

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

Mr. WALKER. Mr. Chairman, I continue to yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for yielding this time to me.

I would just point out that the gentleman from Maryland is trying to mislead the gentleman from Pennsylvania by saying, is it not true that half a percent of employees are on drugs? And that is sort of misleading because the test came from those that are subjected to random drug testing today, which is a minuscule number of Federal employees.

Mr. WALKER. That is the point I think I made.

Mr. SOLOMON. The point is that even the GAO, whom I do not always agree with, they say that "the low number of positive results among Federal employees, Federal workers, about half of which were for marijuana use, shows that the test program is acting as a deterrent to drug abuse."

That is the whole argument here. The gentleman from Maryland knows that.

Let me say to those Members over there that are talking about the cost, the cost, the cost.

The Members of the Committee on Post Office and Civil Service know, because they have recently heard testimony on it, that 70 percent of all incar-

cerated criminals throughout our prisons today are serving there on drug-related criminal offenses. They want to save money. Do Members know what it costs to maintain a prisoner in a prison today? And I have got five of them in my congressional district. It costs about \$27,000 a year per prisoner, and that is not all the cost.

So if Members want money for Head Start and WIC, which I voted for, then let us do something about drug use in America and let us put these people back on the streets where they do not use drugs like this.

Mr. WALKER. I think the gentleman has made an excellent point. And to go back to his point of a few minutes ago, I think the gentleman from Missouri suggested, for example, that the NTU that the gentleman was quoting from, the National Taxpayers Union, does not use defense votes. The fact is the gentleman and I score pretty well with the NTU, and the NTU uses all spending votes.

I am thrilled to say at least that we now have Members that have voted for every spending program ever to come through the House who are now standing up and have recognized that cost is a concern. And I would ask them to join me later on when I have another amendment out here to deal with the cost in this particular program.

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

Mr. WALKER. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. I would like to ask the gentleman from New York, who was yielded to previously, does he make an analogy? Does he make a comparison, does he believe there is any comparison between the Federal employees, the 200 million civilians who serve this Nation very well and the folks that the gentleman referenced in Federal penitentiaries, in State penitentiaries that commit crimes on the street? There is no basis for that. The gentleman is wrong and should not make such an analogy.

□ 1540

Did the gentleman not make such an analogy?

Mr. WALKER. Let me regain my time. The gentleman is obfuscating the issue here, because the gentleman from New York made no such analogy. What he was saying was that solving the drug problem does, in fact, have cost implications to it. If we can solve the drug problem, we can eliminate some of the costs of housing prisoners at the present time, which is a major expense to this Government, to State governments, and local governments. One of the ways that we can assure that the drug problem comes down is in the casual use of drugs. By ending the casual use of drugs, one of the best ways to do that is to assure that employees have an obligation to their employers, and

we have seen success in that. Ask employers in the private markets. They will tell you that there has been success where they have implemented drug testing programs.

Now, that has helped bring down casual usage of drugs. We have seen that in the statistics. And Bill Bennett, whom the gentleman from Minnesota quoted a few minutes ago, has said that is one of the great success stories. We have ended some of the casual use of drugs in this country. It is largely because we have confronted people at their places of employment, and I think we ought to continue to do so.

I do not think the gentleman made any kind of analogy.

Mr. SOLOMON. If the gentleman will yield further, the gentleman from Maryland posed a question to me: was there an analogy? And certainly there was not. We were talking about saving money by getting to the crux of this and not having 70 percent of the prisoners incarcerated for drug-related usage.

Before the gentleman came on the floor, I defended the right of Federal employees and told how honorable they were, and I cited a GAO report which made two major findings, I say to the gentleman from Maryland [Mr. HOYER], which he would appreciate, because the first one said that Federal drug testing in 18 agencies accounts for a strong deterrent to drug abuse, but then they went on to find that Federal employees are being discriminated against, because some are being random tested and others are not, and those others that are not, or the ones that are, are highly insulted because they think all of them should be.

I have polled the Federal employees in my district. They support random drug testing of all employees, because they do not want their fellow workers using illegal drugs.

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

Mr. Chairman, sometimes it serves us to advantage to know what we are talking about.

The amendment offered by the gentleman from New York, and I have great respect and affection for him as he very well knows, says the Secretary of State shall establish and implement a random controlled substances testing program for the employees of the Department of State.

Of course, the gentleman from Pennsylvania comes into the well, and he sets up this magnificent straw man and proceeds to just lambaste the daylight out of it. He says that the statement is made that the war against drugs has been won, and that there is no problem. I think it would be useful to see what the facts might happen to be.

First of all, there is a random drug testing program in the Federal Government. It is established by Executive

order. It meets certain guidelines with regard to the protection of people who are tested.

Last year \$11.7 million was spent on it. Now, if this program passes on every authorization bill, which the gentleman from New York would like to see, we have been told it will cost the Federal Government \$186 million, and when they test all the applicants for Federal employment, it will cost another \$339 million.

Perhaps that is a good expenditure of money. But I come from a part of the country which says you ought to get something for what you spend, and you ought to get the best return you possibly can.

We are going to have a budget deficit this year of several hundred billion dollars. It is going to be longer than this Congress has the ability to control or the administration has the ability to properly address. So I do not think that we have money to waste on frivolous drug-testing programs.

Having said these things, it is now established by the courts that the Federal Government has the right to require employees in sensitive positions and in positions affecting health and safety to submit to drug tests. Executive Order 12564 establishes rules for such tests and requires that this be done. This probably comes as a prodigious surprise to my good friend from Pennsylvania, who has held forth with great enthusiasm on the need for a program of this kind, and I assure him that there is one. He can now relax and be comfortable that we are doing something on this particular matter.

Beyond this, let us look to see what the amendment in fact does not do. It provides no protection for workers against false positives. It provides no protection for the agency against false negatives. It establishes no protection to assure that the testing is properly done by responsible, accredited laboratories. There is no requirement that the agency use qualified laboratories. There is no provision regarding the proper collection of specimens of protection of the chain of custody, as is required in the courts of law. There are no standards in this amendment to assure that the testing is done properly. There are no quality controls required, nor is there quality assurance required. There is no confidentiality in the handling of test results. There is no requirement for review of test results by a medical professional to assure the positives are a result of illegal drug use.

It will come as a terrible shock to some of my colleagues to know that positives in drug testing can come from many things: From things as simple as eating some poppyseed rolls or as simple as taking a medication for a bad back or an arthritic condition.

I think that we owe the country a responsibility to come up with a better

and a more carefully thought out program, particularly in view of the fact that there is a program now in place which in fact is working.

Let us now look at some other problems with the amendment that is offered by my dear friend from New York. First of all, it requires testing for literally hundreds of controlled substances, not just drugs which are used illegally. The overwhelming majority of the drugs which are used by people in this country are legally prescribed by doctors for proper medical conditions, and many of them will show up in an improperly administered and an improperly defined testing program.

There are serious scientific problems associated with running proper tests on most of these drugs; by a proper test I mean one which not only provides protection for the Government but one which provides proper protection for the average citizen. There is here the potential for the serious invasion of the medical privacy and other rights of Federal employees who are honorable and decent people.

I would just remind my colleagues that in the spending of \$11.7 million to test 29,000 employees, we only found 153 people who could not pass that test. That is less than one-half of 1 percent. It is costing, as I mentioned, or has been mentioned earlier, some \$77,000 for each and every one of these tests.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

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

Mr. DINGELL. Mr. Chairman, I think what we need to do is to stand back and look. Do we have a drug testing program? Yes; we do.

Is it working? Yes; it is.  
Do we need to add to it? No; we do not.

Does the President have authority to make necessary changes? Yes; he does.

Are we going to help what the President is doing by passing this amendment? Clearly not.

Is the amendment clear enough on its face to tell us what it purports to do? The answer to that is emphatically "No."

Then why are we engaged in this curious exercise down here to discuss a program which will serve no purpose, is going to cost lots of money, is going to jeopardize the rights of both the Government and the employees, and is going to achieve no significant benefit from the standpoint of the public interest?

The amendment, although offered, I am sure, by my dear friend with the best intentions, simply confuses existing law. It should be rejected for those reasons.

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

Mr. Chairman, I do not know, but I guess I am a part of that group that the gentleman from New York referred to about five times as "you people." Well, you were looking in my direction, and you made reference to the fact that drugs are leaving out of the ghettos and moving into the suburbs and other parts of our communities.

Well, I happen to represent a good number of people who live in the ghettos who certainly are victimized by drugs. But I think we ought to understand that to concentrate on the victims is not a solution to the problem.

This is a billions-of-dollars business, the trafficking in drugs, and the people who make the money off the drugs do not live in the ghettos. Many of them do not even live in the suburbs. They live out of State or somewhere up in the hills somewhere.

We do not seem to be concerned about apprehending them or putting them out of business.

□ 1550

I must oppose this sort of approach that I categorize as bursting the pimple on the elephant's hip and stop him from becoming a high jumper.

This is a big problem. To talk about random testing of people going into the State Department, and certainly none of the people referred to as "you people" are going to wind up, or very few of them wind up in the State Department.

I think and I agree with the gentleman from New York, I am very much concerned about the drug issue. Drugs are ruining a generation of our youth. However, I must oppose this amendment on several grounds. This amendment has not had the benefit of hearings by the Committee of Jurisdiction, the Committee on Post Office and Civil Service. The gentleman should be aware that our committee has looked extensively into the drug problem and found that random testing of Federal employees is wasteful, costly, and self-defeating. A better approach, one which the State Department is already using, is drug testing of applicants. I do not even agree with that.

Furthermore, I understand that the State Department is planning to implement a well-founded random drug testing problem of its own. So I do not see why this is necessary, this kind of an amendment. I know this gentleman from New York has good intentions. I have a proposal by our colleague, as has been said, that will cost hundreds of millions of dollars to implement with very little results. The same results could be achieved in much less costlier fashion. If the Federal Government is allowed to continue to implement programs already in the works, why do we not try to police our borders better? Use some of the troops that are returning home from the desert and it looks like the second coming of Jesus

Christ with some of the parades we are having. We can actually station them on our borders and stop the influx of drugs coming in from other countries.

I would also encourage my colleagues to look toward education, and send some money in this direction to try to change people, and tell them, and educate them and enforce the most effective way of dealing with addiction. Now is the time to be putting valuable resources into these areas.

I look forward to support the fight against addiction. However, let Members not focus all of our attention, in order to get what I call certain publicity out of what is an issue, that is really of real magnitude, all over this country. Not just in the ghettos, not just among "you people," but among the people here in this country. We could spend this money in a much more valuable fashion, and use it in a way to help educate our people. Yes, help them find employment. Some of the people who traffick and sell drugs cannot find a job. I know it is true in my district. Let the United States have a public works program, which some of the people will not vote for, in order to give meaningful employment, get them an alternative to selling drugs, in order to try to live.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words, and yield to my esteemed spokesperson on this issue, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, to my good friend, the gentleman from Illinois [Mr. HAYES] who traveled with me to the Persian Gulf and had a chance to see some of these fine young men and women, let me say we have a lot that we agree with, and I do respect the gentleman.

Let me take a minute to read to my good friend from Chicago some of the letter that I recently wrote to him and other Members on that side of the aisle. When I said "you people" that is who I was referring to, Members on that side of the aisle, just so the gentleman knows.

In the letter I said, "As you may already know, the Rand Corporation recently released a study entitled 'Money from Crime,' a study of the economics of drug dealing in Washington, DC. According to the study, 78 percent of the cocaine purchased in the District of Columbia is actually sold to users in the suburbs." And I referred to those back during my earlier statement. I went on to say, "Yet, it is not these suburban drug users who are being hurt the most." Consider another finding from the report. "Currently, inner-city youths are arrested and charged with drug distribution. This arrest rate may climb to one in three over the next 10 years." That is a terrible thought to even think about. One in three in the next 10 years. I went on to say, "We must continue to cut the demand for

drugs, and since the majority of the illegal drugs purchased is consumed in suburban communities, we should continue to target sanctions against these groups."

I say to the gentleman from Chicago, not against your people in your district. Against people in our district around here in Maryland and Virginia where we live when we are down here, or back home. The letter went on to say, "In most localities today, an affluent, white, suburbanite arrested for drug use gets off scot-free. Yet they purchase 80 percent of the illegal drugs." Do the young inner-city youths who sold them their drugs get off scot-free? Not likely. It is unfair.

That is why we need to do everything we can to set that example, to do away with illegal drug use in this country.

I want to work with the gentleman from Chicago, and the Members from Los Angeles, and the Members from rural America, to try to solve this problem. We can do it by taking a step today. Support my amendment.

Mr. GOSS. Mr. Chairman, I yield to the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Chairman, I would like to ask the sponsor of the amendment, does he have an approximate cost of what this will be?

Mr. SOLOMON. In the first place, the cost is irrelevant.

Mr. CLAY. Irrelevant?

Mr. SOLOMON. Cost is irrelevant. We can obtain the same results we did in the military, where we tested 3 million people in the military. Three million different drug tests, and the cost was in the \$20 or \$30 million range.

We are only talking about testing a couple hundred thousand people, randomly, to set the example, to stop the use. That cost has got to be maybe a couple million dollars. That is money well spent.

Mr. CLAY. Would the gentleman believe it is almost a half a billion?

Mr. SOLOMON. No, sir. Those costs are incorrect according to all the reports.

Mr. CLAY. Let me ask the gentleman a further question: Can the gentleman tell me how much the other proposal that he sponsored on requiring people to register for the draft has cost the taxpayers since that proposal went into effect?

Mr. SOLOMON. All I know is that set an example when the U.S. Supreme Court upheld it, that said that every young man in America should live up to the law of the land in his obligation to register for the draft, and they did it.

Mr. CLAY. Would the gentleman be responsive to my question? How much did it cost the taxpayers for a proposal that the gentleman sponsored to require every young man in America to register for the draft, which we have not used? We fought a war just recently.

Mr. SOLOMON. May I give the gentleman an example? Zero dollars, because the law was already there, and I think the gentleman voted for it.

Mr. CLAY. I did not vote for it, no. How many yens, if it did not cost any dollars, how many yens did it cost?

Mr. SOLOMON. The Office of Management and Budget said my amendment saved money because all of the kids that did not register for the draft, all of their college loans and grants, we did not give them a nickel. So we saved money.

It did not cost.

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

The public must get confused by all the Members calling ourselves "good friends" and vigorously disagreeing with one another, but that is part of the greatness of our country and our democracy.

I rise in very strong opposition to the Solomon amendment. It should be defeated on basic grounds. It is unconstitutional. Perhaps of minor concern, but it seems to me one that ought to be raised on the floor of the House of the People, our Founding Fathers were concerned about illegal things being in people's bodies, and people's houses, but some 200 years ago they adopted a Bill of Rights that included the fourth amendment to the Constitution that said that this Government is going to be different than other governments.

□ 1600

We will not allow arbitrary, capricious, widespread invasion of privacy.

What a great country America is. How privileged we are to live in an America that believes that it is the individual and the individual's rights which need to be protected—against whom? Against Government intrusion—Government intrusion. The courts have said that even if the Government is an employer, the Government still has to live up to what the Founding Fathers set forth in the Bill of Rights. We talk about the Bill of Rights in Eastern Europe and in the Soviet Union and all over this world. We talk about advocating freedom in Nicaragua, in El Salvador, in Chile, in all the four corners of the world. Let us advocate the Bill of Rights here on this floor.

The fourth amendment, as all of us know, precludes unreasonable searches and seizures. President Reagan, in Executive Order 12564 and the Congress in Public Law 171 established a rigorous drug testing program. Everyone on this floor needs to know we have in place, because there is a drug problem in America, a drug testing program in place right now in the Federal Government.

The Secretary of State, or at least his spokespersons, have indicated this amendment is not necessary. Let me repeat that. One of the people who runs

one of the most important agencies, who is closest to the President of the United States, has said this amendment is not necessary.

The Supreme Court in all other federal cases to date—maybe we do not care what the law is—have clearly worked from the premise that across-the-board testing, as is proposed in this amendment, which should not have passed by a voice vote in the previous two bills, period; we were sleeping at the switch and we apologize. We are awake now. All these cases have said that the premise of across-the-board testing would violate the fourth amendment and the courts have required a clear nexus of relationship between the type of position the employee holds and whether a drug test is justified.

Clearly, where the public health and safety is in danger, all of us believe that, the court has upheld drug testing, and ought to, as does Public Law 171.

The same applies when employees carry weapons or have high trust, such as security clearance, but to randomly test every Federal employee regardless of their position violates the privacy rights guaranteed to citizens under the fourth amendment, and this Congress should not tread lightly nor heavily or competently, especially without the full review of the committees which have jurisdiction over this issue.

Second, the cost of this amendment has been raised, it is \$186 million. I have the figure. The chairman used another figure.

I agree with the gentleman from New York [Mr. SOLOMON], perhaps ultimate cost is not the issue here. Cost is not necessarily the issue, but even if it costs nothing, for free, to violate the Constitution of the United States, I suggest, is not free.

Yes, there are drugs in this country. When is the next amendment coming that the Government can search every household in America? I guarantee if you do, they will find some drugs illegally held. Do we support searching every house in America? Do we believe a man's home is his castle?

The CHAIRMAN. The time of the gentleman from Maryland has expired.

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

Mr. HOYER. I think, Mr. Chairman, not perhaps in dollars, but the costs in terms of tradeoffs, in terms of our rights, the differences between what America is and what other nations have been, that that cost is incalculable.

Let me say something about random drug testing. First of all, of 28,872 tests that have been conducted by the Federal Government under the existing program, 91 employees tested positive. Now, the total is 153, but from random testing, some of those were voluntary, some of those were because rightfully a

supervisor said that employees acting funny and the constitutional provision is that if you have probable cause, if you have reason to do something, you can do it; so take those out. You have 91 employees out of 29,000 who have been identified. That is three-tenths of a percent.

That is why I asked the gentleman the question about the military, where 4.7 percent were identified. That was perceived to be successful. It was and is. Nobody has opposed that program. It was three-tenths of a percent only.

What does that tell us? That tells us that this is not a problem among Federal employees.

I want to say to the gentleman from Pennsylvania, I have told my employees, no drug use.

Now, I do not use the drug that is most dangerous in the workplace, that causes more injuries, more deaths, more time loss, more economic loss than any other of the drugs combined—alcohol. This test will not identify alcohol abuse. That is not what it is designed for, but I will guarantee that on this job or any job in the private sector, that is where the cost to our society is occurring.

Illegal drugs are a scourge. We want to do away with them, but one ought not to be lost in the forest because of focusing on one tree.

It has cost us \$77,000 to identify each one of these folks. Perhaps cost is of no object. If it could do away with the drug problem without violating the Constitution, it might be a wise investment.

Finally, Mr. Chairman, the amendment is unnecessary, as I have said. Agencies are now drug testing Federal employees under the express authority of President Reagan's Executive order and laws carefully adopted by the Congress which govern this program and insure uniformity among agencies and protect the accuracy of the testing program.

I believe the motives of the gentleman from New York are good. He is concerned, as every one of us on this floor is, with the use of drugs and the cost that our society is paying and the cost to individuals whose lives are being destroyed, whose opportunities are being precluded, whose health is being undermined by the use of these drugs. This policy will not impact upon that in any way.

The court cases upheld the law that is now in existence. There is a law in existence, because we knew there was a drug problem and one has declared victory, unlike declaring victory in the Middle East which we have just recently done.

This is a vote, Mr. Chairman, whether you believe we should spend previous dollars, but more importantly than that, much more importantly than the dollars, is the constitutional principle and the privacy of our Federal employ-

ees who have not shown in any way that there is any probable cause to believe in any way that there is widespread drug abuse or drug use in the Federal Government. As a matter of fact, the statistics are exactly the opposite.

Keep in mind that even these employees, that is, the employees not covered by the plan, can in fact be tested. As the gentleman from New York knows, if the supervisor has any indication whatsoever, any cause to believe that their performance is adversely affected by the use of drugs; so those employees are not free.

Are we trying to make a symbolic point? I suggest perhaps we are. If we make a symbolic point and the tradeoff is the undermining of the Constitution of the United States, what a tragic, misguided, improper step that would be.

I would ask the Members to oppose this amendment.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

(At the request of Mr. WALKER, and by unanimous consent, Mr. HOYER was allowed to proceed for 3 additional minutes.)

Mr. HOYER. Mr. Chairman, I thank the gentleman for obtaining this additional time, and then I will yield to him.

Let me just finish by reading this: In National Treasury Employees Union versus Von Raab, a Supreme Court case, November 1988, decided March 21, 1989.

□ 1610

Mr. Chairman, the quote is as follows:

We hold that the suspicionless testing of employees who apply for promotion to positions directly involving the interdiction of illegal drugs, or to positions which require the incumbent to carry a firearm, is reasonable.

So they have upheld reasonable. However, they say in another section that there needs to be, as I said earlier, that nexus between risk and testing. If there is no risk, the courts have clearly held there is no cause, and this amendment says without cause, "We will invade one's privacy." And I suggest to you that that is in contradiction to the fourth amendment to the Constitution of the United States and, on that reason—not that reason alone—the amendment should be rejected in the House of the people.

Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding.

The gentleman has made two points that I would like to talk to him about. First of all, I do not remember, the other day when the second amendment was under attack, the gentleman coming to the floor and defending the Constitution. And the other point—

Mr. HOYER. You will recall I said I was asleep, and I should be criticized for that. I have criticized myself for that. And I will be here again when it comes up.

Mr. WALKER. It seems to me we had a direct attack the other day on the second amendment, and the gentleman was certainly not as eloquent at that point. The second point I make—and I just ask the gentleman—he said a few minutes ago that he had told his employees not to use drugs. Does the gentleman have a written policy in place in accordance with the Speaker's direction?

Mr. HOYER. Yes.

Mr. WALKER. I thank the gentleman.

Mr. HOYER. I know the gentleman is pleased to hear that. But more importantly than a written policy, let me tell you the policy in my office: I feel personally very strongly about the use of illegal drugs, period. They do not need anything in writing from me to know how I feel.

Mr. WALKER. But the gentleman, if he would yield—

Mr. HOYER. But I do have a written policy, and I am in compliance.

I think everybody ought to be in compliance. I agree with the gentleman.

Mr. WALKER. I thank the gentleman. That is the point I wanted to make that he and a few other people here on the floor are among the only one-fourth of the Members of this House who have brought themselves in compliance with the policy, which is one reason why we are a little chagrined by some of the folks suggesting that we have no need for further policies with respect to drug testing.

Mr. HOYER. I am so pleased to be in that position.

Mr. WALKER. I thank the gentleman.

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

Mr. Chairman, I rise in support of this amendment. I yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentleman for yielding this time.

If I could catch the attention of the gentleman from Maryland [Mr. HOYER], who speaks eloquently about the unconstitutionality of my amendment, I would just like to point out that the amendment which is before you now was constructed by the American Law Division of the Congressional Research Service for the sole purpose of withstanding a constitutional challenge.

Let me just read to him the findings of the American Law Division, the findings for which the U.S. Supreme Court will eventually make their decision, I hope, and I hope it is done soon so we do not have to debate this issue again for another 10 years.

Let me just read it to you:

(1) the illegal sale, possession and use of drugs pose a pervasive and substantial threat to the social, educational and economic health of the United States;

(2) the impact of drug abuse is reflected in the criminal violence that it causes and in the disintegration of families, schools, neighborhoods, and workplace safety and efficiency;

(3) the effects of rampant illegal drug trafficking are amply illustrated by national crime statistics and prosecutions across the United States of persons at all economic and social levels, including prominent government leaders;

I spoke earlier about the fact that the people incarcerated in prisons all across America today, 70 percent of them are there for drug-related crimes. Ladies and gentlemen, that is a shame.

Let me quote for a moment, and I will yield to the gentleman. I believe the gentleman in the well who just spoke, the gentleman from Maryland [Mr. HOYER], was either him or, if not him, others on the floor, back in 1982 and 1983 who vehemently opposed the Solomon amendment which withheld Federal aid to young men who refused to register for the draft. You all said at that time that the Solomon amendment was unconstitutional. You know what? Three years later, after we fought it out in the courts starting in Minnesota and finally to the U.S. Supreme Court, it was overwhelmingly upheld as being constitutional.

I believe this one will, too.

The gentleman from Maryland spoke about the Executive order placed into effect by Ronald Reagan back in 1986 that set forth random drug testing of Federal employees. God knows if they could have been carried out, we might not even have the problem we have today. But the GAO report says, and I quote, "But the move to implement the executive order has been stalled by lawsuits and opposition by Federal employee unions producing large differences among agencies, unfair differences." The gentleman said further that he was asleep at the switch. That is not the STENY HOYER that I know. He is one of the sharpest men or women on this floor. But I just ask him, was he asleep at the switch the dozens of times that my amendment has passed? Was he asleep at the switch last year when this House overwhelmingly, with only 44 votes against, passed my amendment that is now the law of the land that says to the States, all of the 50 States, that, "If you do not enact legislation that suspends the drivers licenses of people who are convicted of drug felonies so they cannot use those cars socially to drive from the suburbs into the ghettos and buy these illegal drugs, that you will lose 2 percent of your aid," I say to the gentleman, was he asleep at the switch then? He was not asleep at the switch, because everybody supported that bill.

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

Mr. LAGOMARSINO. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman from California for yielding.

First of all, I think I would be hard pressed to make an analogy between the licensed one after a conviction and the random testing without probable cause. But notwithstanding that issue, let me ask the gentleman a question. He read the causes. I am a lawyer, and I do not believe he is. But I think he has the suspicion of lawyers.

Mr. SOLOMON. My constituents are glad I am not, too.

Mr. HOYER. Right. Because the gentleman is not a lawyer, the suspicion is that if you ask a lawyer a question—you asked me why that amendment was written that way—my suspicion is it was written that way because the gentleman asked to have it written that way because that is the policy he thinks ought to be adopted.

He then went to some good lawyers and said, "This is what I want done, and of course I want it done constitutionally." Well, they have given you the best argument that is available, I believe. I think any good lawyer would do the same. I admire them for that. That is their job. But the language is stated that way because that is what the gentleman wants to do. The gentleman mentioned a number of serious things about drug problems in America. I agree with him.

Let me ask him a question, if I might: Does he believe that that justifies, therefore, the search without warrant, without cause of every home in America, randomly, not everyone, because you could not do that, but the random search and seizure in every home in America? I suggest to him it clearly would have the effect that he says this amendment would have in terms of keeping drugs in your home. Second, I would suggest to you you would probably pick up a lot of drugs.

On those premises, do you believe we ought to have such a corollary?

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

Mr. LAGOMARSINO. I yield to the gentleman from New York.

Mr. SOLOMON. I thank the gentleman for yielding.

Mr. Chairman, let me answer the question. As the gentleman knows, my answer is, "No." I do not think anybody ought to have the right to go in and search people's homes arbitrarily, nor do I think they ought to be able to go out and just pick a man up on the street or a woman up on the street and give them a random drug test.

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

(By unanimous consent, Mr. LAGOMARSINO was allowed to proceed for 3 additional minutes.)

Mr. LAGOMARSINO. Mr. Chairman, I yield further to the gentleman from New York.

Mr. SOLOMON. I thank the gentleman for yielding.

Mr. Chairman, the very reason this bill is before the House is to once and for all establish that a condition of employment is that anyone working for the gentleman from Maryland, STENY HOYER, in his office or in my office, working for the White House, working for any of the 18 departments or agencies, that it is a condition of their employment when they come to work for the Federal Government, part of their duty is to submit to that random drug testing.

Now, we are not asking anybody else; we are not asking people at General Motors or IBM, although I would hope they would take the example that we set when my amendment is upheld by the court, and it will be.

Mr. HOYER. Of course they do not have the same constitutional problems.

Mr. SOLOMON. Let me say this to the gentleman, and I know and have the greatest respect for the gentleman from Maryland. I know that he and I want to accomplish the same thing. We want to do it in different ways. But let us have a test case. Let us let the Supreme Court rule on this once and for all, and then we will not have to argue it out.

Mr. HOYER. I thank the gentleman.

□ 1620

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

Mr. Chairman, I represent, I believe, more Government employees than any Member of this House. At the same time I represent a city of hard-working people who are beset with as serious a drug crisis as can be found in this country. On behalf, therefore, of the residents of this, the Capital City, and of the large number who are employed by the Federal Government, I rise to take exception to this bill and ask for its defeat.

Mr. Chairman, I do so for two reasons. First, let me indicate the most serious problem I have. This bill would lead to a misuse and a misallocation of Government funds. I respectfully submit, if there is money to be spent in the area of drug prevention, or, for that matter, drug detection, let it be spent where we know it is most needed, and I submit, Mr. Chairman, that within blocks of this Capitol there are live drug markets where that money, the money that would be appropriated to implement the suggestion of this bill, would be put to far greater, far better use.

Mr. Chairman, were I to go out on the streets of Washington, DC, today, I could round up a crowd who would follow me to a drug treatment center. The problem is, Mr. Chairman, that there are no drug treatment centers that are not "full up" in this city. There is a crying need for drug treatment, and for

drug education and for a dozen other better uses I could name for this money. The \$77,000 for each positive drug result could create several drug treatment centers in the District of Columbia.

Moreover, Mr. Chairman, I would like to know more about the 153 who were detected. How serious was their drug problem? What was the nature of the results? What was the kind of job? I am raising a question as to whether even the detection of these employees or potential employees would merit the spending of significant amounts of dollars when compared with the clear and crying need for Federal dollars for drug treatment that is simply unavailable.

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

Ms. NORTON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman from the District of Columbia [Ms. NORTON] for yielding.

Mr. Chairman, my question is on the point the gentleman is making. What difference does it make? They are using illegal drugs. Is that not something which in and of itself ought not to be countenanced by this society, if they are found to be using illegal drugs? That is something we ought to take action on; is it not?

Ms. NORTON. Mr. Chairman, I bow to no one in my abhorrence to the use of drugs. Even a single marijuana cigarette I have come to believe is a mistake because it can lead to where a person would not imagine where he or she would go. But I have to tell the gentleman that in the game we must now play, which is money which goes for X will be taken from Y, there is no question in my mind where the money should go. If there is any money, it should not go to detect people who may be smoking cocaine occasionally as opposed to money to help take those who are addicted off the streets of Washington where a crisis has been created precisely because there is no money for drug treatment. If we are in a zero-sum game, then, Mr. Chairman, I submit that the money ought to go where it is most needed, not where it is least needed.

Mr. WALKER. Mr. Chairman, will the gentleman yield again?

Ms. NORTON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman from the District of Columbia [Ms. NORTON] for yielding.

Mr. Chairman, I say to the gentleman, "Then you are willing to accept casual use of drugs?"

Ms. NORTON. Mr. Chairman, I repeat: Even the use of a single marijuana cigarette is unacceptable to me.

However, may I indicate to the gentleman from Pennsylvania [Mr. WALKER] my concern? If there is a finite amount of money, and the gentleman knows there is a finite amount of

money, and the gentleman knows what the caps now require of us, the notion that we would appropriate a single dollar here, rather than for treatment of those on the streets of Washington, DC, gives me an easy choice, and I say to the gentleman, "Your notion that a casual drug user at a cost of \$77,000 per detection deserves that over those who need drug treatment—it is simply no contest."

Mr. SOLOMON. Mr. Chairman, would the gentlewoman yield?

The CHAIRMAN. The time of the gentlewoman from the District of Columbia [Ms. NORTON] has expired.

(On request of Mr. SOLOMON and by unanimous consent, Ms. NORTON was allowed to proceed for 5 additional minutes.)

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

Ms. NORTON. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I would just say to the gentlewoman from the District of Columbia [Ms. NORTON], and she also traveled to the Persian Gulf with us, and we had a chance to see those fine young men and women, and I know she is sincere in what she is saying. I would just hope, when we have legislation on the floor later on dealing with a lot of pork, that she and others have the same feeling about that legislation as she does about mine, as far as the priority of spending.

However, Mr. Chairman, to answer her question: I think the gentlewoman from the District of Columbia [Ms. NORTON] would be pleased to note that in my conversations with the drug czar, Bill Bennett, before he left his office, and with other people over in his department, that many of those people that were detected as having used drugs did receive rehabilitation. They even received education, and many of them now have been put back to work. They did not even actually lose one day of work, and they retested clear.

That is what we are really looking for, is it not?

Ms. NORTON. Mr. Chairman, I thank the gentleman from New York [Mr. SOLOMON].

I would like to ask the Civil Service Commission, which I think did this study, if they might transmit to us any information they might have on the seriousness of the drug problem of those involved, not because I believe that any drug problem is not serious, but because I am making an important comparison, I believe, and that is between those who may be casual drug users and work every day and those of my constituents, who are very large in number, who use drugs every day, who steal and murder in my city every day, and for which there is not one red cent extra for drug treatment.

I say to my colleagues, Mr. Chairman, that over and over again we have

found in the District of Columbia, when we open a new drug center, that these addicted individuals do indeed and in fact come in, and if there is to be more money spent, it should be spent on them. They prey on us.

Finally, let me say, as a constitutional lawyer, I cannot but indicate that I regret that this notion of serial amendments that would attach, would appear to every agency, vindicates the notion of the framers that, when a person is demonstrably innocent, there is no basis for a search and seizure.

□ 1630

The fact is that this is a slippery slope. Those who are civil libertarians and constitutional lawyers have warned us that if we start to test some, we will in fact want to test everyone, and here we see the nightmare coming true. We have started to test some, those who indeed are involved in matters of some public safety, and that under certain circumstances, I might say, seems reasonable. For example, we test some if they are driving on public conveyances.

But now what do we have before us? Those who would test some tell us now that all should be tested, and that is precisely what the Constitution of the United States and the fourth amendment were meant to avoid.

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

Ms. NORTON. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, I thank the gentlewoman very much for yielding.

I have the privilege and the pleasure of serving on the U.S. Drug Commission for Drug-Free Schools, and I have been listening to this debate now for about an hour or an hour and a half. I think the gentlewoman has made the key point, and that is medical treatment and attention.

As a matter of fact, my own personal recommendation is that if we are going to do anything about the drug problem in this country, we are not going to do it with interdiction, although military interdiction may help in a very small way; it has got to be done through education and treatment. Therefore, I would recommend to all the Members that they read the report we have given to the President which recommends that we mandate education even as low as in the kindergarten Head Start programs.

So I think the gentlewoman is right on target. It is exactly the way we ought to be treating the drug problems that are within our own borders. The military and other interdiction measures will take care of themselves. That is where the money ought to be going.

Mr. Chairman, I want to commend the gentlewoman for her remarks.

Ms. NORTON. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The time of the gentlewoman from the District of Columbia [Ms. NORTON] has expired.

(On request of Mr. BERMAN, and by unanimous consent, Ms. NORTON was allowed to proceed for 30 additional seconds.)

Mr. BERMAN. Mr. Chairman, if the gentlewoman will yield, I just want to take this opportunity to respond. Every issue possible has been raised in this discussion. I simply want to state for the record and for Members of the House that the majority on the Committee on Foreign Affairs feels strongly, along with our colleagues on the Committee on Post Office and Civil Service, that we do not need this amendment. The State Department is developing its program to establish a program along the guidelines established by court decisions, and I urge that the amendment offered by my good friend, the gentleman from New York [Mr. SOLOMON], not be accepted.

The CHAIRMAN. The time of the gentlewoman from the District of Columbia [Ms. NORTON] has again expired.

(By unanimous consent, Ms. NORTON was allowed to proceed for 1 additional minute.)

Ms. NORTON. Mr. Chairman, I would like to answer the issue raised by my colleague on the other side of the aisle, the gentleman from New York [Mr. SOLOMON], that he hopes I will be as vigorous when he rises on other matters, matters that I believe he called pork, that may come before this body.

Let me say that I have not in fact challenged that gentleman that money to be spent on drug treatment is more important than money spent on anything else. I would not presume to set priorities for Members of this House. I have spoken to the specific category of drugs and the use of money to prevent or to interdict drugs, and I say once again that if there is a finite amount of money to be spent in the drug prevention and drug treatment area, I believe there is no Member of the House who would choose to spend it trying to find out whether government employees who have shown no evidence of taking drugs are in fact taking drugs.

Mr. Chairman, I raise the issue of a zero sum game. If there is a zero sum game, there is a more important place to spend the money than where the gentleman desires to do so.

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

Mr. Chairman, let me just say that I think we have before us a compelling constitutional argument. I agree with everything that has been said against the amendment on the constitutional point. I think we also have a compelling argument on priorities, and if we are to spend a quarter or a half a billion dollars, we could better spend it in other areas to solve the drug problem.

I would suggest that at the State Department we have a very effective pro-

gram already in place, as the Secretary of State has indicated. I believe that my friend, the gentleman from New York, and my friend, the gentleman from Pennsylvania, are very sincere, and obviously the debate today indicates that reasonable and sincere men can differ.

Let me say to the gentleman from New York, "I am sorry, JERRY, I wasn't on that trip to Saudi Arabia with you, but I will make the next one." But in all seriousness, I think we have heard all the debate today. I have no problem, Mr. Chairman, in rising to oppose strenuously this amendment, and I ask my colleagues to do so.

Mr. Chairman, the Federal Government already drug tests its employees. In 1986, the President issued an executive order calling for each executive branch agency to establish random drug testing for its employees in sensitive positions. According to the Office of National Drug Control Policy, 122 of the 135 Federal agencies subject to drug testing already have fully approved drug-free workplace plans. Of the agencies with plans in place, 43 are conducting drug testing and represent 70 percent of the Federal workforce. Only 13 agencies, mostly very small boards and commissions, do not yet have certified plans.

Guidelines for the President's drug testing program include six different types of drug testing programs: First, random and comprehensive testing of employees in sensitive positions; second, applicant testing; third, reasonable suspicion testing; fourth, voluntary testing; fifth, special condition testing; sixth, follow-up testing; and seventh, hardship exemptions.

In fact, the State Department currently has a drug testing program for new employees as a condition of employment. The Department will be implementing a random drug testing program for 90 percent of its employees. If the Solomon amendment is agreed to, the Department of State will have to absorb additional costs for drug testing under conditions when funds are scarce. This could cause the agency to eliminate other valuable programs in order to provide additional testing.

The Government has spent \$11.7 million testing 29,000 employees with less than 1 percent of the employees testing positive. Under the Solomon amendment, it will cost the Government \$186 million a year to randomly test all employees. It will cost an additional \$338 million per year to test all applicants for Federal jobs. There comes a time when we must ask ourselves if this money be used for better purposes against the war on drugs.

Lastly, the issue of random drug testing should be addressed by the Post Office and Civil Service Committee, who has jurisdiction over Federal employees, and not on the floor of the House. This Committee has studied this issue for years and is performing continuing oversight on agency drug testing programs.

The Supreme Court has identified circumstances which drug testing should exist and is justifiable. This amendment would reignite litigation that has already been decided.

The Solomon amendment ignores the current drug testing programs will cost the Amer-

ican taxpayers millions of dollars in testing alone, not to say how much it will cost to address the various court cases that will most certainly take place if this amendment is passed. The Solomon instead diverts significant resources from important law-enforcement tasks that promise real progress in the war on drugs.

I urge my colleagues to vote against the Solomon amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The question was taken; and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 145, noes 265, not voting 20, as follows:

[Roll No. 93]

AYES—145

Allard	Hammerschmidt	Quillen
Anderson	Hancock	Ramstad
Applegate	Hansen	Ravenel
Archer	Hastert	Regula
Army	Hayes (LA)	Rhodes
Baker	Hefley	Riggs
Ballenger	Henry	Ritter
Barrett	Herger	Roberts
Barton	Hobson	Rogers
Bennett	Holloway	Rohrabacher
Bilbray	Hubbard	Ros-Lehtinen
Bilbrakis	Hunter	Frank (MA)
Billey	Hutto	Roth
Boehner	Inhofe	Roukema
Bunning	Ireland	Santorum
Burton	James	Sarpalius
Callahan	Kasich	Schaefer
Camp	Klug	Schulze
Chandler	Kolbe	Sensenbrenner
Coble	Kyl	Shaw
Combest	Lagamarsino	Shays
Condit	Lancaster	Shuster
Coughlin	Laughlin	Skeen
Cox (CA)	Lewis (CA)	Slaughter (VA)
Crane	Lewis (FL)	Smith (NJ)
Cunningham	Lightfoot	Smith (OR)
Dannemeyer	Lloyd	Smith (TX)
DeLay	Lowery (CA)	Solomon
Derrick	Marlenee	Spence
Dickinson	Martin	Stearns
Donnelly	McCandless	Stenholm
Doolittle	McCollum	Stump
Dorman (CA)	McCrery	Sundquist
Dreier	McEwen	Tallon
Duncan	McMillan (NC)	Tauzin
Early	Meyers	Taylor (MS)
Edwards (OK)	Michel	Taylor (NC)
Emerson	Miller (OH)	Thomas (CA)
English	Molinari	Thomas (WY)
Fawell	Montgomery	Upton
Fields	Moorhead	Valentine
Franks (CT)	Nichols	Vander Jagt
Galleghy	Nussle	Vucanovich
Gekas	Packard	Walker
Geren	Parker	Weldon
Gingrich	Patterson	Young (FL)
Goss	Paxon	Zeliff
Gradison	Payne (VA)	Zimmer
Hall (TX)	Pursell	

NOES—265

Abercrombie	Barnard	Brewster
Ackerman	Bateman	Brooks
Alexander	Beilenson	Broomfield
Andrews (ME)	Bentley	Browder
Andrews (NJ)	Bereuter	Brown
Andrews (TX)	Berman	Bruce
Anthony	Bevill	Bryant
Aspin	Boehlert	Bustamante
Atkins	Bonior	Byron
AuCoin	Borski	Campbell (CA)
Bacchus	Boucher	Campbell (CO)

Cardin	Johnson (CT)	Pickett
Carper	Johnson (SD)	Pickle
Carr	Johnston	Porter
Chapman	Jones (GA)	Poshard
Clay	Jones (NC)	Price
Clement	Jontz	Rahall
Clinger	Kanjorski	Rangel
Coleman (MO)	Kaptur	Ray
Coleman (TX)	Kennedy	Reed
Collins (IL)	Kennelly	Richardson
Conyers	Kildee	Ridge
Cooper	Kleczka	Rinaldo
Costello	Kolter	Roe
Cox (IL)	Kopetski	Roemer
Coyne	Kostmayer	Rose
Cramer	LaFalce	Rostenkowski
Darden	LaRocco	Rowland
Davis	Leach	Royal
DeFazio	Lehman (CA)	Russo
DeLauro	Levin (MI)	Sabo
Dellums	Lewis (GA)	Sanders
Dicks	Lipinski	Sangmeister
Dingell	Livingston	Savage
Dixon	Long	Sawyer
Dooley	Lowey (NY)	Saxton
Dorgan (ND)	Luken	Scheuer
Downey	Machtley	Schiff
Durbin	Manton	Schroeder
Dwyer	Markey	Schumer
Dymally	Martinez	Serrano
Eckart	Matsui	Sharp
Edwards (CA)	Mavroules	Sikorski
Edwards (TX)	Mazzoli	Sisisky
Engel	McCloskey	Skaags
Erdreich	McCurdy	Skeltan
Espy	McDade	Slattery
Evans	McDermott	Slaughter (NY)
Fascell	McGrath	Smith (FL)
Fazio	McHugh	Snowe
Feighan	McMillen (MD)	Solaz
Fish	McNulty	Staggers
Flake	Mfume	Stallings
Foglietta	Miller (CA)	Stark
Ford (MI)	Miller (WA)	Stokes
Frank (MA)	Mink	Studds
Frost	Moakley	Swett
Gallo	Mollohan	Moran
Gaydos	Moran	Morella
Gejdenson	Morella	Morrison
Gephardt	Morrison	Mrazek
Gilchrest	Murphy	Murphy
Gillmor	Murtha	Murphy
Gilman	Glickman	Myers
Gonzalez	Gonzalez	Nagle
Gordon	Gordon	Natcher
Grandy	Grandy	Neal (MA)
Gray	Gray	Neal (NC)
Green	Green	Nowak
Guarini	Guarini	Oakar
Gunderson	Gunderson	Oberstar
Hall (OH)	Hall (OH)	Obey
Hamilton	Hamilton	Olin
Harris	Harris	Ortiz
Hayes (IL)	Hayes (IL)	Orton
Hefner	Hefner	Owens (NY)
Hertel	Hertel	Owens (UT)
Hoagland	Hoagland	Oxley
Hochbrueckner	Hochbrueckner	Pallone
Horn	Horn	Panetta
Horton	Horton	Payne (NJ)
Houghton	Houghton	Pease
Hoyer	Hoyer	Pelosi
Huckabay	Huckabay	Penny
Hughes	Hughes	Perkins
Hyde	Hyde	Peterson (FL)
Jacobs	Jacobs	Peterson (MN)
Jenkins	Jenkins	Petri

NOT VOTING—20

Annunzio	Hatcher	Mineta
Boxer	Hopkins	Moody
Collins (MI)	Jefferson	Smith (IA)
de la Garza	Lantos	Spratt
Ford (TN)	Lehman (FL)	Traxler
Gibbons	Lent	Wylie
Goodling	Levine (CA)	

□ 1655

Messrs. PENNY, GILCHREST, GUNDERSON, WASHINGTON, MORRISON, and RINALDO, and Mrs. BYRON changed their vote from "aye" to "no."

Mrs. ROUKEMA changed her vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. COLLINS of Michigan. Mr. Chairman, during the vote on the Solomon amendment, I was inadvertently detained due to the fact that I was speaking to over 100 constituents of my district, who are members of the National Tenants Association. I missed the vote by approximately 30 seconds. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. TORRES. Mr. Chairman, during the vote on the Berman amendment to the Snowe amendments en bloc, I was inadvertently delayed.

If I had been here, I would have voted "yes."

The CHAIRMAN. Are there other amendments to part D?

If not, the Clerk will read part E.

The Clerk read as follows:

PART E—INTERNATIONAL ORGANIZATIONS

SEC. 161. CONTRIBUTIONS TO THE INTERNATIONAL RED CROSS.

(a) UNITED STATES POLICY.—Section 109 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99-93) is amended by striking out subsection (b).

(b) UNITED STATES CONTRIBUTION.—Section 742 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) is amended by striking out subsection (a).

SEC. 162. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) ASSESSED CONTRIBUTIONS.—For assessed contributions authorized to be appropriated by section 102 of this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states who are major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or his representative) and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to the availability of appropriations, payment of assessed contributions for prior years may be made to the United Nations or any of its specialized agencies notwithstanding subsection (a) of this section, section 405 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246) and section 143 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99-93) if such

payment would further United States interests in that organization.

(d) REPORT TO CONGRESS.—Not later than February 1 of each year, the President shall submit a report to the Congress concerning the payment of assessed contributions to the United Nations and any of its specialized agencies during the preceding calendar year.

SEC. 163. REPORT TO CONGRESS CONCERNING UNITED NATIONS SECONDMENT.

Section 701 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204; 22 U.S.C. 287e note) is amended by striking out subsection (b).

SEC. 164. PERMANENT INTERNATIONAL ASSOCIATION OF ROAD CONGRESSES.

The Act of June 18, 1926 (22 U.S.C. 269) is amended by striking out "not exceeding \$3,000 per annum" and inserting in lieu thereof "such sums as may be necessary for each fiscal year".

SEC. 165. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

Section 103 of the Act of September 13, 1950 (22 U.S.C. 277d-3), is amended by inserting "official entertainment and other representation expenses within the United States for the United States section;" after "guard purposes;"

SEC. 166. INTERNATIONAL FISHERIES COMMISSIONS ADVANCE PAYMENTS.

Section 3 of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2670) is amended—

(1) at the end of subsection (j) by striking "and";

(2) in subsection (k) by striking the period and inserting in lieu thereof "; and"; and

(3) by adding after subsection (k) the following new subsection:

"(l) make payments in advance, of the United States share of necessary expenses for international fisheries commissions, from appropriations available for such purpose."

SEC. 167. JAPAN-UNITED STATES FRIENDSHIP COMMISSION.

Section 6 of the Japan-United States Friendship Act (22 U.S.C. 2905) is amended in paragraph (4) by inserting "or for not more than 50 percent of administrative expenses in the United States" after "Japan".

SEC. 168. BRITISH-AMERICAN INTERPARLIAMENTARY GROUP.

(a) ESTABLISHMENT AND MEETINGS.—Not to exceed 24 Members of Congress shall be appointed to meet jointly, and at least annually and when the Congress is not in session (except that this restriction shall not apply to meetings held in the United States), with representatives of the House of Commons and the House of Lords of the Parliament of Great Britain for discussion of common problems in the interest of relations between the United States and Great Britain. The Members of Congress so appointed shall be referred to as the "United States group" of the United States Interparliamentary Group.

(b) APPOINTMENT OF MEMBERS.—Of the Members of Congress appointed for purposes of this section—

(1) half shall be appointed by the Speaker of the House of Representatives from among Members of the House (not less than 4 of whom shall be members of the Committee on Foreign Affairs), and

(2) half shall be appointed by the President of the Senate, upon recommendations of the majority and minority leaders of the Senate, from among Members of the Senate (not less than 4 of whom shall be members of the Committee on Foreign Relations).

Such appointments shall be for the period of each meeting of the British-American Interparliamentary Group, except for the 4 members of the Committee on Foreign Affairs and the 4 members of the Committee on Foreign Re-

lations, whose appointments shall be for the duration of each Congress.

(c) CHAIR AND VICE CHAIR.—(1) The Chair or Vice Chair of the House delegation of the United States group shall be a member from the Committee on Foreign Affairs.

(2) Unless the President of the Senate, upon the recommendation of the majority leader, determines otherwise, the Chair or Vice Chair of the Senate delegation of the United States group shall be a Member from the Committee on Foreign Relations.

(d) FUNDING.—There is authorized to be appropriated \$50,000 for each fiscal year to assist in meeting the expenses of the United States group for each fiscal year for which an appropriation is made, half of which shall be for the House delegation and half of which shall be for the Senate delegation. The House and Senate portions of such appropriations shall be disbursed on vouchers to be approved by the Chair of the House delegation and the Chair of the Senate delegation, respectively.

(e) CERTIFICATION OF EXPENDITURES.—The certificate of the Chair of the House delegation or the Senate delegation of the United States group shall be final and conclusive upon the accounting officers in the auditing of the accounts of the United States group.

(f) ANNUAL REPORT.—The United States group shall submit to the Congress a report for each fiscal year for which an appropriation is made for the United States group, which shall include its expenditures under such appropriation.

SEC. 169. UNITED STATES DELEGATION TO THE PARLIAMENTARY ASSEMBLY OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE).

(a) ESTABLISHMENT.—Not to exceed 17 Members of Congress shall be appointed to meet jointly and annually with representative parliamentary groups from other Conference on Security and Cooperation in Europe (hereinafter designated as "CSCE") members for the purposes of assessing the implementation of the objectives of the CSCE, discussing subjects addressed during the meetings of the Council of Ministers for Foreign Affairs and the biennial Summit of Heads of State or Government, and initiating and promoting such measures as may further cooperation and security in Europe.

(b) APPOINTMENT.—

(1) Of the Members of Congress to be appointed for the purposes of this section (hereinafter designated as the "United States Group")—

(A) in 1992 and 1993 and every odd numbered year thereafter, 9 Members shall be appointed by the Speaker of the House from Members of the House (not less than 4 of whom shall be from the Committee on Foreign Affairs including the Chairman) and 8 Members shall be appointed by the President of the Senate upon recommendations of the majority and minority leaders of the Senate from Members of the Senate (not less than 4 of whom shall be from the Committee on Foreign Relations including the Vice Chairman); and

(B) in every even numbered year beginning 1994, 8 Members shall be appointed by the Speaker of the House from Members of the House (not less than 4 of whom shall be from the Committee on Foreign Affairs including the Vice Chairman) and 9 Members shall be appointed by the President of the Senate upon recommendations of the majority and minority leaders of the Senate from Members of the Senate (not less than 4 of whom shall be from the Committee on Foreign Relations including the Chairman).

(2) Appointments under paragraph (1) shall be for the period of each meeting of the Parliamentary Assembly of the Conference on Security and Cooperation in Europe, except for the 4 Members of the Committee on Foreign Affairs and the 4 Members of the Committee on Foreign

Relations whose appointment shall be for the duration of each Congress.

(c) CHAIRMAN AND VICE CHAIRMAN.—  
(1) Of the Members of Congress to be appointed for the purposes of this section—

(A) during the organizational stages of the new Parliamentary Assembly of the CSCE in 1992 and 1993, the Chairman of the United States delegation shall be from the Committee on Foreign Affairs of the House of Representatives and the Vice Chairman shall be from the Committee on Foreign Relations of the Senate;

(B) in 1994, and in every even numbered year thereafter, the Chairman of the United States delegation to the Parliamentary Assembly of the CSCE shall be from the Committee on Foreign Relations of the Senate and the Vice Chairman shall be from the Committee on Foreign Affairs of the House of Representatives; and

(C) in 1995 and every odd numbered year thereafter the Chairman of the United States delegation to the Parliamentary Assembly of the CSCE shall be from the Committee on Foreign Affairs of the House of Representatives and the Vice Chairman shall be from the Foreign Relations Committee of the Senate.

(2) In the absence of the Chairman the Vice Chairman shall act in his stead.

(d) SECRETARIES.—Each delegation shall have 2 secretaries, one of whom shall be appointed by the Chairman and one of whom shall be appointed by the Vice Chairman.

(e) FUNDING.—

(1) There is authorized to be appropriated for each fiscal year for the annual contribution of the United States toward the maintenance of the Parliamentary Assembly of the Conference on Security and Cooperation in Europe \$750,000.

(2) There is authorized to be appropriated for each fiscal year \$80,000 to assist in meeting the expenses of the United States Group of the Conference on Security and Cooperation in Europe. For each fiscal year for which an appropriation is made under this paragraph, half of such appropriation may be disbursed on voucher to be approved by the Chairman and half of such appropriation may be disbursed on voucher to be approved by the Vice Chairman.

(3) Amounts authorized to be appropriated under this subsection shall remain available until expended.

(f) ANNUAL REPORT.—The United States Group of the Parliamentary Assembly of the Conference on Security and Cooperation in Europe shall submit to the Congress a report for each fiscal year for which an appropriation is made, including its expenditures under such appropriation. The certificate of the Chairman and Vice Chairman of the Parliamentary Assembly of the Conference on Security and Cooperation in Europe shall hereafter be final and conclusive upon the accounting officers in the auditing of the accounts of the United States Group of the Parliamentary Assembly of the Conference on Security and Cooperation in Europe.

**SEC. 170. REPORT CONCERNING THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of State (in consultation with the heads of all appropriate bureaus and offices of the Department of State) shall prepare and submit to the Congress a report on the activities after April 30, 1990 of the United Nations Educational, Scientific and Cultural Organization.

**SEC. 171. INTER-AMERICAN FOUNDATION.**

(a) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 401(s)(2) of the Foreign Assistance Act of 1969 is amended to read as follows: "There are authorized to be appropriated \$28,800,000 for fiscal year 1992 and \$31,000,000 for fiscal year 1993 to carry out this section."

(b) BOARD OF DIRECTORS.—

(1) QUALIFICATIONS.—Section 401(g) of the Foreign Assistance Act of 1969 is amended by adding at the end the following: "All individuals appointed to the Board shall possess an understanding of, and sensitivity to, community development processes. Not more than 5 members of the Board may be members of the same political party."

(2) TRANSITION RULE.—The amendment made by paragraph (1) shall not affect appointments to the Board of the Inter-American Foundation before the date of the enactment of this Act.

(c) PRINCIPAL OFFICE.—Section 401(q) of the Foreign Assistance Act of 1969 is amended to read as follows:

"(q) The Foundation shall maintain its principal office in the metropolitan Washington, D.C., area. The Foundation may establish agencies, branch offices, or other offices in any place or places outside the United States in which the Foundation may carry on all or any of its operations and business."

(d) EXPENSES FOR MEETINGS AND PRINTING.—Section 401 of the Foreign Assistance Act of 1969 is amended by adding at the end the following:

"(v) Funds made available to the Foundation may be used for the expenses described in section 1345 of title 31, United States Code (relating to travel, transportation, and subsistence expenses for meetings).

"(w) Funds made available to the Foundation may be used for printing and binding without regard to any other provision of law."

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part E be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. BEREUTER

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

The Clerk read as follows:

Amendment offered by Mr. BEREUTER: Page 60, after line 12, insert the following:

**SEC. 172. ENHANCED SUPPORT FOR UNITED NATIONS PEACEKEEPING**

(a) ACTIONS BY THE SECRETARY GENERAL OF THE UNITED NATIONS.—The Secretary of State, through the United States Representative to the United Nations, should propose to the Secretary General of the United Nations that the United Nations should explore means, including procedures and organizational initiative, for expediting the implementation of peacekeeping operations authorized by the Security Council.

(b) REPORT OF THE SECRETARY OF STATE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, a report which makes recommendations concerning changes in United States law which would permit the United States to participate more fully, rapidly, and completely in peacekeeping operations authorized by the United Nations. Such report shall include legislative recommendations to make appropriated funds more readily available for peacekeeping purposes on an emergency basis.

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

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

There was no objection.

□ 1700

Mr. BEREUTER. Mr. Chairman, since 1948, more than 500,000 soldiers and civilians have been engaged in U.N. peacekeeping activities.

U.N. peacekeepers have been active in Lebanon, Cyprus, Namibia, and more recently in Iraq and Kuwait.

In the coming weeks the U.N. peacekeepers will assume duties in Angola and in the West Sahara.

It is also possible that they will begin actions in Cambodia and, later on down the road, in Afghanistan.

Most interesting, there is a strong likelihood that U.N. peacekeepers will be a party of the negotiated settlement in El Salvador. Thus, one of the most intractable situations in Central America may be resolved in part by the presence of U.N. peacekeepers.

For their activities, U.N. peacekeepers were the recipient of the 1988 Nobel Peace Prize. It was an award that was richly deserved.

Given the current reduction in international tensions, a new spirit of cooperation has emerged. East and West are looking for common solutions to common problems.

This spirit has been reflected by a more active role for the United Nations in general, and U.N. peacekeeping activities in particular.

The peacekeeping potential of the United Nations has been vividly demonstrated during the Persian Gulf crisis. For hundreds of thousands, even millions, of refugees, U.N. peacekeepers are the buffer that separates them from the remaining armies of Saddam Hussein.

Still, I would suggest that U.N. peacekeepers have been underutilized as a vehicle for promoting human rights and defending humanitarian activities worldwide.

But while the Persian Gulf war highlights the potential role of U.N. peacekeepers, it has also demonstrated the limitations that they face.

It has demonstrated that, in some respects, the relevant U.N. agencies are not well equipped to respond in a timely fashion to unforeseen emergencies, and that the institutional arrangements are often ad hoc.

It has demonstrated that the U.N. system does not always have the financial resources to support peacekeepers in sufficient numbers to perform their mission.

U.N. peacekeeping forces also are limited by the sovereign rights of the member nations. Recently, U.N. peacekeepers have not been permitted to enter Sudan or Liberia, where civil war has caused massive social upheaval and famine. Although the United Nations wished to intervene with peacekeepers,

they were not permitted to enter because the respective nations would not permit the United Nations to enter.

My amendment highlights the importance of U.N. peacekeepers, and calls upon the administration to work with the United Nations to fully exploit the potential that U.N. peacekeepers offer. It speaks to the establishment of effective institutional mechanisms.

It also requires a report from the Secretary of State that will explore more effective methods for the United States to participate in U.N. peacekeeping activities.

In serving the international interest of peace, U.N. peacekeepers also serve the U.S. interest. We need to support them in a more organized fashion. My amendment seeks to do just that; therefore, I urge my colleagues to support this amendment.

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

Mr. Chairman, the gentleman from Nebraska has proposed a good amendment. I support the amendment, and I urge the body to adopt the amendment.

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

Mr. Chairman, I want to congratulate the gentleman for offering this amendment. I think it will be very helpful and constructive, and I would support it and urge its adoption.

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

Ms. SNOWE. I am happy to yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for supporting this amendment, and I thank the chairman for the assistance of staff and the Members on both sides of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER]. The amendment was agreed to.

The CHAIRMAN. Are there further amendments to part E?

If not, the Clerk will read part F. The Clerk read as follows:

**PART F—MISCELLANEOUS PROVISIONS**

**SEC. 181. TRANSITION FOR REFUGEE SHORTFALL.**

(a) IN GENERAL.—If there is a shortfall (as defined in subsection (b)) in a refugee class (as defined in subsection (c)) for fiscal year 1991—

(1) the number of such shortfall shall be added to the number of refugees determined under section 207(a)(2) of the Immigration and Nationality Act for such class for fiscal year 1992 for purposes of limits on the numbers of refugees who are admitted in fiscal year 1992, and

(2) funds authorized to be appropriated for fiscal year 1991 for assistance with respect to refugees are authorized to remain available for obligation during fiscal year 1992 with respect to refugees admitted pursuant to the increase provided under paragraph (1).

(b) SHORTFALL DEFINED.—In subsection (a), the term "shortfall" means, with respect to a refugee class in a fiscal year, the number by which—

(1) the number determined for such class by the President under subsection (a)(2) of section 207 of the Immigration and Nationality Act for such fiscal year, exceeds

(2) the number of refugees in the refugee class admitted under such section during such fiscal year.

(c) REFUGEE CLASS DEFINED.—In this section, the term "refugee class" means, with respect to a fiscal year, refugees in a specified region who have been determined by the President, under section 207(a)(2) of the Immigration and Nationality Act with respect to such fiscal year, to be of special humanitarian concern to the United States.

**SEC. 182. TRAVEL ADVISORY FOR JALISCO, MEXICO.**

Section 134 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 is repealed.

**SEC. 183. THE FOREIGN RELATIONS OF THE UNITED STATES HISTORICAL SERIES.**

(a) AMENDMENT TO 1956 ACT.—The State Department Basic Authorities Act of 1956 is amended by adding at the end thereof the following new title:

**"TITLE IV—FOREIGN RELATIONS OF THE UNITED STATES HISTORICAL SERIES**

**"SECTION 401. GENERAL AUTHORITY AND CONTENTS OF PUBLICATION.**

"(a) CHARTER OF THE PUBLICATION.—The Department of State shall continue to publish the 'Foreign Relations of the United States' historical series (hereafter in this title referred to as the 'FRUS series'), which shall be a thorough, accurate, and reliable documentary record of major United States foreign policy decisions and significant United States diplomatic activity. Volumes of this publication shall include the records needed to provide a comprehensive record of the major foreign policy decisions and actions of the United States Government, together with appropriate materials concerning the facts which contributed to the formulation of policies, as well as memoranda and other documents providing supporting and alternative views to the policy position ultimately adopted.

"(b) EDITING PRINCIPLES.—The editing of the record for preparation of the FRUS series shall be guided by the principles of historical objectivity and accuracy. Documentary texts shall not be altered and deletions shall not be made without indicating in the published text that a deletion has been made. Except as subject to the provisions of this title, the published record shall omit no facts which were of major importance in reaching a decision, and nothing shall be omitted for the purpose of concealing a defect of policy.

"(c) DEADLINE FOR PUBLICATION OF DOCUMENTS.—Volumes in the FRUS series shall be published not more than 30 years after the events documented.

**"SEC. 402. RESPONSIBILITY FOR PREPARATION OF THE FRUS SERIES.**

"(a) IN GENERAL.—(1) The Historian of the Department of State shall be responsible for the preparation of the FRUS series including the selection of records in accordance with the provisions of this title. The Advisory Committee on Historical Diplomatic Documentation shall review records, and shall advise and make recommendations to the Historian concerning all aspects of preparation and publication of the FRUS series, including, in accordance with the procedures contained in section 403, the selection of records for inclusion in volumes of the series.

"(2) Other departments, agencies, and other entities of the United States Government shall cooperate with the Office of the Historian by providing full and complete access to the records and other materials pertinent to the record of United States foreign policy decisions and actions and by providing copies of selected records in accordance with the procedures developed under section 403.

"(b) NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.—Notwithstanding any other provision of this title, the requirement for the National Archives and Records Administration to provide access to, and copies of, records and other materials to the Department of State for the FRUS series shall be governed by chapter 21 of title 44, United States Code, by any agreement concluded between the Department of State and the National Archives and Records Administration, and, in the case of Presidential records, by section 2204 of such title.

**"SEC. 403. PROCEDURES FOR IDENTIFYING DOCUMENTS FOR THE FRUS SERIES; DECLASSIFICATION, DELETIONS, REVISIONS, AND SUMMARIES.**

"(a) DEVELOPMENT OF PROCEDURES.—Not later than October 1, 1991, each department, agency, or other entity of the United States Government engaged in foreign policy formulation, execution, or support shall develop procedures for its historical office (or a designated individual in the event that there is no historical office)—

"(1) to coordinate with the State Department's Office of the Historian in selecting documents and other materials for possible inclusion in the FRUS series;

"(2) to permit full access to the original, unrevised records by such individuals holding appropriate security clearances as have been designated by the Secretary of State as liaison to that department, agency, or entity, for purposes of this title, and by members of the Advisory Committee; and

"(3) to permit access to specific types of records not selected for inclusion in the FRUS series by the individuals identified in paragraph (2) when requested by the Historian in order to confirm that records selected by that department, agency or entity accurately represent the policymaking process reflected in the relevant part of the FRUS series.

Except that, nothing in this section shall require the publication and disclosure, or search and review, of operational files of the Central Intelligence Agency, as determined in accordance with section 701 of the National Security Act (50 U.S.C. 413).

"(b) DECLASSIFICATION REVIEW.—(1) Records selected for inclusion in the FRUS series shall be submitted to the respective originating agency for declassification review in accordance with that agency's procedures for such review, except that such declassification review shall be completed by the originating agency within 180 days. If the originating agency determines that any such record is not declassifiable, then the originating agency shall attempt to make such deletions in the text as will make the record declassifiable.

"(2) If the Advisory Committee determines that the meaning of the records proposed for inclusion in a volume of the FRUS series would be so altered or changed by deletions made under paragraph (1), or if the Committee determines as a result of inspection of other documents under subsection (a)(3) that publication in that condition could be misleading or lead to an inaccurate or incomplete historical record, then the Advisory Committee shall so advise the Secretary of State and submit recommendations to resolve the issue.

"(3) The Advisory Committee shall have full and complete access to the original text of any record in which deletions have been made, subject to the requirements of the originating agency pursuant to this section.

"(4) If a record is deleted in whole or in part as a result of review under this subsection then a note to that effect shall be inserted at the appropriate place in the FRUS volume.

"(c) NATIONAL SECURITY INFORMATION.—Nothing in this section shall be construed as re-

quiring access to or publication of records in a manner that would be inconsistent with the law related to the classification of information for national security reasons, or with agency procedures implemented in accordance with law to control access to classified information.

**"(d) PRIVILEGED INFORMATION.—**

**"(1)** Subject to paragraph (2), nothing in this section shall be construed as requiring access to or publication of information for which the President asserts a claim of special privilege under the Constitution or laws of the United States.

**"(2)** If the President instructs a department, agency or entity of the United States to withhold information based on a claim of privilege—

**"(A)** a note to this effect shall be made at the appropriate place in the FRUS series; and

**"(B)** the President shall submit a written report to Congress describing the nature of the records in question and the justification for withholding them.

**"SEC. 404. RELATIONSHIP TO THE PRIVACY ACT AND THE FREEDOM OF INFORMATION ACT.**

**"(a) PRIVACY ACT.—**Nothing in this title may be construed as requiring the public disclosure of records or portions of records protected under section 552a of title 5, United States Code (relating to the privacy of personal records).

**"(b) FREEDOM OF INFORMATION ACT.—**(1) Except as provided in paragraph (2), no record (or portion thereof) shall be excluded from publication in the FRUS series solely by virtue of the application of section 552(b) of title 5, United States Code (relating to the exemption of certain matters from freedom of information requirements), other than section 552(b)(6).

**"(2)** Records described in section 222(f) of the Immigration and Nationality Act (relating to visa records) shall be excluded from publication in the FRUS series.

**"SEC. 405. ADVISORY COMMITTEE.**

**"(a) ESTABLISHMENT.—**(1) There is established on a permanent basis the Advisory Committee on Historical Diplomatic Documentation for the Department of State. The activities of the Advisory Committee shall be coordinated by the Office of the Historian of the Department of State.

**"(2)** The Advisory Committee shall be composed of 11 members and an executive secretary. The Historian shall serve as executive secretary.

**"(3)(A)** No more than two members of the Advisory Committee shall be employees of the Department of State appointed by the Secretary of State. Such members shall serve at the pleasure of the Secretary.

**"(B)** The remaining members of the Advisory Committee shall be distinguished historians, political scientists, archivists, and international lawyers, appointed by the Secretary of State. In appointing members of the Advisory Committee under this subparagraph, the Secretary shall take into account recommendations made by the leading professional societies in these fields, including the American Historical Association, the Organization of American Historians, the American Political Science Association, the Society of American Archivists, the American Society of International Law, and the Society for Historians of American Foreign Relations.

**"(b) TERMS OF SERVICE FOR APPOINTMENTS.—**Each member of the Advisory Committee appointed from the private sector shall be appointed to serve a term of 3 years, except that the Secretary of State shall make the initial appointments as follows:

**"(1)** Three members shall be appointed to serve for terms of 1 year.

**"(2)** Three members shall be appointed to serve for terms of 2 years.

**"(3)** Three members shall be appointed to serve for terms of 3 years.

Any vacancy in the membership of Advisory Committee shall be filled in the same manner as

the original appointment and an individual appointed to fill a vacancy shall be appointed to serve for the remainder of the term. A member may be reappointed upon expiration of his or her term.

**"(c) SELECTION OF CHAIRPERSON.—**The Advisory Committee shall select its chairperson from among its members.

**"(d) MEETINGS.—**Meetings of the Advisory Committee shall be held at least quarterly or otherwise as frequently as may be necessary to carry out its duties.

**"(e) SECURITY CLEARANCES.—**All members of the Advisory Committee shall be granted the necessary security clearances, subject to the standard procedures for granting such clearances.

**"(f) COMPENSATION.—**(1) Members of the Advisory Committee—

**"(A)** except as provided in paragraph (2), shall each receive compensation at a rate of not to exceed the daily equivalent of the annual rate of basic pay payable for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day such member is engaged in the actual performance of the duties of the Advisory Committee; and

**"(B)** shall be allowed travel expenses, including per diem in lieu of subsistence at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

**"(2)** Any member of the Advisory Committee who is an officer or employee of the United States shall not be paid compensation for services performed as a member of the Advisory Committee.

**"(3)** The Secretary of State is authorized to provide for necessary secretarial and staff assistance for the Advisory Committee.

**"(4)** The Federal Advisory Committee Act shall not apply to the Advisory Committee to the extent that the provisions of this title are inconsistent therewith.

**"SEC. 406. DEFINITIONS.**

**"For purposes of this title—**

**"(1)** the term 'Advisory Committee' means the Advisory Committee on Historical Diplomatic Documentation;

**"(2)** the term 'Historian' means the Historian of the Department of State or any successor officer of the Department of State responsible for carrying out the functions of the Office of the Historian of the Department of State, as in effect on the date of enactment of this title;

**"(3)** the term 'originating agency' means, with respect to a record, the department, agency, or entity of the United States (or any officer or employee thereof acting in his official capacity) that publishes, issues, or otherwise prepares that record; and

**"(4)** the term 'record' includes any written material (including any document, memorandum, correspondence, statistical data, book, or other papers), map, photograph, machine readable material, or other documentary material, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value in them, and such term does not include library or museum material made or acquired and preserved solely for reference or exhibition purposes, any extra copy of a document preserved only for convenience or reference, or any stocks of publications or of processed documents."

**(b) DECLASSIFICATION OF STATE DEPARTMENT DOCUMENTS.—**

**(1)** Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a written report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the extent to which each classified document prepared by the Department of State (or any officer or employee thereof acting in his official capacity) will be reviewed for declassification not later than 30 years after the document was prepared.

**(2)** If the report required under paragraph (1) indicates that not all classified documents prepared by the Department of State will be reviewed for declassification within 30 years after preparation, the Secretary shall submit a plan to achieve this objective.

**(c) PREVIOUS ADVISORY COMMITTEE ON HISTORICAL DIPLOMATIC DOCUMENTATION.—**The Advisory Committee on Historical Documentation of the Department of State established before the date of the enactment of this Act shall terminate on such date.

**(d) EFFECTIVE DATES.—**In order to come into compliance with section 401(c) of the State Department Basic Authorities Act of 1956, as added by this section, the Secretary of State shall ensure that, by the end of the 3-year period beginning on the date of the enactment of this Act, all volumes of the FRUS series for the years that are more than 30 years before the end of that 3-year period have been published.

**SEC. 184. IMPLEMENTATION OF THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN.**

**(a) SENSE OF CONGRESS.—**It is the sense of the Congress that the Secretary of State should submit to the United Nations Secretary General by the 1995 deadline the report on the United States implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (Nairobi Strategies), as adopted by the 40th session of the United Nations General Assembly in Resolution 40/108 on December 13, 1985.

**(b) REPORTS TO CONGRESS.—**

**(1)** Two years after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report on the progress of the United States implementation of the Nairobi Strategies.

**(2)** Not later than 90 days prior to the 1995 deadline referred to in subsection (a), the Secretary of State shall submit to the Congress a preliminary version of the final report to be submitted to the Secretary General of the United Nations.

**SEC. 185. DENIAL OF VISAS TO U.S. CITIZENS.**

**(a) INVESTIGATION.—**Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall initiate an investigation of the policies and practices of foreign governments which deny visas to United States citizens with valid United States passports solely because the passport is endorsed with proof of travel to another country.

**(b) UNITED STATES ACTIONS.—**The Secretary of State shall immediately take steps to protest recent cases of the policies and practices described in subsection (a) and shall seek to obtain assurances from such foreign governments that those policies and practices will be changed.

**(c) REPORT TO CONGRESS.—**Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Congress concerning the investigation under subsection (a) and steps taken under subsection (b).

**SEC. 186. STUDY OF TECHNICAL SECURITY AND COUNTERINTELLIGENCE CAPABILITIES.**

**(a) STUDY BY INSPECTOR GENERAL.—**Not later than 30 days after the date of enactment of this

Act, the Inspector General of the Department of State shall initiate, with the cooperation of other appropriate Federal agencies, a study of the overseas technical security and counterintelligence capabilities and practices of the Department of State. The study shall be completed not later than one year after the date of enactment.

(b) **CONTENT.**—The study shall evaluate—

(1) the overseas technical security and counterintelligence capabilities of the Department of State since the enactment of the Omnibus Diplomatic Security and Antiterrorism Act of 1986;

(2) the level of the State Department's capabilities in technical security and counterintelligence relative to the technical and human intelligence threats identified by other appropriate Federal agencies; and

(3) whether the Department of State is the most appropriate Federal agency to carry out overseas technical security and counterintelligence functions.

(c) **REPORT TO CONGRESS.**—Not later than 400 days after the date of the enactment of this Act, the Inspector General of the Department of State shall prepare and submit, with the cooperation of other appropriate Federal agencies, a written report of the findings of such study to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. The Inspector General may submit such report in classified form.

**SEC. 187. GENERAL ACCOUNTING OFFICE STUDY OF THE FOOD AND AGRICULTURE ORGANIZATION.**

(a) **STUDY OF FAO.**—The Comptroller General of the United States shall conduct a study of the operations of the Food and Agriculture Organization (FAO), with particular emphasis on the Technical Cooperation Program. Such study shall evaluate—

(1) the programs and operations of the Food and Agriculture Organization;

(2) the effectiveness of the Food and Agriculture Organization in fulfilling its goals;

(3) the management structure of the Food and Agriculture Organization;

(4) the correspondence between the United States Government and the Food and Agriculture Organization regarding reform of FAO's management and budget.

(b) **REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit a report of the findings of such study to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 188. REPORTS CONCERNING ISRAEL.**

(a) **REPORTS ON PROGRESS CONCERNING ISRAEL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall prepare and submit a report to the Congress concerning progress in the following areas:

(1) Rescission of United Nations General Assembly Resolution 3379, which maintains that Zionism constitutes a form of racism.

(2) Rescission by the United Nations Security Council of Resolution 487, which condemned Israel for the destruction of the Osiraq nuclear reactor.

(3) Recognition of the State of Israel, including the establishment or resumption of diplomatic relations with Israel, by every member of the United Nations General Assembly.

(b) **REPORT CONCERNING THE RECOGNITION OF ISRAEL BY ARAB NATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report to the Congress concerning—

(1) the extent to which any Arab nation which has refused to recognize Israel and has maintained a state of belligerency with Israel has taken steps to end the economic boycott against

Israel, end the state of belligerency with Israel, or enter into direct negotiations with Israel to achieve these objectives; and

(2) the means utilized by the United States to influence and encourage the Arab states which were allied with the United States in the Persian Gulf War to achieve the objectives under paragraph (1).

**SEC. 189. SENSE OF CONGRESS CONCERNING SEXUAL HARASSMENT AT THE DEPARTMENT OF STATE.**

(a) **FINDINGS.**—The Congress makes the following findings:

(1) In June 1988, the United States Merit Systems Protection Board issued a report entitled "Sexual Harassment in the Federal Government: An Update". That report identified the State Department (including the United States Information Agency and the United States Agency for International Development) as having the highest rate of incidence of sexual harassment of women of any agency in the Federal Government.

(2) To provide more detailed information on sexual harassment of women at the Department of State and United States Information Agency, the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 directed the two agencies to contract out with private organizations with expertise in personnel systems and problems no later than 90 days after enactment of that Act to conduct detailed studies of sexual harassment problems at their respective agencies. The private organizations were required to complete their studies and to report to Congress within one year after enactment.

(3) The United States Information Agency entered in a contract with a private organization to begin its study even before enactment of the Act, and submitted a detailed report to Congress within the mandated deadline. That report found that the incidence of sexual harassment of women at the United States Information Agency was not significantly greater than the average for other agencies of the Federal Government as identified by the United States Merit Systems Protection Board. In response to the report, the United States Information Agency has instituted programs to help prevent incidents of sexual harassment and to respond to incidents that do occur, and the Agency has planned period follow up studies to monitor improvement.

(4) The Department of State failed to enter into a contract with a private organization to begin its study until 8 months after enactment of the Act, which was 5 months after the deadline required by law. The delay ensured that the private organization selected to conduct the study would be unable to meet the legislatively mandated deadline for submission of its report. This delay also ensured that the Congress would be unable to consider for inclusion in the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 any recommendations for legislative changes that might be contained in the report.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of State has been negligent in carrying out section 155 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, "Study of Sexual Harassment at the Department of State".

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of State shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the reasons for the Department's negligence in adhering to deadlines required by law in implementing section 155 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, and what steps, if any, the Department has taken to prevent such a failure from recurring.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part F be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENTS OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer four amendments, and I ask unanimous consent that my four amendments be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. TRAFICANT: At the end of title I, insert the following new section:

**SEC. —. BUY-AMERICAN REQUIREMENT.**—(1) The Secretary shall award to a domestic firm a contract for the purchase of goods that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(A) the final product of the domestic firm will be completely assembled in the United States;

(B) when completely assembled, more than 51 percent of the final product of the domestic firm will be domestically produced; and

(C) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent.

(2) This subsection shall not apply to the extent to which—

(A) in the opinion of the Secretary, after taking into consideration international obligations and trade relations, such applicability would not be in the public interest;

(B) in the opinion of the Secretary, after consultation with the Secretary of Defense, compelling national security considerations require otherwise; or

(C) the President determines that such an award would be in violation of the General Agreements on Tariffs and Trade or an international agreement to which the United States is a party.

(3) This subsection shall apply only to contract made for which—

(A) amounts are authorized by this title to be made available; and

Page —, after line —, insert the following new subsection:

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

Page —, after line —, insert the following new sections:

**SEC. —. PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.**—If it

has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract from the Department of State, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

Page —, after line —, insert the following new section:

**Sec. —. SENSE OF THE CONGRESS.**

It is the sense of the Congress that any American firm that receives contracts pursuant to this Act employs U.S. workers to carry out such contract.

**Sec. —. NOTICE.**

The Secretary of State shall provide procedures to inform such recipients of the Sense of the Congress under the above section.

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

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, these are my Buy American amendments.

Basically they say that American companies get a competitive advantage when bidding on contracts to be awarded underneath the Secretary of State.

Second, it restricts awards to any companies from countries who practice illegal trade against America as cited by our President. Third, it takes action for anybody who gets an award, a contract, subject to this amendment that, in fact, affixes a false label.

Finally, it encourages the State Department when they do make awards that the companies who get those awards hire U.S. workers.

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

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

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

Mr. Chairman, I accept the amendments, and I urge the body to adopt the gentleman's amendments.

I am particularly enthusiastic about the false labeling amendment and will work with him very closely on these issues as we move ahead.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I am happy to yield to the gentleman from Maine.

Ms. SNOWE. Mr. Chairman, I will tell the gentleman that I am certainly in support of these amendments, because I do think that they are important. I have supported the gentleman in the past in the Buy American provisions. I think he makes an important point when it comes to the restrictions that ought to be placed on contract awards, because we ought to make sure that

the Government is purchasing American goods. Also, on the Buy America label, the fact that they are falsely labeling by placing Made in America labels is an excellent point, and I appreciate the fact that the gentleman has raised all four of these issues with respect to Buy America provisions and also is protecting American workers in export of American goods to other countries who do not place barriers to American goods and services.

I thank the gentleman for those amendments.

Mr. TRAFICANT. I really appreciate the gentleman's support.

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

The amendments were agreed to.

The CHAIRMAN. Are there further amendments to part F?

If not, the Clerk will read part A of title II.

The Clerk read as follows:

**TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS**

**PART A—UNITED STATES INFORMATION AGENCY**

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

The following amounts are authorized to be appropriated for the United States Information Agency (other than for the Voice of America) to carry out international information, educational, cultural, and exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, and other purposes authorized by law:

(1) SALARIES AND EXPENSES.—For "Salaries and Expenses", \$424,399,000 for the fiscal year 1992.

(2) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$4,206,000 for the fiscal year 1992.

(3) NATIONAL ENDOWMENT FOR DEMOCRACY.—For "National Endowment for Democracy", \$25,000,000 for the fiscal year 1992.

(4) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For "Center for Cultural and Technical Interchange between East and West", \$23,000,000 for the fiscal year 1992.

**SEC. 202. REPROGRAMMING OF FUNDS.**

Section 705(a)(7) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1477c(a)(7)) is amended by striking out "\$250,000" and inserting in lieu thereof "\$500,000".

**SEC. 203. AUTHORITY OF THE SECRETARY.**

Paragraph (3) of section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471) is amended by inserting "and television" after "radio".

**SEC. 204. BASIC AUTHORITY.**

Section 804 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474) is amended—

(1) by deleting "and" at the end of paragraph (19);

(2) by striking out the period at the end of paragraph (20) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new paragraphs:

"(21) incur expenses authorized by the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);

"(22) furnish living quarters as authorized by section 5912 of title 5, United States Code; and

"(23) provide allowances as authorized by sections 5921 through 5928 of title 5, United States Code."

**SEC. 205. PAYMENT OF CERTAIN EXPENSES FOR PARTICIPANTS.**

Paragraph (9) of section 804 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474) is amended to read as follows:

"(9) pay to or for individuals, not United States Government employees, participating in activities conducted under this Act, the costs of emergency medical expenses, preparation and transport to their former homes of the remains of such participants or their dependents who die while away from their homes during such participation, and health and accident insurance premiums for participants or health and accident benefits for participants by means of a program of self-insurance;"

**SEC. 206. USIA POSTS AND PERSONNEL OVERSEAS.**

(a) USIA POSTS AND PERSONNEL OVERSEAS.—The United States Information and Educational Exchange Act of 1948 is amended by adding after section 811 the following:

**"USIA POSTS AND PERSONNEL OVERSEAS**

**"SEC. 812. (a) LIMITATION.—**Except as provided under this section no funds authorized to be appropriated to the United States Information Agency may be used to pay any expense associated with the closing of any United States Information Agency post abroad.

**"(b) NOTIFICATION.—**Not less than 45 days before the closing of any United States Information Agency post abroad the Director of the United States Information Agency shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**"(c) EXCEPTIONS.—**This section shall not apply to any United States Information Agency post closed—

"(1) because of a break or downgrading of diplomatic relations between the United States and the country in which the post is located;

"(2) where there is a real and present threat to United States diplomats in the city where the post is located and where a travel advisory warning against travel by United States citizens to the city has been issued by the Department of State."

**(b) REDUCTIONS IN AMERICAN EMPLOYEES.—**Reductions may not be made in the number of positions filled by American employees of the United States Information Agency stationed abroad until the number of such employees is the same percentage of the total number of American employees of the Agency as the number of American employees of the Agency stationed abroad in 1981 was to the total number of American employees at the Agency at the same time in 1981.

**(c) REPEAL.—**Section 204 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 1461 note) is repealed.

**SEC. 207. IMPLEMENTATION OF BEIRUT AGREEMENT.**

The first section of the joint resolution entitled "Joint resolution to give effect to the Agreement for facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948", approved October 8, 1966 (19 U.S.C. 2051), is amended by adding at the end the following: "In carrying out this section, such Federal agency or agencies may not consider visual or auditory material to fail to qualify as being of international educational character—

"(1) because it advocates a particular position or viewpoint, whether or not it presents or acknowledges opposing viewpoints;

"(2) because it might lend itself to misinterpretation, or to misrepresentation of the United

States or other countries, or their people or institutions;

"(3) because it is not representative, authentic, or accurate or does not represent the current state of factual knowledge of a subject or aspect of a subject unless the material contains widespread and gross misstatements of fact;

"(4) because it does not augment international understanding and goodwill, unless its primary purpose or effect is not to instruct or inform through the development of a subject or an aspect of a subject, and its content is not such as to maintain, increase, or diffuse knowledge; or

"(5) because in the opinion of the agency the material is propaganda.

"Such federal agency or agencies may not label as propaganda any material that receives a certificate of international educational character under this section and the Agreement."

**SEC. 208. SPECIAL IMMIGRANT STATUS FOR CERTAIN USIA EMPLOYEES.**

(a) **IN GENERAL.**—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) as amended by section 153(a) of the Immigration Act of 1990, is amended—

(1) by striking "or" at the end of subparagraph (I),

(2) by striking the period at the end of subparagraph (J) and inserting "; or", and

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

"(K)(i) an immigrant who is coming to the United States to perform service for the United States Information Agency and with respect to whom the Director of such Agency certifies that (I) the immigrant possesses language and other skills essential to the accomplishment of the Agency's broadcasting activities, and (II) the Agency is unable to find equally qualified workers in the United States, and (ii) the spouse or child of such an immigrant if accompanying or following to join the immigrant."

(b) **NUMERICAL LIMITATION.**—Section 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(4)), as amended by section 121(a) of the Immigration Act of 1990, is amended by inserting before the period at the end the following: "and of which not more than 75 shall be available in fiscal year 1992 and not more than 25 shall be available in any subsequent fiscal year to special immigrants described in section 101(a)(27)(K)(i)".

(c) **PETITIONING PROCESS.**—Section 204(a)(1)(E) of the Immigration and Nationality Act, as amended by section 162(b)(1) of the Immigration Act of 1990, is amended—

(1) in clause (i), by inserting "or 101(a)(27)(K)" after "101(a)(27)(D)", and

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

"(iii) In the case of an alien seeking classification as a special immigrant described in section 101(a)(27)(K), the Attorney General shall approve such a classification upon receipt of a certification described in such section issued by the Director of the United States Information Agency if the alien is otherwise admissible."

(d) **USIA BASIC AUTHORITIES.**—Section 804(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) is amended by inserting "or as immigrants under section 101(a)(27)(K) of that Act (8 U.S.C. 1101(a)(27)(K))" after "(8 U.S.C. 1101(a)(15))".

(e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 1991.

**SEC. 209. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.**

(a) **SHORT TITLE.**—This section may be cited as the "North/South Center Act of 1991".

(b) **PURPOSE.**—The purpose of this section is to promote better relations between the United

States and the nations of Latin America and the Caribbean and Canada through cooperative study, training, and research, by supporting in Florida a Center for Cultural and Technical Interchange Between North and South where scholars and students in various fields from the nations of the hemisphere may study, give and receive training, exchange ideas and views, and conduct other activities consistent with the objectives of the Mutual Educational and Cultural Exchange Act of 1961 and other Acts promoting international, educational, cultural, scientific, and related activities of the United States.

(c) **NORTH/SOUTH CENTER.**—In order to carry out the purpose of this section, the Director of the United States Information Agency shall provide for the operation in Florida of an educational institution known as the North/South Center, through arrangements with public, educational, or other nonprofit institutions.

(c) **AUTHORITIES.**—The Director of the United States Information Agency, in carrying out this section, may utilize the authorities of the Mutual Educational and Cultural Exchange Act of 1961. Section 704(b) of the Mutual Security Act of 1960 (22 U.S.C. 2056(b)) shall apply in the administration of this section. In order to carry out the purposes of this section, the North/South Center is authorized to use funds made available under this section to acquire property and facilities, by construction, lease, or purchase.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$10,000,000 for each fiscal year to carry out this section. Amounts appropriated under this section are authorized to be made available until expended.

(e) **REPEAL.**—Effective October 1, 1991, the section enacted by the third proviso under the heading "EDUCATION AND HUMAN RESOURCES DEVELOPMENT, DEVELOPMENT ASSISTANCE" in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991, is repealed.

**SEC. 210. SOVIET-EASTERN EUROPEAN RESEARCH AND TRAINING.**

Section 810 of the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4509) is repealed.

**SEC. 211. CLAUDE AND MILDRED PEPPER SCHOLARSHIP PROGRAM.**

(a) **PURPOSE.**—It is the purpose of this section to provide Federal financial assistance to facilitate a program to enable high school and college students from emerging democracies, who are visiting the United States, to spend from one to two weeks in Washington, District of Columbia, observing and studying the workings and operations of the democratic form of government of the United States.

(b) **GRANTS.**—The Director of the United States Information Agency is authorized to make grants to the Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation to carry out the purpose specified in subsection (a).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$1,000,000 for fiscal year 1992 to carry out this section.

**SEC. 212. PROGRAM REVIEW OF NED.**

(a) **ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated under section 201(3), after the submission of the report under subsection (b), there are authorized to be appropriated for fiscal year 1992 for the National Endowment for Democracy \$5,000,000.

(b) **REPORT REQUIREMENT.**—The National Endowment for Democracy shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a comprehensive report concerning the actions of the National Endow-

ment for Democracy and certain grantees (the Free Trade Union Institute, the Center for International Private Enterprise, the Republican Institute for International Affairs, and the Democratic Institute for International Affairs) in response to the recommendations of the General Accounting Office report of March 1991, Promoting Democracy: National Endowment for Democracy's Management of Grants Needs Improvement.

(c) **GENERAL ACCOUNTING OFFICE REPORT.**—Not more than 90 days after the submission of the report under subsection (b), the Comptroller General of the United States shall prepare and submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate an evaluation of the actions of the National Endowment for Democracy and certain grantees in response to the General Accounting Office report of March 1991.

**SEC. 213. USIA GRANTS.**

(a) **COMPETITIVE GRANT PROCEDURES.**—Except as provided in subsection (b), the United States Information Agency shall establish a goal of achieving full and open competition in the award of grants. The Agency shall establish a timetable for achieving such goal and for each fiscal year shall increase the percentage of grants which are awarded under competitive procedures.

(b) **EXCEPTIONS.**—The United States Information Agency may award a grant under procedures other than competitive procedures when—

(1) a statute expressly authorizes or requires that the grant be made with a specified entity; or

(2) the terms of an international agreement or treaty between the United States Government and a foreign government or international organization have the effect of requiring the use of procedures other than competitive procedures.

(c) **COMPLIANCE.**—

(1) After October 1, 1991, grants awarded by the United States Information Agency shall substantially comply with United States Information Agency grant guidelines and applicable circulars of the Office of Management and Budget.

(2) If the Agency determines that a grantee has not satisfied the requirement of paragraph (1), the United States Information Agency shall notify the grantee of the suspension of payments under a grant unless compliance is achieved within 90 days of such notice.

(3) The Agency shall suspend payments under any grant which remains in noncompliance 90 days after notification under paragraph (2).

(d) **REPORT TO CONGRESS.**—Not later than 90 days after the date of the enactment of this Act, the Director of the United States Information Agency shall submit a detailed report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on Agency compliance with each recommendation relating to United States Information Agency grant procedures in the October 30, 1990, semiannual report to Congress of the Inspector General of the United States Information Agency.

**SEC. 214. DISTRIBUTION WITHIN THE UNITED STATES OF UNITED STATES INFORMATION AGENCY PHOTOGRAPHIC WORKS OF RICHARD SAUNDERS.**

(a) **DISTRIBUTION TO THE SCHOMBURG CENTER FOR BLACK STUDIES.**—Notwithstanding section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1(a)) and the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461)—

(1) the Director of the United States Information Agency shall make available to the Schomburg Center for Black Studies, New York, New York, master copies of the United States

Information Agency photographic works of Richard Saunders, a former employee of the United States Information Agency; and

(2) the Schomburg Center for Black Studies, New York, New York, shall reimburse the Director of the United States Information Agency for any expenses of the Agency in making such master copies.

(b) REIMBURSEMENT.—Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the United States Information Agency.

**SEC. 215. ISRAELI ARAB SCHOLARSHIP PROGRAM.**

(a) ESTABLISHMENT.—Subject to the availability of funds under subsection (d), there is established in the United States Information Agency a fund to be known as the Israeli Arab Scholarship Fund (hereinafter in this Act referred to as the "fund"). The income from the fund shall be used for a program of scholarships for Israeli Arabs to attend institutions of higher education in the United States to be known as the Israeli Arab Scholarship Program (hereinafter in the section referred to as the "program"). The fund and the program shall be administered by the United States Information Agency in accordance with this section and the Mutual Educational and Cultural Exchange Act of 1961. The fund may accept contributions and gifts from public and private sources.

(b) ADMINISTRATION OF THE FUND.—It shall be the duty of the Director of the United States Information Agency to invest in full amounts made available to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund.

(c) APPROPRIATIONS FROM THE FUND.—For each fiscal year, there is authorized to be appropriated from the fund for the Israeli Arab Scholarship Program the interest and earnings of the fund.

(d) FUNDING.—Amounts made available under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, (as amended by section 551 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991) are authorized to be appropriated to the fund.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part A be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. KANJORSKI

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

The clerk read as follows:

Amendment offered by Mr. KANJORSKI: Page 83, line 8, strike "\$25,000,000" and insert "\$15,800,000".

Page 93, strike lines 2 through 7.

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

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

There was no objection.

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Mr. KANJORSKI. Mr. Chairman, this amendment is introduced for the pur-

pose of not attaining what I would like to do. I would like to do away with the National Endowment for Democracy. At least, however, my amendment brings the National Endowment for Democracy to a holding position at this point until we can examine what is going on here.

We have an organization structured, not incorporated, but structured by this Government, which is requesting \$30 million to carry on its purposes.

I am afraid many of the Members of this House, particularly the newer Members, are not aware of the particular nature and structure of this organization. It is an unusual alliance. The National Endowment for Democracy funds a special institute of the Republican Party; it funds a special institute of the Democratic Party; it funds a special institute of the National Chamber of Commerce and it funds a special institute of the AFL-CIO. They take taxpayers' money and they disperse it for the purposes of spreading democracy around the world.

Undoubtedly, if we take \$10, \$15, \$20 million and we spend it in some spots, we could make claims that we have accomplished a great deal. However, over the years questions have been raised as to just how successful the National Endowment has been.

There was a General Accounting audit back in 1986, and that audit raised a number of concerns that were supposed to be answered by this organization over the period of the last 4 years. Last year, we succeeded in getting a request for another General Accounting audit, and they have determined that the concerns that they raised in the 1986 audit were not attended to by the National Endowment for Democracy. They further found in the 1990 audit that instances of funds being misused, mismanaged, and not effectively accounted for, were still going on. They further said that there is no system in place to determine whether or not the goals or the objectives of this organization, and therefore, the expenditures of American tax money was, in fact, being met.

Mr. Chairman, I have a fundamental disagreement with setting up a private organization, controlled by private people, to carry out the foreign policy of the United States. I think it is fundamentally wrong, and that it violates the framers' intent of the Constitution of the United States. However, this Congress has authorized and provided those funds, now, for more than 6 years, and I can understand that I may stand in a position of the minority as to whether or not this is right or this is wrong. I will not argue that point, except that I do want to alert many of the freshmen Members of this House that are not aware of this issue that they should stop for a moment and consider whether it is the intentions of this Government and this Congress to

authorize a separate, independent, private agency in the United States to spend taxpayers' money to carry on their own internal foreign policy for the United States when, in some instances, it is in direct contradiction to the foreign policy carried on and organized under the State Department of this Government.

I think that is fundamentally wrong. I think it is unacceptable. However, if we get over that point, if we can accept that private agencies are being funded to carry on foreign policy, it seems to me we should then question whether or not the moneys of the United States, the taxpayers' funds, are being accounted for? Are they being mismanaged? Are they being abused? And further, where do we go to ask these questions? Where are we provided an answer?

I have appeared before the authorizing subcommittee twice on this matter in the last two Congresses. I have posed to them various questions, which I am not yet aware they have received any fulfilling answers, as to exactly where these funds are expended, or if there is an accounting system within the Endowment for Democracy structure that would allow Members to trace this money to see where it is being spent, and by whom, and for what purposes.

I would say that in the absence of answers to my question, that maybe the N.E.D. is doing one devil of a fine job. I just do not know about it. Maybe the Congress does know about it. Maybe the Endowment is actually spending the \$25 or \$30 million that they have asked for this year and the money they received in past years in a good fashion.

I have had the occasion to study and follow the N.E.D. over the last 6 years, and view what they consider to be worthwhile projects. They have put money into countries like England, France and New Zealand, to prop up democracy. I certainly do hope that they succeed at that. I hope that we can report to the Queen when she comes tomorrow that American taxpayer money has helped to preserve democracy in her kingdom. I certainly hope that we can report to New Zealand and to France that democracy is just around the corner. It may be the light at the end of the tunnel, and these additional taxpayer funds are necessary to reach that goal.

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

Mr. KANJORSKI. Until Monday, I did not think that there was a smoking gun. I want to repeat that word. I want Members to listen to it. Not by my own investigation, but by a call I received from a Romanian. I was told of a "smoking gun." I was asked to meet with a Senator from Romania, a serving member, and two members of the parliament. All three gentlemen, who

are leaders of the oldest opposition parties, who were underground during the entire Communist reign, and finally have come into democratic service in their country.

One Senator has served 10 years in prison during the Communist regimes of the last 40 years, and what they told me was rather shocking. They said, "Mr. Kanjorski, we are not here to ask for your money. We are not here to ask for some of this funding to go to us, even though the National Endowment for Democracy indicates that they gave money to some of these organizations." They said, "\$92,000 that is in their report that we have received in 1990, never came, and we never received it." Ninety-two thousand dollars that the National Endowment for Democracy said they gave to the Liberal Party in Romania never got there, and the gentleman said that to me on Monday in the presence of staff from the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Government Operations. The Treasurer of the Liberal Party, who should have received the money, said he never received it. They said further, that they can bring if requested by this Congress, responsible members of their government, political parties, trade unions and others, who are willing to testify that when they were given grants, and those grants came in the nature of equipment such as a computer, they were required to sign for a \$25,000 computer, but in reality that computer only cost \$400. They openly, directly charged that there was a misappropriation of some \$24,600 of taxpayers' money being administered by this program.

Now, I thought that was a very serious charge, and it would have been very suspect if they were here asking for benefits to be transferred to their parties. What they said, however, was "Mr. Congressman, the only thing we want you to do is to not help Romania any more because you are killing our fight for democracy. What you are doing is you are funding the government that is in power. The parties that receive NED money are really not in opposition. They exist in order to destroy the real opposition party that exists in Romania. So if you cannot help democracy, at least do not spend \$2 million a year in Romania to destroy democratic opposition to the present regime."

Now, I did not enter this meeting blind. I called the State Department. They came and briefed me on the character of the three gentlemen that appeared in my office. They said that they in fact are who they represented themselves to be, the leaders of three respectable parties. They are outstanding gentlemen, and they do represent the type of opposition that this Government wants to foster in Romania. So I have the opportunity of meeting

with three of our colleagues that are in government, in politics, in a foreign land, and they are saying, "Uncle Sam, do not kill us with your help. We want to have democracy."

□ 1720

They are also going one step further. They are saying that there is fraud, abuse, corruption and mismanagement in the application of these funds.

Now, I sat back at my desk after those 2 hours, and I would invite any Member of the House to come and see the videotape that I made of that, and these Members are still in town, willing to meet with any Member of the Congress to verify the statements I have now made.

I then asked myself, well, obviously we should have the FBI check this out. There is corruption, fraud, abuse and misappropriation of funds. Well, there is not really any agency of the FBI to check out a private agency on the expenditure of funds overseas. There is no IG of the National Endowment for Democracy.

As a matter of fact, when I sent them a request as a Member of Congress asking very simple questions, I thought I had received a letter back from the Philadelphia lawyer. Even though I made the request under the Freedom of Information Act, I have yet to this day to receive firm answers to the questions contained in my letter of more than 4 months ago.

Even after I testified before a subcommittee and called the attention of the Chairman of the National Endowment for Democracy to the fact that he ought to respect the request of a Member of Congress we have received no answer, except one; one answer, when I posed the question did his agency ever take action against me as a Member of Congress and were there any memos to that effect in his files.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(At the request of Mr. DREIER of California, and by unanimous consent, Mr. KANJORSKI, was recognized for 3 additional minutes.)

Mr. KANJORSKI. And he denied that; but unbeknownst to him, Mr. Chairman, and I have in my possession, I would like the Members to hear this, an internal National Endowment for Democracy memo which indicates that staff members have identified my district, myself, and the makeup of my district. They then attempted to set a portion of my constituency against me because of my opposition to their N.E.D. position in prior congressional hearings.

Now, I would suggest that we have an organization here that not only is not democratic, but in some respects is bordering on being fascist if that is the approach they take to proper inquiries made by a Representative of the American people.

Based on that, and knowing it is almost impossible to kill a program in this Congress once it gets to be in place, my amendment only asks one thing. Let us not double their appropriation from fiscal year 1989 when they have not done a terribly good job in the last 4 years.

I am asking this Congress to really cut their funds back to the funds of 1989, \$15.8 million, until an Oversight Committee of this House or someone, an IG or the FBI or somebody can adequately inquire into the abuses and the charges of fraud and corruption that have been provided by the Romanian Parliamentarians. I do not think that is an unreasonable request.

I think we are going to hear the argument, "Let's go on another year of funding and let's see if they can straighten out their act." I have not had any experience in the last 4 or 5 years that shows they have any intention of straightening out their act.

The NED is independent government existing in the United States, being funded by tax moneys and responsible to no one, not the Congress, not the President, not anyone but themselves. I think they use and abuse a lot of the national board members' names who serve that institution who really do not know what is going on; but even if they are not interested in the board members, even if they do not have a fiduciary responsibility, the House of Representatives and the Congress of the United States does have a fiduciary responsibility to determine how American taxpayers' funds are being used, misused, embezzled or abused. All I am asking in the support of this amendment today is to send that message to the National Endowment for Democracy that enough is enough. We are going to do our job finally as the Congress of the United States and have some oversight and see what this independent private organization is doing with the American taxpayers' money.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. KANJORSKI. I certainly yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I want to thank the gentleman, because I think he raises some very serious problems with respect to the National Endowment for Democracy. We may have a philosophical difference about the intended goals and objectives of the National Endowment, but we do share, I think, a common agreement on the issues concerning how the funds are expended, as well as the accountability involved in the financial procedures of the National Endowment for Democracy.

The one concern that I have had systematically with the National Endowment for Democracy is its failure to establish an accountability procedure in order to overview the core and discretionary grantees.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

(At the request of Ms. SNOWE, and by unanimous consent, Mr. KANJORSKI was allowed to proceed for 3 additional minutes.)

Ms. SNOWE. Mr. Chairman, if the gentleman will continue to yield, let me say back in 1986 the General Accounting Office did conduct an evaluation study of the National Endowment for Democracy and discovered a number of weaknesses with respect to their methodology in evaluating the grants and how they expended their money, and again in 1989 I offered language to require another General Accounting Office study to follow up on the response of the National Endowment to the General Accounting Office study of 1986. Unfortunately, we are finding repetition in terms of the problems that surfaced back in 1986. The GAO report, in fact, said:

The Endowment has not significantly improved its capability to evaluate and report on the effectiveness of its total program. The Endowment has not given adequate attention to systematically planning program objectives and assessing program results.

In addition, the Endowment has not developed an adequate evaluation capability to independently evaluate and report on the effectiveness of its total program. It is interesting to note during the GAO's recent review, according to their study, planning and evaluation practices were not providing the Endowment with the information needed to make decisions about what programs are the most effective to fund.

So what they are determining in terms of weaknesses which seem to be systematic and across the board is that NED lacks a system to determine whether its goals and priorities are being met, that most core grantees do not provide evaluations of projects and are not using such evaluations to establish future plans, nor does NED systematically attempt to evaluate core grantee programs.

Furthermore, discretionary grantees do not successfully implement Endowment evaluation procedures.

NED has not increased its in-house evaluation capabilities. It has not monitored the effort that it has made with respect to a number of the oversight activities initially.

Finally, I should say that NED as a result of this study, we have determined, was deficient in explaining the procedures in any systematic way monitoring grantees' activities to insure compliance, which was a major problem back in the 1986 study.

Furthermore, of the 16 foreign grantees visited by the GAO auditors, 10 were found to have commingled National Endowment funds with other funds; five had not returned interest earned on NED funds and the GAO also found other irregularities, such as the use of NED funds for personal loans and the payment of rent to the chairman of the

grantee for office space that was in fact never used.

I raise all these issues, as I know the gentleman has done as well, that we need even with respect to this private organization demand accountability. We have the oversight as a subcommittee. We have had oversight hearings. We have recommended GAO studies. We have had GAO studies, but the fact of the matter remains that the National Endowment for Democracy has not responded by putting in place a plan to review the way the money is being spent with the core and discretionary grantees. I find that fact dismaying; so I just want the gentleman to know that I share his concern about those issues. In fact, we are withholding the increase that has been requested for the National Endowment until they report back to the committee.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

(At the request of Ms. SNOWE, and by unanimous consent, Mr. KANJORSKI was allowed to proceed for an additional 3 minutes.)

Ms. SNOWE. Mr. Chairman, if the gentleman will continue to yield, until they report back to the committee the way in which they are going to respond to this report. Given their failure in the past, I am not confident about what their response will be in the future.

I just think those who ardently support the National Endowment have to do everything they can to encourage a transformation of attitude as well as procedures within the Endowment to insure that taxpayers' money is being spent appropriately, efficiently, and obviously legally. That is the problem that we are facing even with what the GAO has mentioned in their report.

Mr. BERMAN. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

Mr. Chairman, let us make no mistake. This amendment would cripple the National Endowment for Democracy. It would cut its budget in half.

□ 1730

This amendment would reduce the Endowment's authorization, which is consistent with the President's request, except for the fact that at the suggestion of the gentlewoman from Maine, the subcommittee decided to withhold \$5 million, the increase, until such time as we see how the National Endowment for Democracy is implementing the GAO recommendations.

We have decided to withhold that \$5 million until the time we get that report.

This amendment would wreck an organization that, since its creation in 1983, has successfully assisted hundreds of organizations working for democ-

racy in over 77 countries. I could understand, in 1983, questions raised about this semiprivate organization, this organization that is not directly controlled by the U.S. Government, getting involved in this activity, and you could then have debated the merits of an institution not directly connected with the U.S. Government pushing and promoting democracy and free speech and free press as a fundamental part of American foreign policy in a variety of parts of the world.

I can understand after the first few years wondering the extent to which that decision was made.

But how in 1991, when we have watched what has happened in Eastern Europe, when we have watched the role of the National Endowment for Democracy in Poland for a number of years supporting the forces fighting for freedom and democracy and free press and the ability to express opposition views, and the successful culmination of that campaign in the election—free and fair election—of democratic regimes and knowing the NED role in that, how could you in the wake of what happened in Hungary, in Czechoslovakia—let me read the statement of the President of Hungary, President Goncz, who says:

The National Endowment for Democracy must be duly praised for the manifold assistance, the programs and seminars, through which it greatly contributed to the victory of democracy in Hungary, and in the other countries of Central and Eastern Europe, NED helped us greatly in the preparation for the first in more than 40 years free elections, and also continues to render keen attention to provide valuable experience in fostering our democratic achievements. Through NED's involvement in making democracy born in our region, our special gratitude is due for helping the competing political actors to become more effective and for making the responsibility of choice fair and understandable for everyone.

That is what the President of Hungary says.

Look at what the role of the National Endowment for Democracy played in the Philippines, in Chile, in Nicaragua, in this most amazing, most astounding transition to democracy that we are watching in so many parts of the world. To know that they were early, before those were headlines in the newspaper, working with the forces there that wanted democracy, helping to keep that light kindled.

I cannot understand why we would even seriously contemplate cutting NED by 50 percent. There is no doubt NED has had some, what I would view as minor problems, but problems which must be corrected with respect to the administration of the very, very many grants they are charged with.

I would argue initially, by the way, the way to do that is for them to receive more money than they do for administrative support so they can more effectively police and monitor all of those grants.

That is why our subcommittee for the first time in many years decided only to reauthorize NED and the USIA and some of these other agencies for 1 year rather than 2, so that we can continue the oversight. That is why we withheld the \$5 million, that is why we required the GAO report language to be addressed by the NED before they would get that last \$5 million.

But this is not the time to take the group that has been most active and most prominent in making democracy and pluralism an essential part of America's work abroad and to undermine it like it is being done now.

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

Mr. BERMAN. I will yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. I thank the gentleman for yielding.

Mr. Chairman, I am not sure I know whether that is a personal letter written by the President to the gentleman from California, but these Romanian gentlemen specifically said—

Mr. BERMAN. It is a letter from the President of Hungary.

Mr. KANJORSKI. Is this a letter written personally to the gentleman from California, or is that a staff memo from NED?

Mr. BERMAN. This is the statement of the President of Hungary.

Mr. KANJORSKI. Very well. The three gentlemen that I talked to on Monday asked permission to come to the committee of the gentleman or any committee in this Congress not only with witnesses from Romania but witnesses from Czechoslovakia and from Poland who would testify the same fact, that the funds spent in their countries actually have been funds that have supported antidemocratic factions and have suppressed the opposition.

Mr. BERMAN. May I reclaim my time to ask the gentleman a question. By any chance, did those three groups from Romania get any NED funding? The answer is they did not.

And we could spend a great deal of time debating this situation in Romania. It was under great insistence from the United States Congress that NED got involved in Romania. There is no more complicated country to sort out their political activities.

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

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

Mr. BERMAN. I thank the chairman.

Mr. Chairman, I can go through the whole litany of issues that caused you to think twice before you did not offer an amendment to exclude the NED from Romania, not offer an amendment to cut by  $x$  number of dollars from the authorization, but pursue what I know is a sincere and ideological belief that

NED should not exist, by a massive cutting amendment, using this argument of several legislators from Romania against one small slice of this program.

Mr. KANJORSKI. That small slice is \$2 million in the year 1990, which represents more than 8 percent of the funding of NED.

Mr. BERMAN. Mr. Chairman, I point out that it was none, it was AID money, funneled through NED, that was involved in the program for Romania. It was out of the total foreign aid budget; it was not \$1 of the NED's authorized amount.

Mr. KANJORSKI. That proves the point that we are not only talking about \$30 million, but we are talking about a great deal of other money that this organization passes out, the American taxpayers' money, by contracts with AID and other agencies of this Government.

Mr. BERMAN. And that is good.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. GILMAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI] to reduce funding for the National Endowment for Democracy [NED] to \$15.8 million from \$30 million.

This amendment would, in effect, cripple NED's activities by cutting its budget in half. Since the National Endowment's creation in 1983, it has served an important function by assisting democratization efforts worldwide.

The administration's request for \$30 million, is to enable the National Endowment for Democracy to enhance democratization programs in the Soviet Union, in Eastern Europe, Africa, and in the Middle East.

NED has had outstanding success in helping to achieve democratization breakthroughs in Poland and in Nicaragua, and it continues to support democratic forces struggling against repressive regimes in China, Cuba, and Vietnam.

President Bush has written:

As a nation, we Americans are determined to join in helping to consolidate democratic victories in Central America, Eastern Europe, and elsewhere and to promote democratic values worldwide. I commend the National Endowment for Democracy for its many important contributions toward these ends.

If the objective is to make NED a more effective organization, the way to answer it is not to cut the budget nearly in half. It is precisely through providing additional resources that it will be able to devote more of its efforts to administration without crippling its program.

Mr. Chairman, NED has assisted democratic movements in Chile, in Nicaragua, and in Poland. NED played an important role in political change

in those countries. Accordingly, I urge my colleagues to join in voting for democracy by helping to defeat the Kanjorski amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I had not intended to speak. I apologize to the chairman of the subcommittee for speaking without notifying him that I was going to do so. But I simply want to say that if this issue comes to a rollcall vote, I am going to vote with the gentleman from Pennsylvania.

Mr. Chairman, I chair the Subcommittee on Foreign Operations, Export Financing, and Related Programs, of the Committee on Appropriations, and my experience in dealing with NED has left me less than thrilled because, in my view, while NED originally did some very fine work, especially with respect to Poland, I think that there is a dangerous tendency within that organization and organizations associated with it and funded through it, to assume a bureaucratic arrogance that is simply not befitting an organization which is supposed to represent a democratic Government.

□ 1740

So, Mr. Chairman, without taking any more of the House's time, I simply want to say that in my view, if the gentleman's amendment passes, no great harm will be done, but in fact I think a constructive message will have been sent to the program managers that in the end it is legislators who have to answer to the public for expenditures of taxpayers' money. It is legislators who have to defend the selection process made by NED. In addition, it is legislators who will have to explain to our taxpayers whether this money was spent in the furtherance of the interests of the United States or in the furtherance of some other narrower interests.

Mr. Chairman, I am being as polite as I can at this moment, but, nonetheless, I think that we will have struck a blow for administrative responsiveness to legitimate concerns of legislators in a democratic system about the kind of face which is put on American democracy if this amendment is adopted.

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

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. MCCURDY. Mr. Chairman, I think I understand the gentleman's point, and I do not take exception with his concern about the management and the administration. But I rise as one who is coming from the perspective of dealing through the intelligence community, in that portion of the budget that poses an interesting problem today as a government, and I would like to actually engage the gentleman from Wisconsin [Mr. OBEY], who is in the well, on this issue because as we

make attempts to bring more of our support for democratic movements around the world basically to transition into open programs, there is a need in my opinion for a vehicle. There is a need at this point in time for our Government to establish an ability, a network, and a vehicle to transition those funds in order that we can have public discuss and scrutiny.

Mr. OBEY. Reclaiming my time, Mr. Chairman, I absolutely agree with the gentleman from Oklahoma [Mr. MCCURDY], and I am a convert. Originally I had great doubts about this. I was then converted, supported it, worked to help fund it on a number of occasions.

Mr. Chairman, the point I am trying to make is not that this vehicle should not exist. It should. It is legitimate enterprise for a democracy. My point is that when an agency gets money it has an obligation to follow the instructions that accompany the money, and, when they do not follow the legislative instructions then they are operating in my judgment outside of the normal confines of what the democratic process is supposed to be about.

The Congress appropriates money with the understanding that that money will be spent in accordance with decisions made by this body and not by someone who thinks he is a whole lot smarter or wiser than the Congress of the United States when it comes to promoting democracy.

Mr. MCCURDY. Mr. Chairman, will the gentleman further yield?

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. MCCURDY. Mr. Chairman, again I do not take issue with the gentleman's reaction from the administrative standpoint. But the gentleman and I over time had discussions on how we bring greater scrutiny to a number of programs that are of mutual concern and interest to the two of us, and at a time when I happen to be a proponent of bringing into light some of our activities in support around the globe, on one hand, if we are cutting the budget, then I am going to be getting pressure from other areas of this Congress and elsewhere to not move in that direction.

Mr. Chairman, I have a real problem here.

Mr. OBEY. Mr. Chairman, I understand the dilemma of the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. One has to read between the lines.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

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

Mr. OBEY. Mr. Chairman, I understand the gentleman's dilemma; I agree with the thrust of his efforts. But, very frankly, if some of these efforts are

going to be on the table above board, then they have to be run well enough so that the Congress of the United States is not embarrassed by the result, and right now I cannot honestly tell the Members of this body that that is the case.

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

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. MCCURDY. Then is there a way perhaps then, rather than slashing the funds, because if we slash funds, quite frankly it is going to make it extremely difficult for us to make the kinds of transitions that I think the gentleman from Wisconsin [Mr. OBEY] and I would eventually support.

Mr. OBEY. Mr. Chairman, I would suggest that slashing the budget is the best way to get their attention. If the Senate wants to correct the so-called mistake of the House, that gives us ample time to deal with it, but I honestly think, if we do not pull the chain now, the dog is going to get out of the yard.

Mr. MCCURDY. Mr. Chairman, I think it is important to have this discussion and clarify that the intent is not to undermine the concept of NED or the fact that we need a mechanism and a vehicle within our Federal Government to provide open assistance to democratic movements, open assistance to improving the electoral process and the democratic process and that the concerns that the distinguished chairman, the gentleman from Wisconsin [Mr. OBEY], has is primarily from a management standpoint, which obviously would have to be addressed.

Mr. OBEY. What I am trying to address is the question of institutional arrogance. That is what I am trying to address.

Mr. MCCURDY. Mr. Chairman, I appreciate the gentleman's concern.

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

Mr. Chairman, I rise in strong opposition to the Kanjorski amendment cutting funding for the National Endowment for Democracy from the administration requested and committee approved level of \$30 million to \$15.8 million.

The National Endowment for Democracy was established back in 1983 by President Reagan to help foster democratic growth around the world. Under the umbrella of the National Endowment are four special institutes, the National Republican Institute for International Affairs, of which I serve as chairman, the National Democratic Institute for International Affairs, of which former Vice President Walter Mondale serves as chairman, the Free Trade Union Institute, which is associated with the AFL-CIO, and the Center for International Private Enterprise, which is associated with the Chamber of Commerce.

The work of these institutes, and the NED itself, has been tremendously successful. By providing technical assistance and training, NED grants have made the difference in making democratic movements succeed in Latin America, Eastern Europe, Asia, Africa, and the Pacific. One of the four basic objectives of American foreign aid and a key element in preserving our national security interests is support for democracy. By ensuring that democratic movements—whether they be labor unions, newspaper associations, political parties, human rights groups, free enterprise advocates, think-tanks, cultural organizations, or student associations, have the know-how to win elections, implement positive political and economic reforms, and effectively govern, we are making sure the gains of democracy and freedom are not lost to totalitarianism and communism.

Take Eastern Europe. NED and its associated institutes and grantees have helped transform pro-democratic sentiments of the people into real political parties, legislative coalitions, and democratic movements that could challenge the Communists at the ballot boxes and win. Eastern Europe has been a challenge. Some countries, like Bulgaria, have no real democratic tradition. Others, like Hungary and Poland, have suffered under Communist dictatorships for 45 years. Only the senior citizens remember what free elections and free press are. Today, these nations have cast off their Communist oppressors. But, the people have no experience in governing themselves, organizing their thoughts and implementing their aspirations. They are at a real disadvantage and could lose—and in some cases have lost—elections to the Communists because the latter are better organized and able to exploit the Democrats' inexperience.

We have spent trillions of dollars over the past 45 years containing communism. It seems very illogical to me that we jeopardize today's democratic victories by cutting a very useful and successful means of giving those democratic elements—labor unions like Solidarity, small business advocates, political parties, free press, election observers, constitutional reformers, human rights organizations and so many other parts of a fledgling democracy—the real help they need and cry out for.

For example, the National Republican Institute for International Affairs, through working with the democratic opposition in Bulgaria, turned an electoral defeat into a success. By training opposition members of the assembly how to build coalitions, listen to constituencies and so on—skills we take for granted here—the democratic opposition was able to get their leader elected by Parliament to serve as Bulgaria's first non-Communist President since World War II. The Kanjorski

amendment puts the future of this and other positive programs in jeopardy.

What about Kuwait? We recently fought a war over Kuwait costing American lives and billions of dollars. We fought for principles including freedom and liberty. We expect positive, peaceful political reforms to occur in Kuwait. So do the Kuwaitis. The National Republican Institute, with NED funding, is presently working with Kuwaitis per their request to help restore the 1962 Constitution, have elections within a year for a new Parliament and institute broad democratic reforms. Enacting the Kanjorski amendment could jeopardize this important program which, due to its sensitive nature, cannot be managed by the State Department or some other official U.S. Government entity. The NRIIA Kuwait Program is supported and has been encouraged by the State Department. Are proponents of the Kanjorski amendment willing to tell our gulf war veterans that democratic reform in Kuwait doesn't deserve our modest support?

The Kanjorski amendment cuts NED funding from \$30 million, which is actually \$25 million and a congressionally conditioned \$5 million, to just \$15.8 million. That was the funding level appropriated in fiscal year 1989 and requested in early 1990. That level of funding was adequate back then. Today's increase, while almost two-fold, reflects the explosion of democracy around the globe. In 1989 the Berlin Wall still divided Germany and the Iron Curtain divided Europe. We didn't really need programs in Poland, Hungary, Czechoslovakia, Bulgaria, Romania, Albania, Yugoslavia and the Soviet Union. Dictators still ran Panama and Nicaragua. The prospects for democratic change in Kuwait, Nepal, Mongolia, Bangladesh, Namibia and South Africa were slim at best. Today, there are programs and democratic reform movements in every single one of these countries plus many others I haven't mentioned in the interest of time.

The Kanjorski amendment does not take the realities of today's world into account. From a budgeting standpoint, it is penny wise, but pound foolish. For a relatively small amount of money we are supporting democracies in such a way as to make them succeed and multiply. But, the cost of their failure is far, far greater.

Proponents of the Kanjorski amendment cite a GAO report highlighting some alleged problems with the NED grants process. Since I have been involved in this issue for a long time, let me set the record straight. The GAO report has absolutely no allegations of corruption or fraud. It did point out the need for NED to communicate better with some of its small grantees about U.S. Government regulations. That problem is being addressed and corrected as we speak. NED has been very cooperative throughout this proc-

ess. It is important to note that \$5 million of NED's authorization is being withheld pending NED's addressing the concerns raised by the GAO in a satisfactory manner.

However, it is unthinkable to require extensive, high-priced \$25,000 audits for \$20,000 grants in some small, remote corner of the globe. Do we need to send an auditor to the Himalayan mountains to verify that a rickshaw that was hired for transportation costs a dollar a day? That's not efficient management, that's mismanagement. Of course, there have to be guidelines and accountability, and there are. The goal of the NED is to support democracy, not promote bureaucracy.

The GAO report also raises questions about standards by which to judge the success of a specific program. Supporting democracy and freedom, through, is not the same as immunizing children or distributing rice where we can count how many shots were given or how many people were fed. Democracy has many different forms. Do we judge success by percentages of votes? By political party registrations? By size of labor unions? By the number of independent newspapers? By the number of independent businesses? By the number of reformist legislators in a Parliament? How? Clearly, democracy today is flourishing in many places we thought impossible. NED funding has supported those efforts. It has been extremely successful.

I also want to address the "Dear Colleague" Congressman KANJORSKI circulating charging that the NED is interfering in Romanian politics. It is based on the erroneous allegations of just three members of Romania's Parliament. They claim NED promised aid and never delivered. They either do not know the facts or are deliberately misleading Congress. I submit the following letter from the president of the National Republican Institute for International Affairs, our former colleague Jack Buechner, which clearly shows this charge is false and the NRIIA has all the receipts and shipping orders to prove it. The accusations against the NED are false and groundless based on convenient hearsay, not fact. Jack Buechner is with us in the Chamber today ready and willing to answer any Members' questions.

I find it ironic that on one hand some proponents of the Kanjorski amendment claim more auditing accountability is needed, and then turn around and ignore all the receipts and accounting they demand to rely instead on hearsay from a couple of disgruntled and misleading Romanians who have never raised these charges before.

While I am not the best expert on Romanian politics, and I don't believe many of my colleagues here in Congress are either, the situation in Romania is confused and complex. There are scores of opposition parties. Some

claim to be democratic, yet do not understand the basic meaning of democracy. The NED does have standards to meet—both political standards and those governing the accountability of grants. Some Romanian groups cannot meet those standards and, therefore, are ineligible by U.S. law for assistance.

The NED is not a partisan issue. It is strongly supported by Democrats and Republicans alike. It is strongly supported by business, through the Chamber of Commerce, and labor, through the AFL-CIO. NED funding supports election observation missions—an important tool that helps ensure that elections are free and fair. All of this good is jeopardized by the Kanjorski amendment. If we slash NED, we will be forced to make hard choices about which democracies we want to support. Who among today's recipients doesn't deserve assistance? Poland? Hungary? Nicaragua?

I want to reiterate that the real concerns—not the false allegations lacking real basis—but the real concerns raised by proponents of the Kanjorski amendment are being or have already been met. The House Foreign Affairs Committee under the very able leadership of Chairman FASCELL and International Operations Subcommittee Chairman HOWARD BERMAN has already examined, reexamined and reexamined the NED issue. Their conclusion was to recommend the full \$30 million in funding. This is the right choice, and I urge my colleagues to support the committee's and the administration's request and reject the Kanjorski amendment.

NATIONAL REPUBLICAN INSTITUTE  
FOR INTERNATIONAL AFFAIRS,  
Washington, DC, May 15, 1991.

DEAR FORMER COLLEAGUE:

It has come to the attention of the National Republican Institute for International Affairs (NRIIA) through the National Endowment for Democracy (NED) that you have received a "Dear Colleague" letter dated May 14 from Representative Paul E. Kanjorski alleging that the NED is interfering in Romania politics. Representative Kanjorski received this information when he met with only three Members of the Romanian Parliament representing the National Liberal Party and the National Peasants' Party of Romania.

These representatives have leveled accusations against the NED using the good offices of Representative Kanjorski. The NRIIA has received neither written nor verbal complaints from any representatives of any Romanian political parties regarding this matter. This is the first occasion that the NRIIA has heard mention of such accusations.

The accusation in question regards shipments of equipment in the amount of \$90,000.00 in the Spring of 1990. The NRIIA was the grantor of this equipment to the Liberal and the Peasants' parties. The representatives claim that they were promised the equipment and that it was never delivered. The NRIIA holds a file containing all receipts and documentation that shows purchase, payment, and delivery of all goods intended to be shipped to each party. The accusations against the NED and the NRIIA are

false and groundless and should be re-evaluated using factual information rather than heresay.

The allegation that the NED is interfering and "repressing democracy" in Romania is also untrue. The Liberal and Peasant parties specifically requested assistance from the NRIIA on several occasions. This is also true of the majority of the parliamentary and opposition parties. The NED and NRIIA do not go to, nor work in countries in which they are not welcome, they never have and never will.

The NRIIA would be happy to show documentation and receipts regarding the \$90,000.00 to all interested parties. Please feel free to contact me for this information and any other questions that you might have.

Respectfully,

JACK BUECHNER,  
President.

□ 1750

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

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

Mr. KANJORSKI. Mr. Chairman, I specifically indicated in my remarks that there is not any question here that there is a very sophisticated fraud—perhaps you could say an American fraud—that we have exported here. They have had people in Romania sign receipts for computers that were marked \$25,000 when in fact the market price is \$400. So we will have an accounting receipt. These people are making an open charge. They are willing to come before a committee of this Congress and bring other witnesses that will absolutely prove fraud, abuse, and embezzlement, criminal activity.

Mr. LAGOMARSINO. Mr. Chairman, reclaiming my time, I might point out that some of the people in Romania were very unhappy when further monies would not be given to them because they wanted to carry out some activities that would not be helpful to the process, such as engaging in violent activities and things of that kind. I am not saying that people who visited the gentleman said that, but there were certainly those people.

The NED has proven to be a very successful way for the United States to help promote and strengthen democracy, freedom, and free market principles around the globe. As I said before, it can work with groups that our Government cannot, for diplomatic reasons. It is making sure that the credit gains achieved in Eastern Europe and Latin America and Asia and now in the Middle East are not lost. I think NED can successfully use more funds than the \$30 million, but budgets are tight.

Mr. Chairman, I urge my colleagues to support democracy around the globe and reject this amendment. I urge the Members to pass the bill and the language in it relating to NED, including the GAO requirement.

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

Mr. Chairman, it troubles me greatly to disagree with the gentleman from Pennsylvania [Mr. KANJORSKI], the gentleman from Luzerne County, who is my very good friend, but I do because this is a very modest investment in democracy.

As a member of this committee I have visited the Third World. I have visited Africa, Asia, and Latin America, and everywhere I have gone I have asked the young new emerging leaders of the Third World if they have benefited from this program, and many of them have. This program brings Third World leaders to our great universities, to our business centers, to our government centers, and to our labor unions. It is a good idea, and it seems to me to be a fairly modest investment of \$25 million compared to a defense budget of almost \$300 billion to bring people to the United States to give them some training in how democracy works. It has worked in the Philippines, it has worked in Nicaragua, and it has worked in Poland.

I am not suggesting that there are not some flaws or some errors in this program. I am sure there are.

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

Mr. KOSTMAYER. I yield to my friend, the gentleman from Wilkes-Barre.

Mr. KANJORSKI. Mr. Chairman, I say to the gentleman from Pennsylvania [Mr. KOSTMAYER] that I have a philosophical position on the constitutionality and the legality of the organization. But putting that aside, how in the gentleman's mind can he justify that only the Democratic Party of the United States, only the Republican Party of the United States, only the National Chamber of Commerce, and only the AFL-CIO knows what the hell the institutions of democracy are in this or any other country? Why do we think that \$15 million or \$20 million of taxpayers' money should go to these four entities so they can parcel it out in their omnipotent wisdom for democracy?

Mr. KOSTMAYER. Does the gentleman from Pennsylvania want to give money to other parties?

Mr. KANJORSKI. No, but I would suggest that maybe we ought to give money—

Mr. KANJORSKI. May I suggest, though, that we account for every dime we do give?

Mr. KOSTMAYER. I agree thoroughly with the gentleman, and I think the gentleman from California would share those sentiments, that we account for every single dime that is spent.

This is really a good program. It is a very modest program. I have spoken with people around the world who have benefited from the program. It seems to me to be a relatively modest investment. It is in the interest of democ-

racy, it is in our country's interests, and I urge that the Congress have the courage to reject the amendment offered by my very good friend, the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, will the gentleman yield further?

Mr. KOSTMAYER. I yield to my friend, the gentleman from Luzerne County.

Mr. KANJORSKI. Mr. Chairman, in response to what the gentleman from Pennsylvania has said and what the gentleman from California has said, I must admit that it really strikes me funny when I listen to these comments. It seems that we have finally seen the wall come down and democracy go to Eastern Europe; there is no longer the great strife that existed three years ago between East and West, and so we have to double this program. We have a request for a huge increase in the intelligence program, and we also have a request for an increase in the Defense Department. My God, can we afford to really win democracy? We may go broke.

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

Mr. KOSTMAYER. I yield to my friend, the gentleman from Oklahoma.

Mr. MCCURDY. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI].

Quite frankly, I would just like to point out as a member of the Committee on Armed Services and also as chairman of the Permanent Select Committee on Intelligence that at a time when we are bringing the defense budget down and trying to put restraint on the intelligence budget as well, it is in our interest to bring to the floor of this House so we can debate them, programs to support democratic movements around the world. That is in our interest, and rather than have it take place in a small committee room upstairs, what I am trying to say to this body is that it is now time to bring it down here. But if we are cutting the very vehicle that we can use to help provide support, then we are undercutting the very greatest opportunity we have to bring light to these programs.

Mr. KANJORSKI. Mr. Chairman, if the gentleman will yield further, is the gentleman from Oklahoma suggesting that this is just the beginning, that NED, the National Endowment for Democracy, is going to grow and grow and grow? If he is, I do not know any of my constituents who voted for the people who are handing this money out and making these decisions. They voted for me, and they voted for the gentleman from Oklahoma, and we have to find a methodology to act constitutionally. If we are going to say that we have a right and are going to use this special private organization now to give out large amounts of Fed-

eral funds, I think that creates a problem.

Mr. McCURDY. Mr. Chairman, did the gentleman vote for the defense budget?

Mr. KANJORSKI. I am sorry?

Mr. McCURDY. Did the gentleman vote for the defense budget?

Mr. KANJORSKI. I have on occasion. Mr. McCURDY. That was \$286 billion. We want to spend \$25 million here. We spent \$286 billion. The intelligence budget is classified, but it is in the billions, and now we are down here debating the one vehicle we can actually have access to.

Mr. KANJORSKI. Mr. Chairman, if the gentleman will yield further, the problem is that we do not have access. We do not have accounting, and the fact of the matter is that this is not all the money the National Endowment spends. It has contracts with AID, and it has contracts with other unnamed agencies of this Government.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. KOSTMAYER] has expired.

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

□ 1800

Mr. KOSTMAYER. Mr. Chairman, reclaiming my time, if one votes for the Kanjorski amendment, one is voting for an amendment which will end the visits of university students, newspaper people, business leaders, and labor leaders coming from the Third World and from Communist countries to this country, to talk with our newspaper people, our colleges, our universities, our labor leaders, our business leaders.

Mr. Chairman, that is a good investment. These programs pay off, and they benefit everybody. This is a modest investment. I ask that the gentleman from California [Mr. BERMAN] be supported, and that we reject the amendment of the gentleman from Pennsylvania [Mr. KANJORSKI].

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

Mr. Chairman, I rise in opposition to the amendment. The amendment has been presented as a way to deliver an auditing message to the National Endowment for Democracy.

The subcommittee on which I sit, which the distinguished gentleman from California [Mr. BERMAN] chairs, looked at the administrative problems and the auditing problems, and we delivered an auditing message: the temporary withholding of 5 percent of the National Endowment for Democracy funds, until those administrative and auditing problems are corrected.

Now along comes the gentleman from Pennsylvania [Mr. KANJORSKI] and proposes a 50-percent cut. This is not sending an auditing message, this is ripping the guts out of this program.

Let us just talk about what this program has been. For the last several years, the National Endowment for Democracy has struggled along. We have asked them to get involved in scores of countries promoting democracy around the world. We have asked them to do it with \$10 or \$15, or \$20 million. They have not had the funds. We have stretched them thin. Of course, along with the successes, have been mistakes.

But when the gentleman from Pennsylvania [Mr. KANJORSKI] questions a statement from the President of Hungary praising the National Endowment for Democracy, let me tell the gentleman, when the President of Poland, Mr. Walesa, came to our Capitol, I heard him come and I heard him praise the National Endowment for Democracy and the role it played in contributing to freedom and democracy in Poland, and he went to visit the National Endowment for Democracy, to pay his respect, to show his appreciation.

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

Mr. MILLER of Washington. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, I had the occasion to talk with Mr. Walesa in Poland, and he had some critical things to say, that there was support for areas in his country prior to the revolution that were not supportive.

Mr. MILLER of Washington. Mr. Chairman, I think that is wonderful, that he had some reservations or criticisms. But I heard him talk about the National Endowment for Democracy's overall performance.

When Mrs. Chamorro of Nicaragua came here, she came and praised the National Endowment for Democracy, and expressed appreciation.

Mr. Chairman, I notice the distinguished gentleman from New York [Mr. WEISS], who, with me, was very active in promoting democracy in Chile. The gentleman and I can attest to what Chilean leaders have said about the positive role that the National Endowment for Democracy played in promoting democracy in Chile.

Mr. Chairman, here we are, the leader of democracy and freedom, and we are debating not whether to spend billions, but whether to continue on a very meager level to continue this program, \$30 million, to help promote democracy and freedom around the world. We should be proud that we are a beacon of light into the nations when it comes to freedom and democracy. We should not be ashamed of it. We should be proud of the praise that NED has gotten.

Mr. Chairman, if we cut this 50 percent, we will not be sending a message; we will be helping to extinguish that light.

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

Mr. MILLER of Washington. I yield to the distinguished ranking member of the Committee on Foreign Affairs.

Mr. BROOMFIELD. Mr. Chairman, I rise in strong opposition to the amendment being offered by the gentleman from Pennsylvania [Mr. KANJORSKI]. I think this program has been an excellent program. Since 1983, we have been effective in more than 77 countries. I do not think this is the time to take a meat ax to this very vital program. The State Department is very much opposed to the amendment of the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Washington. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding.

Mr. Chairman, it seems to me that support for NED is based on a number of assumptions. Assumption No. 1 is that the promotion of democracy leads to a safer world. The next assumption is that promotion of democracy leads to the greater protection of individual human rights. Finally, the assumption that the promotion of democracy leads to an enhanced quality of life, as each of these countries evolve into market-oriented economies.

Mr. Chairman, it seems to me that the money contained in this bill is a very modest investment in democracy, a very small amount, when compared to the other kinds of allocations we have, not only in this bill, but other bills that are appropriated and authorized by Congress.

Mr. Chairman, I am a member of the Helsinki Commission. I have frequented most of the Eastern bloc countries, some three and four times.

I was in Romania 1 month after Ceausescu fell.

The CHAIRMAN. The time of the gentleman from Washington [Mr. MILLER] has expired.

(At the request of Mr. SMITH of New Jersey and by unanimous consent, Mr. MILLER of Washington was allowed to proceed for 1 additional minute.)

Mr. MILLER of Washington. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I can tell Members after meeting with members of the Republican Party, the peasants party, and the liberal party, that it could not be more apparent that they need the kind of basic information that NED can provide as to how to organize, so that the National Salvation Front does not continue to have a monopoly, because they are the only ones that know how to do it.

Mr. Chairman, this promotes competition among people in the marketplace of ideas so that there will be a greater exchange of ideas in each of these countries.

Mr. Chairman, I think this is a very ill-advised amendment. I know the gentleman from Pennsylvania [Mr. KANJORSKI] is well-meaning in what he is doing. The gentlewoman from Maine [Ms. SNOWE] has been very, very forthright and very strong in promoting reforms administratively, especially among NED, but I think this amendment goes too far by cutting it in half. I hope Members will oppose it.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Washington. I will be happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just want to reiterate the point I made earlier. I have been sitting here listening to the laudable goals of the National Endowment for Democracy.

The CHAIRMAN. The time of the gentleman from Washington [Mr. MILLER] has expired.

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

Mr. MILLER of Washington. I yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, there is no question that NED has conducted some significant activities in countries where we want to see democracy thrive. But I would ask Members to be equally persuasive on the issue of accountability financially, because it is very disturbing to read this General Accounting Office report. I know if each Member took the time to read it, they would also feel compelled to impress upon the National Endowment for Democracy to change their ways.

Mr. Chairman, it bothers me that the National Endowment for Democracy has not responded to the changes that have been passed in this House and in Congress, that we have examined through the subcommittee process and our oversight hearings. They have not responded to the General Accounting Office. They managed to engage in the misuse of funds because they do not oversee the grantees who use these leads.

Mr. Chairman, if one looks at the personal loans that were given to people that were not repaid, that is our money. It is the money of the American taxpayer. I am asking Members to be as eloquent on the floor about how our money is spent as they are about the goals of the program, what we ask of every other program in the budget.

Mr. BERMAN. Mr. Chairman, we have been debating this matter for well over an hour. I ask unanimous consent that there be a time limit for the remaining amount of debate on the Kanjorski amendment of 20 minutes, 10 minutes to be controlled by the manager of the amendment, the gentleman from Pennsylvania [Mr. KANJORSKI], 5

minutes to be controlled by the gentlewoman from Maine [Ms. SNOWE], and 5 minutes to be controlled by myself.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. BERMAN]?

There was no objection.

Mr. KANJORSKI. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, it strikes me as I listen to this debate that most Members are here because they are awfully good communicators. That is how they get to Congress; often it is how they stay here.

As I listen to this debate, I hear these word castles built in the air about furtherance of freedom, investment in democracy around the world, and so forth.

Mr. Chairman, I have no problem with our responsibility to be involved in emerging democracies. This is a country that created the Marshall plan, that helped pull Europe out of post-Second World War troubles, to rebuild Europe.

The question here is not do we have a responsibility. The question is about the National Endowment for Democracy, how it is funded, how much money it should have, and whether it should be held accountable.

Mr. Chairman, I would like Members to take an idea back to their town meetings, back home, the folks who live back home. Those folks know that we are spending money we do not have, over \$1 billion a day, 7 days a week, all year long. The gross indebtedness increase this year will be \$405 billion. It is money we do not have but we are now spending.

So Members, go back to your town meetings and say I have an idea. Here is my idea.

□ 1810

Let us take some money from the taxpayers, and give it to the Republican Party, to the Democratic Party, to the National Chamber of Commerce, and to the AFL-CIO, and tell them to go ahead and further the interests of democracy around the world. And let us increase the funding by 100 percent in 2 years, despite the fact that we are choking on debt. And let us ignore the fact that there are Government Accounting Office reports that say there are real serious problems with the accounting for this money. And let us just build word castles in the air about our responsibilities and keep doing what we are doing.

I tell my colleagues, that is an awfully hard sell at town meetings because it does not meet a common sense test. Yes, we have a responsibility, but this is the wrong way to meet the responsibility.

I have felt for years that this National Endowment for Democracy is

the wrong vehicle. I am not a convert, I think this is crazy to offer up \$130 million over these years, \$130 million to the two political parties, the Chamber of Commerce and the AFL-CIO and say, go forth and do your work. Where on Earth is the accountability for the spending of taxpayers' money? It is not there. The GAO says it is not there.

I sense that there are a lot of tigers on spending issues on the floor of the House when it comes to spending money here at home, but they are wallflowers when we talk about spending money through the National Endowment for Democracy around the world.

I will tell my colleagues about a democracy we ought to start endowing. It's this democracy right here. Our democracy could use some endowment, right now. So I am going to support the gentleman's amendment. This is not a real crisis. He is going to prevent a 100 percent increase in 2 years. He is only going to leave them with \$15 million pocket change to run around the world and spend to strengthen democracy. It's time to cut some fat, and it's time to start here.

Mr. KANJORSKI. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania, [Mr. KOSTMAYER].

Ms. SNOWE. Mr. Chairman, I yield 3 minutes to the gentleman from Florida, [Mr. GOSS].

Mr. GOSS. Mr. Chairman, I thank the gentlewoman from Maine for yielding time to me. I rise in opposition to the Kanjorski amendment. I think something we have overlooked here a little bit in this debate about accountability is that the National Endowment for Democracy has got a proven track record of providing needed assistance and resources at a time when we are watching the wrenching but undeniable movement toward democracy throughout the globe. This is something that we are all applauding in this country, and I think it is something that we have made a very modest and a very good investment on. And we are getting a good return.

Seldom do we have the opportunity to say those things. I think this is a program we ought to be bragging about, not worrying about the final dotting of the i's on every single bit of the accounting detail.

There is no question we are in a period of unprecedented change, from tearing down the Berlin Wall to building up democratically elected governments in Eastern Europe to free elections throughout the Western Hemisphere.

Just 10 days from now in Suriname, I hope we have reduced the number of non-democratic remaining countries in the Western Hemisphere to just Cuba, the last remaining Communist hold out.

The National Endowment for Democracy has been a player to facilitate the transformation, and make no mistake,

the transformation has not come easy. We all know that enormous economic, social, political changes need to be met and overcome in all the countries. And most of the countries have demonstrated a great willingness to sacrifice. The problem is they just lack knowhow, resources, or channels to turn their dreams into reality. And NED comes along to help with that.

Think about Chile and Nicaragua. They needed support for clean and fair elections. The Endowment was there. How about when the world turned a blind eye toward the violations of human rights and the plight of political prisoners in Cuba where there still are political prisoners. The Endowment was there. When Panamanians wanted information to get out to the world about the corruption taking place in their country, again, the Endowment was there.

Never has the need been so evident and the National Endowment for Democracy remains in a unique position to provide the tools. We cannot be in the business of writing blank checks, and I support ongoing efforts to increase accountability with NED, within NED. And the \$5 million hold-back, I think, does a good job. I urge my colleagues to oppose this amendment. Let us show the emerging democracies that we are committed to more than talking about democracy throughout the world. Our money simply has to be where our words are. We are getting a good return from this investment.

There is much work to do. So I suggest we get on by fully supporting NED and rejecting this amendment.

Mr. BERMAN. Mr. Chairman, I yield 3 minutes to the gentleman from New York. [Mr. WEISS].

Mr. WEISS. Mr. Chairman, I thank my friend, the distinguished chairman, for yielding time to me. It seems to me that the most effective point, most important point is that that has been made by the distinguished chairman of the Intelligence Committee, Mr. MCCURDY. And I think that we have sort of missed the implication of what he is saying. The reason that the National Endowment for Democracy, and I have not been, as my colleagues all know, an uncritical supporter of NED, no matter what it does, the reason that it has become necessary to create it and to support it is because we want to get away from what is truly an unaccountable situation. And that is the money that goes to the intelligence agencies, the CIA especially.

Here where we have a request for moneys and help from democratic forces in countries around the globe, it was felt that it would be much better if in fact American institutions, using American taxpayers' moneys, were to provide the grants rather than a secret intelligence agency whose motives were always mixed as to what they really wanted to accomplish.

I think that the effort has been, in regard to the pursuit of democracy, successful. The demands increase constantly for moneys.

Where I think we all agree with the General Accounting Office and Mr. KANJORSKI is that there really has to be a tightening up of accounting procedures. But that demand, that request for tightening up ought not to blind us to the tremendous work that the NED does. And my hope and expectation is that under the distinguished leadership of the gentleman from California, we will in fact get that tightening up, because if it does not happen, then in fact NED will be a creature of its own demise.

Mr. KANJORSKI. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey. [Mr. ANDREWS].

Mr. ANDREWS of New Jersey. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding time to me. I rise in support of his amendment.

One of the best pieces of advice I have gotten in the short time I have been here is that be prepared when you go home to answer the questions people have about what you do here. Do not be afraid to vote what you think is right. Always be prepared to explain what you did. And as I approached this issue, I thought what I would say if someone back home said, Congressman, is this a necessary program that we have? Sure, it is necessary to promote democracy around the world, but I think we have the diplomatic and policymaking means within the State Department for that. We do not need a private entity to do that.

Congressman, is this a well run program? Does it spend its money carefully and prudently and wisely? The answer is, we do not know the answer to that. We have evidence that would suggest that in some instances the program has not administered its funds wisely, but most compellingly, we have an aura of disinformation or lack of information around a program and we cannot answer that question.

Congressman, are there better places we could put our money than this?

□ 1820

Colleagues, in my district this administration purports it is going to save \$36 million a year by closing the Philadelphia Naval Shipyard putting 45,000 people out of work in my area; \$36 million saved there versus \$30 million spent here.

Are there better uses in this country for this money? I think the answer is yes.

I appreciate the arguments of those who oppose this amendment. I respect their point of view, but I especially appreciate the gentleman from Pennsylvania putting forth the amendment.

Let us make the world safe for democracy, not make the world safe for the NED.

I support the gentleman's amendment.

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

Mr. ANDREWS of New Jersey. I am happy to yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, I was very much taken by the gentleman's comment about the Department of State doing their job. I wonder if the gentleman is aware that the Department of State has set up a very strong letter of endorsement for this program and has been a very strong supporter of the program to complement the efforts. State has many programs like this. And they believe this is a good program, so much so that they are willing to go out of their way and say so.

Mr. ANDREWS of New Jersey. To respond, I am aware of the State Department's support for this. I just have so much confidence in their ability that I would rather see them do the job themselves. I do not believe we need a private entity to do the job they are legally constituted to.

Ms. SNOWE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Chairman, I yield the remainder of my time to the gentleman from Massachusetts [Mr. ATKINS].

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

There have been a number of accusations that were leveled about the NED program in Romania. I happen to have had considerable experience with that program, having visited Romania shortly after the revolution and having watched the process, the development of a multiparty democracy, or the attempt at a multiparty democracy in Romania.

The NED program was extraordinarily well run. It leveraged an enormous amount of private resources. The program provided for the first time in Romania access to the media for opposing points of view. It was a program that was extraordinarily cost-effective and did things that the American Embassy was not capable of doing. Absent the involvement of the National Endowment of Democracy, the Romanian Government, the old Communist Party Central Committee, would have controlled all of the information through the newspapers, through the radio stations, through TV.

It was thanks to NED that alternative voices could be heard. It was thanks to NED that there were resources to build the capability for opposing parties. It was done with an extremely small amount of money.

There were accusations that were leveled by some disgruntled Romanian parliamentarians. Anybody who has watched the Romanian Parliament knows that there will always be disgruntled Romanian parliamentarians.

Those accusations were totally and absolutely false.

Mr. Chairman, I rise today in opposition to this amendment. Let us reflect here about the enormous changes that have occurred in the world in the last few years. Countries that to the United States were once alien and isolated are now pursuing democracy and a free and open system of government, albeit at times haltingly and inexpertly. The desire for new and responsive institutions is there, but in so many cases the expertise and the imagination for these pursuits are not as great. What NED has been so effective in doing has been to provide expertise, ideas, critical seed money and advice so that grass roots organizations, fledgling publications or newly appointed government officials have access to the experience and ideas long nurtured in this country. It is one small but significant way of having the United States reach out to new democracies very early on as a gesture of American friendship and goodwill.

Mr. Chairman, NED oftentimes has a very difficult job. NED works in countries that have often been downtrodden for a long, and solid reputable organizations to work with are often hard to find. This means that mistakes will be made; this means that close scrutiny of grants and regular re-evaluations of grants is warranted; and it means that NED has to have an active and knowledgeable board and consultants. And, if there are reforms to be made in terms of NED's mission or if compliance procedures are to be strengthened, then we should insist on these. But, this does not mean that NED's funding should be in jeopardy or its integrity questioned.

I urge my colleagues to support the NED funding in this bill and to defeat this amendment.

Mr. KANJORSKI. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, if we listen to the arguments today, those of us that would be voting for this amendment are supposedly against democracy. I would hope that neither the American people, nor any of the Members of this Chamber, believe this.

What we are talking about today is responsible legislation and control over a program gone wild.

I have listened to the arguments that as democracy seems to be growing around the world, it can only be a higher price tag for the American taxpayer. I hope that it not correct.

If foreign aid has to increase, if defense expenditures have to increase, if intelligence expenditures have to increase, after the experience we have been through in the last 40 years, then maybe we cannot afford world democracy, particularly if it is going to be on the backs of the taxpayers of the United States.

I heard someone talk about the tremendous freedom and liberty we are about to experience in Kuwait. I pray to God that this happens, but I do not really see any evidence that anything we are doing or have done in the last 6 months has moved that country any closer to freedom and democracy. Maybe there is some undertone.

Maybe we are paying the bills of some of those Kuwaitis that were in Cairo dancing while our Armed Forces were fighting.

All I would say is we are asking a private organization before they get any more money from the American taxpayers to account for the money they have had. They have had well over \$130 million in the last 5 or 6 years. They have had untold millions from AID, from the intelligence agencies and other agencies of this Government. It is time this Congress says to this private National Endowment for Democracy that even though some of us do not agree with that you should exist, the fact that you do exist means you must account to the American taxpayers and to this Congress as to how you spend our money.

I would urge my colleagues, and particularly the younger Members that have just joined this institution in the last 2 or 4 years, to realize that that is why they came here, to finally say no to some of these programs.

All we are doing here is stopping this program at the 1989 level until we get an accounting.

I would urge them to vote yes on this amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. KANJORSKI. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 189, noes 224, not voting 17, as follows:

[Roll No. 94]

AYES—189

Abercrombie  
Andrews (ME)  
Andrews (NJ)  
Annunzio  
Applegate  
Archer  
Barnard  
Bateman  
Bellenson  
Bennett  
Bevill  
Bilbray  
Bilirakis  
Bliley  
Boucher  
Brewster  
Browder  
Bruce  
Byron  
Camp  
Campbell (CA)  
Carr  
Chandler  
Clay  
Clement  
Coble  
Collins (IL)  
Combest  
Condit  
Conyers  
Cooper  
Costello  
Cox (IL)  
Cramer  
Danne  
Dannemeyer  
DeFazio  
Dellums  
Derrick  
Dickinson  
Donnelly  
Dooley  
Dorgan (ND)  
Durbin  
Early  
Eckart  
Emerson  
English  
Erdreich  
Espy  
Evans  
Fields  
Ford (MI)  
Frank (MA)  
Franks (CT)  
Gaydos  
Gekas  
Geren  
Glickman  
Gonzalez  
Goodling  
Gordon  
Gradison  
Grandy  
Gray  
Guarini  
Hall (OH)  
Hamilton  
Hammerschmidt  
Hancock  
Harris  
Hayes (IL)  
Hefley  
Hefner  
Henry

Hubbard  
Hughes  
Hutto  
Jacobs  
James  
Jefferson  
Jenkins  
Johnson (SD)  
Jones (GA)  
Jones (NC)  
Jontz  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Klug  
Kolter  
LaRocco  
Lehman (CA)  
Lewis (FL)  
Lewis (GA)  
Lightfoot  
Lloyd  
Long  
Luken  
Mazzoli  
McCandless  
McCloskey  
McGrath  
Mfume  
Miller (CA)  
Miller (OH)  
Montgomery  
Murphy  
Nagle  
Natcher  
Nussle  
Obey

Olin  
Panetta  
Parker  
Patterson  
Payne (NJ)  
Payne (VA)  
Pease  
Penny  
Perkins  
Petri  
Pickett  
Poshard  
Pursell  
Rahall  
Ramstad  
Ray  
Reed  
Rinaldo  
Roberts  
Roe  
Roemer  
Rostenkowski  
Roth  
Roukema  
Rowland  
Russo  
Sanders  
Sangmeister  
Santorum  
Savage  
Schaefer  
Schroeder  
Sensenbrenner  
Serrano  
Sharp  
Shays  
Shuster  
Sisisky

NOES—224

Ackerman  
Alexander  
Allard  
Anderson  
Andrews (TX)  
Anthony  
Army  
Atkins  
AuCoin  
Bacchus  
Baker  
Ballenger  
Barrett  
Barton  
Bentley  
Bereuter  
Berman  
Boehlert  
Boehner  
Borski  
Brooks  
Broomfield  
Brown  
Bryant  
Bunning  
Burton  
Bustamante  
Callahan  
Campbell (CO)  
Cardin  
Carper  
Chapman  
Clinger  
Coleman (MO)  
Coleman (TX)  
Collins (MI)  
Coughlin  
Cox (CA)  
Coyne  
Cunningham  
Darden  
Davis  
de la Garza  
DeLauro  
DeLay  
Dicks  
Dixon  
Doolittle  
Dornan (CA)  
Downey  
Dreier  
Dwyer  
Dymally  
Edwards (CA)  
Edwards (OK)  
Edwards (TX)  
Engel  
Fasell  
Fawell  
Fazio  
Feighan  
Fish  
Flake  
Foglietta  
Ford (TN)  
Gallegly  
Gallo  
Gejdenson  
Gephardt  
Gilchrist  
Gillmor  
Gilman  
Gingrich  
Goss  
Green  
Gunderson  
Hall (TX)  
Hansen  
Hastert  
Hayes (LA)  
Herger  
Hertel  
Hoagland  
Hobson  
Hochbrueckner  
Holloway  
Horn  
Horton  
Houghton  
Hoyer  
Huckaby  
Hunter  
Hyde  
Inhofe  
Ireland  
Johnson (CT)  
Johnston  
Kasich  
Kildee  
Kleczyka  
Kolbe  
Kopetski  
Kostmayer  
Kyl  
LaFalce  
Lagomarsino  
Lancaster  
Laughlin  
Leach  
Levin (MI)  
Lewis (CA)  
Livingston  
Lowery (CA)  
Lowery (NY)  
Machley  
Manton  
Markay  
Marlenee  
Martin  
Martinez  
Matsui  
Mavroules  
McCollum  
McCrery  
McCurdy  
McDade  
McDermott  
McEwen  
McHugh  
McMillan (NC)  
McMillan (MD)  
McNulty  
Meyers  
Michel  
Miller (WA)  
Mineta  
Mink  
Moakley  
Molinaro  
Mollohan  
Moorhead  
Moran  
Morella  
Morrison  
Murtha  
Myers  
Neal (MA)  
Neal (NC)  
Nichols  
Nowak  
Oakar  
Oberstar  
Ortiz  
Orton  
Owens (NY)  
Owens (UT)  
Oxley  
Packard  
Pallone  
Paxon  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Pickle

Porter	Scheuer	Thomas (WY)
Price	Schiff	Thornton
Quillen	Schulze	Torres
Rangel	Schumer	Towns
Ravenel	Shaw	Traxler
Regula	Sikorski	Vander Jagt
Rhodes	Skaggs	Volkmer
Richardson	Slaughter (NY)	Walsh
Ridge	Smith (NJ)	Waxman
Riggs	Smith (OR)	Weber
Ritter	Smith (TX)	Weiss
Rogers	Solarz	Weldon
Rohrabacher	Solomon	Wilson
Ros-Lehtinen	Spence	Wise
Rose	Spratt	Wolf
Roybal	Stokes	Wolpe
Sabo	Tallon	Wylie
Sarpalius	Tauzin	Yatron
Sawyer	Taylor (NC)	Young (AK)
Saxton	Thomas (CA)	

NOT VOTING—17

Aspin	Hatcher	Lipinski
Boxer	Hopkins	Moody
Dingell	Lantos	Mrazek
Duncan	Lehman (FL)	Smith (FL)
Frost	Lent	Smith (IA)
Gibbons	Levine (CA)	

□ 1846

Mr. McMILLAN of North Carolina, Mr. MARKEY, and Ms. SLAUGHTER of New York changed their vote from "aye" to "no."

Messrs. HEFLEY, ROBERTS, DEL-LUMS, MFUME, PAYNE of New Jersey, and EMERSON, and Ms. WATERS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above and recorded.

Mr. ALEXANDER. Mr. Chairman, I thank you for the chance to speak today during consideration of Mr. KANJORSKI's amendment to the State Department authorization bill.

I urge my colleagues to defeat this amendment, which would cut authorization for the National Endowment for Democracy in half. To reduce funding so drastically would jeopardize the Endowment's achievements in strengthening nascent democracies across the world.

As a member of the Appropriations Subcommittee which has jurisdiction over State Department programs, I have had the opportunity to become familiar with our Nation's efforts to promote the spread of democracy. By nourishing the concept of democratic decision-making overseas, the National Endowment for Democracy brings the best America has to offer—our fundamental principles of self-determination—to a wide range of countries. It is also one of the most effective ways to protect our national security from hostile countries with anti-democratic, authoritarian aims.

A few weeks ago, former Senator William Fulbright was telling me how important educational programs like the Fulbright Exchange have become in achieving our geopolitical goals. Many Fulbright scholars have returned to their homes in the Soviet Union, Eastern Europe, or China committed to the ideals of freedom and public participation in government.

But only a few fortunate individuals have the opportunity to study or teach in the United States. What makes the work of the National Endowment for Democracy so special is that it brings an understanding of the democratic process to a much wider audience.

Over the past few years, the Endowment has offered critical help to struggling demo-

cratic movements in Eastern Europe, Latin America, Asia, and Africa. In 1990, they provided election assistance in Eastern Europe, Nicaragua, and Haiti.

The winds of democracy have blown across the globe over the past 2 years, but obstacles to the consolidation of these changes remain. Although many countries have loosened an authoritarian grip on their people, these nations are still in transition to a democratic form of government.

It is now, I would argue, that the supporters of democracy may need our assistance most. Without help in civic education, election assistance, and training of party officials and politicians, moves toward institutionalized pluralism in countries like Poland, Nicaragua, Yugoslavia, and Haiti may falter.

In conclusion, Mr. Chairman, I ask my colleagues to vote against Mr. KANJORSKI's amendment. Slashing authorized funds for the National Endowment for Democracy might save us a few dollars, but it will be a step backward for struggling democracies across the world.

THE LATE HONORABLE OMAR BURLESON

(By unanimous consent, Mr. BROOKS was allowed to proceed out of order.)

Mr. BROOKS. Mr. Chairman, it is with a deep sense of sadness and personal loss that I join my colleagues in remembering my friend and former Member of the House, the Honorable Omar Burleson, who passed away last night, May 14.

Omar Burleson was a wonderful public servant, who began his service as the county attorney of Jones County, TX, and continued as the Jones County judge. He was a special agent in the FBI and secretary to Congressman Sam Russell of Texas before becoming general counsel for the Housing Authority of the District of Columbia in 1942. With the advent of World War II, Omar Burleson served in the U.S. Navy, with service in the South Pacific Theater.

He was elected to the House of Representatives in the 80th Congress and represented the people of the Abilene, TX, area for over 30 years, from January 1947, to December 1978.

He was chairman of the Committee on House Administration when Sam Rayburn was Speaker, if Members recall. He also served on the Joint Committee on the Library, the Joint Committee on Printing, and was a long-time member of the Ways and Means Committee before he left Congress.

The people of Texas have lost a good friend in Omar Burleson and his family has my deepest sympathy.

The funeral will be Friday at 3:30 in Anson, TX, at the Church of Christ.

Mr. STENHOLM. Mr. Chairman, it is my sad duty to inform the Members of the House of Representatives of the passing of a former colleague and personal friend. Omar Burleson, who represented the 17th District of Texas from January 1947 until his retirement in January 1979, passed away Tuesday evening at the age of 85.

I personally considered Omar my political mentor and friend. He was an active partici-

pant in my race for Congress in 1978 and has supported my efforts these past 12 years that I've served in the House of Representatives.

Other Members of the House, who served with Omar, have told me what a thoughtful and diligent lawmaker he was and I readily agree. Omar Truman Burleson was the definition of a gentleman's gentleman.

During his congressional career he served on a number of powerful committees including Ways and Means and Budget and he was chairman of House Administration.

Omar not only served the people of the 17th District of Texas, but the entire country. He was an inspiration to me and someone I tried to model myself after because he was patient, caring, and sincerely concerned about the people he represented while in Washington.

Omar's funeral will be at 3:30 Friday afternoon at the Church of Christ in Anson, TX.

□ 1850

The CHAIRMAN. Are there further amendments to the bill?

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

I do so in order to engage in a colloquy with the gentleman from Texas [Mr. SARPALIUS].

Mr. Chairman, I yield to the gentleman from Texas.

Mr. SARPALIUS. I thank the gentleman for yielding.

Mr. Chairman, given the historical context of the creation of the American Institute in Taiwan and the current existence of Baltic diplomatic missions to the United States, I am concerned that the creation of a Baltic analog of the American Institute in Taiwan would imply a diplomatic downgrading of the Baltic States' current status. This was not the intent of the committee, was it?

Mr. BERMAN. Reclaiming my time, Mr. Chairman, I do so simply to say that I can assure the gentleman that that was not the intent of the committee or of the gentleman from New York [Mr. SOLARZ]. When this bill comes back, we will make sure there is report language to make that fact clear.

Mr. SARPALIUS. Mr. Chairman, since the U.S. Consulate in Leningrad is part of the United States representation to the Soviet Union, I am concerned that an expansion of the Consulate to include Baltic offices suggests to the Soviets that the United States considers the Baltic States part of the Soviet Union. This was not the intent of the committee, was it?

Mr. BERMAN. Mr. Chairman, reclaiming my time, I can assure the gentleman it was definitely not the intent of the committee. There was no effort to change fundamental American policy on that issue, and our intent was not to create any impression to the contrary.

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

The CHAIRMAN. Are there further amendments to part A of title II?

If not, the Clerk will read part B of title II.

The Clerk read as follows:

**PART B—BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS**

**SEC. 221. AUTHORIZATION OF APPROPRIATIONS.**

In addition to amounts otherwise made available under section 201 for such purposes, there are authorized to be appropriated to the Bureau of Educational and Cultural Affairs to carry out the purposes of the Mutual Educational and Cultural Exchange Act of 1961 the following amounts:

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", \$37,849,000 for the fiscal year 1992.

(2) **FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.**—For the "Fulbright Academic Exchange Programs", \$110,454,000 for the fiscal year 1992.

(3) **HUBERT H. HUMPHREY FELLOWSHIP PROGRAM.**—For the "Hubert H. Humphrey Fellowship Program", \$5,682,000 for the fiscal year 1992.

(4) **INTERNATIONAL VISITORS PROGRAM.**—For the "International Visitors Program", \$44,336,000 for the fiscal year 1992.

(5) **OTHER PROGRAMS.**—For "East Europe Training Projects", "Citizen Exchange Programs", and the "Congress-Bundestag Exchange Program", \$12,028,000 for the fiscal year 1992.

(6) **WORLD UNIVERSITY GAMES.**—For cultural and exchange related activities associated with the 1993 World University Games in Buffalo, New York, \$2,000,000 for fiscal year 1992 and \$2,000,000 for fiscal year 1993.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part B be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

**AMENDMENT OFFERED BY MR. PAXON**

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

The Clerk read as follows:

Amendment offered by Mr. PAXON: On Page 99 of the Bill, strike the period at the end of subsection (6), entitled "WORLD UNIVERSITY GAMES.", and insert the following: ", provided that amounts authorized under this subsection are subject to all requirements governing United States Information Agency assistance to private organizations."

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

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

There was no objection.

Mr. PAXON. Mr. Chairman, I offer this amendment on behalf of myself, Mr. NOWAK, Mr. LAFALCE, and Mr. HOUGHTON. I would like to thank Mr. NOWAK for drawing up this amendment.

Mr. Chairman, this amendment makes very clear that the funds authorized under this subsection very specifically will follow USIA assistance regulations. Very specifically, we want to make very clear that there is absolute determination that this funding will follow the appropriate regulations.

Mr. Chairman, I thank the gentleman from New York [Mr. NOWAK], the gen-

tleman from New York [Mr. LAFALCE], and the gentleman from New York [Mr. HOUGHTON], for joining me in putting this together.

I also thank the gentlewoman from Maine [Ms. SNOWE], who has agreed to this amendment and has worked with us to ensure that not only this amendment will pass but the important funding for the World University Games can move ahead and can proceed.

Mr. Chairman, I yield to the gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding, and I commend him for his amendment. I appreciate it because I do think it is important that these cultural and educational exchanges meet certain guidelines, that they do not operate outside the guidelines of the U.S. Information Agency. In the past we have made congressional earmarks which have made it very difficult for the congressional review panel of the U.S. Information Agency to actually approve those exchanges. So I do think it is important that these programs stay within the guidelines that have been established through memoranda at the agency.

I appreciate the gentleman's amendment, and I accept it.

Mr. PAXON. Again I want to thank the gentlewoman from Maine [Ms. SNOWE] for her assistance in this matter.

Mr. NOWAK. Mr. Chairman, I move to strike the last word, and I rise in support of this amendment. I want to reiterate some of the remarks. This program is, I think, a program that has great value to our country and certainly we are happy that we could accommodate the concern of Ms. SNOWE with this amendment, and certainly we want to guarantee that these funds accomplish the mission for which they are intended. This amendment will help realize those goals. I am in full support.

Mr. LAFALCE. Mr. Chairman, I move to strike the requisite number of words. I wish to join with my colleagues in support of this amendment. Again I thank Ms. SNOWE for her tremendous contribution, understanding, and cooperation in this endeavor.

And please come to the University Games in Buffalo.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PAXON].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to part B of title II? If not, the Clerk will read part C of title II.

The Clerk read as follows:

**PART C—BUREAU OF BROADCASTING**

**SEC. 241. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the United States Information Agency for the Bureau of Broadcasting for carrying out title V of the United States Information and Educational Exchange Act of 1948 and the Radio Broadcasting to Cuba Act the following amounts:

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", \$196,942,000 for the fiscal year 1992.

(2) **TELEVISION AND FILM SERVICE.**—For "Television and Film Service", \$33,185,000 for the fiscal year 1992.

(3) **ACQUISITION AND CONSTRUCTION OF RADIO FACILITIES.**—For "Acquisition and Construction of Radio Facilities", \$98,043,000 for the fiscal year 1992.

(4) **BROADCASTING TO CUBA.**—For "Broadcasting to Cuba", \$38,988,000 for the fiscal year 1992.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part C be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to part C of title II?

If not, the Clerk will read part D of title II.

The Clerk read as follows:

**PART D—BOARD FOR INTERNATIONAL BROADCASTING**

**SEC. 261. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AMENDMENT TO BOARD FOR INTERNATIONAL BROADCASTING ACT OF 1973.**—Subparagraph (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)) is amended to read as follows: "(A) \$218,660,000 for the fiscal year 1992 and such additional amounts for such fiscal year as may be necessary to offset adverse fluctuations in foreign currency exchange rates; and"

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that part D be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to part D of title II?

If not, the Clerk will read title III.

The Clerk read as follows:

**TITLE III—MISCELLANEOUS FOREIGN AFFAIRS PROVISIONS**

**SEC. 301. PLO COMMITMENTS COMPLIANCE.**

(a) **REPORTING REQUIREMENT.**—Beginning 30 days after the date of enactment of this Act and every 120 days thereafter, the President shall submit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report, in unclassified form to the maximum extent practicable, containing the following—

(1) a description of Palestine Liberation Organization support (including all statements and activities) of the goals and objectives of Saddam Hussein and the Iraqi occupation of Kuwait;

(2) a description of efforts by the Palestine Liberation Organization to open a "second front" against Israel from Lebanon during the Persian Gulf War;

(3) a description of the terrorist acts committed or supported by the Palestine Liberation Organization;

(4) a description of actions or statements by the Palestine Liberation Organization as they relate to the Geneva commitments of December 1988 regarding cessation of terrorism and recognition of Israel's right to exist, including actions or statements that contend that the de-

clared "Palestinian state" encompasses all of Israel;

(5) a description of the steps, if any, taken by the Palestine Liberation Organization to evict or otherwise discipline individuals or groups taking actions inconsistent with the Geneva commitments;

(6) a statement of whether the Palestine Liberation Organization, in accordance with procedures in Article 33 of the Palestinian National Covenant, has repealed provisions in that covenant which call for Israel's destruction;

(7) a statement of whether the PLO has called on any Arab state to recognize and enter into direct negotiations with Israel or to end its economic boycott of Israel;

(8) a statement of whether "Force 17" and the "Hawari Group", or other units directed by Yasser Arafat that have carried out terrorist attacks, have been disbanded and not reconstituted under different names;

(9) a statement of the PLO's position on the unrest in the West Bank and Gaza, and whether the PLO threatens, through violence or other intimidation measures, Palestinians in the West Bank and Gaza who advocate a cessation of, or who do not support, the unrest and who might be receptive to engaging in a peace process;

(10) a statement of the position of the PLO regarding the prosecution and extradition, if so requested, of known terrorists such as Abu Abbas, who directed the Achille Lauro hijacking during which Leon Klinghoffer was murdered, and Muhammed Rashid, implicated in the 1982 bombing of the Pan Am jet and the 1986 bombing of a TWA jet in which four Americans were killed;

(11) a statement of the position of the PLO on providing compensation to the United States victims or the families of United States victims of PLO terrorism;

(12) a description of PLO involvement in illicit drug trafficking; and

(13) a description of the financial resources, assets, and holdings of the PLO and the sources of such resources, including the amount of financial support from each and every country contributing to the PLO.

(b) DEFINITIONS.—The term "Palestine Liberation Organization" or "PLO" includes the Palestine Liberation Organization, any of its constituent groups or factions, and any successors thereto or agents thereof, including any of its officers, officials, representatives, or spokespersons.

**SEC. 302. SENSE OF CONGRESS REGARDING RECIPROCAL DIPLOMATIC STATUS.**

It is the sense of Congress that—

(1) all United States law enforcement personnel serving in Mexico should be accredited in the same manner and accorded the same status as United States diplomatic and consular personnel serving as official representatives at United States posts in Mexico; and

(2) all Mexican narcotics law enforcement personnel serving in the United States should be accredited in the same manner and accorded the same diplomatic and consular status as United States Drug Enforcement Administration personnel serving in Mexico.

**SEC. 303. EXPANSION OF UNITED STATES SUPPORT FOR AND PRESENCE IN THE BALTIC STATES.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report to the Congress regarding an enhanced United States presence in the Baltic Republics. Such report shall assess the appropriateness of various types of United States instrumentalities that might be established in the Baltic Republics in furthering United States foreign policy interests, including information offices, branches of the United States Consulate in Leningrad, and a Baltic analogue of the American Institute in Taiwan.

Mr. BERMAN (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to title III?

AMENDMENT OFFERED BY MR. OWENS OF UTAH

Mr. OWENS of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS of Utah: Page 104, after line 21, insert the following:

**SEC. 304. SENSE OF THE CONGRESS CONCERNING SUSTAINED DIPLOMACY IN THE MIDDLE EAST.**

The Congress commends the Secretary of State for his sustained diplomatic efforts to establish dialogue and direct negotiations among parties to the Arab-Israeli dispute, and it is the sense of the Congress that the Secretary should continue such efforts to promote a peace process in the Middle East.

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

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

There was no objection.

Mr. OWENS of Utah. Mr. Chairman, as we speak, Secretary Baker is in Jerusalem in meetings which will soon adjourn for the night and tomorrow he will hold a press conference. This amendment is an attempt to commend him, in a bipartisan expression of Congress' support for the very serious and sustained diplomatic efforts he has made in the Middle East to bring about a comprehensive peace, and to urge that he continue his efforts.

He has traveled on four separate occasions, Secretary Baker has, making dozens of stops in eight countries, all in pursuit of a viable Arab-Israeli peace process. It is no easy undertaking. It is a high-risk venture with far greater chances for failure than success.

Mr. Chairman, the peace process is an orphan. Each party to the conflict has an ample supply of advocates and activists, but there are scarce few for the process itself. This amendment is intended to say that in the Congress, and among the American people, there is a constituency for peace in the most volatile region in the world. There is a constituency for diplomacy which is endlessly frustrating and slow; which is mired in absurd detail.

If there is anyone who can succeed in crafting a process acceptable to all sides, the simple means by which the parties can talk, it is this Secretary of State. James Baker is a deal maker, known for his courage for his skill in negotiations. While there is no shortage of controversy surrounding the means to this end, I think we can all

agree that establishing a workable peace process is worthy of the Secretary's attention. I think he should be commended for it.

This amendment, Mr. Chairman expresses the sense of the Congress that Secretary Baker should be commended for his vigorous and sustained diplomatic efforts to establish dialog and direct negotiations among parties to the Arab-Israeli dispute. It urges him to continue with his work; to not lose interest or energy.

I think, Mr. Chairman, that it is important that the Congress, in a strong bipartisan statement, express appreciation for what he is doing and, more important, even, to urge him to continue.

The gulf war brought great capital and prestige to this country. The Secretary and the President could have chosen to spend it elsewhere, but they chose to spend much of it on the search for a comprehensive peace in the Middle East. Secretary Baker has undertaken to establish a process over there which will bring the parties to the different conflicts, Arab-Israeli, and the Palestinian-Israeli issues, to the negotiating table.

□ 1900

Mr. Chairman, I think it is very important to point out that partisanship stops, on this issue, at the water's edge and very important that Members of Congress join together to express our strong support, our strong bipartisan support, for him and for his courageous and skillful efforts.

It is important, I think, Mr. Chairman, that the parties with whom he is working understand that Congress is unified behind the Secretary of State in seeking peace, that Congress wants his efforts to succeed, and I urge my colleagues to support this amendment as an expression of the sense of Congress that his efforts be successful and that he be encouraged to continue them, notwithstanding the significant and ongoing discouragements which he gets.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. OWENS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: On page 104, after line 21, add the following new title: Title IV. The total amount authorized to be appropriated in this bill for FY 1992 shall not exceed \$5,021,682,000.

Mr. WALKER. Mr. Chairman, this is the balanced budget amendment. Let me explain that.

Mr. Chairman, we have had a lot of discussion on this floor over the last several years about balancing the budget, and we have had a lot of discussion about doing it through constitutional amendments, or whatever the

process may be. We have come up crappers on all of them. We simply have not been able to find any kind of solution that will get Congress to really focus on what is necessary to balance the budget.

Taking last year's budget agreement, the 1991 budget agreement, I have asked staff at the Republican Study Committee to work out what it would take to reach a balanced budget by 1995. This is what they have told me:

If you take the assumption of last year's budget agreement, we could only increase spending in international and domestic accounts by 2.4 percent over the next 3 years in order to achieve a balanced budget.

Mr. Chairman, that is what this amendment does in this bill. It suggests that we cannot spend any more this year or in 1992 than 2.4 percent above what we are spending in the present year.

Now the committee suggests that what we can spend is 21 percent more than we are spending this year. My amendment says, "No, if you want to balance the budget, you're going to have to hold the increase to 2.4 percent," and I intend to offer this amendment, and others will be offering it, too, to a number of other bills. As bills come out here, we are going to try to hold the 2.4-percent cap.

However, Mr. Chairman, in this particular case we have a situation where the committee has suggested we increase spending by 21 percent. This amendment suggests only 2.4 percent.

Now there will be some who will say, "Look, that's too much. You can't expect it to come down that far."

Mr. Chairman, let me read to my colleagues some of the things that are in this particular bill where I suggest we could save the kind of money that I am talking about. Above the administration requests we have assessed contributions to international organizations. That is \$278 million more than what the administration requests. We have \$94 million of contributions to international peace-keeping activities. We have migration and refugee assistance at \$109 million more. We have Asia Foundation at \$2.6 million above request; protection of foreign missions and officials at \$2 million above request. We have Center for Cultural and Technical Interchange Between North and South at \$10 million, not requested at all. We have World University Games, \$2 million, not requested at all. We have the Claude and Mildred Pepper Scholarship Program, \$1 million, not requested at all. We have literally hundreds of millions of dollars in this bill that no one requested and that the committee put in the bill.

Mr. Chairman, all I am suggesting is that maybe, maybe if the priority in Congress is to balance the budget, that this is a place to start.

Now I will be the first to admit that I understand that there are many peo-

ple here who have priorities other than balancing the budget. Fine. I say to them, "If you want to spend 21 percent more for State Department activities, you know, welcome to it. Vote against the Walker amendment. But if you're telling your constituents and you're telling other people that a high priority with you is to actually balance the budget, then I think it's time that we begin to look at the details of these bills and we begin to make the tough choices."

Mr. Chairman, I remember last year when we debated the balanced budget amendment to the Constitution that some of us thought was a silver bullet that was needed in order to get Congress to be serious, and I remember some of the statements that were made on the floor. The distinguished chairman, the gentleman from Texas [Mr. BROOKS] who was carrying that bill on the floor at that time, he said to us, and I quote:

It is high time to get down to the business of sound government and sound budget policy. I urge my colleagues to reject House Joint Resolution 268, and to get serious about making hard choices on spending and the programs that truly deserve our tax dollars. We do not have the luxury of yet another illusion or deceptive fix when it comes to our economic future.

Mr. Chairman, that is the issue here today. Are we going to simply have the illusion that someday budgets might get balanced, or do we start right now cutting down to that figure which is necessary in order to get the balanced budget? That figure, based upon last year's budget agreement, is a 2.4-percent spending increase. That is what this amendment does. This amendment holds the State Department to a 2.4-percent spending increase in this year.

Mr. Chairman, I think this is a responsible amendment. It is indeed the balanced budget amendment. If applied across the board, we would achieve a balanced budget by 1995.

I urge those who are truly serious about a balanced budget to join me in this effort today.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Maine.

Ms. SNOWE. Mr. Chairman, as I understand the amendment of the gentleman from Pennsylvania [Mr. WALKER], it would be flexible. It is not an across the board. It is a cap.

Mr. WALKER. The gentlewoman from Maine [Ms. SNOWE] is absolutely correct.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

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

Mr. WALKER. Mr. Chairman, the gentlewoman is absolutely correct. This amendment does not specify to anyone where the cuts have to be

made. I read a list of things that I suggested are places where they have gone well above the administration requests, but the amendment is entirely flexible. If people wanted to make adjustments other than those, that is totally acceptable. All my amendment does is says that there is a cap at a level of 2.4 percent above what we are spending in 1991 for fiscal year 1992, and the department can operate totally flexibly within that cap.

Ms. SNOWE. Mr. Chairman, I know the gentleman from Pennsylvania [Mr. WALKER] raises a valid and legitimate point about this legislation, and I am sure other legislation that will come before this body, and it is whether or not we are going to get serious about controlling Federal spending, and, as I worked on this legislation and, I know, have worked with the majority on this issue, I do have some concerns because even where we have made shifts in the legislation, that funding has gone for special projects that Members have favored.

So, what we have here incorporated in this legislation, which does raise a concern, is international pork on some of the programs that should not be funded, and I object to that because I think that we have to begin at this point in the authorization process, as well as the appropriation process, to begin to rein in the increases in spending over the previous fiscal year. In some areas of the budget it is very prudent. This is no question. But there are some substantial increase over last year. They are limited, but they do amount to a 22-percent increase over the 1991 appropriation, and that does pose difficulties, if we are trying to control the overall growth in Federal spending.

So, Mr. Chairman, we have to begin now, and that means examining program by program, provision by provision, in this legislation and all the other bills that come before the Congress. We have to assume personal responsibility for funding programs in these packages in addition to where we have to deny it.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

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

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Maine.

Ms. SNOWE. Mr. Chairman, in my State of Maine we have an 8.9-percent unemployment rate. The national average is at least 7 percent, 7.1 percent. We ought to be concerned about the people who are losing their jobs because, as the gentleman has mentioned, we are not required to balance the Federal budget, we have no bottom line, we just have a bottomless pit.

So, I think we better begin to recognize the realities that people are facing at home, that local and State governments are facing, by making choices, and there are choices that have not been made in this institution, and that is why we are held in such low esteem.

So, Mr. Chairman, I want to commend the gentleman from Pennsylvania [Mr. WALKER] for his amendment because I think we have to begin to take that direction.

□ 1910

Mr. WALKER. Mr. Chairman, reclaiming my time, I thank the gentlewoman from Maine [Ms. SNOWE] for her remarks.

Mr. Chairman, I will point out that I expect the Members who oppose this amendment will stand up and tell us about all the high priority items that are down in there.

Mr. Chairman, I do not disagree with that at all. I think there are a number of things in here that are very, very important things to spend money on, and I think that that is very nice to do. The only thing I would say is weigh that priority or whatever those priorities are against the priority of a balanced budget. If you think that the State Department authorization priorities are in fact more important than the balanced budget, you will be fine. Just vote against my amendment. But if you think that perhaps it is time that we get serious about balancing the budget, then I would suggest there is a route to go, and that is to begin a consistent process here of holding our spending habits down to the 2.4 percent which is necessary to get us to a balanced budget in a reasonable period of time.

Mr. BERMAN. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, the amendment before us would cut \$600 million from the \$10.1 billion authorization legislation for the Department of State, the U.S. Information Agency, and the Board of International Broadcasting.

Mr. Chairman, the authorization bill before us was perhaps for the first time an authorization process, under the direction of our chairman, to do a zero sum authorizing. In other words, to break with the tradition of the past of authorizing far larger than the budget resolution would permit, or that the appropriators might appropriate with, and to restrain and constrain ourselves to the limits of the Budget Enforcement Act agreement of last year and of the House-passed budget resolution.

Mr. Chairman, in a bipartisan fashion, with concurrence from every single member of the minority of the subcommittee, we established the principle that every addition to this bill from the administration's request, every addition would be compensated for by an offset somewhere else, with

one exception, and one exception only, and that was a \$109 million increase in the refugee and migration funding account for overseas assistance because of the massive explosion of refugees worldwide.

Mr. Chairman, for that \$109 million, we would offset from the foreign assistance bill, which the chairman of our committee is now in the process of marking up and which will be on the floor in several weeks, so that within the 150 functions, when you took the State Department bill, the USIA bill, the BIB authorization, and the Foreign Assistance Act, there would be total consistency between the 150 account, in the budget enforcement agreement of last year, the caps on that account, the House-passed budget resolution, and the President's submission on this particular issue.

Mr. Chairman, for years we have heard Members from the other side of the aisle urging massive across-the-board cuts to deal with authorizations that went far beyond their budget resolution authority, because they did not have to comply with it, because it was the appropriations process that was affected.

We exercised a level of self-restraint here, imposed in a sense by the request of our chairman, the gentleman from Florida [Mr. FASCELL], to avoid doing that once again. When the gentleman from Pennsylvania [Mr. WALKER] says it is a 21-percent increase in this bill, what he fails to mention, and what I am so sorry that the gentlewoman from Maine [Ms. SNOWE], who knows this, did not mention, is that a massive part of that increase is the 4-year authorization of arrearages that the President of the United States personally requested over and over again, that we finally gave him, only one-fourth of which is to be outlaid over this year, only one-fourth of which is to be scored on either budget authority outlays, and we have an OMB letter to suggest that.

The second major increase is to fund a no-year authorization appropriation for the building program, because they have spent their surpluses and they needed a replenishment to continue with any kind of building program that they need to have for our embassies, for operation and maintenance of the embassies in the foreign building account. This is the massive part of that increase.

Mr. Chairman, to suggest that that represents some excessive spending, when we did exactly the opposite, I think is contrary. I am sorry the gentlewoman from Maine [Ms. SNOWE], the ranking minority member, did not point that out.

Mr. GREEN of New York. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from New York.

Mr. GREEN of New York. Mr. Chairman, I want to thank the gentleman

from California [Mr. BERMAN] for his statement, which I think lays out what this bill is all about and why these cuts are undesirable.

Mr. Chairman, as the gentleman from California [Mr. BERMAN] mentioned, it is particularly undesirable in terms of the migration and refugee accounts because, as we all know, this is a problem which has at least doubled in the course of the last decade. Whereas we were looking at 8 million refugees and displaced people in 1980, we are looking at over 15 million even before the Persian Gulf situation erupted. Now, of course, we are facing even more.

Mr. Chairman, I would also point out to Members that in addition to trying to deal with the Persian Gulf situation, the Armenians, the various Asian situations, one-eighth of these dollars go to assist the emigration of Soviet Jews. This is a cause to which just about every Member of this House subscribed during the 1970's and 1980's. We worked very hard to see that that happy day would come when Soviet Jews would finally be able to leave the Soviet Union, given the risks that they were facing there and under new circumstances they are now facing.

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

(At the request of Mr. GREEN of New York and by unanimous consent, Mr. BERMAN was allowed to proceed for 3 additional minutes.)

Mr. BERMAN. I yield to the gentleman from New York.

Mr. GREEN of New York. Mr. Chairman, that event has now come to pass. So we are devoting a portion, not an enormous portion, but one-eighth of this money essentially is going to make good on the commitments that this Congress made when all of us passed the resolutions and signed the letters and did all of the things that we did in order to bring to pass the day when the Jews would be able to emigrate from the Soviet Union.

Mr. Chairman, for us to now go back on that commitment, by adopting this amendment, it seems to me would be a sorry day indeed for this Congress.

Mr. Chairman, I want to thank the gentleman from California [Mr. BERMAN] for his very vigorous opposition to this amendment. I think it is most important if we are going to live up to the commitment we made to the refugee situation in the past, and not just Soviet Jews, but around the world, that we do so. If there is one lesson we have learned I think from the Holocaust, it was that this country ought to stand up to these situations, ought to be prepared to deal with them, and the gentleman is certainly right, that this bill does deal with them. Now to cut the funding in this bill to deal with them would be a tragic mistake.

Mr. BERMAN. Mr. Chairman, reclaiming my time, I thank the gen-

tleman from New York [Mr. GREEN] for his comments and willingness to stand up.

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

Mr. Chairman, let me express my appreciation to the chairman of the subcommittee, the gentleman from California [Mr. BERMAN], and the members of the subcommittee, for their excellent work with regard to the bill and staying within the budget.

Mr. Chairman, I want to ask a question of the gentleman from California [Mr. BERMAN]. I would ask whether the Executive requests of the President have all been met, and is this bill within the budget, except for the refugee add-on?

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

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

Mr. BERMAN. Mr. Chairman, I appreciate the gentleman yielding time to respond to that request, as well as for his kind words.

Mr. Chairman, yes. With the exception of the \$109 million, as we mentioned, will come out of the foreign assistance authorization, this bill is under the request of the President, within the House budget resolution, and within the caps created by the Budget Reform Act.

Mr. Chairman, if I might just use this opportunity to read a letter, it states:

U.S. DEPARTMENT OF STATE,  
Washington, DC.

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

DEAR MR. SPEAKER: I have just been advised that there are plans to offer an amendment which would make an overall cut of approximately 10 percent, or nearly one-half billion dollars in the amounts authorized to be appropriated for FY 92 by the Foreign Relations Authorization act.

Such a cut would be devastating for the President's ability to conduct an effective foreign policy. The bill as reported by the Foreign Affairs Committee is within the ceilings provided for the International Affairs function by last fall's Budget Enforcement Agreement and the President's budget request. For the most part this bill represents a current services level for operating programs. The Administration simply cannot sustain effective diplomatic activities at the funding levels which the Walter amendment would provide. The Administration urges members to oppose the Walker Amendment and any other amendments which would reduce funding levels provided for in the committee reported bill H.R. 1415.

Sincerely,

JANET G. MULLINS,

Assistant Secretary, Legislative Affairs.

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

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

Mr. WALKER. Mr. Chairman, I just want to point out that I do not disagree with a thing the gentleman has said. It is within the budget, and so on. My only point would be that we are going to have to go way beyond last

year's budget agreement if we are to achieve a balanced budget. That is what I am trying to do.

Mr. Chairman, I do not disagree with anything the gentleman has presented. He is absolutely factual. I just think we have to do more, if we are going to get to a balanced budget.

Mr. FASCELL. Mr. Chairman, reclaiming my time, the gentleman from Pennsylvania [Mr. WALKER] is consistent. I just wanted to be sure that all Members understood we followed directions and predicated our actions on the agreement, and that we have been very frugal. There has been a dollar-for-dollar layoff. We have tried to do everything we could, that the administration wanted. Even with all of that, I will say to the gentleman from Pennsylvania [Mr. WALKER], we are at about 97 percent of current services. So we are not meeting their real needs yet.

□ 1920

I think in real dollars, and do not hold me to this, I cite this only as an example, in real dollars the budget today is less than it was 10 years ago.

Mr. WALKER. I agree with the gentleman again. The point is that I am not certain how enthusiastic the administration is about a balanced budget. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 248, not voting 27, as follows:

[Roll No. 95]

AYES—155

Allard	Dickinson	Hobson
Applegate	Doollittle	Holloway
Archer	Dorgan (ND)	Hubbard
Armey	Dornan (CA)	Hunter
Ballenger	Dreier	Hutto
Barnard	Duncan	Inhofe
Barton	Edwards (OK)	Ireland
Bennett	Emerson	Jacobs
Bentley	English	James
Billirakis	Erdreich	Jenkins
Billey	Fawell	Johnson (SD)
Boehner	Fields	Jontz
Bunning	Franks (CT)	Kaptur
Burton	Gallegly	Kasich
Byron	Gekas	Klug
Callahan	Geren	Kyl
Camp	Gilchrest	Lagomarsino
Campbell (CA)	Gillmor	Lancaster
Chandler	Goodling	Laughlin
Clinger	Goss	Lewis (CA)
Coble	Grandy	Lewis (FL)
Combest	Gunderson	Lightfoot
Condit	Hall (TX)	Lloyd
Costello	Hammerschmidt	Luken
Cox (CA)	Hancock	Machtley
Crane	Hansen	Marlenee
Cunningham	Hastert	McCandless
Dannemeyer	Hefley	McCollum
Davis	Henry	McEwen
DeLay	Herger	Miller (OH)

Montgomery	Ritter	Swift
Moorhead	Roberts	Tallon
Natcher	Rohrabacher	Tauzin
Neal (NC)	Roth	Taylor (MS)
Nichols	Rowland	Taylor (NC)
Nussle	Russo	Thomas (CA)
Olin	Sangmeister	Thomas (WY)
Oxley	Santorum	Trafcant
Packard	Savage	Upton
Pallone	Schaefer	Valentine
Parker	Schulze	Volkmer
Patterson	Sensenbrenner	Vucanovich
Petri	Shaw	Walker
Poshard	Shuster	Walsh
Pursell	Skelton	Weldon
Quillen	Slattery	Whitton
Ramstad	Smith (OR)	Wylie
Ray	Smith (TX)	Young (AK)
Regula	Snowe	Young (FL)
Ridge	Solomon	Zeliff
Riggs	Spence	Zimmer
Rinaldo	Stump	

NOES—248

Abercrombie	Gallo	Michel
Ackerman	Gaydos	Miller (CA)
Alexander	Gejdenson	Miller (WA)
Anderson	Gephardt	Mineta
Andrews (ME)	Gilman	Mink
Andrews (NJ)	Gingrich	Moakley
Andrews (TX)	Glickman	Mollinari
Annunzio	Gonzalez	Mollohan
Atkins	Gordon	Moran
Bacchus	Gradison	Morilla
Baker	Gray	Morrison
Barrett	Green	Murphy
Bateman	Guarini	Murtha
Bellenson	Hall (OH)	Myers
Bereuter	Hamilton	Nagle
Berman	Harris	Neal (MA)
Bevill	Hayes (IL)	Nowak
Bilbray	Hayes (LA)	Oakar
Boehliert	Hefner	Oberstar
Bonior	Hertel	Obey
Borski	Hoagland	Ortiz
Boucher	Hochbrueckner	Orton
Brewster	Horn	Owens (NY)
Brooks	Horton	Owens (UT)
Broomfield	Houghton	Panetta
Browder	Hoyer	Paxon
Bruce	Huckaby	Payne (NJ)
Bryant	Hughes	Payne (VA)
Bustamante	Hyde	Pease
Campbell (CO)	Jefferson	Pelosi
Cardin	Johnson (CT)	Penny
Carper	Johnston	Perkins
Carr	Jones (GA)	Peterson (FL)
Chapman	Jones (NC)	Peterson (MN)
Clement	Kanjorski	Pickett
Coleman (MO)	Kennedy	Pickie
Coleman (TX)	Kennelly	Porter
Collins (IL)	Kildee	Price
Collins (MI)	Klecza	Rahall
Conyers	Kolbe	Rangel
Cooper	Kolter	Ravenel
Coughlin	Kopetski	Reed
Cox (IL)	Kostmayer	Rhodes
Coyne	LaFalce	Richardson
Cramer	LaRocco	Roe
Darden	Leach	Roemer
de la Garza	Lehman (CA)	Rogers
DeLauro	Levin (MI)	Ros-Lehtinen
Dellums	Lewis (GA)	Rose
Derrick	Livingston	Rostenkowski
Dicks	Long	Roukema
Dixon	Lowery (CA)	Roybal
Donnelly	Lowey (NY)	Sabo
Dooley	Manton	Sanders
Downey	Markey	Sarpalitus
Durbin	Martin	Sawyer
Dymally	Martinez	Saxton
Early	Mavroules	Scheuer
Eckart	Mazzoli	Schiff
Edwards (CA)	McCloskey	Schroeder
Edwards (TX)	McCrery	Schumer
Engel	McCurdy	Serrano
Espy	McDade	Sharp
Evans	McDermott	Shays
Fascell	McGrath	Sikorski
Fazio	McHugh	Sisisky
Feighan	McMillan (NC)	Skaggs
Flake	McMillen (MD)	Skeen
Foglietta	McNulty	Slaughter (NY)
Ford (MI)	Meyers	Slaughter (VA)
Frank (MA)	Mfume	Smith (NJ)

Solarz	Thornton	Weber
Spratt	Torres	Weiss
Staggers	Torricelli	Wheat
Stallings	Towns	Williams
Stenholm	Traxler	Wilson
Stokes	Unsoeld	Wise
Studds	Vander Jagt	Wolf
Sundquist	Vento	Wolpe
Sweet	Visclosky	Wyden
Synar	Washington	Yates
Tanner	Waters	Yatron
Thomas (GA)	Waxman	

NOT VOTING—27

Anthony	Fish	Levine (CA)
Aspin	Ford (TN)	Lipinski
AuCoin	Frost	Matsui
Boxer	Gibbons	Moody
Brown	Hatcher	Mrazek
Clay	Hopkins	Smith (FL)
DeFazio	Lantos	Smith (IA)
Dingell	Lehman (FL)	Stark
Dwyer	Lent	Stearns

□ 1943

Mr. PAXON changed his vote from "aye" to "no."

Messrs. NICHOLS, SLATTERY, and REGULA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Chairman, I was unavoidably detained on rollcall No. 95, the Walker amendment to the State Department authorization bill. I would like the RECORD to show that had I been present I would have voted "aye."

The CHAIRMAN. Are there any other amendments to title III?

Mr. BERMAN. Mr. Chairman, I move to strike the last word for the purpose of a colloquy with the chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL].

It is my understanding that there are no other amendments to this legislation.

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

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

Mr. FASCELL. Mr. Chairman, I think we should all express our appreciation to the gentleman in the chair who has conducted this entire matter with great competence and capability.

I rise to take just 1 minute to point out, Mr. Chairman, that in this legislation that we have authorized an initiative of President Bush on an agreement reached in Paris on the Conference on Security and Cooperation in Europe for the new parliamentary body, which the President envisioned and to which the United States is committed. We have agreed to participate in that body. The Commission on Security and Cooperation in Europe, chaired by our distinguished colleague, the gentleman from Maryland [Mr. HOYER] on the House side, plays and continues to play a key role in the whole process of CSCE. They have the experience. They have the expertise. It will be indispensable to the U.S. delegation at the CSCE parliamentary conference, as well as the ministerial meetings.

For that reason, we have urged the Speaker, and we are making this legislative history to be sure that in each U.S. delegation going to the CSCE parliamentary conference that at least two Members of the congressional CSCE Commission be members of that body. We have been assured by the Speaker of the House that he agrees fully with that concept.

Mr. HOYER. Will the gentleman yield?

Mr. BERMAN. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. I know how enthusiastic the Members are hearing this colloquy, but I want to thank the chairman for his recognition of the role that the Helsinki Commission has played in this. I want to congratulate the chairman for the extraordinary talent he showed in reaching negotiation to create the parliamentary assembly, and thank him for his comments and his work on ensuring this.

Mr. FASCELL. We look forward to continuing the cooperation.

Mr. HALL of Ohio. Mr. Chairman, I rise in support of H.R. 1415. I would like to congratulate the gentleman from California [Mr. BERMAN] and the gentleman from Florida [Mr. FASCELL] for their excellent work on this bill.

Last week, I introduced a bill, H.R. 2258, the Freedom From Want Act. In that bill, which contains a long series of measures to reduce hunger not only in its immediate symptoms but at its root causes, one section of the bill deals with refugees.

Mr. Chairman, the world's 18 million refugees and roughly equal number of displaced people remain among the most miserable, neglected people in our world. As chairman of the Hunger Committee, I have visited refugee camps and seen the suffering of displaced people around the world. Most recently, I and four of my colleagues witnessed this misery firsthand on our trip to the refugee camps at the Turkish border.

The Select Committee on Hunger has held hearings on refugees and displaced people and requested a GAO report on the problems of refugees. These all show that humanitarian organizations are underfunded to an extent that hampers their ability to respond to emergencies like those in the mountains of the Iraq, the flood plains of Bangladesh, and the Horn of Africa.

This bill, by authorizing appropriations of \$600 million for fiscal year 1992 and \$650 million for fiscal year 1993 for "Migration and Refugee Assistance," will enable the U.S. to better support the international response to emergency situations around the world, including in and around Iraq and in Sub-Saharan Africa. These numbers are the same as those contained in the Freedom From Want Act. I applaud the Foreign Affairs Committee for increasing the administration's request for fiscal year 1991 by more than \$100 million for this work. I am convinced that the extra money will be needed.

I urge my colleagues to support this bill.

Mr. SMITH of New Jersey. Mr. Chairman, as a member of the Subcommittee on International Operations, I urge my colleagues to

consider carefully the amendments which will be offered to H.R. 1415, authorizing funds for the Department of State, the U.S. Information Agency, and the Board for International Broadcasting. Mr. Speaker, while there are a number of provisions in the bill which foster sound foreign policy and responsible promotion of U.S. interests abroad, several provisions deserve close scrutiny and amendment.

At this time, I want to highlight a number of the provisions included in the bill, as reported by the Foreign Affairs Committee. One of the most significant provisions of H.R. 1415, is the authorization of additional moneys for migration and refugee assistance. This significant increase—from \$485.6 million to \$600 million—reflects the grave, desperate needs of the millions whose lives have been uprooted by war, civil strife, famine, or natural disaster. It is estimated that 18 million people are on the move, struggling to keep body and soul together. The most affected group of refugees are the children and their mothers—estimated at about 80 percent of the refugee population in Africa, and 50 percent of the refugee population in northern Iraq.

The moneys in this bill are targeted at the special needs of refugees forced to flee their homes in Liberia, Sudan, Nicaragua and El Salvador, and Afghanistan, for the Palestinians in Kuwait and Saudi Arabia, and, of immediate need, assistance for the hundreds of thousands who took flight from postwar, Hussein-terrorized Iraq. The funds earmarked for refugees in Israel are expected to contribute to the costs of transportation of Soviet and East European citizens, as well as the resettling of Ethiopian Jews in Israel.

In addition to U.S. assessed contributions to over 40 international organizations such as the United Nations, the bill includes moneys for the payment of arrearages owed by the United States. Following passage of the Solomon-Kassebaum amendment which I supported at the time of its passage in 1985, the United States began to withhold a percentage of assessed contributions, and arrearages have accumulated. As mandated by the Kassebaum-Solomon amendment, the United States has pressed for change in the U.N. budgetary process, insisting that the U.N. budget must be approved by consensus. In response to the changes which have been effected at the United Nations, the Kassebaum-Solomon financial leveraging provisions are altered by H.R. 1415 and grant the President discretionary authority to withhold funds should budget reform not continue. Furthermore, H.R. 1415 provides for payment of the arrearages to the United Nations in equal amounts over the next 4 fiscal years.

Authorization for USIA's Bureau of Broadcasting has been limited to fiscal year 1992, in expectation of a comprehensive review of the breadth of broadcasting activities which will soon be submitted by a task force appointed by the President. The release of the report will afford the Subcommittee on International Operations the opportunity to consider all broadcasting programs. In the interim, however, I would like to note that I am very supportive of proposals to expand USIA broadcasts in China and Southeast Asia. Having returned from the Peoples' Republic of China, I know they need more extensive and accurate re-

porting of national and international news in that country. Similarly, the people are anxious for access to objective programming that nurtures democratic thought and free market economies.

Mr. Speaker, I fully support the allocation targeted to the National Endowment for Democracy [NED]. The effective work of the Endowment—especially through the party organizations—in training and offering assistance to prodemocracy groups and parties in nascent and fledgling democracies has silenced its early critics. Over the years, NED has helped lay the foundation for peaceful transitions of political power through the electoral process and has nurtured indigenous seedbeds of political thought and debate. Mr. Speaker, the outstanding projects in the countries recently liberated from Communist rule—such as East Germany, Hungary, and the Czech and Slovak Federative Republic—have displayed the effectiveness of NED's work. I would strongly urge my colleagues to vote against the amendment being offered by our colleague, Mr. KANJORSKI, which would axe NED's budget in half. I do not believe that proposal reflects the commitment of the Congress to worldwide human and political rights, nor does the amendment being offered by the gentleman from Pennsylvania realize the value of the various programs promoted through the National Endowment for Democracy.

Mr. Speaker, I am eager to read the findings of the Secretary of State's report required by H.R. 1415 that will assess the potential for enhanced U.S. presence in the Baltic Republics. Having recently met with the leaders of the Baltics—Lithuanian President Vytautas Landsbergis, Latvian Prime Minister Ivars Godmanis and Estonian Council Chairman Arnold Ruutel in their capitals and here in Washington—I know they desire to have more formal ties and closer involvement with the United States. The required report will consider the viability of opening information offices, consulate branches, and an office similar to the American Institute in Taiwan. I have joined as an original cosponsor of Helsinki Commission Chairman Representative STENY HOYER's bill, House Joint Resolution 179, which would promote the idea of establishing information offices in the Baltics to serve as a form of political recognition and support for the Baltic Republics. I believe such formal contacts will appropriately display our commitment—a 50-year commitment of not recognizing the forcible annexation of Lithuania, Latvia, and Estonia by the Soviet Union—to the Baltics. I am hopeful that the report will help illuminate the best strategy for the United States to take in helping the Baltic Republics attain their independence.

As my colleagues study this State Department authorization bill, I encourage you to analyze carefully the current language and our colleague Representative OLYMPIA SNOWE's amendment regarding the U.S. Embassy in Moscow. I strongly urge my colleagues to support Republican SNOWE's proposal to tear down the current building under construction, and properly build a secure Embassy building using only U.S. materials and workmanship. Construction on the structure which was riddled with sophisticated eavesdropping equipment ceased in 1985. Since that time the tear-

down and rebuild remedy has been the favored solution by the intelligence experts—the intelligence community, security professionals, and two distinct interagency reviews by the current and previous administration. Anything short of the tear-down, rebuild proposal represents a piecemeal approach that cannot ensure our Embassy personnel the adequate, secure—verifiably secure—space they need to work.

I want to commend both the chairman, Mr. BERMAN and ranking member, Mrs. SNOWE, for their diligent efforts to bring this bill to the floor for consideration. Careful study of the issues contained in this bill will display the importance of the mechanics—and programs—which help promote U.S. foreign policy.

Mr. PORTER. Mr. Chairman, the dramatic increase in refugees since last year has created an urgent challenge for the Congress and the American people. The current suffering of refugees from Iraq as a result of Saddam Hussein's persecution of his own people has underlined the plight of the world's 18 million refugees.

During the past year, the deprivations of war and domestic repression, sometimes compounded by natural calamities, have prompted massive flights of refugees and discouraged their return home. Greater than anticipated flows of refugees justify the \$109.4 million or 22.3 percent increase in the authorization for refugee assistance above the amount requested by the administration. Our humanitarian interests and world leadership role require the substantial U.S. response signified by this augmented authorization for migration and refugee assistance.

In addition to Iraqi refugees needs, this bill anticipates an increase in humanitarian needs of Palestinians from Saudi Arabia and Kuwait along with new refugees from Afghanistan and the slower repatriation of earlier Afghan refugees. This increased authorization also would provide for slower than anticipated repatriation of Nicaraguan and El Salvadoran refugees, the heightened number and burden on first asylum countries of refugees from Liberia, Somalia, and Sudan and the continued plight of refugees from Cambodia and Burma. It would also authorize more funding for voluntary private agencies to transport, resettle, and absorb Soviet, other East European and Ethiopian refugees within Israel's pre-1967 borders.

The road toward establishing a more democratic and humane world order is beset with obstacles and frustration which the United States must squarely face if its objective is to be achieved. The interest of the United States in upholding human rights around the world carries with it a corresponding humanitarian commitment to extend a helping hand to those refugees who have been the victims of human rights abuses. This authorization for migration and refugee assistance would demonstrate substantive as well as principled support for those people whose denial of human rights has forced them to become refugees.

Mr. WEISS. Mr. Chairman, I take this occasion to express my support of H.R. 1415, the State Department authorization, a bill which contains many important provisions concerning the management and funding of the Department of State.

I would like to focus my remarks on one issue which is of particular interest to the peo-

ple of New York. As the home of the United Nations, the city of New York incurs considerable expenses to provide protection and other security services to foreign dignitaries who work in, or visit, the United Nations.

In recognition of New York City's additional expenditures, the State Department provides reimbursements for these protective services. This arrangement is both useful and cost-effective for the Federal Government—it is far cheaper for the State Department to rely on the city of New York for security services to protect foreign dignitaries than to provide these services through private contractors.

Unfortunately, however, the costs of these services over the last few years have exceeded the level of reimbursements. The city of New York calculates that the authorized level falls several million dollars below the cost of providing the services. This situation has resulted in substantial unpaid back-claims.

In response to this shortfall, I offered an amendment to the State Department authorization to increase the funding level for these security services. My amendment—which was approved by the committee and is included in the bill before the House today—adds an additional \$2 million in fiscal year 1992 and \$4 million in fiscal year 1993 above the current level of funding.

These additional funds will help compensate the city of New York for the costs associated with hosting the United Nations. I would like to thank the chairman of the Foreign Affairs Committee and the chairman of the International Operations Subcommittee for their willingness to work with me to ensure that these additional funds were available to reimburse the city of New York.

Mr. HALL of Ohio. Mr. Chairman, today I was planning to offer two amendments to the State Department authorization bill on a Convention on the Right to Food, and reform of the United Nations disaster response system. However, I have reached an agreement with the chairman of the full committee, Mr. FASCELL, and the chairman of the subcommittee, Mr. BERMAN, that these two amendments will be incorporated into the foreign aid bill. I appreciate the chairmen's willingness to accommodate these two timely amendments, which will greatly expand the ability of the United Nations to deliver food and humanitarian aid in emergency situations.

My recent trip to the Kurdish refugee camps on the Turkey-Iraq border clearly illustrated some of the problems of the international system's response to disasters. The United Nations is unable to respond quickly and effectively to disasters for two reasons—one is political and the other is bureaucratic. My first amendment, calling for a U.N. Convention on the Right to Food, would address the political problem by giving the United Nations greater legal authority to provide food to at-risk populations in countries block relief for political purposes.

The second amendment, calling for overall reform of the U.N. mechanism for responding to international disasters and emergencies, would address the bureaucratic problems. I am happy to have these amendments incorporated into the foreign aid bill and hope that the Congress will play an active leading role in pressing forward on much needed reforms in the United Nations response to disasters.

Mr. ESPY. Mr. Chairman, I want to thank the distinguished chairman, Mr. BERMAN, and members of the Committee on Foreign Affairs for their work on H.R. 1415, for reauthorization of programs of the State Department.

I am especially pleased that in section 104 of this legislation the committee is increasing the authorization for migration and refugee assistance to \$600 million for fiscal year 1992—some \$109 million above the President's request.

As you know, this is the same amount requested in legislation introduced by the chairman and ranking member of the Hunger Committee, which I have cosponsored, to increase U.S. aid for refugee assistance programs.

Included in this amount is \$100 million for overseas assistance for refugees in Africa in response to the large increases in refugees in Somalia, Liberia, the Sudan, Ethiopia, and Mozambique—assistance which is desperately needed at this time.

In the past few weeks, the world has necessarily turned its attention to the plight of Kurdish refugees;

Relief organizations have been forced to respond to the plight of Bangladesh and other areas in desperate need of humanitarian assistance.

At the same time conditions in the war-torn Horn of Africa have deteriorated to the point where more than 1 million people are at immediate risk of starvation.

Just in the last few days, many have gradually discovered that the prospects for starvation in the Horn of Africa exceed the tragedy which we witnessed during the last decade.

Mr. Chairman, the pictures of men, women, and children dying from starvation which shocked the world, and which so moved Mickey Leland and others to give their lives, are about to reappear.

So I want to thank the committee for increasing funds for refugee assistance. We have a moral obligation to provide this assistance—and we must find the means to do even more.

I urge my colleagues to give this reauthorization bill their full support.

Mr. PORTER. Mr. Chairman, this bill contains many provisions designed to promote peace and democracy and ease the suffering of people all over the globe. I would like to call attention to a piece of report language contained in this bill that serves both these ends, but might otherwise go unnoticed.

As information technologies become more and more advanced, we can receive instantaneous and gruesome accounts of repressive regimes across the globe.

But this information can and should go both ways.

As the communication field advances, we also have the opportunity, like never before, to provide up-to-date information to different sectors of the world.

Just as Radio Free Europe and Radio Liberty have provided indispensable information to the prodemocracy movements in Eastern Europe, surrogate broadcasting to Asia could affect the democracy movements in China and other countries with brutal, repressive governments.

Early this year I introduced legislation to create Radio Free China, a broadcast that

would provide uncensored news to the Chinese people.

Some may wonder why we need more broadcasting to China, since the Voice of America is already there 13 hours a day. Radio Free China would provide news specifically tailored to the needs of the Chinese and would work as a local radio station, representing the unofficial voice of freedom for the Chinese.

At the same time Representative HELEN BENTLEY introduced similar legislation calling for surrogate broadcasting to other countries in South Asia. Combined, our bills are a vital component in educating the people of Asia about the rise of democracy in their own countries as well as in other parts of the world.

This bill report recognizes the need for surrogate broadcasting to countries in Asia where many of the basic freedoms, including access to information, are being denied and encourages the President's Task Force on United States Government International Broadcasting to include broadcasting to China, North Korea, Vietnam, Cambodia, Burma, and other Asian countries in its study of international broadcasting.

Mr. Speaker, people all across the globe have the right to control their own destiny and part of that is having access to the truth. Radio Free China is an essential ingredient in this process and I commend Representative BERMAN and the ranking member of International Operations, Representative SNOWE as well as the full committee chair and ranking minority member for including this provision.

Mr. PORTER. Mr. Chairman, the migration and refugee assistance provisions of the State Department authorization bill, H.R. 1415, respond to the dramatic increase in the number of refugees in the world since last year. This situation has created an urgent challenge for the Congress and the American people. The current suffering of refugees from Iraq as a result of Saddam Hussein's persecution of his own people has underlined the plight of the world's 18 million refugees.

During the past year, the deprivations of war and domestic repression, sometimes compounded by natural calamities, have prompted massive flights of refugees and discouraged their return home. Greater than anticipated flows of refugees justify the \$109.4 million or 22.3 percent increase in the authorization for refugee assistance above the amount requested by the administration. Our humanitarian interests and world leadership role require the substantial U.S. response signified by this augmented authorization for migration and refugee assistance.

In addition to Iraqi refugees' needs, this bill anticipates an increase in humanitarian needs of Palestinians from Saudi Arabia and Kuwait along with new refugees from Afghanistan and the slower repatriation of earlier Afghan refugees. This increased authorization also would provide for slower than anticipated repatriation of Nicaraguan and El Salvadoran refugees, the heightened number and burden on first asylum countries of refugees from Liberia, Somalia, and Sudan and the continued plight of refugees from Cambodia and Burma. It would also authorize more funding for voluntary private agencies to transport, resettle, and absorb Soviet, other East European, and Ethiopian refugees within Israel's pre-1967 borders.

The road toward establishing a more democratic and humane world order is beset with obstacles and frustration which the United States must squarely face if its objective is to be achieved. The interest of the United States in upholding human rights around the world carries with it a corresponding humanitarian commitment to extend a helping hand to those refugees who have been the victims of human rights abuses. This authorization for migration and refugee assistance would demonstrate substantive as well as principled support for those people whose denial of human rights has forced them to become refugees.

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Mr. Speaker, people all across the globe have the right to control their own destiny and part of that is having access to the truth. Radio Free China is an essential ingredient in this process and I commend Representative BERMAN and the ranking member of International Operations, Representative SNOWE as

well as the full committee chair and ranking minority member for including this provision in the State Department authorization.

Mr. FEIGHAN. Mr. Chairman, I rise in support of this legislation and commend Mr. BERMAN for bringing it to the floor.

I also want to thank him for all the consideration he gave me in securing an increased authorization for the resettlement of Soviet and Ethiopian Jewish refugees in Israel, a program that has long been of concern to me.

This bill addresses a serious need by increasing refugee assistance both above last year's level and above the administration request. It authorizes \$600 billion in fiscal year 1992 and \$650 million in fiscal year 1993.

The need for this increased authorization is all too obvious. Worldwide the number of refugees has soared to almost 18 million from 16.7 million prior to the Mideast war.

Since April, more than 1.5 million Iraqi refugees, mostly Kurds, have fled Saddam Hussein's repression and have sought asylum in Iran, Turkey, and the United States-occupied areas of Iraq. Millions more—Kurds, Shiites, Assyrian Christian, Iraqi Jews—are likely to move toward the border areas as United States and other allied forces pull out, taking with them the umbrella of protection they provide for Iraq's minorities.

But the Mideast is not the only area where we see the need for increased refugee funding. Throughout the world—in Africa, Latin and Central America, and along the Thai-Cambodia border—conditions are dire.

This aid could mean the difference between life and death for hundreds of thousands, if not millions. America just cannot look away, and we will not.

This bill also provides \$75 million to help Israel absorb the hundreds of thousands of Soviet Jewish refugees who arrive in that country daily.

This year, even with the threat—and then the reality—of war, 225,000 refugees will arrive. Last year, 184,730 came to the Jewish state.

The present cost of transporting Soviet Jews to Israel is \$200 million a year. The refugee assistance funds in this bill will allay these costs. It also will assist Romanian and Iranian Jews, as well as the Ethiopians who are arriving daily in substantial numbers.

It is important to note that none of the funds in this bill will be used to settle refugees beyond Israel's 1967 borders. It is a long-established policy of the United States Appeal, which administers this program, that United States Government funds—as well as funds raised privately—only be spent within the so-called green line.

In short, I am pleased to support this legislation. Earlier there had been the fear that we would increase aid for one group of refugees by reducing aid for another.

Mr. BERMAN has made clear from day one that it was his intention that we increase the overall authorization so that we would not pit one group of needy people against another. He has succeeded in that goal and I congratulate him. The world will be a less harsh place thanks to his efforts.

The CHAIRMAN. Are there any further amendments to title III?

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

□ 1950

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HOYER) having assumed the chair, Mr. SWIFT, 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. 1415) to authorize appropriations for fiscal years 1992 and 1993 for the Department of State, and for other purposes, pursuant to House Resolution 147, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.  
The 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.

#### PERSONAL EXPLANATION

Mr. TORRES. Mr. Speaker, I was unavoidably absent on official business during rollcall vote No. 90 on Wednesday, May 15, 1991. Had I been present on the House floor I would have cast my vote as follows:

Rollcall No. 90: "Aye" on the Berman en bloc amendment to the State Department authorization bill, H.R. 1415.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 392

Mr. PORTER. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Texas [Mr. WILSON] be removed as a cosponsor of the bill, H.R. 392. His name was added in error.

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

There was no objection.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1415, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1415, the Clerk be authorized to make corrections in sec-

tion numbers, punctuation, and cross references, and to make such other technical and conforming changes as may be necessary to reflect the action of the House in amending the bill, H.R. 1415, the Foreign Relations Authorization Act, fiscal years 1992 and 1993.

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

There was no objection.

#### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1415, the bill just passed.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOYER). The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that during the joint meeting to hear an address by Her Majesty Elizabeth the Second, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

#### HEALTH CARE LIABILITY REFORM AND QUALITY OF CARE IMPROVEMENT ACT OF 1991—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Ways and Means, and ordered to be printed.

*To the Congress of the United States:*

I am pleased to submit for your consideration and enactment the "Health Care Liability Reform and Quality of Care Improvement Act of 1991."

This legislative proposal would assist in stemming the rising cost of health care caused by medical professional liability. During recent years, the costs

of defensive medical practice and of litigation related to health care disputes have skyrocketed. As a result, the access to quality care for significant portions of the population has been threatened.

The bill would encourage States to adopt within 3 years quality assurance measures, tort reforms, and alternative dispute resolution mechanisms. A pool of funds would be available to States and hospitals in those States that implement these reforms. The quality assurance measures require effective actions to improve quality and reduce the incidence of negligence. The tort reforms would include: (1) a reasonable cap on noneconomic damages; (2) the elimination of joint and several liability for those damages; (3) prohibiting double recoveries by plaintiffs; and (4) permitting health care providers to pay damages for future costs periodically rather than in a lump sum. Most of these provisions would be made specifically applicable to actions arising under the Federal Tort Claims Act.

I urge the prompt and favorable consideration of this proposal, which would complement initiatives the Administration will undertake concerned with malpractice and quality care.

GEORGE BUSH

THE WHITE HOUSE, May 15, 1991.

#### NATIONAL HUNTINGTON'S DISEASE 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 Senate joint resolution (S.J. Res. 127), to designate the month of May 1991, as "National Huntington's Disease Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Reserving the right to object, Mr. Speaker, I do so to acknowledge the effort of the gentleman from New York [Mr. WEISS], the chief sponsor of the bill, and I yield to the gentleman from New York.

Mr. WEISS. Mr. Speaker, I want to thank the gentleman from Ohio for bringing this resolution forward and the ranking minority member, the gentleman from Pennsylvania [Mr. RIDGE] for his support. I also wish to recognize the outstanding work of the National Huntington's Disease Society. Their tireless and diligent efforts to educate the Congress and the public about Huntington's disease merit commendation and praise. I am proud to be the lead sponsor of this resolution and enthusiastically believe that, in some small way, we are today addressing the immense suffering and anguish caused by Huntington's disease.

This terminal and degenerative brain disorder begins in barely perceptible

ways but progresses relentlessly for 10 to 25 years until the loss of nerve cells in the brain causes its victims to become entirely incapacitated and ultimately die.

Huntington's disease has already afflicted 25,000 Americans and an additional 125,000 individuals are considered at risk due to the disease's hereditary nature. Although there exist no available means of retarding, reversing, or curing this killer's effects, experts appear confident that they are on the verge of a breakthrough.

I firmly believe the designation of a National Huntington's Disease Awareness Month will generate the public awareness, interest, and momentum necessary to combat this devastating killer.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. (Mr. Geren of Texas.) 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. 127

Whereas 25,000 Americans are victims of Huntington's Disease, a fatal, hereditary, neurological disorder;

Whereas an additional 125,000 Americans have a 50 percent chance of inheriting the gene responsible for Huntington's Disease from an affected parent, and are considered to be "at-risk" for the disease;

Whereas tens of thousands of other Americans experience the destructive effects of the disease, including suffering from the social stigma associated with the disease, assuming the difficult role of caring for a loved victim of the disease, witnessing the prolonged, irreversible physical and mental deterioration of a loved one, and agonizing over the death of a loved one;

Whereas at present there is no cure for Huntington's Disease and no means available to retard or reverse the effects of the disease;

Whereas a victim of the later stages of Huntington's Disease invariably requires total personal care, the provision of which often results in devastating financial consequences for the victim and the victim's family;

Whereas recent advances in the field of molecular genetics have enabled scientists to locate approximately the genesite responsible for Huntington's Disease;

Whereas many of the novel techniques resulting from these advances have also been instrumental in locating the gene-sites responsible for familial Alzheimer's Disease, manic depression, kidney cancer and other disorders;

Whereas increased Federal funding of medical research could facilitate additional advances and result in the discovery of the cause and chemical processes of Huntington's Disease and the development of strategies to stop and reverse the progress of the disease;

Whereas Huntington's Disease typifies other late-onset, behavioral genetic disorders by presenting the victim and the victim's family with a broad range of biomedical, psychological, social, and economic problems; and

Whereas in the absence of a cure for Huntington's Disease, victims of the disease de-

serve to live with dignity and be regarded as full and respected family members and members of society; 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 1991, is designated as "National Huntington's Disease Awareness Month", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such month 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 DESERT STORM RESERVISTS 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 Senate joint resolution (S.J. Res. 134) designating May 22, 1991, as "National Desert Storm Reservists Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. (Mr. Geren of Texas.) 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 Texas [Mr. LAUGHLIN], the chief sponsor of the joint resolution.

Mr. LAUGHLIN. I want to thank the gentleman from Ohio [Mr. SAWYER] and the gentleman from Pennsylvania [Mr. RIDGE] for allowing me to bring this joint resolution forward today.

Mr. Speaker, it is with a great sense of pride that I stand before this body today as we pay tribute to the men and women of our Reserve forces called to active duty for Operations Desert Shield and Desert Storm.

When the President called up these forces to help with our military effort in the Middle East, it was the first such activation of Reserves in over two decades. By February 28, the day combat operations in Desert Storm ceased, more than 200,000 reservists had been called to active duty, with more than 100,000 having served in the Kuwait theater of operations.

Despite the sacrifices which had to be made and the hardships which had to be overcome, these men and women honorably upheld our Nation's fine tradition of the citizen soldier through exemplary service in the Middle East. As a member of the Army Reserves, I had the honor of serving in the Middle East, earlier this year, and witnessed first hand the excellent performance of our Reserve component forces during Operations Desert Shield and Desert Storm.

Support for the Reserve component forces, as well as active duty personnel,

who served in the Persian Gulf has been overwhelming. The fact that National Desert Storm Reservists Day received the prescribed number of co-sponsors in just a few legislative days is testament to the fact that the men and women of our Armed Forces have the enthusiastic support of Congress.

Mr. Speaker, it gives me great pride to know that hundreds of thousands of American citizens are willing and able to serve this great nation on a moment's notice. These are men and women who normally work by our sides but who are willing to make sacrifices when their country needs them. We salute those individuals today.

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

Mr. RIDGE. Certainly, I yield to the gentleman from Mississippi.

□ 2000

Mr. MONTGOMERY. Mr. Speaker, I certainly rise in support of this joint resolution and thank the gentleman for pointing out to our colleagues what a splendid job the National Guard and Reserves did in the Persian Gulf war. It proved that the total force concept does work where you take reservists and move them out right with the active forces, and that they can do the job.

Certainly this joint resolution is timely, and I commend the gentleman.

Mr. RIDGE. Mr. Speaker, continuing my reservation, I yield to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. I thank my friend from Pennsylvania for yielding.

Mr. Speaker, I would like to take this special opportunity to thank the gentleman from Texas [Mr. LAUGHLIN] for his foresight in introducing this measure and his energy in pursuing it as he has, and to point out that but for a quirk of scheduling in fact this would have been a House joint resolution that was before us today. Mr. LAUGHLIN's effort has been exemplary; it points out the real importance of being able to recognize this kind of contribution to our Nation in a timely way. I take this opportunity to thank him.

Mr. RIDGE. Mr. Speaker, continuing under my reservation, I would just like to commend the gentleman for his work, and thank my friend and colleague, the chairman of the Committee on Veterans' Affairs, the gentleman from Mississippi [Mr. MONTGOMERY] for his words. It is pretty clear that the integrated force structure envisioned in the early 1970's can work. It has proven its effectiveness in Operation Desert Shield and Operation Desert Storm. This joint resolution will just be a gentle but appropriate reminder of the enormous sacrifice that our citizen-soldiers make.

Let us face it, Mr. Speaker, many of these men and women left their families, their jobs and their community at not only personal sacrifice and enor-

mous risk to themselves but also great economic sacrifice.

Quite a few of these people will never be made whole economically because of their commitment to wear the uniform of this country to defend and protect its interests.

So I congratulate the gentleman on his initiative; I thank him not only on behalf of the reservists from my congressional district but all of those around the United States of America.

Mr. GILMAN. Mr. Speaker, I rise to lend my support to House Joint Resolution 231, designating May 22, 1991, as "National Desert Storm Reservists Day." I would also like to take this opportunity to commend the gentleman from Texas [Mr. LAUGHLIN] for introducing this measure.

The 228,000 brave men and women of our Armed Forces Reserve and National Guard personnel were involved in the armed conflict to liberate Kuwait. During that tense time we were all glued to our TV sets intently observing the fast moving events in the gulf. What has been most impressive to all of us is the courageous manner and excellent competence of our brave men and women of our Reserves and National Guard fulfilling their responsibilities in our Armed Forces. Clearly, our personnel are the cream of the crop. Our men and women represent the best trained force that our Nation has seen. Our hearts swell with pride when we see how impeccable and effective their performance has been.

As we support this resolution, our thoughts and prayers have been and will continue to be with our brave men and women of our Armed Forces serving our Nation in the Persian Gulf, dedicated to bringing freedom to the people of Kuwait. We hope that they will all be home soon.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. GEREN of Texas). 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. 134

Whereas Operation Desert Shield/Desert Storm was the first Presidential call-up of members of the reserve components of the United States Armed Forces in over two decades;

Whereas the Secretary of Defense authorized the call to active duty of 360,000 members of the Ready Reserve;

Whereas in excess of 223,000 of the members of the Ready Reserve were actually ordered to active duty and 106,000 served in the Kuwait Theater of Operations of Desert Shield/Desert Storm;

Whereas tens of thousands of additional members of the Ready Reserve have volunteered or have been called to active duty to serve at bases in the United States and other parts of the world;

Whereas on January 16, 1991, the date Operation Desert Storm commenced, over 188,000 personnel and 375,000 short tons of equipment had been airlifted by the Air Force Reserve to Saudi Arabia;

Whereas members of the Army Reserve promptly addressed urgent water-purification, supply distribution, and other support needs;

Whereas members of the Navy Reserve supported air operations with C-9 aircraft and performed important medical, logistics support, intelligence and cargo handling missions;

Whereas members of the Coast Guard Reserve provided port security and supervised and controlled the loading of explosives and other hazardous materials;

Whereas members of the Air National Guard in conjunction with the Air Force Reserve flew 42 percent of the strategic airlift missions and 33 percent of the aerial refueling missions;

Whereas members of the Army National Guard made important contributions by providing military police and movement control assistance;

Whereas on January 13, 1991, a total of 146,106 Selected Reservists had been called to active duty;

Whereas on February 28, 1991, the date combat operations in Operation Desert Storm ceased, a total of 222,614 members of the Ready Reserve had been called to active duty, including 202,337 Selected Reservists and 20,277 members of the Individual Ready Reserve; and

Whereas members of the reserve components of the United States Armed Forces performed in an exemplary fashion during Operation Desert Shield/Desert Storm: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 22, 1991, the Wednesday of "Armed Forces Week", is designated as "National Desert Storm Reservists Day" to commemorate the accomplishments of the men and women of the reserve components of the United States Armed Forces who proudly served the United States during Operation Desert Storm, and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day 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.

#### 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 and include extraneous matters on Senate Joint Resolution 127 and Senate Joint Resolution 134, the Senate joint resolutions just passed.

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

There was no objection.

#### INTRODUCTION OF MIDDLE CLASS TAX RELIEF ACT OF 1991

(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's working middle class is crying out for our help. Two-income families working fulltime are struggling to make ends meet. And while the

wealthiest Americans have paid lower and lower taxes over the last decade, most other Americans have faced a rising tax burden. It is time to tell these hard-working Americans, "We hear you."

Today, I would like to offer my first major piece of legislation, a bill that reaches out to middle-income people with real tax relief. A bill that eases the increasing financial pressures on hard-working families and individuals, including the working poor. This bill will help restore the spending power of average Americans and get this country moving again.

In the coming days, I will introduce the Middle Class Tax Relief Act of 1991. The bill will increase the personal exemption for taxpayers in the 15 and 28 percent brackets. For a family of four earning \$30,000, that will mean a one-third reduction in Federal income taxes.

The bill will also restore IRA's for the middle class.

This bill will be totally paid for through a combination of new top marginal tax rates for individuals and corporations, and a millionaire's surcharge.

Mr. Speaker, I look forward to a full and meaningful debate on these issues.

**THE MIDDLE CLASS TAX RELIEF ACT OF 1991—  
BACKGROUND AND EXPLANATION**

**INTRODUCTION**

The Middle Class Tax Relief Act of 1991 will give real tax breaks to the financially squeezed middle class. Under the current federal income tax laws, Americans with the highest income levels have found their taxes shrinking, while middle income Americans have found themselves bearing an ever increasing share of the tax burden. We must bring our federal tax structure into line with the economic realities that the vast majority of Americans face every day.

The Middle Class Tax Relief Act of 1991 is a response to the plight of middle class taxpayers, who are increasingly unable to meet the expenses of everyday life—the spiraling costs of necessities like health care, education, and housing. By restructuring our current tax rates, the bill will create a more progressive, equitable tax distribution, and will give real, immediate relief to the hard-working middle income Americans who need help making ends meet.

Furthermore, this bill is intended to comply with the "pay-as-you-go" requirements of last year's budget agreement and to be completely revenue-neutral. I am working with the Joint Committee on Taxation to ensure this result.

By putting more dollars in the pockets of middle class Americans, the Middle Class Tax Relief Act of 1991 should help revitalize the economy by increasing the consumer spending power of the majority of Americans.

**BACKGROUND**

**A. National Statistics: the middle class is hit hard by taxes, expenses**

The top 1% of taxpayers are paying 15% less in taxes than they did in 1977, while everyone else is paying more (McIntyre, 1990). In fact, between 1977 and 1991, the top 1% of taxpayers saw their pre-tax income grow by 113% and their post-tax income skyrocket by

134% (Committee on Ways and Means 1991 Green Book). However, real income for middle income families declined by 6% between 1977 and 1990. For moderate income families, the drop was 9% (McIntyre, 1990).

In 1948, the personal exemption was equivalent to about 42.1% of per capita income. In 1990, the percentage was only 11.1 percent (Urban Institute). Additionally, in 1948, a family of four earning the median income (about \$43,000) paid only .3% of its income in federal taxes and 1.5% of its earnings in social security taxes. By 1990, that median family of four paid about 9% of its income in federal taxes and 7.65% of its earnings in social security taxes (Committee on Ways and Means, 1990).

In 1990, federal, state, local and social security taxes accounted for 25% of median family income compared with 23% in 1970 and 14% in 1960 (Progressive Policy Institute, 1990).

At the same time that the middle class' earning power declined, the costs of such essential items as health care, college, and housing have soared. From the late 1970's to the late 1980's, the cost of college has increased by over 100%, significantly outpacing the rate of inflation (U.S. Department of Education, 1990). Since 1970, housing costs have gone up on average, 300%, from \$23,000 to \$95,500 for the average house, producing the first decade of declining home ownership since the 1930's (National Association of Realtors). Since 1980, the cost of health care has more than doubled, and by the year 2000, it is expected to more than double again (Families USA, 1990).

**B. Connecticut's working middle class is hit even harder**

Connecticut's middle class has been hit even harder than the average American by taxes and the economy. According to an April 1991 report by Citizens for Tax Justice, Connecticut has the dubious distinction of being among 6 states that increased taxes on the middle class (families with an average income of \$47,500 in Connecticut) and cut taxes on the rich (families with an average income exceeding \$1 million) between 1985 and 1991. During that 6 year period, middle income families paid an additional 13% in taxes compared to a tax break of 12% for the wealthiest taxpayers.

During that 6 year period, Connecticut led all other states in increasing taxes on poor families while decreasing taxes on the rich. Connecticut hit families earning an average of \$17,600 with an 18% tax increase between 1985 and 1991.

And, Connecticut residents are bearing the brunt of an economy in trouble. New England is in the midst of a recession and has led the country in job losses. In the past 2 years, New England has lost 254,000 jobs (New England Council). This accounts for 20% of all jobs lost in the United States, although New England only accounts for 5% of the population (New England Council). Furthermore, business failures increased by 193% in New England in 1990, compared to 14.5% nationwide (Dun & Bradstreet).

And, while Connecticut is the wealthiest state in the nation, its residents face tremendous expenses. On average, a family of 4 in Connecticut earns 25% more than the national average income (Census). However, as housing costs increased by an average of 300% nationally from 1970 to 1990, people living in Connecticut faced an average increase of 600% during that same period. According to the Census, the average house in Connecticut cost \$25,500 in 1970 and \$177,800 in 1990.

**The Middle Class Tax Relief Act of 1991**

The Middle Class Tax Relief Act of 1991 is a response to the increasing financial pressures on working middle income Americans. It eases the tax burden for the middle class so they can better make ends meet, and does so by making the tax rates more progressive. The following is an explanation of the legislation:

**A. Tax benefits**

The Middle Class Tax Relief Act of 1991 significantly decreases taxes for single taxpayers and those with families. The bill decreases taxes for about 130 million taxpayers. By increasing the personal exemption, the bill removes millions of current taxpayers from the federal income tax rolls, thus helping the working poor. In fact, a family of 4 earning about \$20,000 will not pay federal income taxes in 1992 under the bill.

So as to comply with the "pay-as-you-go" terms of the Omnibus Budget Reconciliation Act of 1990, the bill is revenue neutral and pays for itself. In order to extend the benefits to the vast majority of taxpayers, the bill increases the taxes of about 6 million taxpayers and increases the corporate tax by only 1%.

**1. Increases the personal exemption**

The bill increases the personal exemption by 50% for taxpayers in the 15% bracket. For 1992, that means that taxpayers filing jointly whose adjusted gross income (AGI)<sup>1</sup> is less than \$46,753, heads of households with AGI below \$37,532 and single filers with AGI below \$28,012, will get an increase in their personal exemption of \$1,150, from \$2,300 to \$3,450.

A family of 4 earning \$20,000 would drop off of the federal income tax rolls.

A family of 4 earning \$30,000 would have their taxes reduced by 31 percent or \$690.

The bill increases the personal exemption by an average of 25 percent for taxpayers in the 28 percent bracket. (The increase in the exemption is gradually phased out for taxpayers in this income range so that taxpayers at the lower end of the 28 percent bracket will receive a larger increase in the exemption than taxpayers at the higher end.) For 1992, that means that taxpayers filing jointly with AGI between \$46,753 and \$112,987, heads of households with AGI between \$37,532 and \$96,983, and single filers with AGI between \$28,012 and \$67,867, will get an average increase in their personal exemption of \$575, from \$2,300 to \$2,875.

A family of 4 earning \$60,000 would have their taxes reduced by about 15 percent or \$961.

The increases in the personal exemption will be indexed for inflation.

**2. Restores the IRA for the middle class**

The bill extends eligibility for use of a tax-deferred individual retirement account (IRA) to taxpayers in the 15 percent and 28 percent brackets. For 1992, that means that taxpayers filing singly with AGI below \$67,867, heads of households with AGI below \$96,983 and joint filers with AGI below \$112,987 will be eligible to participate fully in a tax-deferred IRA.

The bill permits these taxpayers to withdraw funds maintained in the IRA for at least 3 years penalty free for 3 specific purposes: to pay for (1) a first home, (2) higher education, or (3) a catastrophic illness. The bill also permits individuals who have experienced long term unemployment—beyond 26

<sup>1</sup>This assumes that taxable income is 77% of adjusted gross income. While this percentage varies depending on tax bracket and even within the bracket, this is an estimate as to the average.

weeks—to withdraw funds from their IRA without penalty. The taxpayer will be taxed on the IRA funds at the time of their withdrawal.

The 1986 Tax Act limited eligibility for participation in a tax deferred IRA to single filer taxpayers with AGI below \$25,000 and joint filers with AGI below \$40,000. (Contributions are partially tax-deferred up to an AGI of \$35,000 and \$50,000 for joint filers.) Taxpayers with AGI exceeding these levels can deposit up to \$2,000 annually in pre-tax dollars only if they (or their spouses) are not eligible to participate in an employer sponsored retirement plan.

Under current law, individuals who withdraw funds from an IRA prior to age 59½ are subject to a penalty of 10% of the funds withdrawn, and are taxed at the time of withdrawal.

#### B. Revenue Raisers

It is estimated that tax relief for the middle class under the bill will cost about \$36 billion. In order to fund these benefits, the Middle Class Tax Relief Act of 1991 increases taxes on the wealthiest taxpayers—those taxpayers in the top 10% of the national income distribution. The proposed tax increases are expected to raise about \$36 billion which will be adopted to ensure that the legislation is revenue neutral.

##### 1. Increases the top marginal rate

The bill establishes a new top tax bracket of 35% for joint filers earning about \$130,000 (taxable income: \$100,000); about \$110,000 for heads of households (taxable income: \$85,000); and about \$90,000 for single filers (taxable income: \$70,000).

Under current law there are three marginal rates: 15%, 28% and 31%. This will establish four rates: 15%, 28%, 31% and 35%.

The establishment of the 35% bracket will generate about \$11.5 to \$12 billion annually in revenue.

##### 2. 15% Surtax on the wealthiest taxpayers

The bill imposes a 15% surtax on taxpayers earning about \$300,000 or more. The 15% surtax will be levied on taxable income about \$225,000. This will affect less than 5% of taxpayers.

A family of 4 earning \$300,000 would be subject to the new 35% tax bracket and the 15% surcharge. This family would pay an increase of about \$6,400 in taxes or 9.5%.

This will generate about \$15 billion annually in revenue.

##### 3. Increase the top corporate tax rate to correspond to the top individual tax rate

The bill would increase the top corporate rate from 34% to 35%. As established by the 1986 Tax Act, the corporate tax marginal rates are 15%, 25% and 34%. Under current law, the top corporate tax rate is 3% higher than the top individual rate. The rates under the Middle Class Tax Relief Act of 1991 are 15%, 25% and 35%, thus equalizing the top marginal rates for corporations and individuals.

This will raise approximately \$3 billion annually.

##### 4. Increases the alternative minimum tax rates by 3%

The bill increases the alternative minimum tax rate from 24% to 27%. This tax rate is used by only about 2 million, mostly wealthy taxpayers, who have many deductions and exclusions to declare.

The figures cited above with respect to the revenue consequences of the bill are based on best estimates. The proposal will be submitted to the Joint Committee on Taxation for a formal estimate. Some aspects of the pro-

posal may change to ensure that the bill will be revenue neutral.

#### AWKWARD REMARKS MADE BY OUR 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, in the past few days the President has made some awkward remarks. At the University of Michigan he criticized civil rights laws for "generating animosity." He attempted to insert racism into the free-trade debate.

He has falsely charged H.R. 1 as a quota bill and allowed his staff to sabotage efforts to reach an agreement.

Today the all-male Skull & Bones votes on admitting women. Skull & Bones' most famous alumnus, President George Bush, Yale class of 1948, is silent. Skull & Bones has a quota for women: Zero.

May we hear from you, Mr. President?

#### ANOTHER VOTE ON GIRLS IN AN OLD-BOY WORLD

(By Nancy Marx Better)

Last month, a furor erupted at Yale University when the 15 seniors in the all-male Skull and Bones broke with a century and a half of tradition by "tapping," or selecting, seven women for the secret society's next "delegation." Stunned, the alumni board of directors padlocked the club's windowless crypt and declared the election void. No matter, the students countered; their hallowed rites would continue in exile until a compromise could be reached.

This has caused such consternation that the club's board is expected to meet this Wednesday to determine the future of what is perhaps the nation's most powerful secret society. Will women be accepted? That's up in the air," said Sidney Lovett, spokesman for the group's parent, the Russell Trust Association, named after the club's founder.

Whatever the outcome, the brouhaha renews an old debate on the value that secret societies and other clubs have for members. Why, after all, are alums so anxious to preserve the Skull and Bones macho mystique? Is it truly the ultimate old-boy network?

"What gave Bones new life in the 80's was the pre-professional, networking aspect of the club," said Bill Essig '92, editor in chief of *The Yale Daily News* and not a member. "Some people thought it would help them get jobs on Wall Street."

Perhaps no secret society has a roster superior to that of Skull and Bones. Interested in leveraged buyouts? Call Stephen Schwarzman '69, president of the Blackstone Group, or Peter Luck '60, chief operating officer of Forstmann-Leff. Commercial banking? Try Dan Davison '49, former chairman of U.S. Trust, or Lewis Lapham '31, former president of Bankers Trust. Corporate finance? Call Vince Van Dine '54, Morgan Stanley's advisory director, or William H. Wright Jr. '82, an associate at Morgan.

Interested, instead, in the corporate life? Call Vernon Loucks '57, chief executive of Baxter Travenol, the big pharmaceutical company. Or Edmund Thornton '54, recently retired chief executive of the United States Silica Company, a mining and proc-

essing corporation in Ottawa, Ill. Or Muhammad Ahmed Saleh '68, head of the alumni board, who is a vice president of the Times Corporation, the big Connecticut watchmaker.

Today's most famous Bonesman is, of course, George Bush '48. Then there are Senators John Kerry, David Boren and John Chafee. Yet others: William F. Buckley Jr., McGeorge Bundy and William Cloane Coffin.

Although President Bush has declined to comment on the issue of a coed Bones, the three Senators have expressed their support for it. But politicians aside, only a few Bonesmen would talk on the record about the club because Bonesmen aren't even supposed to admit they're Bonesmen. If the secret society is mentioned by name, they are expected to immediately leave the room.

"The importance of any old-boy network is usually overblown, and this is no different," said Charles Buck '69, first vice president for administration at Coldwell Banker in Laguna Hills, Calif. "It's always difficult for people to assess an institution they don't have access to. There tends to be a lot of rumor about this sort of thing, and most of it's usually wrong."

Said Richard Moser '63, president of R. & D. Funding, a high-technology venture capital firm in Santa Clara, Calif.: "I suppose it's no better or worse an entrée than membership in the glee club. There's nothing automatically beneficial about it in the professional world."

"Of course," he added, "If you're hustling for opportunity, those contacts might be worth something. In my time, it was a real privilege."

But during the 1980's—when antidiscrimination suits broke down racial, ethnic and sexual barriers at most exclusive clubs—the secret society flourished. In a recent letter to alumni, the 1991 delegation declared: "Being a part of Bones is an embarrassment, a source of ridicule."

Perhaps. Yet membership seems to have its benefits. There is an annual gathering at Deer Island, a resort on the St. Lawrence River owned by the Russell Trust. After it, new initiates reportedly receive a club pin—a skull and crossbones in 18-karat gold, made by Tiffany and Company—and a tax-free bonus of \$15,000. If one of greatest myths surrounding membership is true, Bonesmen are guaranteed financial security for life—if only to keep down-and-out alums from selling the society's secrets. Members routinely deny this, along with claims that the club is Connecticut's largest landholder.

Naturally, sharing secrets fosters a certain closeness. And so it's no surprise that Skull and Bones has spawned several successful business partnerships. The most renowned may be that of William Donaldson and Dan Lufkin, members of "D-121" (delegations are named for the number of years between when they joined and 1832, the club's inception). Six years after graduation, the two men joined up with a chum from Harvard Business School, Dick Jenrette, and lent their names to an upstart brokerage firm.

As one Bonesman said: "Members are supposed to be selected on the basis of being the best and brightest, so there's a natural affinity to do business together. There's a certain trust, a certain comfort level, they develop in the club."

That, of course, may be one reason women want into the club. "When you're on campus, being in Skull and Bones isn't that big a deal," said Jodi Wilgoren '92, managing editor of *The Yale Daily News* and not a member. "But when you get out, suddenly you're

part of one of the most exclusive secret societies in the world and the President of the U.S. is a member of it, too."

#### THE UNITED STATES/MEXICO FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. CAMPBELL] is recognized for 5 minutes.

Mr. CAMPBELL of California. Mr. Speaker, I rise today to address the question of the free trade agreement between the United States and Mexico. It is of great importance to all Americans, particularly those in California.

I rise in support of this free trade agreement for several reasons. Perhaps the most important is what it will do for our bilateral relationship between the United States and Mexico, what it will do to improve the United States economy and what it will do to improve the Mexican economy.

Why is it important to the United States to improve the Mexican economy? Well, it is our second largest trading partner after the European Community and Canada. So in any single country it is our second one right after Canada.

But equally important, it does something to improve the economics between our two countries by assisting the United States by creating a new export opportunity and improving the conditions in Mexico, which will be such an important step for us, given the problems we have with illegal immigration.

Let me put it very directly: We will never be able to build a wall high enough to keep out illegal immigration. But if we take the steps to improve the condition of the economy in Mexico, we will have far less illegal immigration. Now, I know that in the course of the free trade agreement there will be winners and losers. I think it is only honest to recognize that. What is important is to recognize as well that there are certain laws of economics that cannot be repealed, the law of comparative advantage being one, and that sooner or later there will be a movement where the more-capital-intensive goods are made in the United States and the more-labor-intensive goods are made in countries where labor is less expensive. I think it is only honest to recognize that.

But as that flow happens, what you will see is an improvement in both the United States and in Mexico.

Let me point out a couple of important statistics. Presently, Mexico's tariffs against goods from the United States are 10 percent whereas American tariffs against goods from Mexico are only 4 percent. If we go to this free trade agreement, therefore, what we will be doing is opening up a very large market, presently 85 million people, to the United States exports in Mexico.

We actually gain more because the tariff comes down a greater distance in terms just of the size of the tariff.

Second, there are particular areas where we have a tremendous opportunity where really the Mexican manufacturing is not likely to be competitive with the United States. One good instance is computers. Presently, Mexico imposes a 20-percent duty on imported computers. That would evaporate. With that, a tremendous market for computers that could be sold by the United States into the Mexican market.

Third, Mexico maintains a restrictive import licensing system which affects over 40 percent of the United States agriculture. Now, agriculture is a critically important sector of the U.S. economy and of the Californian economy. But imagine the opportunities opened by eliminating the import licensing regime which has so crippled our ability to sell into the Mexican market.

Last, there are significant foreign investment restrictions. I believe in free trade, and I believe the way to get to free trade is through a regime of reciprocity, a regime of toughness, but where Mexico is willing to give up their restrictions on investments in Mexico; what an opportunity for America. Presently, there are 141 different fields where investments in Mexico are restricted for Americans. These would open up. In petroleum, petrochemicals, in mining, in transportation, transportation equipment, auto parts, and most of the financial sectors.

My fundamental point, though, is this: A free trade agreement will help the United States. It should mean more jobs. It will also help Mexico. I do not apologize for that.

A better economy in Mexico means a stronger commitment and a stronger financial base to fight drug trafficking.

A stronger economy in Mexico means a stronger financial base to fight pollution. Environmentalism is always better in economies that are stronger. A free-trade agreement means a stronger United States and a stronger Mexico.

The United States benefits from trade with Mexico already. But we could benefit a great deal more.

Mr. Speaker, in the next few weeks, we in the House will be considering whether we should extend fast-track authority in order to allow our Special Trade Representative, Ambassador Carla Hills, to pursue this agreement with Mexico.

I have the highest regard for Ambassador Hills. She will not sell American interests short. If we achieve a free trade agreement with Mexico, it is good for the United States, it is good for Mexico, and it is good for a regime of free trade which eventually will spread through reciprocal arrangements throughout the world.

If we miss this opportunity, we will send a signal to our most important

neighbor in terms of bilateral relations that we do not consider them important enough to have the same kind of free trade arrangement that we have with Canada. Mr. Speaker, that is a signal that we must not send.

In conclusion, to deny fast-track would be to deny our ability to negotiate the removal of Mexico's barriers and would be a continuation of a signal that we are not interested in opening up, a dangerous thing, I believe, for the United States.

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#### FOREIGN SOVEREIGN IMMUNITIES ACT AMENDMENT

The SPEAKER pro tempore (Mr. GEREN of Texas). Under a previous order of the House, the gentleman from Florida [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Florida. Mr. Speaker, today I am reintroducing legislation to amend the Foreign Sovereign Immunities Act of 1976 [FSIA] (28 U.S.C. 1602 et seq.).

My bill would ensure that Federal courts will not be able to dismiss solely on the grounds of sovereign immunity a suit brought; (a) for tortious acts committed against an American outside the United States; (b) and caused by employees or agents of a foreign country or an operation substantially controlled by a foreign country; and (c) because of employment contracts made in the United States by the foreign country or its agent.

Consider the following scenario: Country X seeks American employees. X either hires an American firm or establishes an American company for the purpose of recruitment. An American signs on and goes to X where the American is the victim of tortious conduct by X's officials or X's employees.

Under the generally accepted current interpretation of the FSIA, the American citizen cannot sue X, the ultimate tortfeasor, in the United States.

Unfortunately, this scenario occurs quite often. One of my constituents was tortured while employed by a foreign government and thus far has been unable to obtain relief for his injuries. The legal system of the country in which the tortious acts occurred offered no equity. Consequently, my constituent brought suit in U.S. Federal court and sought relief. The district court decided that recruitment activities within the United States was not sufficient to establish substantial contact for purposes of the suit. Consequently, the court held that it lacked jurisdiction and dismissed the suit. The appeals court has remanded, but the foreign government again may appeal. It, therefore, is incumbent upon Congress to establish the parameters for a suit.

This legislation will end the imbalance within a judicial system that insulates tortious acts by foreign governments. The bill ensures jurisdiction within the Federal courts in cases alleging tortious conduct by a foreign country, its officials or employees, against an American recruited in the United States to work in that foreign country. The underlying tort law is not affected by my proposal—only the issue of jurisdiction is ensured.

I firmly believe that American citizens hired by a foreign state to work within the State's borders and injured by officials of the state or its entities should be allowed to sue a foreign government in this country, particularly since that country has been allowed to recruit employees within the United States. The foreign government should not be permitted to dismiss the case solely on the basis of sovereign immunity.

Injured Americans deserve their day in an American court embracing our judicial framework and laws. Let the facts decide the case. If a foreign state avails itself of the benefits of doing business here, whether directly or indirectly, that government should be prepared to put itself before the fairest legal system in the world.

#### JOLTIN' JOE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. RUSSO] is recognized for 60 minutes.

Mr. RUSSO. Mr. Speaker, Ted Williams once said "In order to do the toughest thing there is to do in sports—hit a baseball properly—a man has got to devote every ounce of his concentration to it." Fifty years ago today one of the most remarkable events in sporting history began. The New York Yankees were neither healthy nor happy, and Joe DiMaggio, in his sixth year with the Yankees, was in a rut. On May 15, 1941, however, Joe DiMaggio began a 56-game hitting streak that was to break all previous records and start the Yankees down the road to a World Series title.

During the summer of 1941, Americans were quite cognizant of the names, Hitler and Mussolini. Hitler's paratroopers were attacking Crete, and Britain's Westminster Abbey and the Houses of Parliament were being bombed. The largest military campaign in history was launched with the German invasion of Russia, and a secret project in England reported that the Allies could produce an atomic bomb before the Germans. At the tail end of the Depression and on the verge of World War II, America was in need of a hero—they didn't have to look far.

Self-described as shy, sensitive, and restless, Joe DiMaggio was given many nicknames—the Yankee Clipper, Joe D, Joltin' Joe, the Jolter, the Big Guy, or as Ernest Hemingway wrote of him in the "Old Man and the Sea," the Great DiMaggio. The son of immigrants, Joe DiMaggio symbolized the best of America—hard work, discipline, and determination.

The eighth of nine children, Joe DiMaggio was born in Martinez, CA in 1914 and raised in a San Francisco flat, where he was a newspaper boy. While Joe was the last of the DiMaggio brothers to become interested in baseball, at 14 he received his first paycheck for playing with the Boys Club League, an \$8 merchandise order. In school base-

ball games, Joe could always be spotted on the field, the only one without the uniform, an expense his family could not afford. At the age of 17, Joe began playing for the San Francisco Seals.

In 1934 his baseball career seemed in doubt due to a knee injury. The New York Yankees took a chance, however, and signed him for \$25,000 and five players. With his first baseball earnings, Joe bought his parents a \$25,000 home in the Marina district of San Francisco.

In his first season with the Yankees, DiMaggio's injuries kept him out of the early games. As soon as he entered the line-up, however, his brilliance was realized and he became the most publicized rookie in 25 years. Batting .323, fielding .978, and making the most assists of any outfielder, DiMaggio impressed everyone with his grace and effortless dead-pan execution. That first year foreshadowed what was to follow during his career with the Yankees, and especially during the summer of 1941.

Before Joe DiMaggio joined the Yankees, they had been the runner-up for the league pennant for several years; but after he joined the team, they were in the World Series every prewar year except 1940, and won every year with the exception of 1942.

Among the Yankees, he was known as a loner, usually soft spoken, never speaking ill of other players, and he kept out of locker room antics. His cool elegance concealed a passion to excel at every aspect of the game. That steely will and intense determination were the essence of Joe DiMaggio's success during the summer of 1941.

On the morning of May 15, 1941, Joe was in the midst of a 3 week slump. But that afternoon, he hit a solid single to center off White Sox lefty Eddie Smith and drove in Phil Rizutto. The RBI was the Yankees only run in a 13-1 game and it was DiMaggio's only hit as his average dropped to .304.

Joe knew and often said that a hitter has to be lucky to sustain a streak of any length. That one hit, however, was enough to bring him out of his slump and before anybody knew it, he had hit safely in 14 straight games. Fans followed Joe's rising batting average, but not his daily contributions to it. He was thought to be in a contest with Ted Williams' batting average which was over .400, but not with the achievements of record holders from previous centuries.

As Joe's streak stretched out, Ted Williams also had a hitting streak of 23 games. On June 8, both the Yankees and the Red Sox played doubleheaders. While Williams had four walks, DiMaggio homered twice and drove four runs in the first game, then doubled and knocked in three runs in the second. Although Joe never caught up to Williams' batting average,

DiMaggio's streak stretched on to 24 while Williams' hitting streak was broken.

As the streak stretched into the twenties, reporters started digging into the record books, as statistics and baseball go hand in hand. The previous hitting streak record for a Yankee had been 29. The last time a hitting streak had generated such intense interest was in 1922 when George Sisler broke Ty Cobb's American League record, but stopped just short of Willie Keeler's 44 game record set in 1897. Joe DiMaggio surpassed both of these. The only record he fell short of was that for all professional baseball. That record was set in 1933 by an 18 year old player for the San Francisco Seals: named Joe DiMaggio.

While Joe's streak started out on the sports pages, it soon turned into an American phenomena and moved to the top of the news. Regular programming broadcasts were often interrupted to bring bulletins about the Yankee Clipper's progress. All of America was excited by the streak, and its progress became part of pop culture. Bill "Bojangles" Robinson tap-danced on top of the Yankees' dugout while he sprinkled what he called goofer dust to enhance Joe's luck. Les Brown's orchestra hurried a phonograph record onto the market entitled "Joltin' Joe DiMaggio."

Written by Ben Homer and Alan Courtney, the words of "Joltin' Joe DiMaggio" express how important this streak was to an America that wanted something good to believe in.

He started baseball's famous streak

That's got us all aglow,

He's just a man and not a freak;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

He tied the mark at forty-four,

July the first you know,

Since then he's hit a good twelve more;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

From coast to coast that's all you hear

Of Joe the one man show,

He's glorified the horsehide sphere;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

He'll live in baseball's hall of fame,

He got there blow by blow,

Our kids will tell their kids his name;

Joltin' Joe DiMaggio.

We dream of Joey with the light brown bat.

Joe Joe DiMaggio,

We want you on our side.

And now they speak in whispers low,

Of how they stopped our Joe,

One night in Cleveland, oh-oh-oh;

Goodbye streak DiMaggio,

Joe Joe DiMaggio

We want you on our side.

Throughout Joe's pursuit of the next record, players on the opposing teams were keyed up when he batted, none wanting to contribute to extending the string. Joe DiMaggio's streak lifted the

quality of play, of press coverage, and of umpiring, as scorers and other baseball officials around the league became especially attentive each time he stepped up to the plate.

This interest was not lost on two of the Boston Red Sox players. The scoreboard operator at Fenway Park was well aware of Joe's hitting streak in 1941. Each time he would get a hit to lengthen his streak, the scoreboard operator would yell through an opening in the board to left fielder Ted Williams, "Hey, Ted, Joe just got a double." Williams would then turn to center field and shout to Dom DiMaggio, Joe's little brother, "Hey, Dommie, Joe just got a double."

Baseball players are notorious for their superstitions and their belief in luck, and Joe DiMaggio was no exception. On his way out to center field, he always touched 2d base for good luck. As a young player for the Seals, he had a small bandage on his hand to protect a bruise when he began his 61 game hitting streak. He had his trainer bandage his hand the same exact way throughout the entire streak.

In 1941, Joe DiMaggio was no less superstitious and the day he claimed the American League record from George Sisler, an overeager souvenir hunter reached into the dugout and pulled out a bat, grabbing Joe DiMaggio's favorite bat.

Teammate Tommy Henrich came to the rescue when he produced a bat that Joe had lent him earlier in the season. Although Joe was upset, he borrowed the bat and later used it to break Willie Keeler's record with a home run off Dick Newsome which rocketed into the left field stands.

After beating Keeler's record, the pressure to make it through another game intensified and Joe performed better and better with each game. He had 4 hits in the 50th game, went 4 for 8 in the doubleheader that brought the streak to 53, had 2 hits in the 55th, and 3 in the final 56th game. In game 54 luck was with Joe when his typically big swing sent only a dribbler slowly toward 3rd base where the White Sox Bob Kennedy was playing deep and it worked to Joe's advantage as he beat out a slow grounder. A few days later in game 57, luck was not with him and his streak was ended as he was thrown out on a similar play.

Although the streak had been stopped that game, Joe went on to hit safely in 16 more games using his favorite bat which had been returned by an embarrassed fan. Had the defensive plays of the Cleveland Indians not stopped him in game 56, the streak would have reached an incredible 73 games.

Even so, hitting safely in 72 of 73 games is still almost unbelievable and record keepers had to go back to 1894 and bad Bill Dahler to find any comparable feat. Dahler hit safely in 70 of

71 games, however, still leaving Joe in first place.

The statistics of the streak are exciting. During the 56 games Joe DiMaggio's batting average was .408; he scored 56 runs, batted in 55, hit 15 home runs, walked 21 times, was hit by the pitcher twice, struck out only 5 times, and had 35 extra base hits among the 91 hits he collected in 223 times at bat.

While the streak's statistics are impressive, they aren't the most important part of the streak. Joe DiMaggio brought together a nation facing war in Europe, he inspired thousands of young baseball fans around the country to believe in themselves, and as an Italian-American he provided a great reason for pride in the Italian heritage.

Perhaps the words of Tommy LaSorda capture the essence of DiMaggio's magic best. "At 14, growing up in Norristown, PA, playing for our eighth-grade team, I followed the DiMaggio streak like a religion. Do you realize what that meant to a poor Italian kid, sleeping on the third floor of a flat where heat from the wood stove went up only to the second floor? When Ken Keltner stopped the streak, I hated him." Overwhelmed by the Italian glory DiMaggio's streak produced, LaSorda said he made his first and possibly only visit to the library, where he learned from a book that "the Yankee Clipper's" real name was Joseph Paul DiMaggio.

In addition to Tommy LaSorda, generations of Americans were affected by Joe DiMaggio. He was such a symbol of America that Simon and Garfunkel called on his image in their song "Mrs. Robinson," they asked "where have you gone Joe DiMaggio? A nation turns its lonely eyes to you." Now 50 years later, Joe's streak is still phenomenal and mind-boggling in its length.

As a culture we have to assign meaning to achievements and find cause for their occurrence. Most sports streaks fall within the realm of random occurrences, but according to an article in the New York Review by Stephen Jay Gould, DiMaggio's 56 games were the one exception. Gould quoted Ed Purcell, a Nobel laureate in physics, who did a study of baseball streaks and slumps and found that to make it likely that a run of even 50 games would occur once in the history of baseball, baseball's rosters would have to include either 4 lifetime .400 batters or 52 lifetime .350 batters. In actuality only three men have lifetime batting averages in excess of .350 and none have averages close to .400.

Yet as each new season begins, Joe DiMaggio's record is in danger of being broken. Many players have been able to achieve a high batting average for the season, but very few have been able to string those hits together in consecutive games. The length of DiMaggio's streak tests players skill, nerve, and determination.

Fifty years have passed and no player has come close to breaking DiMaggio's record. That record is more than just numbers, it's a measure of Joe DiMaggio the man. Joe himself said "one day somebody's going to come along and break that record and take it away, but one thing they won't take away is the Yankees' success during my era." During his 13 seasons with the Yankees, they won 10 American League pennants and 9 world series.

Now at age 76, Joe DiMaggio has become a folk hero. Thousands of adults and children still find delight in discussing the 56 game hitting streak that defied all odds and mesmerized a nation. In 1941 Joe DiMaggio truly was the best America had to offer and now 50 years later the legend lives on.

□ 2020

Mr. Speaker, I yield to my good friend from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I thank the gentleman for yielding, and I want to thank him for having this special order to pay tribute to someone like Joe DiMaggio on this, the 50th anniversary of his hitting streak.

The greatest tribute that we in this country pay to any citizen is to declare them an American hero, whether it is someone on the battlefield, someone on the sports field, or someone in any other field of endeavor.

Sometimes we stretch the definition of what a hero really is, as we try in our enthusiasm to find heroes among our fellow citizens, to serve as an example for all of us.

Mr. Speaker, the man that we pay tribute to today is the very definition of what an American hero is all about. The ingredients of being the best in his field, being an example to others, being a class act, are what Joe DiMaggio was, and it is for that reason that we honor him today, and continue to honor him into the future.

He was the best in his field, baseball. The Streak, his hitting streak, what the gentleman from Illinois [Mr. RUSSO] has just laid out to everyone in terms of the history of how he played and how he rose from the San Francisco Seals, to then join the New York Yankees, the picture that everyone remembers of the stride that he had as he raced in center field to grab a fly ball, or the great swing at the plate that I think all of us remember from those days when the Yankees were a great team, his loping gallop as he went around the bases, all of that represented the best in the field of baseball.

He was an example to others, as someone who really came off the streets and excelled in his field. But in particular for Italian-Americans, he was an example of how a son of Italian immigrants can rise above the discrimination that often faced immigrants in this country, can rise above

those who would put people down, and yet become the best.

His parents did not really want him to be a baseball player. They knew that other sons, his brothers, were interested in baseball, and they really did not want to have another son become a baseball player. Yet, they gave him the guidance that most immigrant parents provide their sons, which is, whatever field you are going to be part of, be the best. And that is what he was.

He was always a class act, and he remains a class act for all of us, because someone like Joe DiMaggio faces constant pressure, constant attention, the constant demand of fans and people and an adoring public. Yet, he is never pompous, he is never one who is self-centered. He has been shy, he has always carried himself with great distinction, and he has always been an example of a class act.

□ 2030

I had the honor, when the Italian-American Foundation had its dinner honoring Joe DiMaggio, among others, I had the honor of sitting next to him. And as someone who as a boy followed Joe DiMaggio, it was one of the great thrills of my life to have that opportunity.

Today I am proud as a Congressman, as a Californian, and as an Italian-American to pay tribute to this great American hero.

I thank the gentleman.

Mr. RUSSO. Mr. Speaker, I yield to the gentleman from California [Mr. ANDERSON].

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

Mr. Speaker, it is a great pleasure for me to add my words of commendation to the "Yankee Clipper," Joe DiMaggio, on the occasion of the 50th anniversary of his historic 56 game hitting streak. I congratulate California's native son and stand on record as believing that the feat will never be matched.

But wait, the voice of our late beloved colleague and legendary Red Sox fan, Sil Conte, echoes in my ear. "Tell them about Ted, Glenn, tell them about Ted!" And Silvio is, as always, right. For 1941 was the year that Ted Williams, himself an admirer of Joe DiMaggio, made his own historic achievement by being the last man to hit over .400, actually hitting .406 for that memorable season. So let's salute Joe DiMaggio with a kind eye for Ted Williams as well. As Dom DiMaggio, Joe's great competitive brother, committed in a recent book, "1941 was the year that there should have been two MVP awards, one for my brother and one for the 'Splendid Splinter,' Ted Williams." I, and Sil Conte, choose not to argue with Dom DiMaggio.

Mr. RUSSO. Mr. Speaker, I yield to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding time to me and thank him for bringing to the attention of the American people this great anniversary. Half a century ago, it certainly was a dark time in America. The clouds of nazism were sweeping across Europe. The free world hung in the balance, and the American people, as were people around the world, were concerned about the future. This was a difficult time.

Many times we look back and say, well, we remember Joe DiMaggio because that was a more innocent time. A time when Americans had heroes in baseball and things were different. And we did not have the concerns we have today, the tremendous, important and difficult issues.

Well, what could have been more important and hung more deeply and blackly over America than the threat of the war, which we would soon enter into? In fact, Joltin' Joe himself had his career in baseball interrupted, and he took his turn to serve in the military from 1943 to 1945.

I am not old enough and did not have the honor and privilege of seeing Joltin' Joe play a game, but the year I graduated from college, there was a great stir because Joltin' Joe was then named baseball's greatest living player. And I remember him for that, from my father and his brothers and my grandfather, when I was a kid growing up in a town where the Italians and the Irish and the other folks were always getting into it, Joltin' Joe and Joe DiMaggio and Italian-Americans had something to be proud of when we would refer to Joe DiMaggio, something that even in Boston our Irish friends couldn't rival. So I am pleased to join today in this 50th anniversary of an absolutely unprecedented string that Joe DiMaggio ran out, one that I do not think in our lifetime we will ever see equaled. And if it is equaled or even bettered, it will not be equaled or bettered by a person of greater stature or greater grace, because he is truly one of the last of the great American heroes.

Mr. RUSSO. Mr. Speaker, in closing, let me just say congratulations to Joe DiMaggio on his 50th anniversary, the start of the greatest streak in baseball history. Let me thank him for all that he has done for baseball, for his family and for his country. He is certainly a great tribute to the American dream.

I yield to the gentleman from Rhode Island [Mr. MACHTLEY].

Mr. MACHTLEY. Mr. Speaker, I am delighted to participate with my distinguished colleagues tonight in paying tribute to a special individual, an individual who has accomplished in his life what to athletes almost seems a miracle. But he is more than just a baseball player. He is a living legend. And I think that it is fitting that on this 50th anniversary of his heroics, which

have inspired athletes around the world and every young person who picks up the bat in spring or smells a glove or touches a new baseball, I think it is a fitting tribute that tonight we recognize this distinguished baseball player.

He was elected, as has been indicated, to the major league baseball Hall of Fame, twice American League Most Valuable Player, a lifetime batting average of .325, 361 career home runs, and perhaps the most significant accomplishment in the world of sports: a hitting streak in 1941 of 56 consecutive games.

I have read an engineer's analysis of this, and he has indicated that it is the most difficult accomplishment of any athlete.

This is truly a record of unequalled personal, unprecedented achievement. Beyond his many personal athletic achievements, I think we are here tonight to recognize and to commend him for his distinguished ability as a person. He led a life which was rich and which was certainly proud for his heritage, the Italian-Americans in this country.

During and after his playing days, Joe DiMaggio has continued to demonstrate the highest standards of excellence. He has shown us through his life that excellence can be achieved.

I am a Red Sox fan, and there are many Red Sox fans who watched his brother, Dom, in his playing days. But I think it is most appropriate for baseball fans all over the world, when they see someone of his distinguished ability, someone who raised himself above what is a normal playing for a professional, to stand up and give this distinguished Italian-American the credit which he is richly deserving and which baseball should be so proud. So I commend my colleagues for this special order, and I am pleased and proud to participate with him this evening.

Mr. RUSSO. Mr. Speaker, I yield to the gentleman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I want to join in in commending the gentleman from Illinois for taking this time to honor Joe DiMaggio. I have many, many Italian-Americans in my district, and I know what they all think of him.

I have a statement that I will include tomorrow, and it will be coming from the Italian-Americans in my community.

Again, I want to thank the gentleman.

Mr. RUSSO. Mr. Speaker, I want to thank all of my colleagues for participating in this special order. This Saturday, May 18, the Italian-American Sport Hall of Fame in Illinois is going to unveil a statue honoring the 50th anniversary of Joe DiMaggio's streak. The Yankee Clipper will be there. We are all looking forward to it. George

Randazzo and the staff at the Italian-American Hall of Fame are going to put on a great show for the Yankee Clipper. I look forward to seeing them this Saturday. For all that he has contributed to the American dream, we all say, "We love you, Joe DiMaggio."

Mr. RUSSO. Mr. Speaker, I yield to the gentlewoman from California [Ms. PELOSI] to say a few words about one of her constituents.

□ 2040

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

I, too, want to join my colleague in paying tribute to an American treasure, Joe DiMaggio, today.

Mr. Speaker, our colleague has called this special order, and I am grateful to him for that so that baseball fans and admirers across the country will remember that this is the 50th anniversary of his 56-game hitting streak. His record is unlikely ever to be broken.

As I observed my colleagues in this special order, they have presented for those of us who may not have been totally aware the great athletic accomplishment achieved by Joe DiMaggio and the inspiration that he has been to our country and, indeed, to the world. They have also talked about the grace and the dignity with which he has carried his great accomplishments.

As a Representative from San Francisco and as someone who was born and raised in Baltimore, MD, I just wanted to share a couple of experiences about Joe DiMaggio as an inspiration that may not be known to the general public, but it is in San Francisco, and it would be known in Baltimore, MD.

I remember when I was a little girl that Joe DiMaggio was coming to Baltimore. The gentlewoman from Maryland [Mrs. BENTLEY] may recall some of this as a Representative from the Baltimore area. When Joe DiMaggio was coming to Baltimore and everyone was so excited and happy, I said, "You know, what is the occasion," or whatever you say when you are a little girl, and they said, "Joe DiMaggio is going to Johns Hopkins Hospital." I thought, "Why are they happy somebody is going to the hospital?" Well, it was such a source of pride to Baltimore that Joe DiMaggio was coming. I think it was an operation on his back sometime, and I do not know how long ago, but it must have been 40 years ago. He was going to be observed or operated on in Baltimore in the hospital.

Well, the whole city was abuzz, and this was not because he was coming to play baseball. This was because Joe DiMaggio was coming to town.

My father was mayor at the time. My brother Tommy was a baseball player. He later became mayor, but at the time he was in college and playing baseball, and he had the honor of visiting Joe DiMaggio in the hospital. We found out that Joe DiMaggio liked ba-

nanas. Whether he liked bananas or not, we do not know, but the word was that Joe DiMaggio liked bananas, so everyone was giving Tommy bananas to bring to the hospital to Joe DiMaggio.

For my lifetime at home, anyway, a revered place in our home was always the picture of my bother Tommy and Joe DiMaggio, all to say that on the field and off the field in those days his presence was a boost of morale to any community he was part of.

This was recalled to my mind many years later at the time of the earthquake in San Francisco, having moved to San Francisco and now being the Representative from that area. As the Members know, an earthquake can have a very demoralizing effect. The gentleman from California [Mr. PANNETTA], I know, agrees, having had the misfortune in his own community as well.

Joe DiMaggio owns a home in the Marina district of San Francisco, and as you know from the news, that area was hit very hard during the earthquake.

In the days following the earthquake, residents of that area and homeowners had to stand in line at the school, the middle school in that area, in order to get certain paperwork done, and identify the amount of damage and was their home habitable, was it going to be torn down, was it going to be repaired, whatever the verdict was that the city engineers would decide.

What an inspiration and boost of morale, again, it was for the people of that community also stricken by losing their homes and their belongings to be standing in line with Joe DiMaggio, no special treatment, no going ahead, no getting it done, going around the channels, but just to be in line with all the other residents of that area impacted by the earthquake just like all the others and a champion even in that time of diversity.

So I had seen him only a few days before at one of the other games of the World Series which, unfortunately, and with deference to Oakland, fortunately for them, was won by the A's, a team which Mr. DiMaggio became associated with later, but we had the privilege, those of us who were at the game, to chat with him a bit before. He was ever the gracious Joe DiMaggio but never more gracious than when he stood in line himself to get the news about his home in the Marina.

Again, that would be nearly 40 years later. He was, again, an inspiration to the community off the field, indeed, an American hero, and I must say, as a Representative from San Francisco where he made his home for many years, and in which he owns a home, and as an Italian American, I am filled with great pride today to celebrate not only his athletic accomplishments but the great dignity with which he carried

them and the contribution he continues to make to this day to the spirit of our country.

You cannot be more American than that: Joe DiMaggio and baseball.

I thank the gentleman from Illinois for yielding time and for calling this special order.

Mr. RUSSO. Mr. Speaker, I want to say: "Joe, we will see you Saturday."

Mr. MAZZOLI. Mr. Speaker, I am pleased to join with my colleagues today in this special order marking the 50th anniversary of New York Yankee centerfielder Joe DiMaggio's record 56-game hitting streak.

Joe DiMaggio was one of the most gifted individuals to ever play the game of baseball. Adept at every phase of the game—hitting, fielding, running—Joe earned enormous, almost reverential, respect, and admiration from his teammates and fans, as he did from his foes.

A quiet, humble, reserved gentleman, both on and off the field, he has never gloated or bragged of his individual accomplishments. More often the case, Joe speaks most proudly of his team's success, which included 10 American League pennants and 9 World Series championships during his 13-year career.

But, Joe DiMaggio will always be remembered for the streak. His consecutive game hitting record is one of the most remarkable feats in sports history, and it is a record that will likely never be broken.

It is hard to believe that it has been 50 years since Joe's remarkable achievement. Recalling those days of the summer of 1941 conjures up nostalgic thoughts of much simpler, more idyllic times, before America was abruptly plunged into the depths of World War II. Perhaps it was our loss of innocence as a nation and a people that could never be recaptured which has over the years served to give the streak even more of its mythic proportions.

The old axiom, "records are made to be broken" cannot seem to reconcile itself with the streak, however. Even in this era of artificial turf, night games, designated hitters and the like, in a game so wedded to statistics, Joe DiMaggio's mark has stood the test. And, it always will because of the character of the man who set it.

Joe DiMaggio is part of baseball legend and American folklore. As songwriter, Paul Simon, asked in his hit song some years ago, "Where have you gone, Joe DiMaggio?" Well the answer is certain that he has not, nor will he ever go away. Joe DiMaggio remains deeply in our hearts.

It is a pleasure to join with my colleagues on this golden anniversary occasion to salute Joe DiMaggio for his achievements in our national pastime, and in life. He has thrilled us with his athletic talents, while the honor and dignity he possesses has been an enduring model for all young Americans to aspire.

Mr. MINETA. Mr. Speaker, I would like to thank my fine colleague from Illinois, MARTY RUSSO, for reserving this time to honor one of America's greatest baseball players, Joe DiMaggio.

It's hard for me to believe that 50 years have now passed since Joltin' Joe DiMaggio began his legendary 56-game hitting streak that riveted pre-war America in 1941.

But it's not hard for me to remember back those 50 years, to a time when major league baseball was known in California only by way of radio.

As a 9-year-old, I remember sitting down in San Jose next to my family's old Atwater-Kent radio, listening to Red Barber and the other great broadcasters of the day call the play by plays of the St. Louis Browns, the Philadelphia Athletics, and the Boston Braves.

Well, those teams have since moved on: the Browns to Baltimore; the Athletics to Kansas City and then to Oakland; the Braves to Milwaukee and then to Atlanta.

Red Barber's voice no longer fills the airways, and Atwater-Kent is now a name unknown to most Americans. But after 50 years, the name Joe DiMaggio is as much a part of our national folklore as it baseball itself.

Although New York would like to claim Joltin' Joe as their own for his outstanding plays in Yankee Stadium, he is in fact a son of San Francisco, and was no less a hero to the Italian-American community in San Jose than he was to the Italian-American community along Arthur Avenue in the Bronx.

And there was one more tribute, Mr. Speaker, that will live on in history, our musical history.

In 1941, the song "Joltin' Joe DiMaggio" hit America's pop charts. Written by Ben Homer and Alan Courtney, the song was recorded by Bob Chester for Bluebird Records and Les Brown for Okeh.

In fact, Mr. Speaker, visitors to the Music Division of the Library of Congress here in Washington can today see a copy of the sheet music on display in recognition of what baseball has meant to our culture.

And for the record, the lyrics sum up what Joltin' Joe meant to America in 1941:

He started baseball's famous streak

That's got us all aglow,

He's just a man and not a freak;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

He tied the mark at forty-four,

July the first you know,

Since then he's hit a good twelve more;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

From coast to coast that's all you hear

Of Joe the one man show,

He's glorified the horsehide sphere;

Joltin' Joe DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

He'll live in baseball's hall of fame,

He got there blow by blow,

Our kids will tell their kids his name;

Joltin' Joe DiMaggio.

We dream of Joey with the light

Brown Bat.

Joe Joe DiMaggio,

We want you on our side.

And now they speak in whispers low,

Of how they stopped our Joe,

One night in Cleveland, oh-oh-oh;

Goodbye streak DiMaggio.

Joe Joe DiMaggio,

We want you on our side.

Mr. Speaker, I know I can speak for my colleagues when I say that I'm glad baseball and America had Joe DiMaggio on its side.

Thanks, Joe, for everything.

Mr. FAZIO. Mr. Speaker, I rise today to remember the playing days of one of our Nation's greatest sporting figures, Joe DiMaggio. The entire career of the "Yankee Clipper" was marked by the kind of accomplishments that are possible when astonishing skill is combined with grace, intelligence, and courage. But it was in a single season 50 years ago that the "Yankee Clipper" etched his talent into the Nation's history with a streak of hitting that has not been equaled since.

A modern baseball great, Willie Stargell, may have explained the unique challenge of hitting a baseball most insightfully. "It is a round bat," Stargell said, "and a round ball, and they expect you to hit it squarely." Joe DiMaggio hit it as squarely as anyone ever has, and in the midst of the 1941 season, 56 games went by before he faced a pitcher that could best him for a single evening.

Even during the twilight of Joltin' Joe's great career, his talent and class awed me. I was a young kid who's love of the game was just blooming, and I remember how much pride I took in the fact that DiMaggio—a beloved role model for the Nation—was a fellow Italian-American.

The anniversary of Joe DiMaggio's greatest summer reminds us that individual triumph in any field of human endeavor can inspire a Nation. In the short history of our country, we have been blessed by an extraordinary number of such achievements. Joe DiMaggio stands justifiably among our heroes.

Mr. SPENCE. Mr. Speaker, I commend our friend from Illinois for taking this special order to honor the great Joe DiMaggio.

Of course, many of our colleagues had not been born when the Yankee Clipper started and finished his unbelievable 56 game hitting streak. But I can tell them that in 1941 this was big news, at least for a 13-year-old kid like me.

A lot of things have changed in society since 1941, some good, some bad. But one thing that isn't likely to change anytime soon, and that is someone coming along and breaking "Joltin' Joe's" 56-game hitting streak. Joe DiMaggio captured the imagination of the American people that year in a way that few athletes could ever dream about.

Several years ago, a book was written about Mr. DiMaggio entitled something like, "Where Have You Gone, Joe DiMaggio?" I can tell you where he went. He went straight where he's always been, right into the hearts and minds of his countrymen.

Has it really been 50 years, Mr. Speaker? Surely it has not. To an admiring youngster like me, it seems like only yesterday. God bless Joe DiMaggio. He is part of my youth—a big part.

Mr. ANNUNZIO. Mr. Speaker, I am delighted to join my colleagues in honoring one of the greatest American sports legends of all time, Joe DiMaggio.

The hitting streak that Joe started 50 years ago today is almost universally acknowledged as the one baseball record destined to stand forever. Of course, to many of today's young people, the name "DiMaggio" conjures up images of an older gentleman known for his "Mr. Coffee" commercials on TV. But to many others, Joe's name summons memories of the "Yankee Clipper," a supremely skilled athlete

who could hit and field as well as anyone who's ever played baseball.

Joe DiMaggio's baseball career is also remembered today because his sportsmanship and professionalism have made him an enduring, positive role model for our young people.

To those of us who remember Joe's playing days, a rush of exciting memories return when we think of "Joltin' Joe" stepping up to the plate with that determined look of confidence and concentration. He was one heckuva ball-player. But Joe earned double honors because he was—and is—a bigger-than-life American sports hero for millions of people.

Joe played from 1936 to 1951, but he lost what might have been his three best seasons while serving in the U.S. military during World War II.

Throughout his career as a major leaguer, Joe was known as a terror at the plate. His 56-game hitting streak, which began on May 15, 1941, speaks volumes about how Joe used his talents to achieve a record that is unmatched in the annals of baseball. Joe's ability to score runs earned him a lifetime batting average of .325. He also hit 361 home runs while playing in a total of 1,736 games. In 1948, he hit a league-leading 39 home runs and he had 155 runs batted in. And as if that weren't enough, Joe's talents extended far beyond the batters' box.

As a base runner, Joe was a constant threat to steal because of his heads-up play. He always knew the weaknesses of his opponents, and he never missed a sign during his career with the Yankees.

As a center fielder, Joe gracefully blended strength, agility and quickness into a playing style that was a sheer wonder to behold. Joe used his lightning hands to pounce on hundreds of line drives and flyballs. And once he'd stopped a ball, Joe would cock his powerful arm and fire off throws that moved like a white flash. He very seldom missed his mark.

Given his amazing talents, it's no surprise that Joe's Yankee teams won 10 American League pennants and 9 world championships. Joe played in 10 World Series and 11 All-Star games. He also earned honors as the American League's most valuable player in 1939, 1941, and 1947.

Aside from Joe's stunning array of baseball skills, he was universally regarded as a gentleman by both players and fans throughout his career. During his 12 seasons, Joe was never ejected from a game for arguing about an umpire's call. Success didn't spoil Joe either. Always a bit shy and conservative, Joe took his many honors and achievements in stride. He never sought the limelight of publicity, nor did he do anything to tarnish his reputation of himself or his teammates, who were as awed by Joe's talents as the fans.

Part of Joe's secret was the fact that he understood the crucial importance of teamwork. Joe was never too busy or too tired to help out a fellow Yankee who was in a hitting slump or who simply needed an encouraging word. By the same token, Joe fulfilled his obligation to his teammates by sticking to a rigorous physical-training program so that he could always give them 100 percent. Even when he was hobbled by injuries, Joe's dedication to his team kept him playing despite pain that would've have stopped lesser ballplayers in

their tracks. Regardless of his condition, Joe took an intense, personal interest in winning every single game he played as a Yankee. If the Yanks lost, he felt as if he'd let his teammates down.

Because of Joe's many personal and team triumphs, the 56-game hitting record we are celebrating today is not just a tribute to him, but to all the fans who witnessed his success. These include thousands of Italian immigrants, some of whom probably learned "DiMaggio" as their first word of English. Nearly 2 years ago, The National Italian American Foundation recognized Joe's symbol of success for Italian Americans by giving him the organization's Lifetime Achievement Award. Now 76, Joe was recognized in 1969 as baseball's greatest living player. In 1976, the year of our Nation's bicentennial, Joe's 56-game hitting streak also was voted as the most memorable event in American League history.

Mr. Speaker, I would like to include at this point in the CONGRESSIONAL RECORD an article which appeared in the Chicago Sun-Times yesterday entitled, "The Streak—50 Years Later the DiMaggio Mystique Grows." This article says it all, and I would like to share it with my colleagues.

The article follows:

[From the Chicago Sun-Times, May 14, 1991]  
THE STREAK—50 YEARS LATER, THE DIMAGGIO  
MYSTIQUE GROWS  
(By Dan Pompei)

It is the most referred to record in sports. Perhaps it is the most wondrous. Probably the most unreachable.

It is an American legend, the kind that is passed along on old men's knees on back porches between innings of a broadcast. There are books about it, and there soon will be an 11-foot-tall bronze statue commemorating it on the grounds of the National Italian Sports Hall of Fame in Arlington Heights.

But on the 50th anniversary of Joe DiMaggio's fabled 56-game hitting streak, the mystique has eclipsed the accomplishment.

Instead of illuminating and enhancing, the glow from the streak blurs and distracts.

How many people know, for instance, that DiMaggio's first hit of the streak came against the White Sox on May 15, 1941? The victim of the hit was Edgar Smith, who gave up a streak-high six hits, as did fellow White Sox pitcher Thornton Lee. DiMaggio extended his streak 12 times against the White Sox, including the 52nd through 55th games.

When the streak began, the 26-year-old DiMaggio had been in a slump, a foreign feeling to him that season. In each of the 19 pre-season games DiMaggio played in, he had a hit. He also hit in the first eight games of the regular season.

Moreover, DiMaggio started another streak one game after his 56-game streak ended, connecting in 16 consecutive games.

Streaks were nothing out of the ordinary for the Yankee Clipper, who as an 18-year-old in 1933 hit in 61 consecutive games for the San Francisco Seals of the Pacific Coast League.

Appreciation for the 56-game streak has grown to the point where there probably is more fuss about its anniversary than there was about the event. DiMaggio, 76, received more than 200 invitations to celebrate the commemoration of the streak.

He accepted the one from the Italian Sports Hall, which will honor him in a private ceremony Saturday.

During the streak, most of the world's attention was focused on Adolf Hitler's terrifying European invasion. America was not holding its breath every day to find out if DiMaggio got a hit.

On the day DiMaggio extended his streak to 56 games, only 15,000 showed up at Cleveland's Municipal Stadium. In the two previous Yankees games at Comiskey Park, the crowds did not reach 9,000.

Players on opposing teams say there wasn't a lot of dugout chatter about the streak.

"There wasn't much talk about it except when we were going over the opposing lineup in our players' meeting," said Hall of Famer Lou Boudreau, who played a role in stopping the streak as the Indians' shortstop. "We told the pitchers to keep the ball low and inside so he can't hit it in the air."

The Yankees were very aware of the streak and discussed it often—but rarely with DiMaggio.

"Everybody was afraid to talk to him about it," former Yankee shortstop Phil Rizzuto said. "He's got that mystique. People were afraid to get too close and ask anything personal. It was almost like if he was pitching a no-hitter and you didn't want to mention it to him."

Yet there were radio bulletins across the country during Yankees games. Les Brown's orchestra recorded the song, "Joltin' Joe DiMaggio." During games at Yankee Stadium, "Bojangles" Bill Robinson, an accomplished dancer, tapped his toes on the roof of the Yankee dugout and sprinkled something he called "goofy dust" to bring luck to DiMaggio.

When DiMaggio returned to the bench after he passed Willie Keeler to make his the longest streak in history at 45 games, the Yankees danced a jig on the top step of their dugout to greet "the Big Dago," as he was known.

On July 10, the Browns took out an ad in the St. Louis newspapers that read, "The Sensational Joe DiMaggio Will Attempt To Hit Safely in His 49th Consecutive Game."

The streak had a significant impact on the way games were played. Dan Daniels, former sportswriter for the New York World Telegram and the Yankees' official scorer, said the streak raised the level of managing, fielding, pitching, umpiring official scoring and writing. Everyone associated with it wanted to give their best.

Opposing managers juggled their pitching rotations to make sure their aces had a crack at stopping DiMaggio and the World Series-bound Yanks. Some pitchers refused to throw anything resembling a strike to DiMaggio. And DiMaggio's teammates would go to great lengths to preserve another at-bat for DiMaggio when his streak was in jeopardy in the late innings.

In game No. 38 at Yankee Stadium, DiMaggio was 0-for-3 in the bottom of the eighth with the Yankees leading by two runs and DiMaggio due to bat fourth.

Batting second in the inning, third baseman Red Rolfe drew a walk with one out. Rightfielder Tommy Henrich conferred with manager Joe McCarthy, and they decided Henrich should bunt to avoid the double-play possibility. It worked, as DiMaggio got to bat and knocked the first pitch to left for a double.

Opposing teams weren't always as cooperative. Philadelphia A's pitcher Johnny Babich made it known DiMaggio would be served nothing but junk in game No. 40, according to the book *Streak—Joe DiMaggio and the Summer of '41*, by Michael Seidel. In the

fourth inning, Babich threw what he thought would be his fourth consecutive ball outside to DiMaggio, but DiMaggio reached over and lined it within inches of Babich's midsection and into right-center for a double.

That hardly was the only close call.

In the 30th game, against the White Sox at Yankee Stadium, DiMaggio's routine grounder in the seventh inning took a funny bounce and hit Sox shortstop Luke Appling in the shoulder. Appling retrieved the ball, dropped it, picked it up again and threw too late. Daniel ruled it a hit, and the streak would have ended if he hadn't. In the ninth inning, Sox rightfielder Taft Wright jumped above the wall to take away a DiMaggio home run.

The next day, his only hit was another grounder Appling could only knock down.

In the game DiMaggio tied Keeler's record, he singled in the early innings. A good thing it was, as the game was called on account of rain after five innings.

Many of the 54,674 fans at Tiger Stadium for game No. 49 feared DiMaggio wouldn't have a chance to extend the streak. A pregame rumor circulated that DiMaggio had been injured in a car accident, and the crowd cheerfully voiced its relief when DiMaggio was introduced.

The White Sox again gave DiMaggio a hand in game No. 54. DiMaggio's only hit was a slow roller to the third baseman. DiMaggio was able to beat it out only because Bob Kennedy was playing so deep.

But the same strategy, deployed by the Indians three days later, halted the streak.

Third baseman Ken Keltner shared Kennedy's philosophy that playing DiMaggio deep was playing him smart on the night of July 17, when a then-record 67,468 people jammed into Municipal Stadium.

"Deep?" DiMaggio said recently. "My God, he was standing in left field."

Keltner had reason to. On June 1, DiMaggio had kept his streak going by smashing a grounder by Keltner that he might have fielded had he been playing deeper. Keltner wasn't going to be burned twice.

Also, Keltner knew the field was soggy because of rain the previous day, so DiMaggio couldn't get out of the batter's box quickly.

On a pair of DiMaggio grounders down the line that night, Keltner needed every second to throw him out.

"They were two unconscious plays, back-handed stabs," Keltner said last week.

And that night was a highlight of the career of Keltner, a seven-time All-Star. But Keltner wasn't sure how he would be received after playing such a role in stopping the streak, so he had a police escort get him out of the stadium.

"Joe's got a lot of friends in Cleveland," Keltner said. "I was glad to get out of the ballpark."

Even after Keltner's defensive brilliance, DiMaggio had another chance in the ninth inning. He hit a wicked ground ball just to the left of second that looked like a hit.

"It took a bad hop, and in defense of my face, I reached up with my bare hand by my ear, and the ball stuck in it," shortstop Boudreau said.

And just like that, pitchers Al Smith and Jim Bagby had combined to hold DiMaggio hitless in three at-bats.

The next day's editions of Chicago Daily Times printed an Associated Press photo of DiMaggio holding up both hands and signaling "OK." But his fingers formed goose eggs that day.

"I wish," DiMaggio said, "it could have gone on forever."

In a way, it has.

Finally, I'm proud to have joined in today's commemoration of Joe's latest milestone—the 50th anniversary of his famous hitting streak. Joe, I want to take this occasion to offer you my warmest congratulations for the many contributions you've made to baseball. My only hope is that the future brings even greater successes.

Mr. SOLARZ. Mr. Speaker, I rise today to celebrate an outstanding sportsman and his remarkable record. On this day, 50 years ago, "Joltin' Joe" DiMaggio hit a single, beginning the longest hitting streak in baseball history.

DiMaggio went on to hit the ball consistently in 56 consecutive games. After half a century, this singular achievement remains unbroken and unchallenged.

As an original cosponsor of House Joint Resolution 235, which would designate May 15, as "Joe DiMaggio Day," I am proud to honor that great ballplayer, not just because he could hit the ball—and could he hit the ball—but because in his life on and off the field, Joe DiMaggio has been a great American and a true gentleman.

Joe DiMaggio is a Yankee even a die-hard Brooklyn Dodgers fan can love. Forty years after his retirement from the game, he remains among our most revered sports legends.

His trademark was a consistent excellence not found before or since. DiMaggio compiled a lifetime batting average of .325 over 1,736 games in 13 seasons with the Yankees. During that time, the Bronx Bombers won 10 American League pennants and 9 World Series.

Joe DiMaggio was named the most valuable player 3 times and played on 11 American League All-Star teams.

He was inducted into the Baseball Hall of Fame in 1955. The vote was unanimous.

Joe DiMaggio is a leading example of the many distinguished Italian-Americans who have contributed to, and defined, what it means to be an American. We all share in the justifiable pride all Italian-Americans take in the Yankee Clipper's achievements. A truly great Italian-American, he remains a role model for every American, young and old.

Quiet and courtly in his manner, DiMaggio personified the gentleman sportsman of another era. He added grace and dignity to the skill of his game.

Mr. Speaker, rarely in American life can we point to a man who not only reaches the very pinnacle of his field, only to rise above the adulation that necessarily follows such success. Joe DiMaggio is one such man. If baseball is the great American pastime, then Joe DiMaggio is truly a great American. I am proud to join my many colleagues in marking the 50th anniversary of his exceptional achievement.

Mr. CRANE. Mr. Speaker, it is a pleasure to join in this special order honoring Joe DiMaggio, one of the great hitters and fielders in the century-plus history of baseball. His home run power at bat was awesome and his record of hitting in 56 straight games will probably never be equalled. It must have been terribly disconcerting for a pitcher just to have to look down from the mound and see Joe DiMaggio facing him from the batter's box. He was a marvel to watch at the plate. Joe

DiMaggio was one of those very few players who could look great swinging at a pitch—and missing it. Too often when fans reflect upon the career of Joe DiMaggio they are inclined to overlook his fielding ability. He had a long, graceful stride which he never seemed to be pressing as he raced for a ball, and which always—it seemed—got him to the ball at just the right moment to rob an opponent of a base hit, or more likely, an extra base hit. And it should be noted that his record off the field is untarnished. He has always been a true gentleman, an outstanding example for American youth.

The greatest error in DiMaggio's brilliant career was not committed by him in the field. It took place in the front office of the Chicago Cubs while Joe was on the west coast in the minor leagues. The Cubs dropped the ball when they had the opportunity to bring him to the majors to play on Chicago's north side. We would have loved you in Chicago, Joe.

Mr. HORTON. Mr. Speaker, it began quietly, 50 years ago today in New York City with a seemingly routine single against the Chicago White Sox. It ended 63 days and 223 at-bats later in front of 67,000 fans brimming with excitement in Cleveland. I speak, of course, of Joe DiMaggio's unsurpassed and unequalled 56-game hitting streak during the summer of 1941.

I vividly recall the summer of 1941. I had just graduated from LSU and was preparing to enter the Army when Joe DiMaggio began to heat up the baseball season.

As I said, the streak began quietly. In fact, no one made mention of a streak at all until he had hit safely in 13 consecutive games. But from that point on, the excitement and the tension continued to grow. Actually it appears as though the excitement infected just about everyone in the country, except for Joe. As Dick Heller so poignantly described in last Friday's Washington Times, Joe remained graceful and calm throughout his streak. Perhaps this is because he had gone through this before during his 61-game hitting streak in the minors.

It's amazing to me that not one of 43 pitchers, including the legendary Bob Feller, who had two opportunities, could hold DiMaggio hitless. Not even the Philadelphia Athletics' now notorious Johnny Babich could cool DiMaggio down.

I suppose this story is now baseball legend, but I think it deserves retelling. DiMaggio's streak was at 39 games and Babich was determined to end it there. But he had a different strategy than most pitchers. He decided that since no one seemed able to get Joe out, he simply wouldn't throw him anything he could hit. In other words, he was going to pitch around Joe, walk him. In the first inning, he walked DiMaggio on four straight pitches, and again in Joe's second at-bat. In his third at-bat, after three straight balls, Babich threw the next pitch outside, only not far enough. Joe extended his arms and reached out and lined the ball right back up the middle through Babich's legs for a single. The streak had reached 40 games.

After that game, the streak never was in serious jeopardy. What amazes me to this day is that immediately after the Indian's Al Smith and Jim Bagby combined to end the streak at

56 games, DiMaggio promptly began a 16-game hitting streak. This to me captures the poise which Joe brought to the game of baseball.

After a career of immense accomplishments Joe retired in 1951. He played in 9 World Series, 11 All Star Games, and over 1,700 regular season games. In addition, he had a .325 lifetime batting average to go along with 361 home runs and over 2,200 hits. Not to mention that he was one of the greatest center fielders in baseball history. Putting this all together, Joe DiMaggio just may be the most complete player ever to step between the foul lines.

Mr. VANDER JAGT. Mr. Speaker, it's graduation time.

In the 1960's that fact inspired a movie—a movie that contained two memorable lines.

Dustin Hoffman, the graduate, was told that the future was—pause for effect—"plastics."

Simon and Garfunkel's musical sound track asked: "Where have you gone, Joe DiMaggio?" With the plaintive note that "A nation turns its loney eyes to you."

It is true that a good deal of the Nation's industrial health in recent years was made of plastic and, unfortunately much of its social and athletic life has been a little plastic too.

But Joe DiMaggio's past, his present, and what we hope will be a long and pleasant future has decidedly not been plastic—and in many ways a nation jaded by multimillion-dollar athletic salaries and scandal still turns its eyes to the Yankee Clipper to Joltin' Joe, to a man who never was thrown out of a ball game and for whom the phrase "gentleman athlete" is a definition.

It is fitting that Joe DiMaggio ended the feat for which he is most famous, and for which he may live in the record books forever, in the season of graduation and the spring of new beginnings. We can be reminded each year as the baseball season progresses, as the Nation's thoughts turn to summer's recreation and respite from the doldrums of winter and inconsistency of spring of a man who personifies all that is the best about the game which has been called our national pastime.

It is also special that Joe DiMaggio is still out and about today, the 50th anniversary of his 1941 string of 56 consecutive games in which he hit safely. And he is still the gentleman, the ambassador, the generous and quiet representative that we all think the game of baseball deserves.

There are many greats in our baseball folklore. A lot of baseball players have plied their trade on the fields of dreams that young men in America dream, but none is more treasured than Joe DiMaggio. It is with great pleasure that I join my colleagues in recognizing this golden anniversary, for a man good as gold and as true to himself and the sport that he played today as he has been since he first jogged out onto a field.

Joltin' Joe—the Nation turns its eyes to you, with thanks for some great memories. I bring to my colleagues' attention a recent article on Joe DiMaggio from the New York Times—the paper of record in a town for which Joe's record stands as a monument to a man and his career:

[From the New York Times, Feb. 5, 1991]

FOR JOE D, 1941 GLOWS GOLDEN NOW  
(By Dave Anderson)

Only a few baseball players are identified forever with a year: Babe Ruth with 1927, Bobby Thomson with 1951, Roger Maris with 1961. Even fewer endure long enough to celebrate the golden anniversary of their year. But for Joe DiMaggio now, it's as if it were 1941 when he batted safely in 56 consecutive games—a record that has never really been approached, a record that probably will never be broken.

"But if I thought after 50 years I'd be going to half a dozen banquets, I would have quit hitting after 40 games," he joked Sunday night. "Don't get me wrong. I love that record."

That record must love him, too. They belong together. Baseball's most majestic record is held by its most majestic personality. Up on the Sheraton Center dais at the New York Baseball Writers dinner, his silver hair glistened above his tuxedo. He's 76 years old now. But he's still Joe D. The Yankee Clipper. Joltin' Joe. The Jolter. Or, as Ernest Hemingway wrote of him in "The Old Man and The Sea," the great DiMaggio.

"Joe, Joe DiMaggio," the voice of Betty Bonney had sung earlier while black-and-white film clips of his career were shown, "we want you on our side."

Another 1941 personality, Leo Durocher, who managed the Brooklyn Dodgers to the National League pennant that year before losing to the Yankees in the World Series, understood DiMaggio's majesty. Honored for having been the manager of the 1951 Giants that won the pennant on Thomson's homer, Durocher is 85 now, gaunt and gravel-voiced. "I read a squib that a certain athlete was getting a million-eight and he couldn't make it," Durocher said. "Joe, do you think you could make it on a million-eight?"

DiMaggio smiled gently. His highest baseball salary was \$100,000. Now he earns more than that at memorabilia shows to sign, in his graceful flow, baseball's most coveted autograph. But when Durocher finished telling stories about Jim (Dusty) Rhodes and Larry MacPhail, he glanced at DiMaggio.

"You've got the coup de grace here," Durocher said. "The greatest ballplayer of all time."

After introducing DiMaggio, Mel Allen, reached for a box containing DiMaggio's award.

"It's a piece of Waterford crystal, the only one of its kind," Allen said. "In the shape of a baseball glove."

But when Allen took the crystal out of its box, it was shaped like a vase, not a glove.

"Maybe this," Allen said, holding up the vase as if to catch a fly ball, "is how he did it."

After the film clips of DiMaggio's career had been shown an hour earlier, more than 1,000 people stood and applauded, then he stood and raised both arms in appreciation. Now, as he arrived at the lectern, another standing ovation erupted before he congratulated the other honorees. He told his joke about wishing he had stopped after 40 games, then he stared fondly at the crystal vase.

"I had a collection of about 25 of these pieces," he said. "I gave them to my sister in San Francisco. You know what happened. The earthquake destroyed all of them. But this piece I'm going to keep."

He told stories about sportswriters of his time. About how at the dogtrack at spring training, Grantland Rice always had the winner because he bet every dog in the race. About how on a fishing trip Jimmy Cannon didn't reel in a marlin because he was too

busy reading a book. Then he told about hitting a home run off Bobo Newsome, a big right-hander of his era who in his travels pitched briefly for the Philadelphia Athletics, then owned and managed by Connie Mack.

"I hit it into the upper deck in old Shibe Park," he recalled. "But when Bobo got back to the dugout, Mr. Mack told him, 'Mr. Newsome, please sit next to me.'"

"Mr. Mack said, 'Mr. Newsome, what kind of a pitch did you throw DiMaggio? Bobo told him a fastball. Mr. Mack said, 'Mr. Newsome, I want you to throw DiMaggio nothing but curveballs.' The next time up, Bobo threw me that wrinkle he called a curve. It didn't break more than 2 inches. This time I really got hold of it. I hit it over the roof."

Going around the bases, I saw Bobo take a few steps toward the A's dugout and yell, "Mr. Mack, he hit yours farther than he hit mine."

These homers occurred in 1946, five years after the streak in the year for which Joe DiMaggio will always be identified, will always be remembered. But now in closing, he alluded to the true measure of his career: that during his 13 seasons from 1936 to 1951 (with three years in the Army), the Yankees won 10 American League pennants and nine World Series.

"One day somebody's going to come along and break that record and take it away," Joe DiMaggio said, meaning his 56-game streak. "But one thing they won't take away is the Yankee success during my era."

Ms. MOLINARI. Mr. Speaker, today my colleague, Congressman MARTY RUSSO, has introduced House Joint Resolution 210 in honor of one of baseball's greatest players: Joe DiMaggio.

This legislation will designate May 18, 1991, as "Joe DiMaggio Day." It commemorates the 50th anniversary of a remarkable achievement: Joltin' Joe's 56-game hitting streak. No other player in history has been able to match this, and I doubt one ever will. There is no other player like Joe DiMaggio.

My constituents have written, urging me to support this legislation. I confess I am too young to have known of this feat directly. But I was blessed this week with the presence in my office of four people who remember the summer of 1941.

Estelle and Lawrence Mohr and Elizabeth and Frank Goodell, my senior interns, recounted their memories of that golden summer. Mr. Mohr was in the Quartermaster Corps, stationed at Camp Leed, VA. "Every day, when we came into the barracks, we would ask: 'What was the score?' and 'Did Joe get any hits?' No one needed to ask 'Joe who?' Everybody knew," he says. "When the streak ended, we had a party—a funeral wake, more like it."

"He is a terrific man," added Mrs. Mohr, with Mrs. Goodell in total agreement. "So graceful, and a nice person."

"Toward the end of the streak, the sports stores would set up radios with speakers to broadcast the games," said Mr. Goodell. "In the window, someone would keep a scoreboard with shaving cream. Mobs of people would gather around, especially if it got to be the eighth or ninth inning, and Joe hadn't got a hit yet. But when he did get a hit, a great roar would go up. It was a party in the street. Yes, it was like a funeral wake when the streak ended."

Fifty years later, Joe DiMaggio is the grand gentleman of baseball. He has lived to see himself become a legend, but we can do him no greater honor than the one he created for himself, with his tireless dedication to a sport he loves.

I am proud to support my colleague as a cosponsor of this legislation, and I am proud to know that Joe DiMaggio was one of New York's own, not to mention a great Italian-American.

Bravo, Joe DiMaggio, and congratulations.

Mrs. MORELLA. Mr. Speaker, I rise today to join my colleagues in honoring Joe DiMaggio, one of America's most respected and beloved public figures.

It was half a century ago today that Joe DiMaggio embarked upon one of baseball's most enduring records—his 56-game consecutive hitting streak. The legend is, in that year, on a gorgeous spring day in Florida during training camp, the Yankee Clipper eager as usual to get to work, received a traffic ticket for speeding. As the story goes, it was the only time the New York Yankees' centerfielder was stopped in 1941.

On the humid afternoon of May 15, 1941, against the Chicago White Sox in Yankee Stadium, Joe DiMaggio stroked a first-inning single to begin his record-setting streak. It was not until 2 months later, on July 17, versus the Cleveland Indians, that Joltin' Joe was finally held without a hit. During that remarkable span of 56 games, DiMaggio hit for a .408 batting average with 91 hits, 35 extra bases hits, and 15 home runs. He also scored 56 runs and had 55 runs batted in. Undaunted by the end of his unparalleled hitting streak, the future Hall of Fame began another 16-game streak the next day. When it had ended, he had hit safely in 72 of 73 games.

Although every baseball fan remembers the singular feat of his 56-consecutive-game streak, Joe DiMaggio was also known, throughout his career, for his quick, powerful bat and his graceful fielding ability. His casual over-the-shoulder catches are still considered to be one of the great sights in all of baseball. Overcoming a series of physical mishaps throughout his career, DiMaggio frequently would play although doctors, at times, had forbidden him to even walk. At the age of 28, he enlisted his efforts in the Air Force for World War II, trading in his princely \$43,500 salary for a private's \$50 a month. DiMaggio's steadying and inspirational influence led his Yankees to an unprecedented 10 American League pennants and 9 World Series championships.

Mr. Speaker, I congratulate Joe DiMaggio. He is a legend in the history of America's greatest pastime. DiMaggio's strength, graciousness, and eloquence, on and off the field, have truly made him a hero for the ages.

Mr. GALLO. Mr. Speaker, when we celebrate the anniversary of a memorable event in our lives, it can often have a strange effect on us as individuals. When I realized that today marks the celebration of the 50th anniversary of "Yankee Clipper" Joe DiMaggio's 56-game hitting streak, my first reaction was to be struck by the passage of time.

Joe D. was a hero that a young person could truly appreciate and that carries through well into adulthood. Each year about this time

when the Congressional Baseball Game draws near, Roll Call, the newspaper of Capitol Hill asks who is my all-time favorite, and I always think of DiMaggio first and foremost.

The true magic of baseball is that it is timeless and a record, once set, remains as an event in the present—even after 50 years.

For a moment, I'm a kid again. Listening to the radio. Going to the ball park.

And, especially for a guy named Gallo, Joe DiMaggio was a symbol for all the great things in life that were possible, if you just got out there and kept swinging.

Mr. Speaker, I join with my colleagues today to recognize a true American hero. We salute you, Joe DiMaggio.

Mr. LAGOMARSINO. Mr. Speaker, I rise today to recognize a truly great figure among American sportsmen, Joe DiMaggio. Across this great Nation today, Americans in every State will reflect back to that Thursday in May, 1941, when Joe DiMaggio's famous 56-consecutive-game hitting streak began. At a time when the whole world was faced with great turmoil, Joltin' Joe and his teammates provided a welcome reprieve for Americans everywhere.

Joe DiMaggio is a classic example of American integrity. A native son of the Italian-American community, Joe DiMaggio has always been an example of sportsmanship and civic virtue. On the field he was an outstanding athlete, off the field he has always been a gentleman. For 3 years during World War II, Joe served in the Armed Forces of our Nation, standing firm in the defense of liberty and freedom for all men. Upon his return to the ball diamond after the war, Joe continued his baseball career until his retirement in 1951.

While he no longer graces the ball diamond as a player, his example and incredible record remain intact today, 50 years later.

Mr. DAVIS. Mr. Speaker, today is a very special day for sports fans everywhere. It was exactly 50 years ago today that Joe DiMaggio began his 56-game hitting streak during the summer of 1941. This feat has few rivals in baseball, let alone the entire world of sports. It has been called one of the three unbreakable records in baseball, the others being Hank Aaron's astronomical home run total and Ty Cobb's career batting average of .367.

In addition to setting the 56-game hitting streak, The Yankee Clipper is one of those rare athletes who maintained a level of excellence in every aspect of his daily life, providing America with a classic role model while the world was at war. Joe not only took our minds off the Great War, but, as many people forget, he served 2 years in the Army after his hitting streak. We should be proud and honored at the many contributions he has made to our Nation.

Mr. Speaker, in addition to being one of America's greatest athletes, Joltin' Joe DiMaggio is a gentleman in the classic sense. One can only hope the level of excellence displayed by Joe DiMaggio, both on and off the field, will be emulated by every athlete in America.

In addition to being adored by sports fans in this country, Joe is also a source of pride for Italian-Americans everywhere. He is a walking testament that the American dream is alive and well.

Mr. OBERSTAR. Mr. Speaker, in a nation barely more than 200 years old, 50 years is a very long time. In baseball, a game that has existed in its modern state for barely more than a century, 50 years is a very long time indeed.

Today fans of our national pastime remember a remarkable feat that has stood unchallenged for 50 years. We remember that magic season, 1941, when a 27-year-old Italian-American outfielder for the New York Yankees hit safely in 56 consecutive games.

Joe DiMaggio: a name that is synonymous with consistency, determination and success. In his 13 seasons with the Yankees, his team won the American League pennant 10 times, and the World Series nine. No other baseball dynasty—not even the Yankees of an earlier decade with players such as Babe Ruth and Lou Gehrig—can boast such a record of success.

Off the field, DiMaggio was a quiet man, and avoided publicity. His style is a sharp contrast to today's millionaire athletes whose inflated salaries are matched only by their inflated egos. DiMaggio's highest baseball salary was \$100,000 a year, a small sum by modern standards.

DiMaggio's 56-game hitting record may one day fall. In fact it very likely will. However, his leadership, work ethic and the success they brought to him and his teammates can never be erased. DiMaggio is a name Italian-Americans speak with pride. It is a name that has become a part of baseball history and American legend. Long after his place in the record book is gone, the name of Joe DiMaggio will continue to echo through the minds, hearts and memories of baseball fans everywhere.

Mr. GUARINI. Mr. Speaker, I rise to speak about a great American, Joe DiMaggio. Today, I join my colleagues in celebrating the 50th anniversary of the day on which Joe began his 56-game hitting streak, a record which will endure in the pages of baseball history. Fifty years after this great athletic achievement, Joe DiMaggio, by his contributions to society, is a well respected and beloved figure who will never be forgotten by the American people.

Joe DiMaggio was born in Martinez, CA on November 25, 1914. He was the eighth of the nine children born to Joseph Paul and Rosalia DiMaggio, Italian immigrants who settled in the San Francisco area. His professional baseball career started in 1932 when he began playing for a Pacific Coast League team. In 1936 he was hired by the New York Yankees, where he earned the reputation of "the greatest ballplayer of all time."

Joe was and still is considered one of the best all around players ever to have stepped up to the plate. He was a skilled baserunner, an outstanding outfielder, and a consistent and powerful hitter. He was voted the American League's most valuable player in 1939, 1941, and 1947 and played in 11 all-star games. During his 13 years with the Yankees, he led the team to an astounding 10 American League pennant wins, and 9 World Series victories. In recognition of his contributions to the game of baseball, Joe was elected to the Baseball Hall of Fame in 1955.

There is also a subtler side to the achievements of Joe DiMaggio which statistics and awards do not adequately reveal. Joe was a

leader and source of inspiration amongst his teammates often in the face of personal adversity. Plagued by injuries and ailments throughout his career, Joe dedicated himself to the team, often going against his doctor's recommendations. In order to compensate for his injuries, Joe studied and practiced long hours, becoming an authority on the techniques of baseball. Through a combination of hard work, grit, and passion for the game, Joe dramatically overcame his physical challenges.

Joe was considered an expert by his teammates and he was always willing to share his knowledge to help others. Throughout his career, Joe never let success go to his head. He was known by his colleagues for his modesty and commitment to the game of baseball. Through his baseball career, he avoided confrontation with his fellow players, managers, and owners—it is said that he never once argued an umpire's call. It is worthy to note that Joe's personal life was also free of scandal or excess, in spite of the fact that he lived a life of fame and traveled in America's elite social circles. Both young and old admired Joe for his character as a virtuous and honorable American as well as for his skill as a ballplayer.

Joe DiMaggio was both an athlete of remarkable talent and ability and as a man of distinction and character. He also had a rare opportunity to contribute to the spirit of the Nation. Joe played ball during trying times for America, for the country was just recovering from the Great Depression and entering into World War II. At the same time, millions of immigrants, fleeing Hitler's madness, poured into America's cities, facing an uncertain future in a foreign land. Along came Joe DiMaggio, or as his fans called him "the Yankee Clipper" and "Joltin' Joe," an immigrant's son who could play the American game of baseball like no one else. His stellar achievements brought hope to millions of Americans who also yearned for greatness and success. Joe was proof that their challenges could be overcome and that their talent and determination could pay off. He was a living example of the American dream.

Today, 50 years after Joe DiMaggio began his 56-game hitting streak, I wish to join my distinguished colleagues in saluting this genuine American hero. He is a remarkable man who will always hold a special place in the hearts of the American people.

Mr. PALLONE. Mr. Speaker, as I join my colleagues in paying tribute to the great Joe DiMaggio, I must admit that following major league baseball has never been one of my major priorities. Still, the stellar career of the "Yankee Clipper," and especially his 56-game hitting streak of 50 years ago, are well known even to those of us who have only a passing interest in baseball. Indeed, I bet that if you asked a random sampling of Americans—fans and nonfans alike—to name the five greatest ballplayers of all time, Joe DiMaggio would be on almost everyone's list.

The fact is that Joe DiMaggio is not only one of the greatest professional athletes of all time, he is quite simply one of the great Americans of the 20th century. We are truly fortunate to have an individual of his calibre among us. Joe DiMaggio embodies all of the virtues that Americans have traditionally celebrated

and aspired to. The son of immigrant parents, he attained the very highest levels of accomplishment in his chosen profession, the American pastime, leading by example while maintaining his decency, personal integrity and humility. He served his country in a time of war—despite the fact that it meant missing three seasons during the prime of his career.

Indeed, the symbolism that shrouds Joe DiMaggio may cause us to forget that behind the legend is a man whom the common man could identify with because he never stopped identifying with the common man. He never felt entirely comfortable with his celebrity status. The true measure of this unique man, I believe, can be seen in the fact that his teammates and the others who have known him well hold him in as much awe as his many fans and admirers.

As an American of Italian descent, I take special pride in paying tribute to this special individual. Italian-Americans have distinguished themselves in many fields of endeavor in our society, from government to business to baseball. Yet none have attained the universal recognition and admiration that is accorded to Joe DiMaggio. While we Italian-Americans feel a special pride for Joe DiMaggio, he has transcended whatever categories we may put him in, ethnic or otherwise, to become a uniquely American folk hero for people of all generations.

Mr. REED. Mr. Speaker, I rise today to voice my support of House Joint Resolution 210, which commemorates the 50th anniversary of Joe DiMaggio's major league record 56-game hitting streak, and his enduring, positive influence on baseball and American youth.

The "Yankee Clipper's" hitting streak stands as one of professional sports' most revered and romanticized—and perhaps most untouchable—records. In hitting safely in consecutive games which amounted to more than fully one-third of the 1941 season, Joe exhibited an athleticism, work ethic, and consistent competitiveness that distinguished him among his peers. This feat crystallized the mythical 13-year career of a player considered by many to be the game's greatest all-around talent and finest symbol. That none of the great hitters of the subsequent half-century have come within a dozen games of his record is perhaps its greatest tribute.

Joe DiMaggio holds a special place in the hearts of thousands of constituents in my representative district, which is home to many Italian-Americans, as well as countless Yankee fans. Joe's gentlemanly decorum was the embodiment of the 'gracious winner' philosophy of sports which I believe is necessary to making organized athletics a positive pursuit for American youth. To this day Joe DiMaggio stands as a model of athletic behavior toward which coaches and parents alike direct their children.

Mr. Speaker, I ask you and my colleagues to join me in saluting baseball great Joe DiMaggio on "Joe DiMaggio Day." I sincerely believe we will never see another like him, so we must cherish such opportunities to honor him and recall his historic feat.

Ms. DELAURO. Mr. Speaker, I rise today to honor a true living legend and one of the greatest Italian-American heroes of all time: Joe DiMaggio. Today, we celebrate the 50th anni-

versary of baseball's most impressive accomplishment: the magnificent 56-game hitting streak of 1941.

Joe, the son of Sicilian immigrants, won the hearts and minds of millions of Americans at a time when the country desperately needed a hero. I remember that as a child growing up in New Haven's Wooster Square, the heart of the Italian community, you could always hear the Yankee game playing from the radio in every window. And after the game, nobody asked you how the Yankees did. They always asked, "How did Joe do?" Joe DiMaggio was an inspiration and a role model for all Italian-Americans.

In the uncertain years before World War II, Joe's graceful fielding and powerful hitting mesmerized a generation of baseball fans. His accomplishments speak for themselves: besides the unforgettable hitting streak, he was a 13-time all star, a perennial .300 plus hitter, the winner of 10 American League pennants and nine world championships.

Yet all of these accomplishments and records are overshadowed by the character of the man who holds them. His class and Yankee pride are exhibited in everything he does. In all his years as a player, Joe was never thrown out of a game. He gave 100 percent every day he played. And he interrupted his baseball career to serve his country in the War.

Someday, all of Joe DiMaggio's records may be broken—yes, even the 56-game hitting streak. But his style and grace on and off the field will always remain, and his legend will never diminish. As an Italian-American, I will always have a special place in my heart for the "Yankee Clipper."

Mr. MILLER of California. Mr. Speaker, I rise today to pay tribute to a living legend and one of America's greatest athletes.

Born in my hometown of Martinez, CA, Joe DiMaggio was the seventh of eight children and the second youngest boy in the DiMaggio family. Inspired by his older brother's interest in baseball, Joe rose from a school ballplayer unable to afford a team uniform, to a baseball hall of famer and one of the greatest names in sports history.

At the age of 17, Joe began his professional career with the minor league San Francisco Seals. One year later, he unleashed a 61-game batting streak and a remarkable career at the plate.

His superb hitting was only rivaled by his fielding. His miraculous catches awed fans across the country. While in the majors, during his first year with the New York Yankees, Joe managed the most assists in the league. That year he made an amazing catch in the World Series at the steps of the clubhouse and was named to the all-star team. He returned as an all-star every year for the rest of his career.

The "Yankee Clipper" is best known for a hitting streak which commenced 50 years ago today against the Chicago White Sox. A single in that game marked the beginning of a 56-game hitting streak, a major league record that is still unbroken and one that many experts believe will never be surpassed.

Although his career was plagued by injury, this superstar managed to capture nine World Series titles and earn two most valuable player awards. His performance both on and off

the field earned him the respect of generations to come.

Baseball is one of the cornerstones of this Nation's identity. Filled with tradition, the game lends a sense of heritage to a country still in its youth. Joe DiMaggio helped to shape the game we know today. He was a leader in the sport and a role model outside the stadium. At 76, today he remains a source of pride and inspiration for all those with an interest in the sport of baseball.

Today May 15, the 50th anniversary of Joe DiMaggio's 56-game hitting streak, I am proud to join my colleagues in honoring this distinguished American.

Mr. BACCHUS. Mr. Speaker, I rise today as one of Joltin' Joe DiMaggio's biggest fans. In 1969, a centennial poll designated Joe as "the game's greatest living player."

What a record—361 career home runs, 1,537 RBI's and 1,390 runs scored. Not to mention the all time major league record of 56 consecutive games with a hit.

Joe was a hero to so many young men and women who watched him. After recovering from a heel injury, he hit four home runs in a three-game sweep of the Boston Red Sox in 1949. Joe was a real hero, the best of the boys of summer. There was a little DiMaggio in each of us who played little league and lived the ritual of baseball on radio and TV.

I want my son Joey to see today's DiMaggios; to know baseball on a Saturday afternoon; to see the blur of a Nolan Ryan fastball or the speed of Ricky Henderson along the base paths. I want Joey to experience the magic of professional baseball in Orlando, an area that is already a magic kingdom for the young at heart from all over the globe.

You would be hard pressed to find a better home for professional baseball. Because central Florida is the world's number one tourist destination, visitors from all over the world could experience our national pastime.

Let the world witness what we already know.

Orlando has proven itself as a world class city capable of supporting a professional sports team. The Orlando Magic of the NBA fill the arena every game. Orlando's perfect climate allows us to build the kind of stadium that baseball prefers, and open air, natural grass field that will rekindle memories of Wrigley Field and Memorial Stadium.

The support in Orlando for a major league baseball team is overwhelming. Already 37,000 deposits have been made on season tickets. If Joe DiMaggio were still in the game he would want to play in Orlando.

Central Florida is ready to be the next field of dreams.

#### FAIR TRADE VERSUS FREE TRADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, within the next 2 weeks, Members of this Chamber will have the occasion to retain its constitutional authority to establish policies with our foreign trading partners.

The gentleman from North Dakota [Mr. DORGAN] introduced a resolution disapproving the extension of fast track procedures to bills to implement trade agreements entered into after May 31, 1991.

A vote on Mr. DORGAN's resolution presents a historic opportunity for the Congress to regain control of trade issues that impacts every segment of our society, every small town and community, every large industrial city—what few are left—and virtually every citizen.

In accordance with the Omnibus Trade and Competitiveness Act of 1988, Congress has until June 1, 1991—just 2 weeks from now—to decide whether or not to extend to the President the continued guarantees that legislation necessary to implement any final North American Free-Trade Agreement and General Agreement on Tariffs and Trade will be continued.

This is a subject that has divided the Congress—not along party lines, but along philosophical lines. You may call it free traders versus fair traders; or big business versus medium and small businesses, as well as labor. It also is an environmental issue, a human rights issue, an immigration issue, a jobs issue, but above all else, it is an American preservation issue—one that will dictate whether or not the Congress, and the people whom we represent, have any say whatsoever in determining the quality of life and the standard of living we will enjoy in the future.

Mr. Speaker, since January, more than 30 hearings have been held by various committees and subcommittees of the Congress to explore the extension of fast track authority and the implications of a North American Free Agreement and the General Agreement on Tariffs and Trade on the U.S. economy and work force.

One such hearing was held by my subcommittee, the House Public Works and Transportation Subcommittee on Economic Development, chaired by my good friend and colleague from Pennsylvania [Mr. KOLTER].

Mr. Speaker, I want to take this time to commend Mr. KOLTER for his outstanding leadership as subcommittee chairman. Like many of us in the Congress, Mr. KOLTER recognizes the importance of negotiating a fair trade agreement with our neighboring nations in the Western Hemisphere and with our numerous trading partners, who participate in the GATT talks; and I welcome his participation in this special order to discuss this critical issue.

As I indicated, Mr. Speaker, the Subcommittee on Economic Development held its own hearing on the issues related to extending fast track authority and the effect of a North American free-trade agreement on our Nation's economy and workforce, and I want to share with my colleagues and the view-

ing public throughout the country who watch on C-SPAN, some of the concerns raised by the witnesses who appeared before us.

Before I relate to you some of those concerns, I want to repeat some comments I made at our hearing. I believe it significant that the Subcommittee on Economic Development held a hearing on this issue because, historically, the subcommittee plays a very important role in assisting economically depressed regions by our oversight jurisdiction of the Economic Development Administration and the Appalachian Regional Commission.

Through the various programs of these two agencies, we have attempted—with some success—to ease the economic strife of regions that are underdeveloped, hard hit by the relocation of industries, plant closings due to a variety of reasons and military base closures.

Over the years, these activities have been limited to pockets of recession. My very serious concern is that these pockets of recession will spread nationwide as the result of an ill-conceived, poorly negotiated free trade agreement.

In fact, I believe the process already has begun, and it is not totally related to a downturn in the economy.

While industries have moved offshore, others have been driven out of business under policies promulgated by past administrations under the aegis of free trade. We have seen a serious shift from an economy anchored by job-producing heavy industries to one of fast food restaurants and other service-oriented industries.

Such a movement, Mr. Speaker, already has ripped apart the very foundation of our industrial base, which was responsible for building this great Nation of ours, and it already has had a serious impact on our national defense capabilities.

Industries essential to the support of military are becoming extinct, others are following the same trend. We have become totally dependent on foreign firms for many of the vital components needed for many of basic military armaments and high-technology weaponry.

Many U.S. companies and industries have been the victims of foreign governments that target specific industries—radios, watches, televisions, and cameras. Other industries have shrunk considerably—30 percent or more—ball bearings, machine tools, automobiles produced by onshore manufacturers, industrial fasteners, steel capacity and shipbuilding.

The scenario continues as we move closer and closer to one global market.

Now, Mr. Speaker, the administration comes to the Congress with a proposal requesting us to give it the authority to continue with more of the same policies that steadily have dev-

astated our industries, placed hundreds of thousands of Americans out of work, forcing many of them to accept lower paying jobs—thus reducing their standard of living.

According to a report in the National Journal, an unreleased Commerce Department study projects job losses of an additional 40 percent in some key industries, such as manufacturers of automobile parts, steel, shoes and textiles, if the United States signs a free trade agreement with Mexico.

There seems to be an attempted stampede of the Congress into fast track, then "fast action" on the Mexico free trade agreement and next, a fast ratification of GATT. As a journalist and former editor, I am interested in words and their connotations—what does one normally stampede? A herd, and following that image is the herd mentality bringing pictures to mind of a blind, out-of-control rush—without destination—being driven by some frightening, unseen power.

In the west, where I grew up, a stampede is a destructive force, often man-made, costly to all involved and, tragically, sometime, leading to the deaths of both man and cattle.

Maybe, I am misjudging the pressures being exerted by the administration and the free trade forces in the Congress and the media to expedite passage of fast track and the Mexico free-trade agreement and after that, GATT, but when I review the lobbying I have been exposed to, I think not.

We are told that President Salinas is progressive with a stable government—but, that he will only be in office for another 2 years, so we must hurry to deal with him while we can.

This is not a comforting argument. If Mexico's future is so up in the air that we are unsure of our ability to deal with the next Government—and Salinas cannot succeed himself—how much worse off will we be trapped inside a treaty with an unstable, possibly, reactionary Mexican Government?

Also, I have not been impressed with the plea that this act will lessen the problem of illegal immigration from Mexico. The idea that a Mexican worker will live in substandard housing working almost a 50-hour week and not long for the suburbs of Los Angeles or Houston is poppy-cock.

Regrettably, part of the illegal immigration across our common border is not Mexican nationals. Mexico is used as a corridor for many Latin Americans working their way northward. If we are being assured that Mexico will not be used as a station for transshipping foreign manufactured goods through to the United States, their performance in restricting the "pass through" of humanity is not encouraging.

And as to the matter of statistics proving that the United States will benefit from the opening up of the

Mexican market, never have I seen so many statistics used to such wrong ends in my life.

First, Mexico is a poor country which already owes us in the excess of \$6 billion.

Second, workers earning a dollar an hour do not buy many cars or stoves or refrigerator. They do buy, possibly, radios, TV's—maybe even watches—items which we no longer manufacture in the United States. I think the opening of the Mexican market probably will benefit Japanese companies operating there much more than it will benefit any American manufacturer.

And third, the boast that exports Mexico have expanded from \$14 billion in the last 4 years to \$28 billion proving the sudden riches of the emerging Mexican market does not hold up under scrutiny of the raw export figures.

The incredible amounts of component auto parts and camera parts reflects the existence of 57 automobile assembly plants—plants either moved from the United States or not built here, and the loss of 3,000 Kodak jobs in New York State 18 months ago. There are many other exports which then are shipped—with value added—back into the United States.

If this were not so, then why is it that while our exports rose by \$14 billion, in the same period of time, our imports rose by \$10 billion?

I believe a further breakdown of the export figures would show that much of the \$4 billion surplus in exports during that period of time were sales of capital equipment to the new U.S. transplants—business equipment, et cetera—otherwise, the growth in exports would more closely match the growth in imports back from the Maquildora Program.

This is to be expected since the manufacturing strip along the border was created to assemble finished product for sale predominantly outside of Mexico. However, in presenting the impressive growth of exports to Mexico, the Trade Representative's Office never explains what part of the exports are coming out of the Maquildora program being imported back by United States-owned companies.

Another statistic being used by the administration, which is bothersome, is in the May 1 statement by the White House that "over the last 4 years, U.S. merchandise exports have increased by \$178 billion—in constant 1982 dollars—and have accounted for over 40 percent of U.S. GNP growth."

This is incorrect. Government statisticians report that exports over that period of time represent under 16 percent of the growth in GNP. The difference between 40 and 16 is great enough to call the number an egregious error.

And even the 16 percent occurred during a period of slow growth in the economy—an average of 4 percent a year—

in that way, it is not an impressive figure and, second, as I pointed out before, in the export figures to the Mexican Maquildora Program, export figures are not always what they seem. Much of the growth of exports to Japan is from Japanese-owned United States transplants exporting back to their own markets, repatriating the profits, thereby skewing the real economic meaning of the figures.

If some portion of the 16-percent growth is so-called phantom exports, then—the figures being used to show growth in the GNP are skewed. The purpose of collecting both export figures and GNP figures is to give a true picture of the health of the national economy.

It may be that this is one of the factors in the continuing miscalculations on whether the recession is ending or why—with the exception of last month—predictions of future employment have fallen so far short of the mark.

There is one more reservation I have about the wealth of statistical information being presented by the proponents. The International Trade Commission's report to the Ways and Means Committee on the "likely impact on the United States of a free-trade agreement with Mexico" was adjusted after its release.

In the first report, the ITC stated that:

Unskilled workers in the U.S. would suffer a slight decline in real income, but U.S. skilled workers and owners of capital services would benefit more from lower prices and thus enjoy increased real income.

Evidently, even the small negative of reporting that unskilled workers suffering a slight decline was too harsh and raised criticisms in the country, so someone at the ITC sent the in-house economist back to the drawing boards with another model to run through the computers—one which would give a better report.

Now, the ITC contends—using projections from the more optimistic model—that "all classes of workers find their real income increase as a result of FTA."

I am suspicious of such a happy scenario. One would come to believe that the Mexico Free-Trade Agreement is some magic elixir and it is being sold that way complete with unsubstantiated figures and promises. There are 1,900 foreign facilities in the Maquiladora Program, many of them United States companies or companies which would have come into the United States to get those products into our market. I do not know how many jobs already have been lost because of these operations, but—just think—divide 50 States into that 1,900—and it represents an average of 38 plants per State.

Have we lost a kick in our economy? Is it spinning down? I suggest that we

look no farther than the Mexican border to see where it has gone. And participants in this program are roaming Capitol Hill telling everyone how wonderful the water is—to come in all the way.

Now, Mr. Speaker, allow me to turn to some of the concerns raised by the witnesses who appeared before the Subcommittee on Economic Development.

Lori Wallach, a staff attorney with Public Citizen's Congress Watch, testified that for consumer and environmental groups, stopping fast track extension is the No. 1 priority, because fast track and the type of trade agreements fast track promotes, threaten existing health and safety protections, and will limit any further initiatives.

Earlier this month, the White House attempted to allay the concerns of environmentalists when it issued a clarifying statement, but it failed. Ms. Wallach stated:

The President's response was an inaction plan which did not begin to deal with the havoc fast track trade agreements will do to this nation's health and safety laws.

The President's response dealt with two specific areas of trade agreement—labor and environmental issues with the proposed agreement with Mexico. The administration failed to meaningfully address even those narrow concerns.

She continued that the President's response on environmental issues will not be part of an agreement. A close look reveals that environmental issues are regulated to a parallel track and to a possible, but not guaranteed, parallel agreement." The President's statement read: "We envision entering into discussion with Mexico on the following cooperative environmental arrangements."

Ms. Wallach said that by preparing environmental issues from the disputed resolution and other enforcement mechanisms, the administration has reduced its response to nothing but rhetoric that will have no actual bearing on the implementation or operation of the Mexican agreement.

"The only environmental guarantees the administration's response would include in the agreement are insultingly hollow," Ms. Wallach said.

Continuing, Ms. Wallach said, "the administration states that as part of the agreement it will not negotiate away U.S. environmental and consumer standards. Yet, as trade experts both in and out of the administration clearly recognize, even if the administration does not directly give away such protection, such laws would remain exposed to later challenge by Mexico or any other country as trade barriers.

"With both the United States and Mexico as GATT members, United States law could be challenged by Mexico under GATT, regardless of even truly protective language in a Mexican agreement. In fact, as would have been quite clear to the administration offi-

cial who devised the plan to soothe a concerned Congress, Mexico would likely prefer to use GATT to challenge United States law. Under GATT, challenges are decided in secret by a three-member panel of foreign countries," Ms. Wallach said.

You may ask yourself: is such a challenge to U.S. laws possible under GATT? The answer is a resounding, "YES".

As Ms. Wallach pointed out to our Subcommittee, Mexico is currently using GATT to challenge the United States Marine Mammal Protection Act, which bans sales of tuna harvested with dolphin-killing techniques in containers labelled "dolphin-safe."

Ms. Wallach summed up the concerns of all environmentalists when she stated: "what is really at stake \* \* \* is giving total control and authority over trade policy to an administration that has had as its agenda getting rid of the laws and programs that ensure the citizens of this country have safe food, a clean environment, and health and safety protections guaranteed by its government."

"Under fast track," Ms. Wallach warns, "hidden provisions in trade agreements like the Mexican agreement and GATT could undo U.S. health and safety laws by exposing them to challenge by foreign countries and companies. U.S. trade negotiators have structured the GATT draft and will structure the Mexico agreement so other nations can challenge a vast range of U.S. laws by calling them trade barriers."

"Fast Track is an outrage," Ms. Wallach charged. She added, "trade agreements under fast track were meant to be the new secret weapon for domestic deregulation. Because Fast Track eliminates the potential of Congressional check and balance through amendment, administration negotiators know that they can link domestic deregulatory measures to legitimate trade proposals and then ram the whole package through Congress."

In her testimony, Ms. Wallach noted that the Canadian Free-Trade Agreement, which was one of three such trade agreements negotiated under Fast Track procedures, is to be the blue print for the Mexico-North American Free Trade Agreement. Ms. Wallach said the Canadian Agreement foreshadows the consumer and environmental nightmares we can expect if fast track is not defeated.

As an example of direct consumer harms, the witness cited the fact that "the Canadian Agreement eliminated border meat inspection. Under the new system, only one truck in fifteen is inspected, and the truck driver, not the inspector chooses the sample to be inspected. The consequences for consumer safety on both sides of the border have been frightening. One border meat inspector, a 26-year USDA

veteran finally blew the whistle. His affidavits document a terrifying increase of meat contaminated with feces, pus-filled abscesses and foreign objects such as metal and glass.

"The inspector, William Lehman, is only allowed to reject the actual samples he inspects—the rest of the load rolls across the border and onto American consumer's plates," Ms. Wallach testified.

With this record on Canada, Ms. Wallach said, imagine the results of the elimination of border inspection with Mexico. Imports of red meat from Mexico were stopped for five years for health reasons until 1989. Further, a high percentage of Mexican produce is rejected for containing banned pesticides or high residues of restricted pesticides."

The Canadian agreement also has been used to challenge the U.S. ban on asbestos. Ms. Wallach noted that "the Canadians are a leading world producer of the toxic substance. They are challenging the U.S. health ban as a barrier to their importation and sale of asbestos in the U.S. market."

On the agricultural front, farmers are divided. While the large agribusinesses are in favor of a Fast Track negotiated free trade agreement, the family farmers of the Nation—the farmers that helped build and fed this Nation—are opposed.

Susan Denzer, director of the National Family Farm Coalition, said while family farmers are not interested in slowing down progress or clinging to an earlier time, they do feel that as a Nation "we need more time to establish sound and fair trade policy. We merely want an opportunity to participate in designing fair trade policy, to ensure that the benefits of these changes are well distributed."

That is what we all should strive for, Mr. Speaker, and not an agreement that would see United States jobs exported to other foreign nations, whether it is Mexico, Japan, or Germany.

Ms. Denzer testified that "the process must allow for widespread citizen participation, thoughtful consideration, and accountability to the general public—and should not be left to appointed officials, free trade-biased economists, and economic advisers who earn their salaries from multinational corporations."

The administration and proponents of fast track argue that we as Members of Congress will have the ability to accept or reject a Fast Track negotiated trade agreement, but is that realistic. We all know how the administration will be up here on the Hill lobbying for us to pass an agreement, with assurance that everything will be okay, that there will be only minor job relocations, that in the end the U.S. will benefit.

We have all heard that argument—those assurances, but who really be-

lieves it. All we have to do is look at the Canadian Free-Trade Agreement. Ms. Denzer noted that during the development of that agreement, farmers from both sides of the border were dissatisfied and opposed to the agriculture section.

"Their Members of Congress," Ms. Denzer said, "were aware of their concerns, yet they could do little to alter the agriculture section of the proposed agreement, and it was impossible to sway the final vote with so many other factors involved. She added that "people had extremely limited access to the decisionmaking."

I submit that that was true during the Canadian Free Trade Agreement and it most certainly will be true in all future negotiations under Fast Track.

Another example of a free-trade agreement with Canada was related to the Subcommittee on Economic Development by our colleague from North Dakota, Mr. DORGAN.

Mr. DORGAN said, "the Canadian border has been, and is, closed to American grain going North. You couldn't get one grocery bag full of wheat into Canada." The gentleman from North Dakota related the following story to illustrate his point.

North Dakota woman was going to bake whole wheat bread in Ontario. Her relative cleaned two sacks of hard red spring wheat and put them in the back seat of her car. She drove up to the border . . . the customs people asked what she had in the back seat. She told them wheat to bake some bread. They asked if she had a license because you can't bring American wheat into Canada. They forced her to dump it on the ground on the American side.

At the same time that they were forcing her to dump two grocery bags full of wheat on the American side, the Canadians were sending 10 million bushels of durum wheat into the United States. They started at zero, no wheat into the United States, before the Free Trade Agreement. Now, it's 10 million bushels, 17 percent of the domestic market.

The result of this free trade exercise under fast track, Mr. DORGAN explained was "the collapse of our prices, and is causing our farmers an enormous amount of lost income, when they are already flat on their back."

If that is an example of free trade and an example of how we should place our trust and faith in appointed U.S. negotiators, then the vote for Mr. DORGAN's resolution of disapproval should be 435 to zero.

In her testimony, Ms. Denzer, of the National Family Farm Coalition, warned that "deregulating agricultural trade in North America as proposed by the Administration will create destabilized agriculture in all three countries. It will have dramatic negative impacts on certain sectors of agriculture and our rural communities. And it will endanger our food safety and environmental quality standards.

"In short," Ms. Denzer said, "deregulated free trade serves no one but the largest agribusiness corporations that

make their money from high productions of agricultural goods, and the large commodity organizations who care more about their export markets than the financial security of their producer-members."

Mr. Speaker, we also must look at what a free trade agreement will do to the domestic workforce and to our communities. A graphic example of the impact imports have had on our industries is found in textiles. One of the witnesses who before the Subcommittee on Economic Development was Carmen Papale, manager, Baltimore Regional Joint Board of the Amalgamated Clothing and Textile Workers Union.

Mr. Papale related that his office represents 7,500 textile workers in five Middle Atlantic States. Most of these workers are women and a number of them are heads of households. Just 15 short years ago, Mr. Papale explained his union represented over 18,000 workers in the region. That number has dwindled down to 7,500 workers primarily due to imports.

When a plant closes and the workers are laid off, it is not just the loss of a job and a paycheck that affects workers. The benefits that go along with a job, such as health insurance and day care are gone. "There is no supplement for that. Plus there is a loss of pride in oneself at not having a job," he said.

"I have seen a whole community destroyed," he continued. "Up in Everett, PA, when 300 workers were laid off when the plant shut down, the income tax base was gone. So it is not just a job that is lost, but everything that goes with that job."

Mr. Speaker, in a very emotional statement before the subcommittee, Mr. Papale noted that the government has offered to retrain displaced workers, but he asked what will they be retrained to do. There was a time when it was said and suggested that laid off textile workers could be retrained in the electronics industry or computers, but Mr. Papale told us that those industries also are now gone. He pointed out that the Communications Worker of America lost 1,500 workers just a year and a half ago when a plant closed in Virginia and went to Mexico.

Mr. Papale said if the Mexican Free Trade Agreement and fast-track authority goes through, it would devastate the domestic textile industry." He said many people believe and say that the clothing textile industry is expendable, "but it is not a job that is expendable. I believe those people that are for free trade are saying Americans are expendable. A job is not expendable, an American is expendable."

Mr. Papale asked how do you go into the factories and tell a woman that it is good for her that jobs are going to Mexico. Well, I am asking the same question.

Mr. Speaker, maybe there should be a provision mandating that every Mem-

ber of Congress, who supports fast-track authority and votes for a free trade agreement under such procedures should be required to stand at the gates of a factory on its last day of operation and explain to the laid off workers that it's for the good of the country that his or her job is being moved to Mexico. If Members were required to do just that—face the American worker—then a vote for Mr. DORGAN's resolution of disapproval would be 435 to zero.

Mr. Speaker, I want once again to commend the gentleman from Pennsylvania, the chairman of the Subcommittee for Economic Development, for his leadership in holding our committee's hearing on fast-track authority and impact of a North American Free-Trade Agreement.

I also want to commend Mr. ROE, chairman of the House Public Works and Transportation Committee, and Mr. HAMMERSCHMIDT, the ranking minority member of the committee, for their leadership and guidance. While some of us may disagree and stand on opposite sides of the fence on this issue, it is, nevertheless, important for all of us to have a full and public airing of both sides of the arguments so that this body may make a responsible decision for the betterment of America.

□ 2120

Mr. Speaker, I again want to commend the gentleman from Pennsylvania, the chairman of the Subcommittee on economic development, for his leadership during the committee's hearing on fast track and the impact of such an agreement, and I now yield time to the gentleman from Pennsylvania [Mr. KOLTER].

Mr. KOLTER. Mr. Speaker, I thank the gentlewoman from Maryland [Mrs. BENTLEY] for yielding. I want to thank her for her fine statement this evening, thank her for her fine support, and superiority and her outstanding work on our Subcommittee on Economic Development.

Mr. Speaker, I am not sure how much time is left. I ask unanimous consent that I may address the House on a 30-minute special order immediately after the gentlewoman from Maryland [Mrs. BENTLEY].

The SPEAKER pro tempore (Mr. GEREN of Texas). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KOLTER. Mr. Speaker, before I go into a colloquy with the gentlewoman from Maryland [Mrs. BENTLEY], I would like to be allowed to first state how I became involved in this problem of fast track authority, trade with Mexico, so on and so forth.

Back in 1986 a staff member and myself were having a lunch in the Members' dining area, and we overheard a dialog between a Member on the gen-

tlewoman's side of the aisle and some business people in which the Member indicated that our Department of Commerce had sent out invitations to a program called Expo Maquila 1986. I had no idea what that was, but I continued to listen since we were colleagues and friends and sitting at adjoining tables. Here I found out, I say to the gentlewoman from Maryland, that our Department of Commerce was teaching American business people to send computer parts to Mexico where they would be assembled in a plant called a maquiladora; a maquiladora, meaning a plant that puts things together. I became rather perplexed because I heard that the labor costs there were almost nothing, most minimal. At that time I think the payment was a full \$35 a month.

Mrs. BENTLEY. That sounds about right.

Mr. KOLTER. That was back in 1986. So, I came back on the floor here. I recall talking to Speaker Tip O'Neill, indicating that we ought to send a committee down to Mexico, to Acapulco, where this hearing was taking place, and in fact he suggested that our Committee on Government Operations, chaired by the gentleman from Georgia [Mr. BARNARD], ought to go down there.

So, that year, in 1986, instead of going hunting, as I usually do in the first week of November, we went to Mexico, and our first stop was Mexico City where we talked with a Mr. Martinez, if I recall correctly, who was the gentleman who had the responsibility of licensing American plants in Mexico.

Mr. Speaker, Mr. Martinez did his job well. He knew for a fact who we were, where we came from. He said, "Mr. KOLTER," and this was a Mexican that was educated either at Yale or Harvard, but I do not recall that now, he spoke fluently. He said, "Mr. KOLTER, you come from Pennsylvania. I can tell you as of this date I have licensed 155 companies from Pennsylvania alone to come down to Mexico here to put your assemblies together here using Mexican women and children."

Mrs. BENTLEY. And children.

Mr. KOLTER. And children at age 16. Now I understand their age is 14 working in these plants.

He pointed with pride to a telephone. He said, "See that telephone? The last time that was manufactured in America was 10 years ago."

Slowly and surely I saw where all these jobs from Pennsylvania were going—Pennsylvania, Ohio, New York, Maryland, West Virginia, all these States around here where we used to be able to find jobs for our children, our young people. Now we know why so many people are moving out of our States and going to Texas, and California and New Mexico, to find jobs.

Later on we went to Acapulco where we met with the American-Mexican

Chamber of Commerce. There we met with the three vice presidents of the big three, the people who have the responsibility of running the plants in Mexico for Ford, Chrysler and General Motors. They with great pride indicated to our committee that they felt sure that by the year 2000 the majority of the cars, at least half the cars, the new cars driven in America, will be assembled in Mexico.

As a matter of fact, Mr. Speaker, on our way back to America I had picked up an American-Mexican newspaper, and I read where just that day two plants, two General Motors plants, closed, one in Ohio and one in Indiana, because they were moving south of the border, to Mexico.

□ 2130

I believe I still have that newspaper in my possession. While we were there, I just recall the President of Mexico, Mr. Madrid, was in Japan, trying to get Japan to come to Mexico to take advantage of the cheap Mexican labor. I understand on that trip there, he was successful in licensing 20 companies to come to Mexico to be closer to the American market. Isn't that rather frightening to you?

Mrs. BENTLEY. Would the gentleman yield for a second?

Mr. KOLTER. I certainly will.

Mrs. BENTLEY. I think in some articles I have seen just in the past week or two, there have been announcements that two Japanese automobile manufacturers are investing somewhere between \$2 and \$4 billion each in new plants down there, and Volkswagen of Germany, which stopped its production in Pennsylvania, as you may recall, they are transferring all of that work down to Mexico as well, so that they will be manufacturing there. Supposedly, I think the quote was from President Salinas, that they were going to encourage every dollar that they could from Japan to come into Mexico, so that they could use that as their doorway into the United States.

Mr. KOLTER. Well, I believe you are right, Mrs. BENTLEY. President Salinas is taking up where President Madrid left off. They have a strange form of government down there. When we were down in Mexico we were told, and we read in the papers, that President Madrid was going to appoint or name his successor. So I just wonder what kind of democracy they have there in Mexico.

Perhaps Mr. DREIER would help us on that.

Mr. DREIER of California. I thank my friend for yielding, and I appreciate the fact that my good friend from Maryland [Mrs. BENTLEY] and my very good friend from Pennsylvania [Mr. KOLTER] have taken out this time to discuss their critically important issue which is going to be determined one week from today on the fast track

question, based on the present schedule we have.

I just returned from having attended the 11th meeting of the United States-Mexico Interparliamentary Conference, and, to answer specifically the gentleman's question, there is no doubt in my mind whatsoever that the institutional Revolutionary Party, which since 1928 has controlled the Government of Mexico, it has not been the kind of democracy, the kind of free political system that we in the United States of America are used to or that we would like to see.

When I heard my friend liken President Miguel De la Madrid to the new President, Carlos Salinas Gortari, I have to say that there is a very clear distinction that needs to be made between the two.

When I attended my first meeting of the Interparliamentary Conference 10 years ago this month, it was May of 1981, then President Jose Lopez Cartillo was talking about nationalization of the banking system. In fact, the Government of Mexico moved toward nationalizing many industries in Mexico.

Frankly, and very tragically, through the decade of the 1980's, while we in the United States encouraged in every way that we could move toward freedom, both economic and political, we did not have a lot of success during the decade of the 1980's.

But, frankly, as President Salinas came into office 2 years ago, we have seen tremendous economic and political reforms. For example, since 1928, for the first time in the history of the institutional Revolutionary Party, the party in control in Mexico, we have seen the successful election of a gubernatorial candidate of the opposition party, the Pon Party, the National Action Party.

In fact, in north Baja, Ernesto Ruffo, who is a member of the Pon Party, was elected governor of that state in Mexico. That does not mean that there were completely free and fair elections throughout the country, but it is a positive sign toward reform.

The other thing I would say to my friend from Pennsylvania, if he would continue to yield for just a moment, and then I will just kind of complete this thought, we have seen under President Salinas against tremendous odds in Mexico, because, frankly, there is this so-called, quote/unquote, antigringo sentiment that exists in Mexico.

Historically, many of the Mexican people have believed that we took from them much of their country, and, frankly, if you look at the school system in Mexico, there is not a lot of love that emanates from there toward the neighbors to the north.

So, having recognized that and gone up against it, President Salinas, realizing that the United States of America

clearly has a better system as far as economic movement and economic success, has taken tremendous strides over the past couple of years toward privatization.

Again, it is not perfect, but he has denationalized the banking system. The telephone system is going back toward privatization. Having done that, we have seen tremendous improvements. He has looked after workers' rights in Mexico, he has got an environmental package which is designed to improve tremendously the pollution problem. Five thousand people were laid off at the most polluting facility in Mexico City not too long ago. It was a refinery that was there.

He has made these moves, which I think we in the United States have to recognize have come about in large part, I would say to my friend, because of encouragement from the United States, and the tremendous expansion of democracy and freedom which has taken place throughout the world.

So I think when we liken one to the other, I think it is important to distinguish President Salinas' performance in the last couple of years against tremendous odds, and recognize that it has been positive, and I think will continue to be positive.

I frankly believe that if we reject this fast track vote a week from today, that we will be slapping in the face a person who is looking to us as a model for economic and political reform.

I thank my friend for yielding.

Mr. KOLTER. Well, Mr. Speaker, I would not say that. I thank my colleague for the information. But, you know, back in 1986 we had the same pollution we have today. As a matter of fact, if you would go to the most recent Time magazine, dated May 20, the one that is current this week, there is an interesting article on page 51 called, "Love Canals in the Making." That is the title here. I am sure you read it. "Pollution along the Mexican border is a growing health hazard. In many places you can smell the border before you see it."

Back in 1986, we saw that then, and, I see no change. You are talking about a slap in the face to the Mexican Government, to the Mexican President. How about these jobs? You know, there are almost 500,000 jobs now in these maquiladoras. These are jobs that formerly were held by American people in my neck of the woods, in Ohio, in all the States adjacent to Pennsylvania. They are gone.

Now, maybe your State of California, I know for a fact your State has twin plants located in your State.

You see, Mr. Speaker, the automobiles and the other items are placed together in maquiladoras in Mexico, and then they are sent across the border for the final bolt, or perhaps they slap a label on it, and now they pay very little taxes on it.

You see, these are jobs formerly held by American people. How do I go back to Pennsylvania and say, look, our Government, our President, our Congress, is more concerned about the economic development of Mexico than we have of you? How can I say that?

Mr. DREIER of California. If my friend would yield on just a couple of points he made, I would like to respond, if I could.

On the first point, dealing with the environmental question, yes, there has been tremendous pollution which has taken place from older heavy industry in Mexico.

In 1988, a new environmental standard was set with a law that was passed by Parliament and signed by the President, and it clearly has worked toward an improvement in the environment in that area.

I would say to my friend that if one looks at older industry in Mexico, the older industry which is polluting and creating many of these problems to which my friend refers, I think that we need to realize that new domestic industry in Mexico is successfully regulated, if you will, under this new law.

They admit to having a difficult time with the older, heavy industry there, and that underscores for me the necessity to bring new investments and new industry in. And they welcome the investment from throughout the world, because they are convinced that it will help them create an opportunity where they can close down industries like this refinery in Mexico City which was responsible for 30 percent of the air pollution in Mexico City, close that down and hire people in new facilities which are not polluting as heavily.

Mrs. BENTLEY. Excuse me, if the gentleman would yield, we are talking about the environment. In my area, it is right on the edge of my district, so many of the people live in my district, is a GM plant, which was really renovated less than 5 years ago, and they make the minivan that GM produces there.

□ 2140

Mr. DREIER of California. I think the gentlewoman drives one of those.

Mrs. BENTLEY. I drive a Ford. I drive a big van, but this minivan. GM is seriously considering transferring the whole operation down to Mexico now because of our new Clean Air Act passed last year by this Congress. And they will go down there where they have fewer environmental regulations.

Mr. DREIER of California. If I could just respond to that briefly, according to William Reilly, who is the Director of our Environmental Protection Agency, the 1988 law which was passed in Mexico is as rigorous and in some areas even better than ours when it comes to meeting environmental constraints which have been proposed.

I met with Fernando Menendez, who is the director of the Air Pollution De-

partment, actually part of what they call SEDUE, which is their environmental protection agency in Mexico, and he has said that clearly many of the environmental constraints are as rigorous or more so than we have in the United States.

So I think that if there is United States industry saying, we are going to take advantage of lax environmental laws in Mexico to charge in there and begin polluting, the Mexican Government is not going to allow it.

I will say this, Ambassador Carla Hills and President Bush clearly do not want us to sign an agreement that allows that sort of thing.

I say to my friend from Maryland that in voting for fast track, I, of course, leave open the option to oppose an agreement which comes back to us from the negotiating table. And if we have an agreement which will simply open the door for United States industry to flee to Mexico and pollute, I will vote against that bill. And I will do everything that I can to oppose it.

Mr. KOLTER. If the gentlewoman will yield, our most recent economic development hearing, we have testimony indicating that industry is in fact making plans to move down there to take advantage of their lax laws. They have the laws, but they are not enforced. That in itself creates a problem.

Mrs. BENTLEY. I think this dialog between the three of us is a dialog that ought to continue, perhaps sometime next week we ought to have another 2 or 3 hours set aside with a group from your side and a group from our side and have a real interesting session so that the people of America can see what is going on here.

Mr. DREIER of California. I already have time reserved every day next week following the distinguished lead that my friend from Maryland has had going on for years here, but I just looked and mine is the first special order that is up for Monday, so I will plan to take that time out and anxiously look forward to continuing to engage in a debate on what clearly is from my perspective one of the most important votes that we will cast in many Congresses.

Mr. KOLTER. I cannot make it for Monday, but any other day, Tuesday, Wednesday, Thursday, and Friday, I will be here.

Mrs. BENTLEY. I cannot make it Monday either, but I will be here on Tuesday. And I have time reserved on Tuesday.

Mr. DREIER of California. I hope you will send some Representatives who are opponents to the fast track.

Mr. KOLTER. If I could go back to the premise of the loss of jobs that my colleague started to talk about, the Economic Policy Institute, who testified before our committee, indicates that they estimate conservative as-

sumptions that the sort of economic model cited by the administration will produce dislocations of over 550,000 jobs after 10 years, and a loss to the U.S. GDP of \$56,000.

If we think we have it bad in our districts today, it will be far worse 10 years down the road.

We have a reapportionment problem right now in Pennsylvania. We are losing three seats, two seats. And it is going to California. It is going to Texas. It is going to those States where the twin plants are located because our American boys cannot find jobs back home so they are moving out.

I am sure you are facing the same problem, Mrs. BENTLEY. So we do have a problem here, and we have to recognize that fact.

#### CONCERN OVER USE OF PESTICIDES AND INSECTICIDES

THE SPEAKER pro tempore (Mr. GEREN of Texas). Under a previous order of the House, the gentleman from Pennsylvania [Mr. KOLTER] is recognized for 30 minutes.

Mr. KOLTER. Mr. Speaker, during the course of our hearing, we had farmers who came to our hearing. Mrs. BENTLEY, you were there. And they indicated to us their concern with the fact that here in our country, our farmers are licensed to use only a certain type of pesticides on their fruits and on their produce, whereas our petrochemical companies are sending out to Mexico, to Israel, to every country in the world DDT and other insecticides and pesticides that are prevented for use in this country.

What happens is, the other countries have an advantage using DDT because they control growth of weeds. They control the little insects that appear on vegetables and fruits. Our farmers cannot do that. Therefore, the produce coming over and the fruits coming over are cheaper than our farmers can produce. That is the unfair palying field.

Even worse than that, and Mrs. BENTLEY, I am a grandfather. I have some wonderful grandchildren. I resent the fact that my children and my grandchildren go to supermarkets, and they have to consume these foods grown in other countries. In fact, I have asked my family, please, when you go to a supermarket and you go to the produce counter, please find out whether in fact these fruits and these vegetables are grown in America. If they are not, please do not buy them. They are not healthy, and I do not want you to use them.

Mrs. BENTLEY. If the gentleman would yield, I think the most important point one can make with them is that they are not healthy. Some of the stories that I have heard, and I know the gentleman has heard similar ones, about the kind of fertilizers that are

used in these other countries, not to mention the pesticides, et cetera, are very questionable. I certainly would not want to consume products that have been grown under those conditions.

Mr. KOLTER. Mrs. BENTLEY, I want to thank you for joining with me this evening. Do you have anything further this evening?

Mrs. BENTLEY. Yes, let me point out another thing or two that we have been learning as we have been going into this, Mr. Speaker,

Are we, when we get into one of these free trade agreements, the thing I do not understand is, why do we not call these fair trade agreements? And why do we not negotiate on a basis of fair trade? Why do we not negotiate on a basis of, we will, when we get on a level playing field with Mexico or Mexico gets on one with us, it might take 10 years, 15 years or 20 years, but when their environmental standards come up to us, when their labor laws come up to ours, then we have a total open door.

Mr. KOLTER. I submit to the gentlewoman that that is my problem back in my State of Pennsylvania. We have our constituents who cannot understand where the jobs are going and why they are going south of the border. They know full well that south of the border the wages there are far less of an expense to industry. They know full well, by reading newspapers and magazines, that the environmental laws are not the same as they are here in America. And they think it is most unfair.

I grant the gentlewoman, and I am with her, I think we need a level playing field. We need some fairness.

I see the gentleman from California, Mr. DREIER would like to have some input at this point and I yield to him.

Mr. DREIER of California. Let me just say, again to my friends, as I did from the very outset, I believe that both the gentlewoman in the well, Mrs. BENTLEY of Maryland, and my friend from Pennsylvania, Mr. KOLTER, have brought some extraordinarily important issues to the forefront here and have consistently done that.

I jump up to respond to the statement made by my friend from Maryland, why is it that we refer to this as a free trade versus a fair trade package? I cannot help but think of where we stand today as far as the world is concerned. We are seeing freedom on the move. The revolution of 1989 clearly saw the crumbling of the Berlin Wall. The unification of Western Europe economically is something that is pending, December 31, 1992. We are looking at the unification of the Pacific Rim.

I think that we are looking towards a free trade package to expand freedom between our neighbors to the south and the United States and Canada, in large part so that we can compete with these other trading blocs which exist.

□ 2150

As far as fairness is concerned, I am convinced that the process of negotiating, which Mrs. Hills is going to be leading along with a wide range of other people in the negotiating process, is designed specifically to bring about a fair agreement.

Now, my friend, the gentleman from Pennsylvania, talks about this flight of jobs to the South. One of the things that we have failed to recognize is that the United States of America has, you know—and let me put it this way: I talked about having attended that meeting in 1981, the first United States-Mexico Interparliamentary Conference, when they were working toward nationalization of industry, and the chairman of the Senate-side delegation, Senator Charles Percy of Illinois, Senator Percy stood up at that and subsequent meetings and said, "You know, I have twin daughters, and many people talk to me about how wonderful it is that you look at the similarities between my two daughters and how neat and charming it is," and Senator Percy responded by saying, "You know, it is not the sameness that I find most wonderful. It is the difference that exists between the two," and interestingly enough the United States of America, as we look at the disparity between Mexico and the United States, offers capital and technology while Mexico offers, yes, labor, and also the thing that we need to recognize, and that is a market, a tremendous market.

Right now we have on average a 10-percent tariff on the flow of United States goods into Mexico, and roughly about a 4-percent tariff imposed on the flow of Mexican goods into the United States. If we bring about this free-trade agreement, it is clear that a lessening of those barriers will provide the people of Mexico what they so greatly want.

Mr. KOLTER. For clarification purposes, I say to the gentleman from California [Mr. DREIER], there is talk about tremendous exports to Mexico. Are we talking about the exporting of these component parts? Are we considering those exports? How would that be of an advantage to the United States or to Mexico? I mean, how can we take pride in exporting component parts instead of finished products made in America?

Mr. DREIER of California. Well, in large part, if the gentleman will yield further, in large part because those component parts have to be manufactured in the United States, and if we look at the development of those things that end up maybe as finished products in Mexico, it still is a very, very important export opportunity for us, and if you look at what has happened since we have had a lessening of those tariffs between the borders from 1986 to today, we have increased from

\$15 billion to \$30 billion in the flow of exports from the United States into Mexico, and we have actually created, by doing that, thousands and thousands of jobs, in fact, 20,000 to 25,000 jobs.

Mr. KOLTER. First off, the President and Members, some Members of Congress, are indicating that it is a great thing that is going on, these tremendous exports to Mexico, but they are confusing the issue, and they are confusing the American public, because we are not exporting finished products which would constitute jobs and constitute new moneys being earned by wage-earners. We are exporting only component parts to Mexico. That is the unfairness of this.

Mrs. BENTLEY. The figures that the gentleman uses, I say to the gentleman from California [Mr. DREIER], of going from 15 to 30 or actually 14 to 28, that additional \$14 billion in exports were the component parts that the gentleman from Pennsylvania [Mr. KOLTER], is talking about, and in turn, over \$10 billion of that came back; the additional \$10 billion came back in finished product assembled down there, and the other \$4 billion, as I said in my statement, was probably machinery and equipment that went down there for the transplants. So it is not really jobs.

I think there is one arena and one thing we have not touched on here and that is that as we get into free trade, and let me comment on that. The gentleman from California [Mr. DREIER] keeps hitting on free trade.

The thing I do not understand is we have talked about free trade in the United States for a long time, and the only thing I have ever seen, the only country that has ever abided by all the terms of these so-called free-trade agreements has been the United States. What we have gotten out of it primarily has been the exporting of jobs, and that disturbs me a great deal.

The other aspect of these agreements, I say to the gentleman from Pennsylvania [Mr. KOLTER], is that "Made in America" is not going to be available when we get these new agreements. There will be no more "Made in America" tags on any equipment. It will be "Made in North America."

Mr. KOLTER. That is precisely correct.

Mrs. BENTLEY. And that means that all of our pride, et cetera, will be gone.

Mr. KOLTER. I see our good friend, the gentleman from New York [Mr. SOLOMON], has come onto the floor, which reminds me of a problem that I want to relate to him and to the gentlewoman and to our good friend, the gentleman from California [Mr. DREIER].

We had great pride this week when General Schwarzkopf was here, and throughout the day, throughout the week, throughout the last several

months, we have taken great pride speaking on the floor about the work our servicemen did in the gulf, and how when they were called to the colors, they came, and they went to the gulf area, and they performed a remarkable, a great job.

Mrs. BENTLEY. They did.

Mr. KOLTER. Now some of these people are coming home. I say to the gentlewoman from Maryland [Mrs. BENTLEY], would you believe we have some people in my district who are coming home who cannot find jobs? They had jobs whose plants have just closed down in western Pennsylvania.

I just wonder how many Mexicans went to the gulf to support our views?

Mrs. BENTLEY. I would dare say the figure is probably zero. I do not know, as a matter of fact, what Mexico really did as part of the coalition, but whatever they did, they probably got paid off well for as did Turkey, getting 25,000 of our textile jobs to be part of that coalition.

But what the gentleman touched on about the loss of jobs is very, very serious, and we are going to be reducing our Armed Forces by some 500,000 more, and I think that we are really facing some real problems in this country in the economic end.

Mr. KOLTER. You know, we are having base closings. We are having reduction in the budget on defense spending, which means many areas of our great Nation will be facing some unemployment problems that they are not familiar with. I do not know how a fast-track authority is going to help these people out.

The President has acknowledged the fact that we will have a loss of jobs. He is not sure how many, but there will be a loss of jobs.

But he wants to retrain these displaced people. Where has he been the last 10 years when we have lost all of these jobs? There are already 450,000 jobs lost to Mexico, and we cannot get moneys here from these Members to aid these displaced persons. It is like pulling teeth.

So how are we going to help our men and women who lose these jobs with base closings? How are they going to face this terrible, terrible plight?

We have got to be there to help them, and I want to say at this point in time to the gentlewoman from Maryland [Mrs. BENTLEY] that I am going to suggest that we have a public hearing of our committee at some of these base-closing communities so we can find out firsthand what is going on and how we can, in fact, be able to assist them in their plight.

Mrs. BENTLEY. I think we need to. I think it is our responsibility to do so. I think it is our responsibility to make sure everybody fully understands what the impacts of all of these moves will be on America and on the American workers.

Mr. KOLTER. I want to thank the gentlewoman for her time this evening, and I want to thank our good friend, the gentleman from California [Mr. DREIER] for his input, and I think if we can get back next week and, you know—I just wondered something, I will say to the gentlewoman from Maryland [Mrs. BENTLEY], I just wondered if the legislature in Mexico could do like what we are doing this evening, where we can have gentlemanly agreements and disagreements as we have tonight. I wonder if that is in effect in Mexico. What does the gentlewoman think?

Mrs. BENTLEY. In my opinion, negative.

Mr. KOLTER. I would be interested to find out really what type of Government they have there. You know, when we were down in Mexico, by the way, back in 1986, there was a big problem with the health of the people there. We were told that less than 2 percent of the Mexican population can afford medical help, that their Government only takes care of the wealthy people who can afford medical help, that the poor people have no choice. They become ill, and if they do not have family or friends who can help them find medications, they become deceased.

I would hope, as the gentleman from California [Mr. DREIER] indicated in his testimony this evening, that there will be some changes made in Mexico, some necessary changes, some needed changes along these lines.

Mrs. BENTLEY. Well, as I said earlier, until they are willing to make those changes and they go into effect and they really get to a level playing field, I am not willing to go into any trade agreement with them.

Mr. KOLTER. Mr. Speaker, the extension of fast track authority and the effect it will have on the economy of our Nation if the North American Free Trade Agreement is negotiated under this authority could cause great distress in many segments of our society. I ask my colleagues and the American public to lend their attention to some very startling information which was revealed to me and my subcommittee on economic development recently.

We asked witnesses to bring us the data they had at their disposal to help us understand the effect of extending the fast track authority to our President which would allow him to have his appointees negotiate a free trade agreement between Canada, United States, and Mexico. This agreement, while in principal should be of benefit to our economy, would allow the President's negotiators the option to bring to Congress a free trade agreement which Congress would have no opportunity to amend in any way. We would simply be required to vote for or against such a contract.

All of us realize there will be some areas in such an agreement which would benefit some segments of our ailing economy. But the overall, devastating effect would far outweigh any minimal benefits being hailed by our administration.

I have long been concerned about the state of our Nation's economy. As the chairman of

the Subcommittee on Economic Development, I have accepted the challenge of our very fine Public Works and Transportation Committee chairman, Mr. BOB ROE of New Jersey, to raise our horizons and help our Nation address the needs for global competitiveness.

In my capacity as chairman of this subcommittee, I find it compelling to reveal some of the very real dangers which would be imposed on our economic strength if we were to negotiate free trade agreement under fast track authority at this particular time.

Our subcommittee is actively engaged in legislative efforts to promote economic growth and job opportunities. For this reason we feel it is imperative that we take a critical look at the economic factors that affect our Nation, including trade issues and the process by which our Nation's major trade policy decisions are made.

The risks in this arena are great and the direction we take on these important trade issues will have a tremendous impact on the future prosperity of our Nation and the quality of life of all of our citizens.

As we move into the new century, a solid industrial base will be vital to growth in our economy. Growth will also depend on our manufacturing and service-oriented businesses having greater access to foreign markets. The issues involved in negotiations to reduce trade barriers are so important and so complex that they need to be fully examined. That is why we worked so quickly to put together panels who would address the effect of fast track negotiating authority on our environment, on our agricultural industry, and the impact on our labor friends and on our businesses.

I just must share a portion of our findings with you today in an effort to let you make your own judgment regarding the impact it would have on our Nation's economy if we were to allow our President the fast track negotiating authority he is requesting in order to negotiate the North American Free Trade Agreement and the Uruguay Round of the GATT Agreement.

Fast track and free trade issues have created apprehension about the impact to our Nation's industries. We are concerned about environmental and health issues. We understand that today there are over 500,000 Mexicans—mostly women and children—who are employed in maquiladoras in Mexico. These are 500,000 jobs which, 10 years ago, were held by men and women in our very own work force. With fast track authority to a new United States-Mexican trade agreement, how many more American jobs will be lost?

The President himself is anticipating job losses as a result of free trade agreements. He addresses the issue by promising that there will be retraining and considerations given to displaced workers. But how can we be sure this will happen when we see displaced workers, even today, who have not been given that type of assistance.

The unemployment rate in my Fourth Congressional District back in western Pennsylvania is 8.7 percent over the six counties which I serve. Three out of six of those counties have suffered double digit unemployment rates which are almost twice the national rate of 6.6 percent. These figures are for those

people who are still on the rolls for unemployment. It doesn't even account for those displaced workers who have dropped off the rolls because their unemployment benefits have expired. These workers have not had the benefits that the President addresses in his promise to retrain displaced workers who will suffer job losses through his attempts to craft a free trade agreement with Mexico under fast track authority. Even if they were offered retraining—what would we train them for—where are the jobs??? Are they comparable in pay to what they have been earning? Are they satisfying and rewarding jobs or are they demeaning and meager jobs he wants to retrain them for?

If the President is granted this extension of fast track authority, this will probably be the only opportunity I will have to speak publicly regarding the devastating effect it will have on the labor force in my district and across the Nation. My constituents don't want any new agreements which will take additional jobs from them, their family or their friends and neither do I!

As pointed out in a recent national association of development organizations newsletter, the administration's unwillingness to move a single dollar of the \$200 million of funds which were appropriated last fall by Congress for the sole purpose of economic adjustment seems to be clear evidence that the President's claim to provide for economic adjustment will never be implemented. This simply means that the President's words uttered to sell the fast track authority request are not enforceable in any way.

The Department of Defense has yet to disburse the \$150 million which was intended for job training and \$50 million for EDA community assistance which Congress appropriated last fall. How can we believe that the administration will do anything more for workers displaced by a new trade agreement if it isn't yet addressing the needs of workers who are now displaced. Funds already appropriated by Congress, but not released by the administration do not help people earn wages. Workers with no jobs can't buy things and that's what makes our economy lag!

As one who has seen my congressional district's economic base switch from a manufacturing-based economy to an agricultural base, I certainly have great misgivings about the job losses which are imminent with fast-track authority and free-trade agreements which will be negotiated as a result of this authority.

I am concerned about the effects on rural America. Our farmers are not being given a fair trade agreement. The playing field is not level for farmers in this country as opposed to farmers in Mexico. Mexico does not adhere to the same requirements that our American farmers are asked to honor before offering food to the American consumer. Food grown here in our United States is grown under protective regulations which have been part of laws which have been initiated in our very own Congress. Food entering our country from Mexico is not grown under the same protective regulations.

Simply stated, this means that the laws which have been enacted to protect the consumers of fresh fruits and vegetables can be ignored in a free trade agreement and that

worries me. How will we know if the food we eat is safe? The playing field is not level, we can't know if DDT, and other insecticides and pesticides were used by farmers sending food into our supermarkets from foreign countries. This is the type of negotiating authority that fast track authority gives our administration.

Yes, those farm products may be cheaper, because the regulations regarding the types of chemicals to be used are different than those provided for in our country. They may be cheaper because the same precautions are not required for packaging, labeling and preserving those foods. And, yes, they may be cheaper because the labor regulations in foreign countries, particularly Mexico, are not the same as ours. The workers are not motivated by wages, benefits, and training programs which would enhance their abilities to produce the best possible product for our consumers. Is this what we want to allow our American public to deal with? I think not.

Clearly, we need to address the question of whether we want to have input in our trade agreements or whether we want to relinquish our authority to the President. There are far too many concerns to simply set aside our authority and say yes or no on any agreement which is developed without our input.

I urge my colleagues to retain the power vested in them by the American public. Give them your utmost attention and represent their concerns by voting no on the extension of fast track authority. Then we will go to work on assisting in the process of developing a trade agreement which will benefit the United States as well as our trading partners.

□ 2000

#### FAST TRACK IS THE RIGHT TRACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER of California. Mr. Speaker, I do not plan to take my entire 60 minutes, but I have taken this special order to talk specifically about the issue which was addressed in the last two special orders by my friend from Pennsylvania and my friend from Maryland.

I wanted to take a few minutes to respond to a number of the points that have been made and to give a slightly different view from the one that has been outlined by my colleagues. I believe a week from today we are going to be casting clearly one of the most important votes in years when we address this question of fast track. Now, people call it fast track, but really Mr. Speaker it is far from that. Fast track simply says the President of the United States has an opportunity to sit down at the negotiating table with our partners and try to reduce barriers which jeopardize freedom and jeopardize opportunity, and prevent the free flow of goods throughout the world. That is all fast track says, that the President and his negotiating team can sit down and discuss this issue.

Now, I say that as an opening, Mr. Speaker, because we need to recognize that if we have an agreement that comes back to the Congress, following that negotiating session, we as Members of Congress have the right to say we like that agreement; those Members who like it vote yes. If we do not like the agreement, those Members who oppose it, vote no. So all we are debating now is whether or not the President should move ahead and begin negotiating.

Mr. Speaker, I for one believe that it is absolutely necessary that the U.S. Congress, both the House and the Senate, grant as did the Committee on Ways and Means did yesterday, and the Senate Finance Committee, and the Committee on Rules and which I serve, yesterday voted out with no recommendation, moving the resolutions to the floor so that we can consider whether or not we will grant the continuation of fast track, meaning giving the right to the President to negotiate, or whether we will prevent it. If Congress prevents moving ahead with the negotiating process, it is apparent to me that we are taking a retrograde step. We have heralded the explosion of freedom throughout the world. We have heralded the fact that we have seen the technology advances that allow people to communicate through satellites with the entire world. We know that television coverage is a shot into far parts of the world.

The message from the United States and the free world clearly played a major role in the crumbling of the Berlin Wall, the explosion of freedom throughout Latin America, the freedom we are seeing in Asia and other parts of the world. For the United States to now say that we are going to prevent the reduction of those trade barriers which exist would, I believe, be a grave mistake.

There are several important things we need to look to. Throughout the world, we have witnessed the formation of trading blocs. In fact, the largest trading bloc, unified trading bloc ever known to man is forming on December 31 of 1992. It is known as EC '92. It will see the unification of the Western European nations.

Something that needs to be recognized too, is that we will see the Western European nations taking advantage of a country which happens to be known as the bread basket of Europe. That is our NATO ally, Turkey. Also, we will see attempts to utilize this 100 million strong new bloc, Central and Eastern Europe, which offers both a labor force and ultimately a tremendous market. So as we watch the European Community unite in EC '92, we also look beyond my State of California, known as the gateway to the Pacific Rim. As we look into the Pacific, what we are seeing is the countries of Taiwan, Singapore, Hong Kong, Korea,

a wide range of nations, Indonesia, Malaysia, potentially Vietnam, uniting as a trading bloc.

It seems to me, Mr. Speaker, that if we stick our heads in the sand and reduce the granting of fast track a week from today here in the Congress, we will say the United States of America can stand alone, and we will be unable to compete against these massive trading blocs in EC '92 and the Pacific Rim. It would be one of the most dreadful moves that this country could make. It would be protectionist. It would be ignoring the fact that the world is changing dramatically.

That is why I believe that we need to do everything that we possibly can to proceed with this. We in the United States have a wonderful opportunity. We have a 2,000 mile border with a great country, the nation of Mexico. Mexico has in the past 2 years had the most dramatic change, economically and politically, in its history.

In 1928 we saw the control of the Institutional Revolutionary Party come into being, and not too long ago, we saw for the first time a crumbling in that one-party control that Mexico has had when Ernesto Ruffo was elected governor of North Baja. I happen to believe there will be further opportunities for political reform in Mexico. In fact, the upcoming legislations have seen in two other states, possibly three other states, very competitive races going on for governor. Those races could see the election of an opposing party. No, Mexico does not have a political system just like ours. No, Mexico does not have as much freedom as Members would like to see. However, I am convinced that Mexico, like the rest of the world, is moving in the direction of more and very positive political reform.

In the area of economic reform, what has happened there? Well, since the election of President Carlos Salinas de Gortari, one of the most dynamic leaders that Mexico has ever seen, we have seen tremendous economic reform. We have seen a move away from the action of the 1980's, which saw government control of virtually everything, the banking system, and a wide range of other industries, instead move toward privatization, a recognition that the marketplace is the wave of the future. It is the only way to increase the standard of living for the workers, for the people.

I think that as we look at those reforms, we would be causing grave damage and, in fact, jeopardize those economic and political reforms if we were to deny fast track, deny our President the opportunity to even sit down with our neighbors to the south.

Mr. Speaker, there are 88 million Mexicans. These people want very much to take advantage of U.S. goods. Many of them cannot today because of tariffs that exist at the border and be-

cause they are impoverished. I am one, Mr. Speaker, who believes that a rising tide lifts all ships. I am one who believes we will create jobs on both sides of the border in the United States and in Mexico. My friend from Pennsylvania [Mr. KOLTER] and my friend from Maryland [Mrs. BENTLEY] were talking about loss of jobs, and Mr. Speaker, I am very concerned about the potential loss of jobs, and frankly, the loss of jobs which we have already seen from the United States, going into Mexico.

Quite frankly, many of those jobs have already gone, and a free trade agreement is not going to step up that situation. They can already go down there, whether or not we have a free-trade agreement.

□ 2210

What will happen is that we will open up with a reduction of this barrier the markets of Mexico. As we enhance the job opportunities in Mexico, we will enhance the opportunity for the people of Mexico to purchase United States manufactured goods.

People have seemed to ignore the fact that the tariff on United States goods flowing into Mexico is today 10 percent. The tariff that we impose on Mexican goods coming into the United States averages 4 percent. If we reduce those barriers, workers in the United States of America stand to gain, because for every \$1 billion in exports we create 20,000 to 25,000 jobs in this country.

Now, my friends were talking about the fact earlier that only component parts will be going to Mexico and finished products will be coming from Mexico back into the United States. There are many finished products here in the United States which the people of Mexico and the rest of the world want. They want to take advantage of those goods. In fact, while some argue that we will see this flow of jobs going from the United States into Mexico, 70 cents an hour labor is what people will be seeking as job opportunities.

Mr. Speaker, if you look at the facts, that really is not the case.

For starters, 87 percent of the goods imported by Canada come from nations with high labor costs; 64 percent of the goods imported here in the United States come from nations with high labor costs. The only reason it is less in the United States is that we have agreements with China and Third World countries.

Now, Mr. Speaker, the reason that we import goods that come overwhelmingly from high labor cost areas is that is what people want. The demand is for goods that come from high labor cost areas. People say that in Mexico there is this great opportunity to seize that low-cost labor force. Well, if one looks at not wage rates, but in fact production output, we have got to recognize that the United States of America—

and not Mexico—is the best area and is actually better at output. If one looks at 1988, the average output from the U.S. worker is \$45,972 a year. The average output of a Mexican worker is \$6,427 a year.

Now, the Mexican worker earns about 16 percent of the United States worker, but the Mexican output is 14 percent of the American worker.

Why? Well, obviously, workers in this country are better educated, better trained, have better working conditions, and for that reason the output from a United States worker is higher than that of the Mexican worker; so all these people who consistently argue that we have seen nothing but flight to Mexico to take advantage of 70 cent an hour labor have got to recognize that the United States worker still puts out a better product and more than the Mexican worker, and that cannot be ignored.

We in the United States offer capital and technology. Labor and markets are in Mexico and we would be way off base if we were to believe that anything other than that existed.

I am happy to see that my very good friend who is also from southern California, and I should say as I call on my friend from California that many have said that those of us who come from border States are the ones who stand to gain tremendously from this, when in fact those of us from the border States actually have in some ways more opposition than some of my friends from Pennsylvania, Maryland, Michigan, and other spots.

Let me just add one other point that I have made in this well several times. As far as automobiles flowing into Mexico, there is 1 automobile for every 15 Mexicans, 3 automobiles for every 4 Americans.

I think, Mr. Speaker, it is important for us to recognize that eliminating that 10 percent tariff between the United States and Mexico will increase the opportunity for our auto workers in Michigan, Pennsylvania, and Maryland, as my friend has said, to sell those vehicles in Mexico.

Let me just say that we in California, Mr. Speaker, have greater opposition from some areas that people in other areas do not have.

My friend is from Los Angeles and Orange Counties. He knows very well that the area which I represent in the eastern suburbs of Los Angeles County extending from Palmdale and the Antelope Valley south through the San Gabrielle Valley to Orange County happens to have the highest number of first-stage smog alerts than anyplace in the United States. Environmental concern is something that is in the forefront in this whole debate.

My people whom I represent in California do not want me to support an agreement which is going to expand pollution and possibly send pollution

from Mexico into the United States, into our border area.

We all know how Mexico City has horrible air pollution. Los Angeles County has been working to improve it.

I think that we can actually benefit our market if we export some of the technology that we have to improve the air quality and other environmental concerns into Mexico, but we also in California have some very serious questions being raised by agriculture and, of course, organized labor.

So we in California have concerns emanating from three fronts: organized labor, those who are concerned about the environment—as I am and as my friend from Long Beach is and others—and we also have the concerns of the California agriculture industry.

I am convinced with having met with Ambassador Hills, Dr. Herminio Blanco, who is the chief Mexican negotiator, and a wide range of other people involved in this, that these questions as they relate to the environment, as they relate to organized labor, as they relate to agriculture will be addressed. I think we got that commitment in a letter that President Bush sent back in response to a message that was sent to him from the chairman of the Ways and Means Committee, the gentleman from Illinois [Mr. ROSTENKOWSKI] and the chairman of the Senate Finance Committee, Senator BENTSEN.

Having said that, I am proud to introduce, Mr. Speaker, and call on one of my great friends, one of the most eloquent, articulate, hard-working Members of the U.S. Congress, who had his training ground at the White House, right down Pennsylvania Avenue. He got his training as a speech writer for President Reagan and now that great eloquence that came from the mouth of Ronald Reagan is now going to come from my friend from southern California, Mr. ROHRABACHER, and I am happy to yield to the gentleman.

Mr. ROHRABACHER. Mr. Speaker, the gentleman from California [Mr. DREIER] makes me blush. In fact, it is very difficult to have been a former speech writer for Ronald Reagan, because everyone's expectations of what you can produce are so high.

Let me just begin by saying that I deeply appreciate the leadership that the gentleman is providing in this effort that is vital for America's economy. In the years ahead, if we are going to remain competitive, if we are going to see an America that is producing the jobs and producing the products that are competitive in the world, we are going to have to have the far-sighted vision and the courage as represented by this effort to create a North American trading area.

I believe that free trade among the countries of North America and indeed eventually in the hemisphere is something that will not just benefit other

peoples, but will benefit our own people at the same time; so we are not giving charity to anybody. Nobody here represents voters from another country. We both represent the people and the working people of the United States of America. If we did not honestly think that this was going to benefit our people and not just be some handout to Mexico or any other country, we would not be supportive of it; but there are people, and times have changed and, of course, if someone is afraid of change in this fast-changing world, that person and that country will be left behind.

Mr. DREIER of California. Mr. Speaker, if my friend will let me reclaim my time for just a moment, the gentleman mentioned the issue of handout which is something that has been of concern to many of us in this House who have constantly seen this cradle to the grave welfare concept perpetuated, and that has gotten us into a position where we have a problem which were discussing not too long ago about this \$3.2 trillion national debt, the cost of which is being passed on to future generations.

My friend who shares representation in Los Angeles County with me knows that in Los Angeles County last year we expended \$720 million in taxpayer dollars on services for illegal immigrants in the areas of social services, health care, criminal justice, a wide range of other cases, and that cost is something which is very great.

We want to help the people of the United States. We also want to help the people of Mexico. We do not want to help them through foreign aid. We do not want to help them through constantly taking the hard-earned tax dollars of American workers and sending them to Mexico.

□ 2220

What we want to do is we want to increase the quality of life and the standard of living by providing economic opportunity on both sides of the border. Now, I talked to many of our friends, in fact I had breakfast the other day with ambassadors from the Central American countries. We have talked to people in other Latin American nations who are convinced that the free trade agreement with Mexico is simply a first step. Because while we want to protect the rights of workers in the United States, we also recognize those workers are consumers. We want to assure that the best quality product at the lowest possible price can be provided to consumers in the United States and throughout the world without all of these barriers which have prevented the flow of those products, imposing a penalty on the flow of those goods and products and services which people want and seek.

Mr. Speaker, I am happy to yield further to my friend, the gentleman from California.

Mr. ROHRABACHER. Well, I happen to believe that two of the issues that seem to be brought forward now that have to be brought forward, we have to discuss and we have to lay these fears to rest, have to do with people's jobs and the concern for the environment. In both cases, I believe that the free trade agreement with Mexico will lead to actually more jobs, more job creation, not only in Mexico but in the United States, and a cleaner environment not only for that side of the border but for this side of the border as well.

First of all, let us note, as the gentleman from California said, that I used to be in the White House. I used to work—I actually worked for 7 years with Ronald Reagan. I remember very well the charges that we were becoming deindustrialized and there were going to be no more jobs, we were exporting all of our jobs back in the 1980's.

In fact, as trade became freer during the 1980's and trade expanded, we found that there was a job explosion in the United States of America. I believe it was 22 million jobs that were created in the last decade. This is a time when trade was freeing up, there was more commerce between the nations.

I believe if we had a protectionist policy during the 1980's instead of a policy aimed at enterprise and commerce and trade, we would have had a contraction of the number of jobs.

Mr. DREIER of California. One of those examples is Mexico. In 1986 we saw the beginnings of the reduction of those barriers. From 1986 to today we have seen almost a doubling, from \$15 to \$30 billion in exports from the United States to Mexico.

So the point my friend makes is a very good one, and I think it is right on target when we look at the issue of creating economic opportunity.

We also need to remember that people who are decrying the prospect of some jobs going to Mexico do not recognize that those jobs could just as easily go to Singapore, Hong Kong, Taiwan, Korea. And while I certainly, as a representative, like my friend, of a gateway to the Pacific Rim—the gentleman represents the area of Long Beach, which sees the import of many of those goods—the opportunity to have many of those jobs go to Mexico will clearly be a benefit to the Americas and this country rather than having them all flow to the Pacific Rim.

Mr. ROHRABACHER. We are talking about the creation of jobs in Mexico that cannot be better done in the United States and, at the same time, creating a Market which will increase the number of jobs in the United States in those areas where we have the best expertise.

For example, Mexico as an underdeveloped country right now needs our assistance in developing its infrastruc-

ture, building computer systems, telephone systems, electrical systems, all of the things needed for a modern industrialized society. They need us to help build those, and those jobs that help create those tools and that equipment, those are not low-skilled jobs. Those are jobs that require the high skills and high capitalization that we have in the United States.

So the more trade that we have with Mexico and the freer trade means there will be more things that are purchased from the United States and more jobs that are created here.

At the same time, Mexico, with the less-skilled employees, will be able to handle both those things that can be built cheaper in Mexico by less-skilled employees and those will come back to us in parts, which will make the rest of our industry even more competitive.

Mr. DREIER of California. I would like to raise a point that my friend will find particularly interesting, and go back to the 1984 Presidential campaign and the 1988 Presidential campaign, when Mr. Mondale and Mr. Dukakis talked about the issue of creating nothing but hamburger flippers and service-oriented jobs when we referred to the economic expansion which we have seen in the United States. And I find it very interesting that those today who are opponents of a free trade agreement seem to be afraid of seeing those jobs move from the United States into Mexico when they criticized the existence of those jobs in the mid-1980's during those campaigns.

Mr. ROHRBACHER. Of course we knew at that time that those statistics—actually they did not present statistics, they just presented images and clichés that were wrong. The fact is during the 1980's we had a great upsurge in the number of jobs that were \$20,000, \$30,000, \$40,000 jobs, in the United States of America, jobs that required training, jobs that took people out of the old blue-collar and less-skilled, people who were just basically using their sweat and their time and their raw physical energy, took those jobs and really transplanted those people who were in those jobs into jobs where they had to have some sort of training in computers, some sort of training in the actual machinery being developed in order to make our work less sweat-landed and more brain-oriented.

The fact is that by using our brains in the United States we are producing more wealth than when we just relied on raw physical endurance.

That is why, as Mexico begins to develop our ability to produce equipment and machines to modernize, our country will actually create a large number of jobs here in the United States and in Mexico, they will be putting their people to work. For example, let us use the example we hear so often of the automobile industry. It is as if some

people believe the automobile industry will just pack up and go to Mexico, and if there will be—and by the way, I do not believe that will happen at all. But it is possible, for example, that we will see in the future less costly Mexican labor producing parts of automobiles and have those same parts shipped back to Detroit, which will then become part of American automobiles. Perhaps the Mexicans can produce crankshafts or other parts of the automobile very efficiently. And if they do that more cost effectively it is not going to hurt the American worker. It is in fact something that could save Chrysler or some other corporation by making sure that that company now has a product that is more competitive with the Japanese and other countries that are producing low-cost competitive cars.

If we try to cut our companies off from these types of benefits and innovation that they can receive by a greater trading area here in North America, what we are going to do is cut off our companies from the avenue of becoming much more competitive. Actually, at the end of the free trade agreement, jobs in America will be much more secure because people on this continent will be working and producing products at their highest efficiency.

And if the Mexican people can produce crankshafts at a cheaper price, a cheaper price and better quality product, it is to our benefit to import them and then make them part of our automobiles so that those people who are selling automobiles in competition with other countries will then have a more secure job because they have a better product.

This type of analysis is totally ignored by those people claiming that our auto industry is just going to pack up and go to Mexico.

As they are producing more crankshafts and have more people working down there in that type of productive behavior, there are going to be more customers for automobiles because they are going to have more money to buy automobiles. And fewer of those people, then, will have to come to the United States with their bare feet, struggling in order to try to provide for their families. Who can blame these poor people for coming into southern California, desperate to try to provide their families with food and shelter?

Well, our hearts go out to those people, but the fact is it would be much better if we could help Mexico develop its economy so that those people will have a very productive life and be able to provide for their families with jobs in Mexico itself. It would be better for them, and it would be better for us.

Mr. DREIER of California. My friend is absolutely right. And I thank him for his contribution. He makes a very good point in that the United States

today offers capital and the technological advances which the people of Mexico desperately want. While I talked about the reduction of the burden, the tax burden on the American people to pay for this \$720 million a year in social services in Los Angeles for illegal immigrants coming across the border, they will not need to come across the border because, as my friend says, we are going to be able to create economic opportunity within Mexico. We know that the flow of illegal immigrants coming here seeking economic opportunity—that is what they desperately want. They want a chance to be able to earn dollars and send them back to Mexico, to their families who are located there.

It seems to me, Mr. Speaker, that as we look at this question, it is one which we cannot ignore, the fact that both sides of the border will benefit and the world will benefit. I cannot help but think of a conversation that I had just 2 days ago in South Baja with a man at Pepe's Restaurant.

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Mr. Speaker, I went to Pepe, who was there at his restaurant. I said, "Tell me. What do you think of the process of this United States-Mexico Free-Trade Agreement?"

He looked to me, and in broken English he said, "It's important for the United States and Mexico to unite so that we can pull together."

Mr. Speaker, I could not help but think of two old burros, as my colleagues know, moving up the hill, and here we were in the southern part of Mexico talking about this question of how it is that we are going to improve life on both sides of the border and for both of our peoples, and, with 88 million Mexicans improving their quality of life, it stands to reason that the improvement will take place certainly throughout the rest of the Americas, which is what we want. After all, we constantly are debating in this House on providing assistance where hunger exists, whether it is in Ethiopia, or the Sudan, or among the Kurds, or in Bangladesh, a wide range of areas. Now we have got to look right in our own backyard, look at this 2,000-mile border, and realize that we do not need to send a nickel in taxpayer dollars to address the hunger problems as they exist in Mexico.

Mr. Speaker, what we need to do is provide them with the opportunity to acquire the capital, the technology, the advances that we have in the United States, so that they can increase their standard of living there.

Does the gentleman from California [Mr. ROHRBACHER] have anything further?

Mr. ROHRBACHER. One note.

As a Californian, we of course have personal relationships with people on the other side of the border. We have

had those our entire lives as Californians. In fact, in California we are very proud in California of our own rich Mexican heritage that is all over every street and town in our State, reflecting this, as well as our food, and our language, and the way we act toward one another.

But also we are very close to Mexico itself, not only our Mexican heritage, but Mexico itself, and there is an expression in Mexico which all of us know. It is "Mi casa, su casa," and it is a term of endearment. It is a term of welcome and of brotherhood expressed by Mexicans.

Mr. DREIER of California. Does my friend care to translate "Mi casa, su casa"?

Mr. ROHRBACHER. "Mi casa, su casa" is very simple. "My house is your house."

Mr. DREIER of California. I thank the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. I cannot help but think that, when one thinks of that expression, "Mi casa, su casa," how true it is, especially of the environment, because the fact is in Mexico their environment is our environment. Pollution spreads across that border, and if there is a pollution problem south of the border, there is a pollution problem north of the border.

So, those of us in California are especially sensitive to the fact that this treaty, while upgrading the Mexican economy, will at the same time give Mexico a chance to deal with the pollution problems that have been plaguing that country. It is the poor countries of the world who suffer most from pollution. They are the ones who have to use the low grade fuels. They are the ones that cannot afford the upgrading of their technologies and industries that will permit cleaner industry and the cleaner production of wealth.

So, Mr. Speaker, if we help them improve their economy, if we reach out and become part of this great, noble, idealistic endeavor of bringing this continent together into one trading area and making us indeed one people, all Americans, that in itself is going to have dramatic importance to our environment on this continent. The Mexican people will be able then to afford with wealth the technology necessary to get the job done that they need to have done and do so without polluting the environment. They cannot do it now because they do not have the resources. If they try to do it now, the people would go hungry because they do not have the resources.

Mr. Speaker, if we help their economy grow, and we make them part of an ever-growing economic system here in the North American Continent, they will have the resources, and the air will be cleaner, and the water will be cleaner, and indeed we all will live in one house, one great North American house, and mi casa will be su casa.

Mr. DREIER of California. I thank my friend, the gentleman from California [Mr. ROHRBACHER], for his contribution, and I think that that is a very appropriate way for us to look at the issue which we will face a week from today here on the floor of the House of Representatives. What we will be saying, Mr. Speaker, is very simply: "Does the United States Congress say to President Bush and his negotiating team, 'Move ahead, work, sit down with our Mexican neighbors, and try to pound out an agreement which addresses the concerns of the environment, of organized labor and displaced workers, of agriculture, but at the same time brings about an elimination of the tariffs that exist between our borders so that we can take advantage and improve the standard of living for both Americans and the people of Mexico?'" and that is the question that we will be facing here: Can the President and his negotiating team sit down?

That is all we are asking here, Mr. Speaker, and it is my hope that we will be able to have an overwhelming vote that says, Move ahead with negotiations."

When we begin the debate, the vote that will actually have to be cast, when it comes down here, Mr. Speaker, is a no vote because we will be voting against the resolution of disapproval. It is a very legislatively complex issue, but a week from today the debate here will be calling for a no vote, voting against the resolution of disapproval so that we can, in fact, move ahead with the negotiating process. Then, if we grant the negotiating process to the President, his right, then we will come back here, and we will all be able to make the determination. We can vote for or against the agreement, and then that will determine whether or not we move into the future, and, as John Nesbitt in his book "Megatrends 2000" said, eliminate those barriers so that we can have an improved quality of life for consumers throughout the world.

Mr. Speaker, I thank you very much for your forbearance and that of those of the entire crew who stayed here. It is 10:36 here on the east coast, and I want to say to my friends who have worked here all day long and will be back here again tomorrow that I thank them for their indulgence.

#### 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. CAMPBELL of California) to revise and extend their remarks and include extraneous material:)

Mr. ROHRBACHER, for 60 minutes, today.

Mr. GINGRICH, for 60 minutes each day, on May 20, 28, 29, and 30, and June 3, 4, 5, and 6.

Mr. DORNAN of California, for 5 minutes, today.

Mr. RITTER, for 60 minutes each day, today and on May 16.

Mr. DREIER of California, for 60 minutes each day, on June 3, 4, 5, and 6.

Mr. LIVINGSTON, for 60 minutes on June 5.

(The following Members (at the request of Mr. MFUME) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Florida, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ABERCROMBIE, for 20 minutes today.

Mrs. COLLINS of Illinois, for 60 minutes, on May 21.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PETRI, and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$2,739.

(The following Members (at the request of Mr. CAMPBELL of California) and to include extraneous matter:)

Mr. CAMPBELL of California.  
Mr. SOLOMON in two instances.  
Mr. GALLO.  
Mr. VANDER JAGT.  
Mr. BURTON of Indiana.  
Mr. MCGRATH in two instances.  
Mr. BILIRAKIS.  
Ms. ROS-LEHTINEN in four instances.  
Mr. GOSS.  
Mr. MYERS of Indiana.  
Mr. LAGOMARSINO in two instances.  
Mr. ZIMMER in two instances.  
Mr. CRANE in three instances.  
Mr. DAVIS.  
Mr. DANNEMEYER in four instances.  
Mrs. BENTLEY.  
Ms. MOLINARI.  
Mr. YOUNG of Alaska.  
Mr. SHAW.  
Mr. GREEN of New York in two instances.

Mr. STUMP.

Mr. RITTER.

(The following Members (at the request of Mr. MFUME) and to include extraneous matter:)

Mr. SOLARZ.  
Mr. RAHALL.  
Mr. SCHUMER, in two instances.  
Mr. MANTON.  
Mr. CARDIN, in two instances.  
Mr. FOGLIETTA.  
Mr. MATSUI.  
Mr. HAMILTON.  
Mr. SYNAR.  
Mr. WOLPE.  
Mr. DORGAN of North Dakota.  
Mr. SMITH of Florida.  
Mr. MILLER of California.

Ms. DELAURO, in two instances.  
Mr. GEREN of Texas.  
Mr. DOOLEY.  
Mr. ROEMER.  
Mr. REED.  
Mr. SLATTERY.  
Mr. CONYERS.  
Mr. HALL of Ohio.  
Mr. JACOBS.  
Mrs. MINK.  
Mr. MFUME.  
Mr. KOLTER.

#### SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 134. Joint resolution designating May 22, 1991, as "National Desert Storm Reservists Day"; to the Committee on Post Office and Civil Service.

S. 100. An act to set forth United States policy toward Central America and to assist the economic recovery and development of that region; to the Committee on Foreign Affairs.

#### BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

On May 13, 1991:

H.R. 2122. An act to authorize emergency humanitarian assistance for fiscal year 1991 for Iraqi refugees and other persons in and around Iraq who are displaced as a result of the Persian Gulf conflict; and

H.J. Res. 109. Joint resolution designating each of the weeks beginning May 12, 1991, and May 10, 1992, as "Emergency Medical Services Week."

#### ADJOURNMENT

Mr. DREIER of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, May 16, 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:

1297. A letter from the Acting Under Secretary of Defense, transmitting selected acquisition reports [SARS] for the quarter ending March 31, 1991, pursuant to 10 U.S.C. 2432, to the Committee on Armed Services.

1298. A letter from the Secretary, Department of Defense, transmitting notification of a waiver of limitation on the costs to the United States for payments to foreign na-

tionals employed at bases outside the United States, pursuant to Public Law 101-510, section 1456(b) (104 Stat. 1696); to the Committee on Armed Services.

1299. A letter from the Secretary, Department of Health and Human Services, transmitting the 1990 annual report on expenditures with respect to AIDS, pursuant to Public Law 100-607, section 201 (102 Stat. 3063); to the Committee on Energy and Commerce.

1300. A letter from the Chairman, Federal Communications Commission, transmitting FCC's report concerning the implementation of the Telephone Operator Consumer Services Improvement Act of 1990; to the Committee on Energy and Commerce.

1301. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a copy of Presidential determination No. 91-34 with supporting justification and additional information, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

1302. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of three Presidential Determinations: PD 91-27, PD 91-30, PD 91-33 with supporting justification and additional information, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

1303. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of political contributions by nominees as chiefs of mission, ambassadors at large, or ministers, and their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1304. A letter from the Department of Energy, transmitting notification that the report on DOE's management of environmental restoration and waste management activities at facilities under DOE will be late; jointly, to the Committee on Armed Services and Energy and Commerce.

#### 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. BROWN: Committee on Science, Space, and Technology. H.R. 2042. A bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes, (Rept. 102-62). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 101. Resolution disapproving the extension of "fast track" procedures to bills to implement trade agreements entered into after May 31, 1991 (Rept. 102-63, Pt. 1). Ordered to be printed.

Mr. MOAKLEY: Committee on Rules. House Resolution 146. Resolution expressing the sense of the House of Representatives with respect to the United States objectives that should be achieved in the negotiation of future trade agreements (Rept. 102-64, Pt. 1). Ordered to be printed.

#### 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. MCCURDY: Permanent Select Committee on Intelligence. H.R. 2038. A bill to authorize appropriations for fiscal year 1992 for

intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disabilities System, and for other purposes; referred to the Committee on Armed Services for a period ending not later than June 3, 1991, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(c), rule X (Rept. 102-65, Pt. 1). Ordered to be printed.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 656. A bill to provide for a coordinated Federal research program to ensure continued U.S. leadership in high-performance computing, with an amendment; referred to the Committee on Education and Labor for a period ending not later than May 23, 1991, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(g), rule X (Rept. 102-66, Pt. 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. SMITH of Texas:

H.R. 2347. A bill to redesignate the Midland General Mail Facility in Midland, TX, as the "Carl O. Hyde General Mail Facility"; to the Committee on Post Office and Civil Service.

By Mr. BACCHUS:

H.R. 2348. A bill to amend title I of the Ethics in Government Act of 1978 to require the reporting of specific dollar amounts rather than categories of value, to require that a statement of net worth be included, and to require that a copy of the reporting individual's most recent Federal tax return be furnished; jointly, to the Committees on Post Office and Civil Service, the Judiciary, and House Administration.

By Mr. CALLAHAN:

H.R. 2349. A bill to provide Federal recognition of the Mowa Band of Choctaw Indians of Alabama; to the Committee on Interior and Insular Affairs.

By Mrs. LOWEY of New York (for herself, Mr. SAWYER, Mr. ANDREWS of New Jersey, Mrs. UNSOELD, Mr. PAYNE of New Jersey, Mr. OWENS of New York, Mr. SERRANO, Mr. RANGEL, Mr. BERMAN, and Mr. ABERCROMBIE):

H.R. 2350. A bill to amend the Higher Education Act of 1965 to assure that low-income students have the opportunity to pursue higher education, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of California (for himself, Mr. MINETA, Mr. MATSUI, Mr. DE LUGO, Mr. YATES, Mr. HORTON, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. SERRANO, Mr. JEFFERSON, Ms. KAPTUR, Mr. EVANS, Ms. PELOSI, Mr. VENTO, Mr. KENNEDY, Mr. SMITH of Florida, Mr. LEVINE of California, Mr. ACKERMAN, Mr. ABERCROMBIE, and Mr. OWENS of Utah):

H.R. 2351. A bill to authorize a study of nationally significant places in Japanese-American history; to the Committee on Interior and Insular Affairs.

By Mrs. MORELLA:

H.R. 2352. A bill to authorize appropriations for the Motor Carrier Safety Assistance Program, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RAHALL:

H.R. 2353. A bill to authorize appropriations for the Appalachian highway system and local access roads serving the Appalachian region, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SCHUMER:

H.R. 2354. A bill to amend the Victims of Crime Act of 1984; to the Committee on the Judiciary.

By Mr. SCHUMER:

H.R. 2355. A bill to amend title 18, United States Code, and the Export Administration Act of 1979, with respect to the prosecution of illegal boycotts against nations friendly to the United States; jointly, to the Committees on the Judiciary and Foreign Affairs.

By Mr. SKEEN (for himself, Mr. STALLINGS, and Mr. LAROCCE):

H.R. 2356. A bill to withdraw certain public lands in Eddy County, New Mexico, and for other purposes; jointly, to the Committees on Armed Services, Energy and Commerce, and Interior and Insular Affairs.

By Mr. SMITH of Florida (for himself, Mrs. BOXER, Mr. FEIGHAN, Mr. FRANK of Massachusetts, Mr. LANTOS, Mr. LEVINE of California, Mr. MAZZOLI, Mr. PRICE, Mr. RICHARDSON, and Mr. YATRON):

H.R. 2357. A bill to amend title 28, United States Code, relating to jurisdictional immunities of foreign states, to grant the jurisdiction of the courts of the United States in certain cases involving tortious conduct occurring in a foreign state; to the Committee on the Judiciary.

By Mr. SYNAR (for himself, Mr. WOLPE, Mr. PORTER, Mr. CONYERS, Mr. BEILENSON, Mr. BONIOR, Mr. BROWN, Mr. DELLUMS, Mr. DE LUGO, Mr. HERTEL, Mr. HUGHES, Ms. KAPTUR, Mr. KILDEE, Mr. LEVIN of Michigan, Mr. LIPINSKI, Mr. MACTHLEY, Mr. MATSUI, Mr. OWENS of Utah, Mr. SCHEUER, Ms. SLAUGHTER of New York, Mr. TORRES, Mr. TOWNS, Mr. YATES, and Mr. MARKEY):

H.R. 2358. A bill to amend the Solid Waste Disposal Act to ensure that any solid waste exported from the United States to foreign countries is managed to protect human health and the environment; jointly, to the Committees on Energy and Commerce and Foreign Affairs.

By Mr. ZELIFF (for himself, Mr. GUNDERSON, Mr. MCEWEN, Mr. PAXON, Mr. RITTER, Mr. RIGGS, Mr. DELAY, Mr. ALLARD, Mr. GILCHREST, Mr. LEWIS of California, Mr. KYL, Mr. DORNAN of California, Mr. ZIMMER, Mr. SOLOMON, Mr. KLUG, Mr. HANCOCK, Mr. WEBER, Mr. THOMAS of Wyoming, Mr. FRANKS of Connecticut, Mr. BALLENGER, Mr. TAYLOR of North Carolina, Mr. SAXTON, Mr. HOBSON, Mr. UPTON, Mr. PURSELL, Mr. NICHOLS, Mr. CUNNINGHAM, Mr. HUNTER, Mr. VANDER JAGT, Mr. GILMAN, Mr. MACTHLEY, Mr. BOEHNER, Mr. BREWSTER, Mr. BARRETT, Mr. RAMSTAD, Mr. DANNEMEYER, Mr. KASICH, Mr. HASTERT, Mr. DOOLITTLE, Mr. COX of California, and Mr. WALKER):

H.R. 2359. A bill to amend the Internal Revenue Code of 1986 to reinstate a 5-percent investment tax credit and to reduce capital gains taxes; to the Committee on Ways and Means.

By Mr. BARTON of Texas:

H.R. 2360. A bill relating to the tariff treatment of pilocarpine hydrochloride; to the Committee on Ways and Means.

By Mr. DORGAN of North Dakota (for himself, Mr. GRANDY, Mr. COLEMAN of Missouri, Mr. PENNY, Mr. JOHNSON of South Dakota, Mr. BEREUTER, Mr. STENHOLM, Mr. EMERSON, Mr. SLATTERY, Mr. EVANS, Mr. WEBER, Mr. JONTZ, Mr. TALLON, Mr. CAMPBELL of Colorado, Mr. VOLKMER, Mr. HATCHER, Mr. COMBEST, Mr. CHAPMAN, Mr. ESPY, Mr. WILSON, Mr. GUNDERSON, Mr. MCCLOSKEY, Mr. SARPALIUS, Mr. ANDREWS of Texas, Mrs. MEYERS of Kansas, Mr. ANTHONY, Mr. HENRY, Mr. HORTON, Mr. TOWNS, Mr. LEACH, Mr. PAYNE of Virginia, Mr. FAZIO, Mr. LAGOMARSINO, Mr. PARKER, Mr. GILLMOR, Mr. BRUCE, Mr. INHOFE, Mr. HASTERT, Mr. PRICE, Ms. LONG, Mr. BUSTAMANTE, Mr. SYNAR, Mr. ALLARD, Mr. ROBERTS, Mr. ENGLISH, Mr. LIGHTFOOT, Mr. MONTGOMERY, Mr. SKELTON, Mr. DURBIN, Mr. GLICKMAN, Mr. HERGER, Mr. VANDER JAGT, Mr. WHITTEN, Mr. LAUGHLIN, Mr. BUNNING, Mr. PETRI, Mr. BROWN, Mr. MOODY, Mr. MARLENEE, Mr. COLEMAN of Texas, Mr. GEREN of Texas, Mr. MATSUI, Ms. SNOWE, Mr. NICHOLS, Mr. THOMAS of Wyoming, Mr. IRELAND, Mr. BOEHLERT, Mr. BARRETT, Mr. BOEHNER, Mr. PETERSON of Minnesota, Mr. HALL of Texas, Mr. NUSSLE, and Mr. DEFazio):

H.R. 2361. A bill to amend the Internal Revenue Code of 1986 to allow non-exempt farmer cooperatives to elect patronage-sourced treatment for certain gains and losses; to the Committee on Ways and Means.

By Mr. FAWELL (for himself, Mr. DONNELLY, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. MILLER of Washington, Mr. HORTON, Mr. DANNEMEYER, Mr. BLILEY, Mr. EMERSON, Mr. UPTON, Mr. CHANDLER, Mr. HYDE, Mr. HASTERT, Mr. PORTER, Mr. MCEWEN, Mr. BROOMFIELD, Mr. JEFFERSON, Mr. HENRY, Mrs. MEYERS of Kansas, Mr. INHOFE, Mr. WALSH, Mr. SMITH of Texas, Mrs. VUCANOVICH, Mr. HOLLOWAY, Mr. ARMEY, Mr. MOLLOHAN, Mr. WOLF, and Mr. BARTON of Texas):

H.R. 2362. A bill to amend part E of title IV of the Social Security Act to prevent abandoned babies from experiencing prolonged foster care where a permanent adoptive home is available; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. GOODLING, Ms. MOLINARI, Mr. BLILEY, Mr. LEVINE of California, Ms. SNOWE, Mrs. SCHROEDER, Mr. GINGRICH, Mr. HYDE, Mr. CAMPBELL of California, Mr. STARK, Mr. WEBER, Mr. RANGEL, Mr. KLUG, Mrs. LLOYD, Mr. VENTO, Mr. ZELIFF, Mr. PAYNE of New Jersey, Mr. BOEHLERT, Ms. WATERS, Mr. COUGHLIN, Mr. PENNY, Mr. SENSENBRENNER, Mr. FRANK of Massachusetts, Mr. CHANDLER, Mr. ROEMER, Mr. McGRATH, Mr. PETERSON of Minnesota, Mr. HOUGHTON, Mr. ABERCROMBIE, Mr. FRANKS of Connecticut, Mr. SANTORUM, Mr. GUNDERSON, Mr. PAXON, Mrs. ROUKEMA, Mr. GOSS, Mr. RIDGE, Mr. MCEWEN, Mr. GRANDY, Mr. SCHIFF, Mr. EMERSON, Mr. LEWIS of California, Mr. GEKAS, Ms. ROSLEHTINEN, Mrs. JOHNSON of Connecticut, Mr. VANDER JAGT, Mr. CAMP, Mrs. VUCANOVICH, Mr. STEARNS, Mr. ARMEY, Mrs. MEYERS of Kansas, Mr. SHAYS, and Mr. SMITH of New Jersey):

H.R. 2363. A bill to amend the provisions of the Higher Education Act of 1965 relating to

treatment by campus officials of sexual assault victims; to the Committee on Education and Labor.

By Mr. SMITH of New Jersey:

H.R. 2364. A bill to suspend until January 1, 1994, the duty on certain ceramic statuettes, statuettes, and hand-made flowers; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 2365. A bill to amend title II of the Social Security Act to repeal the rule providing for termination of disabled adult child's benefits upon marriage; to the Committee on Ways and Means.

By Ms. OAKAR:

H.R. 2366. A bill to authorize appropriations for economic adjustment assistance; jointly, to the Committee on Armed Services and Banking, Finance and Urban Affairs.

By Mr. SANGMEISTER (for himself, Mr. MONTGOMERY, Mr. APFLEGATE, Mr. EVANS, Mr. STAGGERS, Mr. SLATTERY, Mr. HARRIS, Mrs. PATTERSON, Ms. LONG, Mr. PICKETT, Mr. HAMMER-SCHMIDT, Mr. SPENCE, and Mr. JONES of Georgia):

H.J. Res. 255. Joint resolution designating the week beginning July 21, 1991, as the "Korean War Veterans Remembrance Week"; to the Committee on Post Office and Civil Service.

By Mr. HALL of Ohio:

H.J. Res. 256. Joint resolution with respect to conventional arms transfer limitations; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Con. Res. 151. Concurrent resolution providing for the printing of the volume entitled "Columbus in the Capitol" as a House document; to the Committee on House Administration.

By Mr. McGRATH:

H. Con. Res. 152. Concurrent resolution expressing the sense of the Congress that the Federal Republic of Germany and the Republic of Austria should take all applicable steps to halt the distribution of neo-Nazi computer games and prosecute anyone found in possession of these materials to the full extent of the law; to the Committee on Foreign Affairs.

By Mr. JACOBS:

H. Con. Res. 153. Concurrent resolution expressing the sense of the Congress that the Federal Deposit Insurance Corporation should comply with the legal limits on deposit insurance coverage and should not use deposit insurance funds to pay off uninsured deposits and the claims of other unsecured creditors under the so-called "too big to fail" policy; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CAMPBELL of California (for himself, Mr. LIVINGSTON, Mr. KYL, Mr. PAXON, Mr. HUNTER, Mr. RITTER, Mr. STUMP, Mr. WILSON, Mr. GOSS, Mr. PETRI, Mr. HERGER, Mr. SHAYS, Mr. CRANE, Mr. HYDE, Mr. BEREUTER, Mr. BURTON of Indiana, Mr. HANCOCK, Mr. PACKARD, Mr. VANDER JAGT, Mr. SCHIFF, Mr. ARMEY, Mr. LENT, Mr. LAGOMARSINO, Mr. MARLENEE, Mr. EMERSON, Mr. BENNETT, Mr. ROHRBACHER, Mr. DELAY, Mr. LIGHTFOOT, Mrs. VUCANOVICH, Mr. QUILLEN, Mr. SOLOMON, Mr. GILCHREST, Mr. SANTORUM, Mr. LEWIS of Florida, Mrs. JOHNSON of Connecticut, Mr. GALLEGLY, Mr. KLUG, Mr. WALSH, Mr. RAVENEL, Mr. BOEHNER, Mr. ZIMMER, Ms. ROS-LEHTINEN, Mr. DANNEMEYER, Mr. FIELDS, Mr. THOMAS of Wyoming, Mr. FAWELL, Mr. COX of California, and Mr. MILLER of Washington):

H. Res. 152. Resolution encouraging the President to exercise the line-item veto; to the Committee on the Judiciary.

By Mr. SAXTON (for himself, Mr. BROWN, Mr. SCHEUER, Mr. HUGHES, Mr. PORTER, Mr. GOSS, Mr. LANCASTER, Ms. MOLINARI, Mr. McDERMOTT, Mr. PAXON, Mr. LOWERY of California, Mr. KOSTMAYER, Mr. ALEXANDER, Mr. BOEHLERT, Mrs. BOXER, Mr. COBLE, Mr. DAVIS, Mr. DWYER of New Jersey, Mr. ENGEL, Mr. FAWELL, Mr. GALLO, Mr. HERTEL, Mr. JONTZ, Mr. LIPINSKI, Mr. MILLER of Washington, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. RAVENEL, Mr. ROE, Mr. TALLON, Mr. MARKEY, Mr. McGRATH, Mr. NAGLE, Mr. SERRANO, Mr. WALSH, and Mrs. LOWEY of New York):

H. Res. 153. Resolution expressing the sense of the House of Representatives regarding the establishment of the National Institutes for the Environment; to the Committee on Science, Space, and Technology.

By Mr. BEREUTER:  
H. Res. 154. Resolution expressing the sense of the House of Representatives that the President should expeditiously complete consideration of the Soviet request for \$1,500,000,000 in agricultural credit guarantees; jointly, to the Committee on Agriculture and Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

125. By the SPEAKER: Memorial of the Legislature of the State of Hawaii, relative to the use of liquefied petroleum gas in automobiles; to the Committee on Ways and Means.

126. Also, memorial of the Legislature of the State of Hawaii, relative to Hawaii's garment manufacturing, wholesaling, and retailing industries; to the Committee on Ways and Means.

127. Also, memorial of the Legislature of the State of Hawaii, relative to solar energy; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 33: Mr. McMILLEN of Maryland, Mr. STUDDS, and Mr. ENGEL.

H.R. 136: Mr. PACKARD.

H.R. 262: Mr. WAXMAN.

H.R. 263: Mr. WAXMAN.

H.R. 303: Mr. ROSE, Mr. WYLIE, and Mr. RICHARDSON.

H.R. 304: Mr. BARNARD and Mr. RICHARDSON.

H.R. 317: Mrs. LLOYD.

H.R. 383: Mr. WEISS, Mr. WASHINGTON, and Mr. ENGEL.

H.R. 415: Mr. ROTH.

H.R. 516: Mr. KOSTMAYER, Mr. HERTEL, and Mr. MINETA.

H.R. 520: Ms. HORN.

H.R. 537: Mr. MINETA.

H.R. 642: Mr. MCCOLLUM.

H.R. 643: Mr. DORGAN of North Dakota, Mr. BARNARD, Mr. WOLPE, and Mr. SLATTERY.

H.R. 735: Mr. QUILLEN.

H.R. 847: Mr. ABERCROMBIE.

H.R. 848: Mr. MARLENEE.

H.R. 917: Mr. COX of California, Mr. DE LUGO, Mr. HOBSON, Mr. DIXON, Mr. MOAKLEY, and Mr. TAUZIN.

H.R. 960: Mr. JEFFERSON.

H.R. 1016: Mrs. COLLINS of Michigan.

H.R. 1027: Mrs. LOWEY of New York.

H.R. 1028: Mr. SERRANO.

H.R. 1066: Mr. HAYES of Illinois, Mrs. UNSOELD, Mrs. COLLINS of Michigan, and Mr. MACHTLEY.

H.R. 1166: Mr. ECKART.

H.R. 1184: Mr. HASTERT, and Mr. IRELAND.

H.R. 1201: Mr. TOWNS.

H.R. 1244: Mr. ECKART, and Mr. WISE.

H.R. 1245: Mr. LANTOS, Mr. CLAY, Mrs. SCHROEDER, and Mr. WISE.

H.R. 1251: Mr. MORAN, and Ms. DELAURO.

H.R. 1252: Mr. MORAN, and Ms. DELAURO.

H.R. 1253: Mr. MORAN, and Ms. DELAURO.

H.R. 1300: Mr. NOWAK.

H.R. 1322: Mr. McDERMOTT, Mr. LAFALCE, Mr. HORTON, Mr. ESPY, Mr. HYDE, Mr. DORGAN of North Dakota, Mr. OWENS of New York, Mr. LIPINSKI, Mr. GUARINI, Mr. ROE, Mr. SERRANO, Mrs. SCHROEDER, Mr. EVANS, Mr. LANCASTER, and Mr. JOHNSON of South Dakota.

H.R. 1335: Mr. GONZALEZ.

H.R. 1345: Mr. GOODLING and Mr. HAMMER-SCHMIDT.

H.R. 1360: Mr. BRYANT, Mr. LEWIS of Georgia, Mr. MAVROULES, Mr. DYMALLY, Mr. FUSTER, Mr. BROWN, and Mr. WYDEN.

H.R. 1443: Mr. ACKERMAN and Mr. MFUME.

H.R. 1454: Mr. BEILENSON, Mr. LAGOMARSINO, Mr. MARTIN, Mr. EVANS, Mr. PETERSON of Florida, Mr. CONYERS, and Mr. ASPIN.

H.R. 1516: Mr. ANTHONY, and Mr. HAYES of Louisiana.

H.R. 1593: Mr. TAUZIN, Mr. WHEAT, Mr. OWENS of Utah, and Mr. ANDREWS of Texas.

H.R. 1603: Mr. COX of California, Mr. FAZIO, Mr. LIPINSKI, Mr. RITTER, and Mr. WELDON.

H.R. 1606: Mr. JOHNSON of South Dakota, Mr. McHUGH, Mr. BEILENSON, and Mr. EMERSON.

H.R. 1637: Mr. MURTHA and Mr. FEIGHAN.

H.R. 1645: Mr. FEIGHAN.

H.R. 1658: Mr. VALENTINE, Mr. COSTELLO, Ms. MOLINARI, and Mr. QUILLEN.

H.R. 1694: Mr. PENNY, Mr. OWENS of New York, Mr. MOODY, Mr. ABERCROMBIE, Mr. FORD of Tennessee, Mr. FRANK of Massachusetts, Mr. MARTINEZ, Mr. ACKERMAN, Mr. DYMALLY, Mr. CLAY, Mrs. UNSOELD, Mr. DWYER of New Jersey, Mr. TOWNS, Mr. KENNEDY, Mr. BERMAN, Mr. ESPY, Mr. LIPINSKI, Mr. JOHNSON of South Dakota, Ms. DELAURO, Mr. FEIGHAN, Ms. WATERS, Mr. WHEAT, Mr. CONYERS, Mr. PAYNE of New Jersey, and Mr. RANGEL.

H.R. 1718: Mr. JACOBS, Mr. DERRICK, Mr. WOLPE, Mr. HUCKABY, Mr. LIVINGSTON, and Mr. MCCRERY.

H.R. 1719: Mr. TAYLOR of Mississippi.

H.R. 1733: Mr. UPTON.

H.R. 1755: Mr. FIELDS.

H.R. 1809: Mr. ROE, Mr. TAYLOR of Mississippi, Mr. ECKART, Mr. DICKINSON, Mr. VANDER JAGT, Ms. MOLINARI, Mr. CAMPBELL of Colorado, Mr. PAXON, Mr. SANTORUM, and Mr. DARDEN.

H.R. 1820: Mr. LANCASTER, Mr. ENGEL, Mr. COLEMAN of Texas, and Mrs. LOWEY of New York.

H.R. 1987: Mr. HAYES of Illinois and Mr. BERMAN.

H.R. 1992: Mr. HORTON, Mr. SCHUMER, Mr. MRAZEK, Mr. FEIGHAN, and Mr. LENT.

H.R. 2008: Mr. PAYNE of Virginia and Mr. EMERSON.

H.R. 2063: Mr. SCHEUER.

H.R. 2123: Mr. DYMALLY, Mr. LEVIN of Michigan, Mr. McDERMOTT, Mr. STARK, Mr. LOWERY of California, Mr. HOYER, Mr. WHEAT, Mrs. COLLINS of Michigan, Mr. OWENS of New York, Mr. GRAY, Mr. TOWNS,

Mr. LEWIS of Georgia, Mr. MFUME, Mr. MORAN, Mrs. COLLINS of Illinois, Mr. STOKES, Mr. PAYNE of New Jersey, Mrs. MORELLA, Mr. HAYES of Illinois, Mr. CONYERS, Mr. ESPY, Mr. RANGEL, Mr. AUCCOIN, and Mr. EVANS.

H.R. 2137: Mr. ANDREWS of Texas, and Mr. LAUGHLIN.

H.R. 2199: Mr. HERTEL, Mr. ROE, Mr. LAGOMARSINO, Mr. SISISKY, Mr. DARDEN, Mr. OBERSTAR, Mrs. BOXER, Mr. ACKERMAN, and Mr. LIPINSKI.

H.R. 2212: Mr. SERRANO, Mr. ANDREWS of Maine, Mr. HOCHBRUECKNER, Mr. VENTO, Mr. HOBSON, Mr. DWYER of New Jersey, Mr. WHEAT, Ms. NORTON, Mr. TAUZIN, Mr. BONIOR, Mr. KLECZKA, Mr. LANCASTER, Mr. BEREUTER, Mr. COX of California, Mr. ROHRBACHER, Mr. DARDEN, Mrs. PATTERSON, Mr. ROYBAL, Mr. HENRY, Mr. DONNELLY, Mr. ECKART, Mr. BRUCE, and Mr. DANNEMEYER.

H.R. 2222: Mr. EMERSON, Mrs. COLLINS of Michigan, Mr. TAYLOR of Mississippi, Mr. ECKART, Mr. ABERCROMBIE, Mrs. LOWEY of New York, and Mr. WAXMAN.

H.R. 2255: Mr. BRYANT.

H.R. 2279: Mr. LEWIS of Georgia.

H.R. 2299: Mr. WAXMAN and Mrs. LOWEY of New York.

H.J. Res. 51: Mr. FALEOMAVAEGA, Mr. CHANDLER, Mr. STENHOLM, Mr. MORRISON, Mr. LIGHTFOOT, Mr. GUNDERSON, and Mr. NEAL of North Carolina.

H.J. Res. 72: Mr. SAWYER, Mr. CARDIN, and Mrs. UNSOELD.

H.J. Res. 183: Mr. BAKER, Mr. BEVILL, Mr. CARDIN, Mr. COLEMAN of Texas, Mrs. COLLINS of Michigan, Mr. DOWNEY, Mr. ECKART, Mr. ENGEL, Mr. FAWELL, Mr. FISH, Mr. FUSTER, Mr. GREEN of New York, Mr. HANSEN, Mr. JONES of Georgia, Mr. JONES of North Carolina, Mr. KILDEE, Mr. MARTIN, Mr. MAVROULES, Mr. MOAKLEY, and Mr. GONZALEZ.

H.J. Res. 185: Mr. STARK, Mr. OWENS of Utah, Mr. BARNARD, Mr. ANNUNZIO, Mr. McEWEN, Mr. HOCHBRUECKNER, Mr. KOSTMAYER, Mr. MICHEL, Mrs. MINK, Mr. DE LUGO, Mr. RAHALL, Mr. CALLAHAN, Mr. LANTOS, Mr. SARPALIUS, Mr. OBEY, Mr. WAXMAN, Mr. ERDREICH, Mr. GEKAS, Mr. REGULA, Mr. STUMP, Mr. MORAN, Mr. OWENS of New York, Mr. LENT, Mr. ROGERS, and Mr. CRANE.

H.J. Res. 188: Mr. BLAZ, Mr. GREEN of New York, Mr. FALEOMAVAEGA, Mr. HARRIS, Mr. NEAL of North Carolina, Mr. VANDER JAGT, Mr. FAZIO, Mr. ROWLAND, Mr. MFUME, Mr. STAGGERS, Mr. SERRANO, Mr. TALLON, Mr. LIPINSKI, and Mrs. MINK.

H.J. Res. 219: Mr. FRANKS of Connecticut, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. WYLIE, Mr. FAWELL, Mr. MFUME, and Mr. ROWLAND.

H.J. Res. 231: Mr. BENNETT.

H.J. Res. 233: Mr. HARRIS, Mr. RANGEL, Mr. SAVAGE, Mr. THOMAS of Georgia, Mr. McNULTY, Mr. NOWAK, Mr. HUGHES, Mr. JONTZ, Mr. RITTER, Mr. ERDREICH, Mr. GALLEGLEY, Mr. LANCASTER, Mr. DIXON, Mr. WALSH, Mr. BLILEY, Mr. BENNETT, Mr. OBEY, Mr. ACKERMAN, Mr. EVANS, Mr. ABERCROMBIE, Mr. WISE, Mr. QUILLEN, Mr. MRAZEK, Mr. HERTEL, Mr. SISISKY, Mr. IRELAND, Mr. ECKART, and Mrs. BOXER.

H.J. Res. 235: Mr. FRANK of Massachusetts, Mr. STARK, Mr. WELDON, Mr. WHEAT, Mr. PALLONE, Mr. ASPIN, Mr. SAXTON, Mr. JENKINS, Mr. NEAL of Massachusetts, Mr. WALSH, Mr. CRANE, and Mr. HUTTO.

H.J. Res. 239: Mr. RIGGS, Mr. DEFazio, Mr. DOWNEY, Mr. WHEAT, Mr. RANGEL, Mr. JOHNSTON of Florida, Mr. DE LUGO, Mr. DWYER of New Jersey, Ms. DELAURO, Mr. POSHARD, Mr. EDWARDS of California, Mr. BACCHUS, Mr. BOEHLERT, Mr. ROYBAL, Mr. JOHNSON of South Dakota, Mr. LANTOS, Mr. LEWIS of

Georgia, Mr. STOKES, Mr. STARK, Mrs. KENNELLY, Mr. PRICE, Mr. PALLONE, Mr. WAXMAN, Mr. WOLPE, Ms. HORN, Mrs. MINK, Mr. CLAY, Mr. EVANS, Mr. ANDREWS of New Jersey, and Mr. COLEMAN of Texas.

H.J. Res. 242: Mr. SPENCE, Mr. JONES of Georgia, Mr. LOWERY of California, and Mr. DIXON.

H. Con. Res. 18: Mr. BEILENSEN and Mr. JONES of Georgia.

H. Con. Res. 43: Mr. LIPINSKI, Mr. DICKINSON, and Mr. PENNY.

H. Con. Res. 81: Mr. RIGGS, Ms. COLLINS of Michigan, and Mr. HUCKABY.

H. Con. Res. 89: Mr. HOAGLAND, Mr. MORAN, and Ms. DELAURO.

H. Con. Res. 92: Mr. RAY, Mr. DWYER of New Jersey, Mr. PENNY, Mr. JACOBS, Mr. COSTELLO, Mr. QUILLEN, Mr. STOKES, Mr. DE LUGO, Mr. YATRON, Mr. LIPINSKI, and Mr. REGULA.

H. Con. Res. 101: Mr. ROE, Mr. ROYBAL, and Mr. BUSTAMANTE.

H. Con. Res. 111: Mr. SANGMEISTER, Mr. CARDIN, Ms. MOLINARI, Mr. ECKART, Mr.

PAYNE of Virginia, Ms. HORN, and Ms. NORTON.

H. Res. 101: Mr. HAYES of Louisiana, and Mr. SIKORSKI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 392: Mr. WILSON.