

HOUSE OF REPRESENTATIVES—Tuesday, June 16, 1992

The House met at 12 noon.

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

As our inquiry and our ingenuity push back the boundaries of knowledge and action, may we be reminded, O gracious God, of the essentials of living and the imperatives of justice. With so much to do and to accomplish, may we still know the fullness of human experience and the realities of faith and hope and love. Help us to see each other as being bound together with our mutual hopes and fears and being brought to fulfillment of life by Your redemptive grace. As common partners on the road of living, may we grow more fully in the solidarity and unity that is Your gift to us. This 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.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 276, nays 113, not voting 45, as follows:

[Roll No. 188]

YEAS—276

Abercrombie	Bennett	Callahan
Ackerman	Berman	Cardin
Anderson	Bevill	Carper
Andrews (ME)	Bilbray	Carr
Andrews (NJ)	Blackwell	Chapman
Andrews (TX)	Borski	Clement
Annuzio	Boucher	Clinger
Applegate	Brewster	Coleman (TX)
Archer	Brooks	Collins (IL)
Aspin	Broomfield	Collins (MI)
Atkins	Browder	Combest
AuCoin	Brown	Condit
Bacchus	Bruce	Cooper
Barnard	Bryant	Costello
Bateman	Bustamante	Cox (CA)
Beilenson	Byron	Cox (IL)

Coyne	Jones (NC)	Peterson (FL)
Cramer	Jontz	Peterson (MN)
Darden	Kanjorski	Petri
de la Garza	Kaptur	Pickett
DeFazio	Kasich	Pickles
DeLauro	Kennedy	Poshard
Dellums	Kennelly	Price
Derrick	Kildee	Pursell
Dicks	Kleczka	Ravenel
Dingell	Kolter	Reed
Dixon	Kopetski	Richardson
Dooley	Kostmayer	Rinaldo
Dorgan (ND)	Lancaster	Ritter
Downey	Lantos	Roe
Dreier	LaRocco	Roemer
Durbin	Laughlin	Rose
Dwyer	Lehman (CA)	Rostenkowski
Dymally	Lehman (FL)	Roth
Early	Lent	Rowland
Eckart	Levin (MI)	Roybal
Edwards (CA)	Lewis (GA)	Russo
Edwards (TX)	Lipinski	Sabo
Engel	Livingston	Sanders
English	Long	Sangmeister
Erdreich	Lowey (NY)	Sarpallus
Espy	Luken	Sawyer
Evans	Manton	Scheuer
Ewing	Markey	Schiff
Fascell	Martin	Schulze
Fazio	Martinez	Serrano
Feighan	Matsui	Sharp
Fish	Mavroules	Shaw
Flake	Mazzoli	Sisisky
Foglietta	McCloskey	Skaggs
Ford (MI)	McCurdy	Skeen
Ford (TN)	McDermott	Skelton
Frank (MA)	McGrath	Slattery
Frost	McHugh	Slaughter
Gaydos	McMillen (MD)	Smith (FL)
Gejdenson	McNulty	Smith (IA)
Gephardt	Mfume	Smith (NJ)
Geren	Miller (CA)	Snowe
Gibbons	Mineta	Spence
Gillmor	Mink	Staggers
Gilman	Moakley	Stallings
Glickman	Montgomery	Stark
Gonzalez	Moody	Stenholm
Gordon	Morrison	Stokes
Gradison	Mrazek	Studds
Green	Myers	Swett
Guarini	Nagle	Swift
Gunderson	Natcher	Tallon
Hall (OH)	Neal (MA)	Tanner
Hall (TX)	Neal (NC)	Tauzin
Hamilton	Nichols	Taylor (MS)
Hammerschmidt	Nowak	Thomas (GA)
Harris	Oaker	Thomas (WY)
Hatcher	Oberstar	Torres
Hayes (IL)	Obey	Trafcant
Hayes (LA)	Olin	Valentine
Hertel	Oliver	Vento
Hoagland	Ortiz	Visclosky
Hochbrueckner	Orton	Volkmer
Horn	Owens (NY)	Walsh
Horton	Owens (UT)	Washington
Houghton	Packard	Waters
Hoyer	Pallone	Waxman
Huckaby	Panetta	Weber
Hughes	Parker	Weiss
Hutto	Pastor	Wheat
Hyde	Patterson	Williams
Jenkins	Payne (NJ)	Wilson
Johnson (SD)	Payne (VA)	Wyden
Johnson (TX)	Pease	Wyllie
Johnston	Pelosi	Yates
Jones (GA)	Penny	Yatron

NAYS—113

Burton
Camp
Campbell (CA)
Chandler
Clay
Coble
Coleman (MO)

Coughlin	Ireland	Regula
Crane	Jacobs	Rhodes
Cunningham	James	Ridge
Dannemeyer	Johnson (CT)	Riggs
Davis	Klug	Roberts
DeLay	Kolbe	Rogers
Doolittle	Kyl	Rohrabacher
Dornan (CA)	Lagomarsino	Ros-Lehtinen
Edwards (OK)	Leach	Roukema
Emerson	Lewis (CA)	Saxton
Fawell	Lewis (FL)	Schroeder
Fields	Lightfoot	Sensenbrenner
Franks (CT)	Machtley	Shays
Galleghy	McCandless	Shuster
Gallo	McColum	Sikorski
Gilchrist	McCrery	Smith (OR)
Gingrich	McDade	Solomon
Goodling	McEwen	Stearns
Goss	McMillan (NC)	Stump
Grandy	Meyers	Sundquist
Hancock	Miller (OH)	Taylor (NC)
Hansen	Miller (WA)	Thomas (CA)
Hastert	Molinar	Upton
Hefley	Moorhead	Vander Jagt
Henry	Morella	Vucanovich
Herger	Murphy	Walker
Hobson	Nussle	Wolf
Holloway	Oxley	Young (AK)
Hopkins	Paxon	Zeliff
Hunter	Porter	Zimmer
Inhofe	Ramstad	

NOT VOTING—45

Alexander	Lloyd	Schumer
Anthony	Lowery (CA)	Smith (TX)
Bonior	Marlenee	Solarz
Boxer	Michel	Spratt
Campbell (CO)	Mollohan	Synar
Conyers	Moran	Thornton
Dickinson	Murtha	Torricelli
Donnelly	Perkins	Towns
Duncan	Quillen	Traxler
Gekas	Rahall	Unsoeld
Hefner	Rangel	Weldon
Hubbard	Ray	Whitten
Jefferson	Santorum	Wise
LaFalce	Savage	Wolpe
Levine (CA)	Schaefer	Young (FL)

□ 1230

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

Mr. EDWARDS of Texas changed his vote from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. McNULTY). Will the gentlewoman from Colorado [Mrs. SCHROEDER] please come forward and lead the House in the Pledge of Allegiance?

Mrs. SCHROEDER 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.

□ 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.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO SIT ON TODAY DURING 5-MINUTE RULE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be permitted to sit today on H.R. 4850 during House proceedings under the 5-minute rule. This request has been cleared with the minority.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4211

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 4211.

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

There was no objection.

REPUBLICAN OPPOSITION TO MOTOR-VOTER SAID TO DISCOURAGE VOTER PARTICIPATION

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

Mr. SMITH of Florida. Mr. Speaker, as Maxwell Smart used to say: "Would you believe?"

Would you believe in this year of Perot politics, the Republican Party does not want to make it easier for people to vote?

That is true. The House is about to consider legislation called the motor-voter bill. This legislation will enable drivers who renew their licenses to register to vote at the same time.

It would make registration forms available from local government agencies. It says to the American people we think your right to vote is at least as important as your right to enjoy the privilege of right turn on red.

Mr. Speaker, this is where, democratically speaking, the rubber meets the road. Republicans want to drive down voter participation, while Democrats want to gun the engines of democracy.

Let us enact this motor voter registration bill—because in a democracy, "We the people," is a little like saying "leave the driving to us."

LEGISLATIVE BRANCH AND EXECUTIVE BRANCH SHOULD PROPOSE PLANS TO BALANCE BUDGET ON SAME DAY

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

Mr. SCHIFF. Mr. Speaker, last week I voted for the balanced budget amend-

ment, not because I wanted to see an amendment to the U.S. Constitution as such, but because I felt that with our present national debt and the interest we pay each year out of our current budget, that we had to take some action. Up until now I have not seen any statute that works. However, those who said that we should still try to balance the budget through a statute carried the day.

Therefore, I suggest that it is incumbent upon them to now propose a statute with enforcement mechanisms that will lead us to a balanced budget. I would propose that one provision among many that should be in such a statute would be to require that both the President of the United States and the chairman of the Committee on the Budget in the House propose a balanced budget to the House of Representatives on the same day.

I think one reason why the huge deficit continues to mount is because of the divided Government. A White House controlled for many years by the Republicans and a House of Representatives controlled for many years by the Democrats has led each side to not want to go first to propose hard choices that have to be made. They both should act on the same day so we can make the tough decisions and bring our budget under control.

MOTOR-VOTER—POWER TO THE PEOPLE

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

Mr. BLACKWELL. Mr. Speaker, it is a sad but all too real fact that the United States of America has the lowest voter turnout of all the democracies in the free world.

During the 1988 Presidential election, barely 50 percent of the voting age population went to the polls, an embarrassingly low figure.

Mr. Speaker, today we have an opportunity to directly improve these alarmingly low statistics, while redefining our commitment to a government elected by democratic participation.

S. 250, the National Voter Registration Act will simplify a ridiculously complex process, and will allow every eligible American the fundamental right to select their elected officials.

The only way to insure a more responsible, accountable, and effective Government is to put the power of the vote back into the hands of the people.

The American people are not interested in legislation aimed at reforming the complex internal operations of the House of Representatives. Nor do they want someone to dictate to them how many terms a Member of Congress can serve.

As far as I can tell, Americans like to make their own decisions, and I see no

alternative to this fact other than to give them their strongest weapon—against what many perceive to be the wrongs of this Government, and that is the force of their vote.

The time has come for us to recognize our role as public servants—and do just that.

Serve the people by eliminating the worst Government bureaucracy of all, the one that keeps them from exercising the right that people die for around the world each and every day.

THE UNITED STATES VERSUS ALVAREZ-MACHAIN DECISION

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

Mr. KOLBE. Mr. Speaker, late yesterday the Supreme Court issued its opinion in the case of United States versus Alvarez-Machain. The Court ruled that it is legal for the United States to abduct individuals in other countries in order to bring them to trial in the United States.

I rise today, not to discuss the merits of the decision, but to express my dismay that the result of the Supreme Court's opinion may be a lessening of the cooperative efforts between the United States and Mexico in countering illegal narcotics activity.

This would be a disaster for both countries. While Mexico continues to be the major transhipment point for illegal drugs, the Salinas administration has taken steps unprecedented in our two nations' histories to cooperate on this issue.

In recent years, Mexico has made record seizures of opium and marijuana. In addition, the Mexican Government in the last year has seized more than 50 metric tons of cocaine that was destined for your districts and our neighborhoods. Mexico is helping us win the war on drugs.

Our two nations have signed numerous counternarcotics agreements, our law enforcement agencies share intelligence and cooperate like never before, and even our respective military organizations are working together on combating illegal drugs. We cannot allow this newfound antinarcotics relationship to evaporate as a result of the Supreme Court's decision.

I will be introducing later today a sense-of-Congress resolution calling on the United States Government to do everything in its power to ensure that our antidrug effort with Mexico does not suffer as a result of the Supreme Court's action. I urge my colleagues to cosponsor this resolution.

THE HOUSE SHOULD PASS THE MOTOR-VOTER BILL

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

minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, let us today pass the motor-voter bill. Let us thereby strike a blow for better government, for better voter turnout, and for better voter registration.

Using my own home State of Kentucky as a case in point, it is estimated that some 800,000 Kentuckians are not now registered. Using the election results of just this May, only 17 percent of eligible Kentuckians went to the polls for the primaries.

Our bill, S. 250, will allow people to register when they apply for or renew vehicle licenses. It would set up a uniform national mail system for voter registration and allow people to register at public places like libraries and schools. We passed similar legislation in this body in 1990. The Senate just last month passed S. 250 by a very wide margin.

I believe, Mr. Speaker, that for whatever reason people may not vote, whether they are satisfied, as some say, or disillusioned, as others say, public policy should aim at 100 percent voter turnout. Motor-voter will help. Let us today pass motor-voter.

DEMOCRATS MUST ASSUME RESPONSIBILITY TO LEAD IN BALANCING THE BUDGET

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

Mr. RAVENEL. Mr. Speaker, we all know the old saying, "To the victors belong the spoils"; how true. And in the light of their defeat of the balanced budget amendment last week, I say to the Democrat majority, "To you now belongs the responsibility of revealing to this House the alternatives you spoke of for balancing our Nation's budget." I am not being facetious, I could not be more serious—so come on now, Mr. Speaker, Mr. Majority Leader, Mr. Budget Committee Chairman, offer us those hard choices of which you so eloquently spoke last Thursday. I am ready to make them.

□ 1240

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to direct their remarks to the Chair.

FOREIGN AID DEBT

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

Mr. TRAFICANT. Mr. Speaker, the Federal Reserve Bank in New York says foreign banks now control 45 percent of all commercial loans. They are

squeezing out American banks. To boot, most of these loans were never even reported.

Now, think about it. While foreign banks were mortgaging America, all we have heard down here is that the Russians are coming, the Russians are coming. Well guess what, the Russians are here and they are asking for \$12 billion. Now if that is not enough to stabilize your ruble, in order to give Boris Yeltsin \$12 billion we will have to borrow it from Japan and Germany.

This really makes an awful lot of sense, doesn't it, folks?

ECONOMIC EARTHQUAKE

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

Mr. BURTON of Indiana. Mr. Speaker, 10 years ago we in the United States experienced our first \$1 trillion national debt. Here we are 10 years later and the national debt is \$4 trillion. The interest alone on the national debt is running over \$300 billion a year, and this year we are going to have a deficit of \$400 billion. These figures boggle the American people's mind.

Last week we had an amendment come before this body to try to get control of spending because we are threatening the future of these young people who are in the Gallery here today. The future generations of this country are at risk because we are spending more than we are taking in at a very rapid rate, and it is escalating every single day. It took us 200 years to get to \$1 trillion, and 10 years to get to the \$4 trillion. Spending is totally out of control.

We should have passed the constitutional amendment last week, Mr. Speaker, but we did not. I submit that every Member of this body ought to read this book. It is by a man named Larry Burkett. It is called "The Coming Economic Earthquake," and it ought to be required reading for every Member of this body, because if we do not get control of spending we are going to have an economic earthquake in this country that will be unheard of in the history of mankind.

WELCOME TO ALBANIAN PRESIDENT SALI BERISHA

(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, today we here in the Congress have the great pleasure of welcoming to our Nation's Capitol His Excellency Sali Berisha, the first democratically elected President of Albania. The warm and enthusiastic welcome he receives here on Capitol Hill marks the high point in a dramatic turnabout in relations be-

tween the United States and Albania, and it is in large part due to the way in which he was chosen and the changes that have taken place in Albania over the past 2 years.

Two years ago, the United States and Albania had no diplomatic relations, and we had had no formal diplomatic ties since before World War II. There were no trade or economic relations between our two countries. Albania was the most isolated country in Europe. The misguided policies of Albania's Communist dictatorship led to the impoverishment and suppression of the long-suffering Albanian people.

Although Albania was the last of the Communist states of Europe to feel the winds of democratic change, those changes were felt. Albania's self-imposed isolation was ended, and last year diplomatic relations were established with the United States. The process of democratization continued and 2 months ago in historic free elections, Sali Berisha was elected President of Albania.

The son of peasants who studied medicine and became a cardiologist, President Berisha mastered English listening clandestinely to the BBC. His disdain for the authoritarian Communist government of Albania led him to participate in the democratic revolution that has swept his country since 1990.

As President Berisha becomes the first Albanian President to pay an official visit to Washington, DC, we extend to him and the Albanian people our heartfelt congratulations and best wishes for their decision to adopt a democratic political system and undertake free market economic reforms. The course ahead will not be easy, but there is no question that it is the right course for the Albanian people.

Mr. Speaker, it is important that we in the United States extend the hand of friendship and assistance to President Berisha and the Albanian people. Before long, we in the Congress will consider legislation extending most-favored-nation trade status for Albania. It is my intention to support that legislation, and I hope my colleagues will join me in that effort. The United States should also extend assistance to Albania, as a part of our effort to assist the countries of the former Soviet Union and the countries of Central and Eastern Europe. It is also important that our Nation support Albania's requests for assistance through international financial institutions such as the World Bank and the International Monetary Fund.

Mr. Speaker, it is with great pleasure and a sense of the historic importance of this occasion, that I extend a friendly and sincere welcome to President Berisha and invite my colleagues in the Congress to join in welcoming him.

SUPPORT LEGISLATION TO FIX THE "NOTCH" IN SOCIAL SECURITY BENEFITS

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

Mr. MACHTLEY. Mr. Speaker, last week a unique coalition met here in the District of Columbia to try and figure out how to resolve the issue on notch victims. As we all know in this Chamber notch victims were created because of legislation in 1977 which tried to create a new formula that would take care of people who were receiving more than anticipated.

Unfortunately, the anomaly which was created by Congress created victims, people who were born between 1917 and 1922.

H.R. 917 is a consensus bill here in the House and 288 cosponsors have signed it, yet the real anomaly is that only 34 have signed the discharge petition.

I would urge my colleagues to give us a vote. The senior citizens of this Nation who now number 12 million who are affected by this anomaly, the notch discrimination, are waiting for our votes. Let us give them relief, a vote, and not a legislative Kavorkian machine. I urge my colleagues to sign the discharge petition so that we will have at least a chance to vote.

DAN QUAYLE: THE MARGARET DUMONT OF THE BUSH ADMINISTRATION

(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, as Father's Day approaches, it is a good time to ask President George Bush and Vice President DAN QUAYLE where they stand on a very controversial issue: Fathers. That's right, fathers. A subject so taboo, the word can't even be mentioned in polite, Bush administration circles.

While the Vice President is a scold, a veritable Margaret Dumont, on the subject of single moms, he's absolutely silent on runaway fathers.

Millions of real fathers in the real world have abandoned their families. Not only do they refuse to pay child support, they resort to every imaginable subterfuge to avoid having to pay. One deadbeat dad even managed to find enough money to pay for a ring-side seat with President Bush at a Republican fundraiser. Did the President object? No.

Vice President QUAYLE took careful aim at a television character, Murphy Brown, while ignoring the millions of real dads who have abandoned tens of millions of children across America.

I even offered to give the Vice President a forum. The Select Committee on

Children, Youth, and Families, which I chair, invited the Vice President to testify on how the Federal Government can help fathers be better parents. So far, not a word.

Not surprisingly, most Americans think Murphy Brown makes a better dad than DAN QUAYLE.

MEXICO THREATENS TO HALT COOPERATION IN FIGHTING DRUG WAR

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

Mr. LEWIS of Florida. Mr. Speaker, I am disturbed and distressed this morning by threats lodged by the Mexican Government to halt cooperation with the United States in fighting the drug war.

Last night the Mexican Government threatened to ban all activities by the United States DEA in Mexico to protest the United States Supreme Court decision allowing suspects to be abducted abroad to the United States for trial.

The Mexican Government is entering dangerous territory through this vindictive action that threatens to mortgage all that we have accomplished in fighting drugs between Mexico and the United States.

I have no alternative except to question Mexico's commitment to fighting the drug war and commitment to completing a very crucial North American Free-Trade Agreement.

Mexico's hope to attract increased foreign capital and gain greater access to the United States market for Mexican products through a NAFTA is in serious jeopardy.

We are on the verge of liberalizing trade with a country willing to sacrifice gains made in fighting the illegal drug trade.

This is a country responsible for: Over 50 percent of cocaine entering the United States; and 23 percent of the heroin consumed in the United States. There is nothing free about a North American Free-Trade Agreement when the price is the destruction of minds and bodies through drug abuse.

Our response to Mexico's threat must be clear and direct, no drug cooperation, no deal.

□ 1250

HEALTH CARE REFORM

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

Mr. JOHNSON of Texas. Mr. Speaker we have been watching a parade of so-called health reform bills circulating through this House.

We have seen proposals that increase Government bureaucracy, increase the

tax burden on Americans and still others that fail to address one of the most critical problems, the uninsured.

Mr. Speaker, we must reform our health care industry by improving the finest medical care system in the world, not tearing it apart. Every American should have the opportunity to be insured. You know, Americans really deserve a plan that improves access and contains costs, while encouraging a free market.

If this is the kind of plan you want to see, let me know. I am working on a bipartisan proposal that will do just that. America deserves the best—period.

THREE QUESTIONS FOR PRESIDENT BUSH AND MR. YELTSIN

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

Mr. DURBIN. Mr. Speaker, there is a historic meeting going on now between President Bush and Boris Yeltsin.

If I were party to that meeting, I would have three questions I would ask, one to Mr. Yeltsin and two to Mr. Bush. I would ask Mr. Yeltsin, "If you even suspect that American servicemen are still being held prisoner in Russia, would it not stand to reason that you would investigate this before coming to the United States on a friendship visit?" And then I would ask Mr. Bush, "Since the Bush administration was so disgracefully slow in recognizing the independence of Lithuania, Latvia, and Estonia, should we not at least condition our \$12 billion in Russian aid on the removal of the 100,000 Russian troops still forcefully occupying these Baltic States?" And, finally, I would ask the President why \$12 billion to Russia is not a budget buster but \$2 billion to solve problems here in the United States is criticized by the Bush administration as wasteful overspending that would force a veto.

QUESTION OF AMERICAN PRISONERS IN RUSSIA MUST BE ANSWERED IMMEDIATELY

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

Mr. DORNAN of California. Mr. Speaker, could I have the attention of the gentleman from Illinois [Mr. DURBIN]? I want to associate myself with all of his remarks.

Mr. Speaker, I want to read briefly from the front page of today's paper:

Russian President Boris Yeltsin said yesterday U.S. prisoners from the Vietnam war were transferred to the Soviet Union and kept in labor camps, and some of them may still be alive. He said, "We can only surmise that some of them are alive. They were kept in labor camps."

My God, I do not even know why we are in session today. I think we ought to adjourn, and every one of us ought to find out in our districts if there are mothers and fathers left over from the 1950's, the 1960's, the 1970's who list young brave Air Force air crewmen and other services into this evil empire and this slave system over there.

I love Yeltsin for coming forward with this. I am telling you this was my subject. In 1953, I was on active duty. I was told there were air crewmen alive. No one has ever dissuaded me from that, and the system wore me down.

Mr. Speaker, we have got a hero in the Senate in BOB SMITH, and, by God, this country is a disgrace if we do not get to the bottom of this.

Mr. President, cancel every meeting with Mr. Yeltsin except on this subject. Get on an airplane, Mr. President. Mr. Speaker, tell him to. I am speaking through you to him by the rules. Get on an airplane, Mr. President, and go to the Soviet Union and get to the bottom of this truth, and maybe you will have a second term.

This is the greatest disgrace in my lifetime in the American system, and I am ashamed at myself that the system wore me down, after all of the expertise and 50 books that I read on this issue over 40 years of my adult life. What a disgrace.

We ought to adjourn right now and solve this ugly problem. Mothers and fathers, call me. Write to me. Write to your Congressman, too, if your son was lost as an air crewman, and let us solve this disgusting, horrendous blight on the honor of this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to address their remarks to the Chair.

CONGRATULATIONS TO RELIEF PITCHER JEFF REARDON

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

Mr. OLVER. Mr. Speaker, today, I rise to congratulate the pride of Dalton, MA, Boston Red Sox relief pitcher, Jeff Reardon, who made major league baseball history by setting the all-time record for saves Monday night. Jeff saves his 342d game by retiring the New York Yankees in the ninth inning of a 1-0 Red Sox victory at Fenway Park. While all Red Sox fans are very proud of Jeff's historic accomplishment, in addition to his family and friends, the people of his hometown of Dalton and all the people of western Massachusetts are extremely proud of him today.

In addition to his brilliant major league career which began with the Mets, then the Expos and the Twins,

Jeff pitched for the University of Massachusetts in Amherst in the midseventies, where he struck out 240 in 240 innings to break the school record. To this day, Jeff is a very big supporter of UMass.

Jeff was also a baseball and soccer star at Wahconah Regional High School in Dalton.

Jeff signed as a free agent with the Red Sox in 1990 and set the team record for saves with 40 last year. In over 740 games, Jeff has given his all and we have been lucky to watch his brilliant career up close. Jeff's outstanding work ethic and sportsmanship is the kind of stuff we need more of in this country.

We are all certain that he is headed for the Hall of Fame.

Jeff's family, friends, and fans are all very proud of his accomplishments, and we are truly fortunate to have this professional play for us in New England.

We are all proud of you. Congratulations, Jeff.

BALANCED BUDGET AMENDMENT

(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, my support for a balanced budget amendment was not shared by enough of my colleagues and now we face an angry electorate and a mounting budget deficit. I say to the ladies and gentlemen on the other side of the aisle, your leadership failed to pass the amendment while trivializing the budget crisis, and pandering to the 23-percent minority who opposed a constitutional amendment. The leaders of the Democrat Party, who decried our efforts to balance the budget by force of law, relied on the same arguments they used in 1990. It was then that they defeated similar legislation by verbalizing their beliefs that the budget could be balanced without amending the Constitution. They lied. The budget deficit is now \$400 billion, nearly double what it was only 2 years ago.

A "no" vote for the balanced budget amendment is nothing more than a refusal to acknowledge that the Democratic Congress, of its own accord, is unable to handle the budget responsibly. It amounts to an admittance that the Democratic Congress is not ready to apply a system that works to the problem of the budget deficit. This Democratic Congress has repeatedly failed to balance the budget.

Mr. Speaker, all previous attempts have failed and time is running short. Those who defeated the initiative to balance the budget are solely responsible for discovering a better solution. They are the Members that will be held accountable by the voters this fall. To reprimand is not enough, only the ballot box will reveal the foolishness of

their decision against a balanced budget.

CONGRESSIONAL RECOGNITION OF THE AMERICAN INDIAN

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

Mr. ROSE. Mr. Speaker, on March 2, 1992, the President signed Public Law 102-188, which designated 1992 as the "Year of the American Indian." This is the first recognition of American Indians, by way of a year designated in their honor. The Honorable ENI F.H. FALEOMAVAEGA introduced the law, and it was cosponsored by 226 Members of the House, and 54 Members of the Senate.

Another Public Law, 102-123, designates November 1991, and November 1992, as National American Indian Heritage Months. These designated months are a tribute to heritage of the original inhabitants of this continent.

And as the Nation commemorates the 500th anniversary of the arrival of Christopher Columbus, the Nation can also demonstrate that the discovered should be recognized along with the discoverer.

I have introduced House Concurrent Resolution 328, which authorizes the printing of a book entitled, "Year of the American Indian, 1992: Congressional Recognition and Appreciation." The book will be prepared under the direction of the Joint Committee on Printing, and will reflect the significant contributions and achievements of American Indians, to the Nation's culture and history.

I am seeking cosponsors of this resolution, and would like all Members to join me in authorizing the publication of this book, in tribute to the American Indian.

NORMALIZING RELATIONS WITH VIETNAM SHOULD AWAIT ANSWERS ON AMERICAN POW'S

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

Mr. CAMP. Mr. Speaker, after 40 years of cold war, there is finally a Russian regime that appears dedicated to reforms and the truth. I assume many of us either watched President Yeltsin's comments last night, or at least read about them this morning. I am speaking of his comments regarding the possibility of American POW's from Vietnam still being alive in, of all places, the former Soviet Union.

Even the State Department admits that if President Yeltsin's statement is accurate, this is a major revelation.

There are those who believe we should lift the economic embargo against the Socialist Republic of Viet-

nam before the select committee in the other body has completed its work. Normalizing ties with Vietnam would be unfair to the people who served our Nation, and unfair to their families. We owe it to them to get the answers before we resume a relationship with a nation that has never satisfactorily answered our questions about our missing service men and does not seem to believe in reform or the truth.

I am once again calling upon my colleagues to cosponsor and act upon House Concurrent Resolution 233, a resolution that calls upon the President not to normalize relations with the Socialist Republic of Vietnam until the Senate Select Committee on POW/MIA Affairs reports its findings.

QUESTIONS RAISED ABOUT GATT AND NAFTA

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

Mrs. BENTLEY. Mr. Speaker, congressional offices last week received a fact sheet on the interrelationship of the General Agreement on Tariffs and Trade [GATT] and the North American Free Trade Agreement [NAFTA].

This information has been supplied by the United Food and Commercial Workers International Union. I believe the American people should be made aware of the threats to our national sovereignty were we to go along with either of these agreements as they are currently being considered.

Among some of the points raised by the UFCW: first, the terms of the current GATT draft will result in elimination of all import control laws including the U.S. Meat Import Act.

Second, a GATT panel ruled, "GATT is part of federal law in the U.S. and as such is superior to GATT-inconsistent state law." If the panel report is adopted, the Federal Government would be obligated to ensure that the fifty states be in strict compliance with GATT.

The question of the future of federalism in our government must be discussed in light of these disclosures.

I will include a factsheet elsewhere in the RECORD.

□ 1300

"COP KILLER" SONG IS OUTRAGEOUS, A MARK OF SHAME FOR WARNER BROTHERS RECORDS

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

Mr. PORTER. Mr. Speaker, I yield to no one in defending freedom of expression. I have argued that by tolerating all political statements, even those as

offensive as burning an American flag, we reaffirm our commitment to free speech.

But whenever individuals abuse society's tolerance with hateful and violent speech, they endanger this precious constitutional protection. So it is with a song by rap star Ice-T entitled "Cop Killer." No mere cry of outrage against the Rodney King verdict, this song urges murdering police officers. The few lyrics that may even be repeated here leave no ambiguity:

I got my twelve gauge sawed off/I'm 'bout to dust some cops off * * * tonight we get even. I'm 'bout to kill me somethin' * * * die, pig, die!

And who is marketing this disgraceful incitement to violence? A fly-by-night distributor? No, it's Warner Brothers Records, a division of Time-Warner, one of America's largest media-entertainment corporations.

Mr. Speaker, all Americans should be repulsed by Ice-T's message. But they should be even more disgusted that, in its zeal for profit, Time-Warner has thrown ethics out the window to shamelessly market this call for hatred and violence.

ANNOUNCEMENT OF APPOINTMENT OF MEMBER TO SELECT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to the provisions of section 203 of House Resolution 51, 102d Congress, the chair announces the Speaker's appointment of the gentleman from Illinois [Mr. FAWELL] to the Select Committee on Children, Youth and Families to fill the existing vacancy thereon.

NATIONAL VOTER REGISTRATION ACT OF 1992

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 480

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be considered as having been read under the five-minute rule. No amendment to the bill shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution. Said amendment shall be considered as having been read, shall

be debatable for not to exceed one hour, equally divided and controlled by the proponent and a member opposed thereto. Said amendment shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which may not contain instructions.

POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, I make a point of order against the consideration of the resolution on grounds that it violates both House rule XI, clause 4(b) and House rule XLIII, and ask to be heard on my point of order.

The SPEAKER. The gentleman from New York [Mr. SOLOMON] is recognized on his point of order.

Mr. SOLOMON. Mr. Speaker, let me say at the outset that I regret that it is even necessary to raise this point of order. As you will recall, in January of last year I presented you, Mr. Speaker, with a 48-page paper documenting the precedents and history behind the rules which guarantee to the minority the right to offer a motion to recommit a bill of its choosing—including one with instructions.

Then last June we sat down in your office with the Republican leader, the majority leader, and the Rules Committee chairman, and myself, and it was agreed that the Rules Committee would further look into our complaints about being denied our right to offer recommittal instructions on certain bills.

The Rules Committee's Subcommittee on Rules of the House finally did hold a hearing on May 6 of this year, but no report has yet been issued as a result of that hearing and study.

As the Speaker well knows, the whole purpose of the Rules Committee study of this controversy was to attempt to reach some kind of accommodation between the majority and minority over the issue of restricting our right to recommit bills.

I am certain the Speaker did not have in mind that a hearing alone, without any subsequent effort to solve this problem, would suffice, and I know that. A hearing alone does not constitute a good-faith effort to reach accommodation.

Having said all that, Mr. Speaker, permit me once again to make the case for this point of order. The rule before us allows for one motion to recommit but goes on to say that the motion "may not contain instructions."

Mr. Speaker, again I have to repeat, clause 4(b) of House rule XI provides that the Rules Committee "shall not report any rule or order * * * which would prevent the motion to recommit from being made as provided in clause 4 of rule XVI."

And clause 4 of rule XVI, at the relevant part, states that:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order and the Speaker shall give preference in recognition to a Member who is opposed to the bill or joint resolution.

Mr. Speaker, it can hardly be argued that by denying any instructions in a motion to recommit, the right of the minority Member entitled to offer that motion is being preserved or protected. When the rule issued by the majority's Committee on Rules dictates that the minority Member may only offer a straight motion to recommit, that Member is deprived of the right to offer a motion of his or her choosing.

Mr. Speaker, it must be remembered that before these two rules were adopted in 1909, the House already had a rule, dating back to 1880, allowing for a motion to recommit, with or without instructions, either before or after the previous question is ordered. That rule is rule XVII, clause 1 and is still a part of our rules today under which we are supposed to be operating here.

As the Speaker will recall from the paper I presented him in January 1991, in 1909 the new recommit rule was offered by a minority Member of this House, Democrat John Fitzgerald from my State of New York, specifically giving that motion to the minority. And at the same time, a rule was adopted, which we now call clause 4(b) of rule XI, to prevent the Rules Committee from ever denying the minority that right.

In offering those two rules changes, Representative Fitzgerald said, and I quote once again, and I hate to take the Speaker's time but it has to be said:

Under our present practice, if a Member desires to move to recommit with instructions, the Speaker instead of recognizing a Member desiring to submit a specific proposition by instructions, recognizes the gentleman in charge of the bill.

In other words, Mr. Speaker, up to that point, the Speaker could recognize the majority manager to offer the motion to recommit and thereby prevent the minority from offering such a motion with instructions in the way of a final amendment.

And Fitzgerald went on to say, and again I quote:

Under our practice, the motion to recommit might better be eliminated from the rules altogether.

In short, Mr. Speaker, the whole purpose for the new rule was to permit the minority to offer a motion to recommit with instructions if it so desired. On May 14, 1912, Speaker Champ Clark, another Democrat, and I used to be one, Mr. Speaker—I have researched all these Democrats.

Champ Clark, a Democrat from Missouri, upheld a point of order against a rule denying a motion to recommit by pointing to Jefferson's Manual in which Jefferson observed that rules are instituted in parliamentary bodies as a

check against action of the majority and a shelter and protection to the minority.

Clark concluded on this point by ruling that, and I quote, "it was intended that the right to make the motion to recommit should be preserved inviolate."

□ 1310

On October 17, 1919, Speaker Gillett, a Republican from Massachusetts—we had Republicans from Massachusetts in those days—in overruling a point of order against a minority motion to recommit with instructions, said, and I quote:

The fact is that a motion to recommit is intended to give the minority one chance to fully express their views so long as they are germane.

Please note, Mr. Speaker, the only condition on that motion was the germaneness rule as found in the standing rules of the House.

And he concluded:

The whole purpose of this motion to recommit is to have a record vote upon the program of the minority. That is the main purpose of the motion to recommit.

Mr. Speaker, the recent body of rulings upholding the right of the Rules Committee to deny the minority that right to offer amendatory instructions in the motion to recommit is based on a 1934 ruling by Speaker Rainey, another Democrat from Illinois, in which he overruled a point of order against a special rule that prohibited amendments to one title of the bill during its consideration.

Speaker Rainey said that the special rule did not mention the motion to recommit which therefore could still be offered under the general rules of the House. And he went on to rely on the principle that one cannot do indirectly by way of a motion to recommit that which cannot be done directly by way of amendment. And since the special rule prohibited amendments to one title, the motion to recommit could not amend that title either.

In short, Mr. Speaker, he held that a special rule prohibiting certain amendments had the same status as the standing rules of the House, even though the special rule was more restrictive than the standing rules, and in, fact, was a departure from those standing rules.

Even a germane amendment could not be offered in the motion to recommit.

Mr. Speaker, I have long maintained that the ruling of Speaker Rainey was wrongly decided. On the one hand, he tried to claim that the right of the motion to recommit was preserved under the general rules. But he then turned around and said the general rules of the House had no standing when it came to an amendment in the motion to recommit—that the special rule from the Rules Committee had precedence.

Mr. Speaker, you cannot have it both ways. To the extent that the Rules Committee limits or denies the motion to recommit in a way that departs from the general rules of this House that we operate under, it is violating the prohibition on it as contained in clause 4(b) of Rules XI.

And I ask the Members to read the rules and see for yourselves.

To paraphrase Speaker Champ Clark, the motion is no longer inviolate as it was intended to be. And that is wrong. Instead, the right has been grossly violated.

Mr. Speaker, finally I will just point out that I am basing my point of order on House Rule XLII, which states, in part, and I quote:

The Rules of parliamentary practice comprised in Jefferson's Manual * * * shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House * * *.

Mr. Speaker, I would maintain that in a case such as this, where there is ambiguity, Jefferson's Manual should be relied on as the final arbiter, just as Speaker Clark relied on it in his ruling in 1912 on this issue. And, to quote from section 1 of Jefferson's Manual, and I wish the Members would listen up because what we are trying to strive for here is fairness. It says:

As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents," the opponents being we, the minority, "the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceedings which have been adopted as they were found necessary from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check.

Mr. Speaker, that is terribly, terribly important.

Jefferson concluded on this point as follows:

It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

I repeat, Mr. Speaker, in a dignified and fair body.

Mr. Speaker, I would submit that Jefferson's Manual, which is incorporated as part of the rules of the House, should be the final authority on this issue. And Jefferson's Manual clearly comes down on the side of minority rights which are protected under the standing rules of the House—the regular order of proceeding, which we defend every day.

Mr. Speaker, to permit a special rule such as this to take priority is to give way to the caprice of the Speaker's Committee on Rules or the captious-

ness of the majority Members in abusing, indeed denying, the only protection and weapon which we, the minority have, and that is the standing, not special, the standing rules of this House.

Mr. Speaker, I cannot make it any clearer. You are a fair man, a man respected by us; but you do represent all of us in this House, the majority and minority. And I know that you feel that way personally. And I would just hope for the good of this House and the future of this House and the future of your party, which may become a minority someday—we hope soon—I would hope that you would rule in my favor.

The SPEAKER. Does the gentleman from Missouri [Mr. WHEAT] desire to be heard on the point of order?

Mr. WHEAT. Mr. Speaker, I do wish to be heard on the point of order.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. WHEAT].

Mr. WHEAT. Mr. Speaker, the gentleman from New York makes the point of order that the rule limits the motion to recommit and therefore, according to the minority, the rule violates clause 4(b) of rule XI.

Mr. Speaker, I respectfully disagree. Rule XI prohibits the Rules Committee from reporting a rule that: "would prevent the motion to recommit from being made as provided in clause 4 of rule XVI."

Clause 4 of rule XVI only addresses the simple motion to recommit. Nowhere are instructions mentioned.

Mr. Speaker, the Rules Committee may report a rule limiting the motion to recommit. So long as the rule allows a simple motion to recommit, it does not violate clause 4(b) of rule XI.

Mr. Speaker, this is a well-established parliamentary point. Speaker Rainey, on January 11, 1934, so ruled and was sustained on appeal.

The point was reaffirmed five times in the last 2 years: October 16, 1990; June 4, 1991; on November 25, 1991; February 26, 1992, and again 1 month ago, on May 7, 1992. Several times, the minority moved to appeal the ruling of the Chair. On each occasion the House voted to table the motion, sustaining the ruling.

Mr. Speaker, the precedents were strengthened by the votes of the House. The House consistently supported our interpretation of the rule. Absent an intervening change in the rule, the chair would be constrained, in my opinion, to heed this interpretation.

Finally, Mr. Speaker, the minority's position on the motion to recommit was seriously compromised, to my mind, by its support for House Resolution 450. House Resolution 450 was the rule providing for consideration of the balanced budget constitutional amendment.

House Resolution 450 severely restricted the motion to recommit with

instructions. Yet every member of the minority voting on the rule—except two—voted "aye."

In summary, Mr. Speaker, the precedents are clear, consistent, and unequivocal.

Since 1934 there is not a single instance in which Speaker Rainey's interpretation was overturned. Not one rule limiting the motion to recommit was successfully challenged on a point of order.

Moreover, the House spoke several times in the last 2 years to reaffirm and strengthen this position. And finally, Mr. Speaker, the House overwhelmingly supported—just last week—a rule limiting the motion to recommit.

Search the RECORD and you will not find a single word of protest from the minority last week.

Mr. Speaker, I urge you not to sustain the point of order.

The SPEAKER. Does the gentleman from New York wish to be heard further on his point of order?

Mr. SOLOMON. Thank you, Mr. Speaker.

Mr. Speaker, let me just say it is the intent of Jefferson's Manual that the minority have its right to recommit with instructions. It is the rules of this House that we have that right, and, Mr. Speaker, you know, the Democratic Party enjoys, I believe, a 101-vote majority in this House.

□ 1320

If there is any fairness at all, Mr. Speaker, you would rule that we have this traditional right.

Mr. WALKER. Mr. Speaker, may I be heard on the point of order?

The SPEAKER. The gentleman from Pennsylvania will be heard.

Mr. WALKER. Mr. Speaker, the gentleman from Missouri [Mr. WHEAT] cited as the principal evidence of the willingness of the House to abandon its minority right a series of votes that have taken place in recent years. Obviously, what we have there is the majority party muscling the minority party with its voting majority, and it has nothing to do with the rules of the House or the kind of precedents that protect minority rights.

If in fact what we have decided is that the minority is always at the mercy of the majority's ability to change the rules, then the Chair, it seems to me, does rule against the gentleman from New York, and that would be a travesty. If what the Chair is concerned about doing is protecting the minority, as it is supposed to be protected under the rules, then the Chair, I think, has no other duty than to rule in favor of the point of order of the gentleman from New York, because it is clear in this particular instance that to rule against the point of order of the gentleman from New York is to really rule that the minority has no real posi-

tion under the rules, and that any position the minority has under the rules is conveniently stripped by a majority vote of the majority party. That would be a travesty that goes against everything the House is supposed to stand for in debate, and I would hope that the Chair would rule in favor of the point of order raised by the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. WALKER] for his remarks, and I insist on my point of order.

The SPEAKER. The gentleman from New York [Mr. SOLOMON] has made a point of order against consideration of House Resolution 480 and, based on arguments made previously by the gentleman from New York, has insisted that in denying the motion to recommit with instructions and providing authority only for a motion to recommit, the committee has violated House rules and a point of order should be sustained against the resolution.

Under the precedents of October 16, 1990, February 26, 1992, and May 7, 1992, all of which, as the gentleman correctly points out, stem from the precedent of January 11, 1934, the Chair is constrained to overrule the point of order.

Mr. SOLOMON. Mr. Speaker, I most respectfully appeal the ruling of the Chair.

Mr. WHEAT. Mr. Speaker, I move to lay on the table the appeal of the ruling of the Chair.

The SPEAKER. The question is on the motion to table offered by the gentleman from Missouri [Mr. WHEAT].

The question was taken; and the Speaker announced that the noes appeared to have it.

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 250, nays 158, not voting 26, as follows:

[Roll No. 189]

YEAS—250

Abercromble	Blackwell	Collins (IL)
Ackerman	Borski	Collins (MI)
Alexander	Boucher	Condit
Anderson	Boxer	Cooper
Andrews (ME)	Brewster	Costello
Andrews (NJ)	Brooks	Cox (IL)
Andrews (TX)	Browder	Coyne
Annunzio	Brown	Cramer
Anthony	Bruce	Darden
Applegate	Bryant	de la Garza
Aspin	Bustamante	DeFazio
Atkins	Byron	DeLauro
AuCoin	Campbell (CO)	Dellums
Bacchus	Cardin	Derrick
Barnard	Carper	Dicks
Bellenson	Carr	Dingell
Bennett	Chapman	Dixon
Berman	Clay	Donnelly
Bevil	Clement	Dooley
Bilbray	Coleman (TX)	Dorgan (ND)

Downey	Lantos	Rangel
Durbin	LaRocco	Reed
Dwyer	Laughlin	Richardson
Dymally	Lehman (CA)	Roe
Early	Lehman (FL)	Roemer
Eckart	Levin (MI)	Rose
Edwards (CA)	Lewis (GA)	Rostenkowski
Edwards (TX)	Lipinski	Rowland
Engel	Long	Roybal
English	Lowey (NY)	Russo
Erdreich	Luken	Sabo
Espy	Manton	Sanders
Evans	Markey	Sangmeister
Fascell	Martinez	Sarpalius
Fazio	Matsui	Sawyer
Feighan	Mavroules	Scheuer
Flake	Mazzoli	Schroeder
Foglietta	McCloskey	Schumer
Ford (MI)	McCurdy	Serrano
Ford (TN)	McDermott	Sikorski
Frank (MA)	McHugh	Sisisky
Frost	McMillen (MD)	Skaggs
Gaydos	McNulty	Skelton
Gedenson	Mfume	Slattery
Gephardt	Miller (CA)	Slaughter
Geren	Mineta	Smith (FL)
Gibbons	Mink	Smith (IA)
Glickman	Moakley	Solarz
Gonzalez	Montgomery	Staggers
Gordon	Moody	Stallings
Guarini	Moran	Stark
Hall (OH)	Mrazek	Stenholm
Hall (TX)	Murphy	Stokes
Hamilton	Murtha	Studds
Harris	Nagle	Swett
Hatcher	Natcher	Swift
Hayes (IL)	Neal (MA)	Synar
Hayes (LA)	Neal (NC)	Tallon
Hertel	Nowak	Tanner
Hoagland	Oakar	Tauzin
Hochbrueckner	Oberstar	Taylor (MS)
Horn	Obey	Thomas (GA)
Hoyer	Olin	Thornton
Huckaby	Oliver	Torres
Hughes	Orton	Trafficant
Hutto	Owens (NY)	Unsoeld
Jacobs	Owens (UT)	Valentine
Jefferson	Pallone	Vento
Jenkins	Panetta	Visclosky
Johnson (SD)	Parker	Volkmer
Johnston	Pastor	Washington
Jones (NC)	Patterson	Waters
Jontz	Payne (NJ)	Waxman
Kanjorski	Payne (VA)	Weiss
Kaptur	Pease	Wheat
Kennedy	Pelosi	Whitten
Kennelly	Penny	Williams
Kildee	Peterson (FL)	Wilson
Klecicka	Peterson (MN)	Wise
Kolter	Pickett	Wyden
Kopetski	Pickle	Yates
Kostmayer	Poshard	Yatron
LaFalce	Price	
Lancaster	Rahall	

NAYS—158

Allard	Dannemeyer	Hansen
Allen	Davis	Hastert
Archer	DeLay	Hefley
Army	Doolittle	Henry
Baker	Dornan (CA)	Hergert
Ballenger	Dreier	Hobson
Barrett	Duncan	Holloway
Barton	Edwards (OK)	Hopkins
Bateman	Emerson	Horton
Bentley	Ewing	Houghton
Bereuter	Fawell	Hunter
Billfrakis	Fields	Hyde
Billey	Fish	Inhofe
Boehlert	Franks (CT)	Ireland
Boehner	Gallely	James
Broomfield	Gallo	Johnson (CT)
Bunning	Gekas	Johnson (TX)
Burton	Gilchrest	Kasich
Callahan	Gillmor	Klug
Camp	Gilman	Kolbe
Campbell (CA)	Gingrich	Kyl
Chandler	Goodling	Lagomarsino
Clinger	Goss	Leach
Coble	Gradison	Lent
Coleman (MO)	Grandy	Lewis (CA)
Combest	Green	Lewis (FL)
Coughlin	Gunderson	Lightfoot
Cox (CA)	Hammerschmidt	Livingston
Cunningham	Hancock	Machtley

Martin	Ramstad	Smith (NJ)
McCandless	Ravenel	Smith (OR)
McCollum	Regula	Snowe
McCrery	Rhodes	Solomon
McDade	Ridge	Spence
McEwen	Riggs	Stearns
McMillan (NC)	Rinaldo	Stump
Meyers	Ritter	Sundquist
Michel	Roberts	Taylor (NC)
Miller (OH)	Rogers	Thomas (WY)
Miller (WA)	Rohrabacher	Upton
Molinar	Ros-Lehtinen	Vander Jagt
Moorhead	Roth	Vucanovich
Morella	Roukema	Walker
Morrison	Santorum	Walsh
Myers	Saxton	Weber
Nichols	Schaefer	Weldon
Nussle	Schiff	Wolf
Oxley	Schulze	Wyllie
Packard	Sensenbrenner	Young (AK)
Paxon	Shaw	Young (FL)
Petri	Shays	Zeliff
Porter	Shuster	Zimmer
Pursell	Skeen	

NOT VOTING—26

Bonior	Lowery (CA)	Sharp
Conyers	Marlenee	Smith (TX)
Crane	McGrath	Spratt
Dickinson	Mollohan	Thomas (CA)
Hefner	Ortiz	Torricelli
Hubbard	Perkins	Towns
Jones (GA)	Quillen	Traxler
Levine (CA)	Ray	Wolpe
Lloyd	Savage	

□ 1342

The Clerk announced the following pair:

On this vote:

Mr. Bonior for, with Mr. Quillen against.

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

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume.

During consideration of this resolution all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 480 is a modified rule providing for the consideration of S. 250, the National Voter Registration Act of 1991. The rule provides for 1 hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on House Administration.

The resolution makes in order the amendment printed in the report accompanying the rule. The amendment is debatable for 1 hour and is not subject to amendment.

Finally, Mr. Speaker, the rule provides for one motion to recommit which may not contain instructions.

Mr. Speaker, the right to vote is a fundamental right belonging to all U.S. citizens, yet millions of Americans do not exercise that right—for various reasons.

Some of those reasons—apathy, lack of hope—do not have a legislative rem-

edy, but some do. Today we have before us one remedy that Congress and the President can enact, the Voter Registration Act of 1991.

Each of us would like all eligible voters to participate fully in the electoral process. Faced with not achieving perfection we often hesitate to act on and accept the good. Let us not give in to such hesitancy but let us act swiftly, decisively and positively to approve S. 250 today.

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

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

Mr. Speaker, this rule is a farce. Not only do I oppose the rule, I urge my colleagues to defeat the previous question so that we can consider S. 250 under a rule that reflects the spirit of this legislation—openness.

It is the height of irony that the Democrat leadership, in a half-hearted attempt to bring to the floor a bill to expand voting rights and democracy, does so under a tyrannical rule that denies those same basic principles to the Members of this institution. The rule does this in several ways, Mr. Speaker.

First, it is another closed rule. The Democrat leadership professes to want to give more people the opportunity to vote, yet the elected representatives they choose are not allowed to fully represent them.

Second, the rule circumvents the committee system by calling up a bill that has neither been reviewed nor approved by the committee of jurisdiction. It should be referred to the House Administration Committee and properly reported by that committee.

This is not the same bill that passed the House in 1990 and, even if it were, there are members who sit on the House Administration Committee today who were not on that committee in 1990.

BOB LIVINGSTON, the ranking Republican on the Subcommittee on Elections, for example, was not on the committee in 1990.

Third, the rule once again denies Republicans the historical right to offer a motion to recommit with instructions. Some on the other side argue that we should be grateful because the majority is allowing us to offer one substitute amendment. That argument ignores the fact that we have differences of opinion about how to reform our voter registration procedures.

The more limited the opportunity for minority members to offer amendments, the more important it becomes to have that recommitment motion with instructions. Also, as the gentleman from California, BILL THOMAS, has pointed out in the past, that recommitment motion with instructions offers probably the only hope that we will get a voter registration bill enacted into law this year, bipartisan or otherwise.

As the legislation stands now, it might more appropriately be called the National Voter Fraud Act.

There is no mandatory address verification program and other safeguards against fraud. American citizen or not, virtually anyone who can illegally obtain a driver's license can register to vote with little fear of getting caught.

In other words, S. 250 provides de facto voting rights to nonresidents; it provides cover to corrupt officials that pad the voter rolls with deceased and nonexistent individuals; and it usurps States rights to administer their constitutional authority to regulate their elections process.

Mr. Speaker, this is not a serious effort to reform State voter registration procedures. If it were, the legislation would have followed the normal legislative process, and it would not have been brought to the floor under the cover of an abusive and undemocratic rule.

I want to reiterate to my colleagues, if you sincerely want an effective voter registration bill, I urge you to vote to defeat the previous question and to support my amendment to bring up S. 250 under an open rule.

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

□ 1350

Mr. WHEAT. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I have a number of speakers on this issue. I do want to clear up the matter of whether the minority's rights are being protected.

We have just been through a point of order and an appeal on the ruling of the Chair on the point of order and the motion to reconsider, which would have allowed, for all practical purposes, a substitute by the minority to this bill.

Mr. Speaker, I want to make it clear to my colleagues that this rule does allow the minority the right to offer a substitute to the bill, so there is the alternative that is being presented from the committee, from the majority, and then there is the right for the minority to offer a substitute, two competing philosophies on how best voter registration can be improved in this country.

Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Speaker, I rise today in support of the rule providing for consideration of S. 250, the National Voter Registration Act. Today, as we bring to the floor the product of 4 years of hard work and dedication, particularly by the gentleman from Washington State, we mark a major step in reforming the voter registration process in this country.

Mr. Speaker, I have heard the criticisms of this rule and I want to dispel

them. Four years ago the Subcommittee on Elections of the Committee on House Administration began a monumental effort to ease the ability of our citizens to register to vote. They held multiple hearings and received testimony from over 40 witnesses. Nearly 100 outside civic and civil rights groups contacted the Committee on House Administration. Countless meetings and endless negotiations were held to produce a bipartisan bill. The result was H.R. 2190, which passed the House with bipartisan support.

H.R. 2190 was stalled in the Senate until this year, when it passed as S. 250. S. 250 is nearly identical to 2190. It is the product of the same hearings, the same meetings, the same negotiations.

Mr. Speaker, when it came to time to consider S. 250, there was no reason to further delay this bill. The goal of this legislation is to create added opportunities for citizens to register, and that is too important to allow further delay. When barely one-third of eligible citizens voted in the last congressional elections, that says to me that immediate action is necessary, particularly when this bill has already passed the House once.

Nearly 90 percent of our citizens hold driver's licenses. All of them should be given the opportunity to register to vote as a routine matter. That is why I support this bill and this rule. I would urge my colleagues to do the same.

Mr. DREIER of California. Mr. Speaker, first I would like to express my great appreciation to my friend, the gentleman from Missouri [Mr. WHEAT] for the magnanimity that the majority is showing, but there are some serious questions that need to be addressed. That is why we hope we can have our recommittal motion. That is why I am going to urge a no vote on the previous question.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. MICHEL], our revered Republican leader.

Mr. MICHEL. Mr. Speaker, I rise in opposition to this rule. It typifies all that has gone wrong in the House of Representatives under a decades-long Democratic Party domination.

The majority wants us to believe this Senate-passed bill is the same one that we passed in the 101st Congress. For that reason they have swiftly brought it to the floor without it ever being considered in the Committee on House Administration. "No hearings are needed," the majority has proclaimed. "We know the issues. There is no reason to rehash old arguments."

I happen to disagree. There is a need to reconsider old arguments and to make new proposals. After all, this is a new Congress. We on the minority side have a different ranking member on the subcommittee having jurisdiction. We would like the opportunity to reexamine the issues, to consult new data,

and to consider different amendments, but the majority, in its haste to seize this issue for political purposes, deserted the democratic process of consultation, consideration, and debate, and they denied us the opportunity to offer improving amendments that are at the heart of any legislative process.

We wanted to offer an amendment to make the States' participation voluntary. The Committee on Rules denied us that chance. We wanted to offer an amendment to strengthen the fraud provisions of the bill. We were denied.

I just happened to have an offhand visit with our Governor at a health care subcommittee with the Governors, and we mentioned that this bill would be up on the floor this afternoon. He said:

That is a bad one for us out in our home State of Illinois with respect to the way we handle voter registration and automobile registration in our State.

We wanted the House to consider several other amendments. All of them were denied. We wanted to provide matching Federal funding. That was denied.

The majority once again has offered us that same tired alternative, one substitute, take it or leave it, denying again that opportunity in this body to debate pro and con or refine amendments. It demeans the whole legislative process: no room for compromise, no room for negotiation, no room for bipartisanship, no room for amendment. As I said, I just do not think that serves the legislative process well.

Mr. Speaker, this is not a democratic process at work, it is legislative tyranny at its worst. I urge my colleagues to strike a blow for democracy by defeating this rule.

Mr. WHEAT. Mr. Speaker, I yield 6 minutes to the gentleman from Washington [Mr. SWIFT], the distinguished chairman of the Subcommittee on Elections of the Committee on House Administration.

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

Mr. Speaker, this is precisely the right rule for this legislation.

For all practical purposes, S. 250 is the same legislation as H.R. 2190 which the House enthusiastically passed 2 years ago. Its purposes are the same, its procedures are almost identical. There is nothing really new in S. 250 except for one very significant addition. S. 250 specifically reaches out to the disabled, the handicapped, and the elderly, to offer them an opportunity to register or bring their registrations up to date. That is something, I am sorry to say, we did not include in H.R. 2190 and I am delighted that the other body corrected this omission.

In all other respects this bill reflects the work of the House. My Elections Subcommittee held four hearings on this legislation in 1988 and 1989; we heard 42 witnesses—elections officials,

voting experts, public interest groups, academics, Members of Congress. We heard from a broad and informed group. Our colleague JOHN CONYERS introduced preliminary legislation to get the ball rolling.

In addition to these executive hearings, my staff and I spent hundreds of hours listening to and working with a wide spectrum of interests to craft this bill. Part of this working group was the gentleman from California [Mr. THOMAS] who was the ranking member of the subcommittee, because I believed then, and I still believe, that the right of every eligible citizen to participate fully in our democratic process has nothing to do with partisan politics. Many sound concepts in this bill are the result of this bipartisan effort.

The result of 2 years of work was H.R. 2190. This House rewarded us by passing the bill on February 6, 1990. It went to the other body to be buried in a hostile, totally partisan filibuster.

At the beginning of this Congress there was enormous pressure to reintroduce H.R. 2190. But I had learned two things from my 1990 experience; first, there was no point in the House passing the bill again and then have the Republicans in the other body kill it through parliamentary tactics, and second, even after every conceivable effort was made, the Republican leadership in the House did and will continue to oppose this registration reform.

So, I believed that we should let the other body go first in this Congress. Well, they did. They finally broke through the filibuster and with the fine work of Senators FORD and HATFIELD, the Senate passed motor-voter on May 20. It was a great accomplishment—against stubborn partisan opposition.

So, it is back to us. Are we to start all over again, or are we to move ahead? I think the answer to all of us who are truly interested in reform is that we must grab this opportunity now. That means going ahead and passing S. 250 and sending the bill to the President for his signature. It is absolutely pointless to send S. 250 back to committee. Nothing would be gained and the bill would be lost, which is the purpose of those who propose recommitment.

Two years ago, the gentleman from Kansas [Mr. ROBERTS] stated that we were rushing the bill. He said that even though he knew we had spent 2 years putting it together. Now it is 2 years later. We can hardly be accused of rushing the bill.

The Office of Management and Budget objects because they say there is not sufficient justification for such a bill. Almost 40 percent of the eligible voters in this country not registered and OMB says that is insufficient justification.

It is appalling to me what tortured logic is used to oppose this legislation. Opponents say it is not needed, that it is of no concern that millions of Ameri-

cans are shut out of the election process. They say that it will increase the chance of fraud. Increase it over what? This bill is far more antifraud than any present procedure. The fraud argument is absurd. An opponent in the Rules Committee suggested that somehow it would stimulate illegal aliens into trying to register. Are you kidding? What illegal aliens are going to risk perjury, especially since in most States that have photos on their driver's licenses they will have to have their picture taken which will confirm the act of perjury?

The fact is S. 250 does not register anyone. Let me repeat, S. 250 does not register a single soul. It allows eligible citizens, at their own behest, to register. The bill in no way supplants the traditional role of States and local election officials from administering the election process.

So I urge my colleagues to support this rule. It provides the opposition with their substitute, which incidentally requires no easing of the restrictions on registration. It provides those of us who have supported this legislation for the past 4 years an opportunity to vote for final passage. It is a good rule, so let's pass it and get on to the debate on the substitute and the bill. This is an historic moment for this Congress. We are on the verge of passing, make no mistake about it, the most important election bill since Congress passed the Voting Rights Act itself.

□ 1400

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON], the hard-working ranking Republican on the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, in rising to oppose this rule along with my good friend from California, Mr. DREIER, let me just say that following consideration of this motor voter registration bill today we are scheduled to consider a resolution which is going to establish a joint committee to reform the Congress. I repeat "reform the Congress." And let me tell Members, if they want a good reason why we need such a joint committee to reform this Congress, they need look no further than this rule.

This rule is an outrage, if not unprecedented. What it amounts to is nothing less than running up a white flag on the ability of this House to do anything under normal procedures. We are about to capitulate to the other body, which is something that I detest. We might as well have a unicameral legislature around here.

Let there be no mistake about what this rule does. Let me just recount briefly why this is such an embarrassment and such a disgrace. We are being asked today to take up a bill passed by the other body and consider it in the Committee of the Whole right here

with just one minority substitute. This is a bill that has never been referred to a committee of this House; a bill that has never been the subject of hearings in this House; a bill that has never had the benefit of a report from any committee of this House; a bill that is completely different from the one that was passed by this House in the last Congress 2 years ago; a bill that cannot be perfected by way of amendment from either the majority or the minority side of the aisle in this House. I have had Members from the majority side come to me and say they support an open rule because they want to offer amendments. Democrats are saying that.

This is a bill that is not even subject to a motion to recommit with instructions, and that is just a procedural objection, my friends.

On the basis of testimony received in the Rules Committee, there are all kinds of substantive flaws in this legislation that should be addressed by this deliberative body before it is sent to the President. Those substantive objections are ample evidence of why this legislation should be subjected to normal legislative procedure in the House.

That is why in the Rules Committee I offered a motion to postpone further consideration of this rule until the bill has been referred to the committee of jurisdiction and then properly reported back from it. Unfortunately, my friends, that motion was defeated on a party line vote, just as were several other motions to make in order some seven individual amendments that were presented to us by various Members from both sides of the aisle.

Mr. Speaker, let me conclude by saying this is not just a partisan dispute, although it is clear that the majority is trying to jam this bill down our throats. More importantly, this is a major institutional controversy that holds a dagger to the heart of our committee system.

Let me say to all of my friends over there in the majority, and let me warn you on the other side of the aisle, especially your committee chairmen, that if you buy off on this process today it may very well be your committee that gets bypassed tomorrow. If you believe in the committee process you will vote down the previous question and you will allow an open rule to permit this House to work its will.

Mr. Speaker, that is only fair.

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

Mr. Speaker, let me point out that the House did consider and act on a bill very similar to the bill we are considering today 2 years ago. Under the very capable direction of Chairman SWIFT and the gentleman from California [Mr. THOMAS] approving it, 289 to 132. Considerable time was spent by Members on both sides of the aisle to fashion a bipartisan bill and S. 250 is substan-

tially like the bill, as we have heard from Chairman SWIFT, approved by the House in 1990.

The Senate started floor consideration of S. 250 in mid-1991 and had attempted cloture six times before it finally got to the point of final passage.

Mr. SOLOMON. Mr. Speaker, respectfully I ask the gentleman to yield.

Mr. WHEAT. I am happy to yield to my friend from New York.

Mr. SOLOMON. Mr. Speaker, I have the greatest respect for the gentleman. But the truth is, on our side of the aisle we are divided, we have differences of opinion. We would have liked that opportunity. On your side you have differences of opinion. You should at least give them the opportunity on your side to present both versions. That is all we want on our side. That is only fair to the membership, I say to the gentleman.

Mr. WHEAT. I thank the gentleman for his comments, and I know he is sincere about his wish to participate in fair and open debate on this. And we believe we are giving both sides the opportunity by presenting a bill that has been discussed in committee and the House of Representatives, that was approved by the House, that then went to the Senate, did not pass, and this is substantially the same bill that has come back from the Senate this year, and allowing the minority the opportunity to offer a substitute.

Mr. DREIER of California. Mr. Speaker, I yield 3½ minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the ranking member of the Subcommittee on Elections who was not there and has not had a chance to look at this bill up to this point.

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for the time and I rise in opposition to the rule.

Mr. Speaker, the Democrats will have you believe that we are here to debate procedures for expanding voter registration to open up the democratic process. However, this bill and this rule are prime examples of how the Democrats abuse their majority status to muzzle Republican voters and subvert the democratic process.

I am the ranking Republican on the House Administration Subcommittee on Elections. However, I was never consulted by the majority on the development of S. 250. We have held no hearings on the bill, no consideration in the subcommittee, no consideration in the full committee, no negotiations, and no input from the Republicans. No wonder the American people are fed up with politics.

I find it extremely ironic that in the effort to increase voter participation, the majority gags the participation of the minority.

The Republicans are only allowed to offer one substitute, which sets up a partisan battle and guarantees that the bill will not be amended, but will be vetoed.

Since the bill skipped the committee process, I asked the Rules Committee to allow me to offer amendments which would improve the bill by reducing the opportunity for fraud. Striking the mail registration, same-day registration, and welfare registration which are required by the bill would lessen the opportunity for fraud. As usual, the Rules Committee, made up of nine Democrats and four Republicans, did not make my amendments in order.

I also asked the Rules Committee to allow an amendment to add the compromise address verification provisions from last year's bill, which were omitted from S. 250. Once again, my request was denied.

The intentions of this rule are obvious. Muzzle the Republicans, pass the most liberal bill possible to satisfy Democrat special interest activists, and criticize the President's certain veto. This procedure helps to explain the widespread affection for the U.S. Congress.

The American people demand action on improving the economy, preventing crime, reforming education, balancing the budget, and other pressing issues. Instead, they must witness this partisan charade designed to provoke a veto.

If we truly want to increase voter participation in the election process, we must give the American people a reason to believe that their vote counts. Engaging in political posturing to gain as many Presidential vetoes as possible solves no problems and drives the voters away from the polls. I do not understand how anyone benefits from your carefully designed strategy to promote gridlock.

You have a 100-vote majority on your side on the aisle. Why can't you allow amendments to address fraud? Why must you bypass the committee process? Why deny the minority our traditional right to recommit the bill with instructions? What are you afraid of?

Mr. Speaker, this rule is an insult to the voters that elect us to debate these issues. I urge my colleagues to defeat the previous question so that we may offer an open and fair rule. If that effort fails I urge you to oppose this oppressive rule.

□ 1410

Mr. DREIER of California. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. MCEWEN], a hard-working member of the Committee on Rules.

Mr. MCEWEN. Mr. Speaker, ostensibly the purpose of this legislation is because we believe in the democratic process, we believe people should participate in elections, that they should have their voices heard, that the elected representatives should respond to the instructions of the electorate.

The rules of the House that are written today and which are confronting us

at this moment say that the voters of the American electorate who have sent people here to voice their concerns are being deliberately excluded from debate. There is a provision that we have on our side of the aisle that we be allowed to be given a motion to recommit with instructions, which says that if we were given the right to be heard, here are the changes we would like to make.

There are those on the majority side of the aisle that said, "That is offensive to us, because you will highlight the truth and merit of your point. It will be embarrassing. Therefore, we will write the rule to prevent you from doing that."

Not only did they deny the subcommittee the right to consider the bill, not only did they deny the committee the right to hear the bill, but now they deny the Republicans the right to even make a suggestion.

Mr. Speaker, vote against this rule. It is as bad as a rule can be.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. ROBERTS], a hard-working member of the committee and the ranking member of the Subcommittee on Personnel and Police.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding me this time, my friend and colleague who originally started out in Kansas.

What the gentleman from Washington [Mr. SWIFT], the dean of good government and also good intentions that sometimes go awry, has said is this:

Last session I crafted a bill, made some very tough concessions and thought I had a compromise, but since Republicans opposed what I brought down from Mount Swift on a table, why comity was shattered.

And what my colleague describes as being stubborn and being very partisan really involves the strong feeling on a great many Republicans' part that we have honest opposition. This is not 2190 revisited.

There are serious, serious differences in this bill, and I am going to place a summary of them in the RECORD, in regard to voter fraud, a very partisan attempt to limit the spectrum of voter registration locations, as opposed to libraries, marriage license offices, clerks' offices, and post offices etc.

All we asked for, other than several amendments that I was going to introduce, was a motion to recommit with instructions that really represented a bill that the gentleman from California [Mr. THOMAS] and the gentleman from Washington [Mr. SWIFT] worked on during the last session. We were denied.

More to the point, this bill, this whole procedure, represents what is wrong with the legislative process, why we are in gridlock in the Congress, why the American electorate has lost faith in this institution.

So it was for alleged campaign reform, so it is now for motor voter. This

so called reform is now in a partisan ditch. The President is going to veto it. It is not going anywhere. They know that. If you want help to get this legislation and increased voter participation at the polls out of the ditch, let us know. We will go to work, but run through the subcommittee and the committee and the committee of jurisdiction.

In the meantime, this is a sad day for the House. It is a sad day for election reform and for minority rights.

It is difficult not to have a sense of frustration and anger with the handling of this rule and S. 250, the National Voter Registration Act.

While S. 250 embraces a worthy goal of attempting to increase voter registration, several very serious concerns regarding motor-voter including fraud and cost have continually been raised. Unfortunately, the majority has had a deaf and partisan ear.

What we are seeing today is an attempt by the majority to completely circumvent the legislative process. There have been no hearings before the committee and subcommittee of jurisdiction. No House hearings have been conducted on this legislation. No committee or subcommittee meetings have been held to review the legislation, its merits, and the concerns of fraud, cost, or effectiveness. In fact, as Mr. LIVINGSTON, the ranking member of the subcommittee, testified before the Rules Committee last week, he has not even had a single discussion with the subcommittee chairman, AL SWIFT, about the bill.

Instead, the minority has simply been handed a piece of legislation dramatically changed from a bill, H.R. 2190, that was considered by the 101st Congress and told that it will be brought to the floor within a week—no further discussion and no minority

input. We cannot and should not tolerate such treatment.

Not only should we be concerned with the process that has been followed, but there are serious questions with this newly crafted version of motor-voter. I would have welcomed the opportunity to work to discuss and fix several problem areas within the bill. It is seriously flawed. However, despite serving on the committee of jurisdiction, I was not given that opportunity. Nor, am I given the opportunity in this rule to offer either of the two amendments I proposed to the Rules Committee last week.

My first amendment would have simply made the legislation voluntary for State governments. My second amendment would have allowed State election fraud statutes that are explicit to be retained, instead of being replaced by the limited fraud provisions contained in S. 250. Without at least retaining State election fraud provisions, voter registration will become voter fraud.

It is important to this debate to remember, this legislation is far different than a bill that was brought before the 101st Congress. It goes far beyond past voter registration efforts, introduces partisan politics into the American election process, and it is a step backward for all parties involved.

If enacted, S. 250 would force States to end current voter registration networks—that have cost State governments millions of dollars to implement—and replace them with a new Federal standard. No Federal funds would be made available to assist States with the costs—in 10 States alone the estimated cost of implementation is \$37.5 million.

S. 250 mandates voter registration in State welfare and unemployment offices, raising concerns of coercion and

fraud. And, it requires States to accept mail registration which limits a State's ability to verify voter identity and eligibility—allowing even more fraud.

Again, I would like to stress, as I did during previous consideration of national voter registration legislation, I stand ready to assist in the crafting of a bill that is fair, bipartisan, fiscally prudent, and sensitive to States' concerns. Unfortunately, this rule does not permit that process.

I urge my colleagues to oppose this rule and later S. 250. It is the wrong approach. S. 250 should be sent back to the House Administration Committee where it can be properly considered.

Mr. Speaker, more to the point, this rule, this bill, this whole procedure represents what is wrong with the legislative process, why we are in gridlock in the Congress, and why the American electorate has lost faith in this institution.

The sponsors of this partisan invitation to election fraud know full well this bill is going nowhere and crafted it so that it would be sure to invite our opposition and a Presidential veto. Then, just to make sure the goal of increasing honest voter registration, would become mired in partisan mud, the Democrat leadership bypassed the subcommittee, the committee, and denied any amendments and as a consequence, any debate on the legislation.

So it was for alleged campaign reform, so it is for motor-voter. When you decide to get out of the ditch and back on a road to greater voter participation, let us know. This so-called reform is in a partisan ditch. In the meantime, this is a sad day for the House, for election reform, and for minority rights.

KEY DIFFERENCES BETWEEN THE DEMOCRAT MOTOR-VOTER BILL (S. 250) AND H.R. 2190 (101ST CONGRESS)

S. 250	H.R. 2190
Requires only that each state "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists * * *" by reason of death, or change in residence. Use of the Post Office change of address system is optional. §§8(a)(4) & (c).	Required specific uniform and nondiscriminatory programs to assure that official voter registration lists are accurate. Required systematic review of residence addresses on voter registration lists by means of first class mailings or a Post Office change of address system. §106.
Requires states to designate as voter registration agencies all public assistance (welfare) offices, unemployment compensation offices, and offices engaged in providing disability services. Other state or local government agencies are optional. §7(a).	Required states to designate a wide spectrum of voter registration locations including public libraries, public schools, clerks' offices, marriage license bureaus, fishing and hunting license bureaus, revenue offices, post offices, and offices providing public assistance, unemployment compensation, and related services. §105(a).
The Act does not apply to states in which there is no voter registration requirement, or to states in which voters may register to vote at the polling place on election day. §4(b). Designed to encourage election day registration.	The Act applied to every state that the FEC determines has a voter registration requirement for elections to federal office. §102. Intended to promote accurate and current voter registration lists.
Requires the FEC to impose regulations on the states, and to develop a uniform mail voter registration form to be used by the states. §9.	Retained under state law the authority to establish special procedures to verify the registration status of an individual at the polls, and to administer voter registration laws in general. §§107, 108.
Provides reduced rate mail subsidy for registration purposes. §8(h). No funds are authorized for either the postal subsidy, or the increased FEC administrative costs.	Authorized \$50,000,000 appropriation for FEC to provide support, through chief State election officials, for programs for assuring accurate and current official voter registration lists. §113(a).

Mr. DREIER of California. Mr. Speaker, I yield such time as he may

consume to the gentleman from California [Mr. THOMAS] to close our debate on this side.

Mr. THOMAS of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, perhaps we need a couple of civics lessons here before we move on to the substance.

H.R. 2190 passed in the last Congress, I would tell the gentleman from Missouri; S. 250 passed in this Congress. If you find no significance between a piece of legislation passing in the last Congress and this Congress, you do not understand the Constitution.

When I first came in the 96th Congress, there were 214 rules coming out of the Committee on Rules. Not one rule limited the minority's right to recommit with instructions—not limiting, not excluding, not one limitation out of 214 rules.

In the last Congress, and clearly carrying over to this Congress of the 21 limiting measures, 16 of them were denying a motion to recommit with instructions, and that is out of only 104 rules.

Clearly, there is a trend. The trend is to deny the minority the historic right of recommitting with instructions.

I was very sorry to hear my friend, the gentleman from Washington, say that the only reason anyone would support a motion to recommit would be to kill the bill. I heard other Members on the Democrat side use my name as someone who put together a bipartisan package. Now, you cannot have it both ways.

I was in front of the Committee on Rules urging a motion to recommit with instructions. I was not out to kill the bill. I was out to improve the bill.

Why all the rush? If anyone takes time to read the bill, they will find out it does not go into effect until 1994. There is no ability to let a new subcommittee and new committee of this new Congress look at legislation the new subcommittee and the new committee has not seen. There is no deadline that forces us to a resolution or a conclusion today, except for the artificial one imposed by the majority.

I have heard several speakers say that for all practical purposes the bills are the same. If I was a cosponsor on a bipartisan measure, which H.R. 2190 was, and my friends had said this bill is substantially the same, why am I not for this bill? The answer is simple: They are not substantially identical. They are fundamentally different in areas that make this bill a flawed bill and in which, in my opinion, H.R. 2190 was not.

We are going to spend the better part of 2 hours talking about the specific differences in the bills. I think I can clearly demonstrate to you that there are far-reaching fundamental differences, for example, in terms such as "mandate" versus "option." I think that is fairly fundamental. Their bill mandates certain things that H.R. 2190 did not mandate.

But more importantly, I want to clear up the smokescreen. I want to make it perfectly clear to everybody that the failure of the majority to provide a motion to recommit with instructions is nothing more than pure partisanship.

□ 1420

The argument that this bill would die if there were a motion to recommit with instructions is simply not true.

Let us visit the mechanics of a motion to recommit with instructions. If that were made in order under the rule, I would provide conforming amendments to make S. 250 identical to H.R. 2190. You have already heard from this side of the aisle that H.R. 2190 was a bipartisan bill. It had support on both sides of the aisle. It passed the House with both Democrats and Republicans supporting it, but they do not want to provide a motion to recommit with instructions to make S. 250 identical to H.R. 2190.

Why? Their argument is that somewhere, somebody is going to filibuster against this bill. There is only one place in Congress that you can filibuster. That is in the other body.

If a motion to recommit with instructions were in this rule and it passed, the procedure would be that the bill would be reported immediately to the floor and we would vote on it. It would pass with bipartisan support. It would then be sent over to the other body. The other body could then vote yes or no in determining acceptance.

If the bills are virtually identical, why would any Democrat oppose the amended version of S. 250 back to H.R. 2190?

And if it is truly a bipartisan bill which passed the House with both Democrat and Republican support, why would not more Republicans over on the Senate side join in?

So when you try to present the logic that a motion to recommit with instructions somehow damages the chance of this bill, I am sorry, but you are carrying the water of particular factions who cannot stand this bill to be changed. There are factions on your side of the aisle that did not want the bipartisan agreement. They were successful in the other body in pulling out those provisions which made it bipartisan. You folks today, and I am sorry to say the gentleman from Washington is one of them, are carrying the water of these factions; which are purely partisan; which want an election eve issue; which want the President to veto this measure; and they are maximizing the chances for the President to veto this measure.

You are not interested in good law. If you were, you would have a motion to recommit with instructions.

You would give us the chance to go back to that bipartisan bill. All your arguments saying that you cannot give us that are phony, and you know it.

You want a partisan fight? You are going to get a partisan fight. You want a veto? You are going to get a veto.

I spent two years of my life trying to pass a good bill. I am sorry that you folks decided that political opportunism was more important than providing a solid, secure, bipartisan measure to expand the opportunity for people to register in the United States.

It is your fault that this measure is going to be vetoed, and no one else's. No matter what you say, no matter how you try to wiggle out of it, no matter how much you say a partisan confrontation between a partisan position on our side and a partisan position on your side is giving the American people a fair shot, no matter how much you talk about it, it is simply untrue.

Your opportunity to show true bipartisan workmanship was to provide a motion to recommit with instructions. You did not do it. Your cards are face up on the table. The is a pattern effort and everybody needs to know it.

Mr. WHEAT. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I rise in strong support of S. 250, the National Voter Registration Act. S. 250 would significantly expand the opportunity for citizens to register to vote, and then participate in the electoral process of our Nation.

The right to vote is a fundamental right guaranteed under the Constitution. Yet, 70 million eligible Americans are currently not registered to vote.

In Tennessee, my home State where we do not have a motor-voter program, voter turnout decreased 35 percent from 1986 to 1990. However, States with motor-voter programs saw significant increases in voter turnout. The increases in voter turnout from 1986 to 1990 ranged between 9 and 26 percent in States which instituted effective motor-voter programs.

In light of the serious decline in voter turnout in Tennessee from 1986 to 1990, Secretary of State Bryant Millsaps has been a leader in efforts to improve voter turnout in the State, and throughout the Nation.

I am particularly pleased that S. 250 would ease the voter registration process so that all Americans—including those disabled while fighting for our country—can participate in an important right of citizenship—the right to vote. Why would we want to keep the barriers in place that prevent disabled Americans from voting in elections? I wouldn't.

S. 250 is not a partisan bill. This is not a political vote. This is a bill that ensures the vitality and stability of our democracy.

Somebody said Mr. Speaker, "why should it be harder to register to vote than to apply for a driver's license?" Well, the simple answer is it should not be. It should not be. I urge my colleagues to vote for S. 250.

Mr. WHEAT. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. SWIFT], the chairman of the Subcommittee on Elections of the Committee on House Administration.

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

I would like to clear up a couple of matters and then address the issue of bipartisanship.

An earlier speaker suggested that the agency provisions in this bill were somehow partisan. They are not, and let me explain what the rationale is in the legislation.

The bill does three things. It says you can register when you renew your driver's license. It says you can use postcard registration, and it says that in certain public agencies you can also be allowed to register.

The one that an earlier speaker objected to was the fact that in public assistance offices, unemployment offices, and the like, you would be able to register.

Now, stop and ask yourselves, who gets to register when they renew their driver's license? People who drive.

Who are the most likely people not to be able to take advantage of this major provision of the legislation, registering when you renew your driver's license? People too poor to own a car, the disabled who cannot drive, the elderly who no longer drive a car, and so in order to provide a means to those who would fall through the cracks left by the motor-voter provision, the bill would provide an extra opportunity to participate: Agencies where those people are most likely to show up were included in the legislation.

I have got to tell you that there is one reporter somewhere in Pennsylvania who keeps calling me up and saying, "Why do you support this legislation?"

And I tell him, and he says, "No, no, why do you support it as a Democrat?" And I tell him, and he says, "Look, this is going to register a lot of Republicans. Do you know how many of those yuppies out there driving BMW's aren't registered to vote? You are going to register all those people."

The fact is this bill will. It is going to register a lot of Republicans and it is going to register a lot of Democrats and it is going to register a lot of independents who are not committed to either party, but when you take a look at the structure of this legislation and you look at it objectively, it is very hard to conclude that there is any partisan motivation whatsoever.

The other point that I would make with regard to the whole issue of partisanship is that this was a major bipartisan effort in the last Congress. A great deal of what is still in this bill was put there by hard, conscientious, honest work on the part of Republicans. Not everything they put in the bill, but most of what they put in the

bill is still there, and yet when we came to the floor of the House the last time the opposition to the bill was no less than the minority leader himself.

When the bill passed anyway and went to the Senate, the filibusters were led by the Republicans.

And, when finally and at last they were able to overcome a filibuster so that a majority could rule in the Senate, it was sent over here. And what we have is a bill that was bipartisan to begin with, that is designed to register all Americans, not just Americans in one section or one age or one party. But it is a bill which has been assiduously opposed by Republicans in the other body and opposed in the form it passed this House, a form we have heard so much about being bipartisan, by the Republican leader.

We believe that a rule which says here is our bill and that gives the Republicans an opportunity to write their bill any way they want and then vote is a fair rule.

□ 1430

I urge support of the rule and yield back the balance of my time.

Mr. DREIER of California. Mr. Speaker, may I inquire of the Chair how much time remains?

The SPEAKER pro tempore (Mr. McNULTY). The gentleman from California [Mr. DREIER] has 5 minutes remaining, and the gentleman from Missouri [Mr. WHEAT] has 12½ minutes remaining.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I might consume.

And I do so in order to ask of the distinguished chairman: Since we are trying to encourage voter participation—the gentleman from Tennessee spoke earlier about how we are trying to encourage voter participation—I wondered if the subcommittee had taken under advisement the prospect of registering young people at high schools because we want to get young people involved in the voting process. My friend has talked about the issue of drivers' licenses and other offices, and I wonder if that was taken into consideration.

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

Mr. DREIER of California. I yield to the gentleman from Washington.

Mr. SWIFT. I thank the gentleman for yielding.

Mr. Speaker, if I can remember the eagerness with which I wanted my first driver's license at the moment I turned old enough to get one, I suspect that I would be renewing my license about the time I was 18 and, thus, would be automatically registered. The direct answer to the gentleman's question is we did not consider that specifically but there is nothing in this legislation that would prevent States from doing that.

Mr. DREIER of California. Mr. Speaker, I have no further requests for time. I urge a "no" vote on the previous question and yield back the balance of my time.

Mr. WHEAT. Mr. Speaker, I have no additional requests for time, but I yield myself such time as I may consume to close debate.

Mr. Speaker, on a procedural basis, I would just like to remind my colleagues that the right to offer a substitute can accomplish the very same thing, legislatively, that a motion to recommit with instructions can. There is absolutely nothing that can be offered under a motion to recommit with instructions that could not be offered under the substitute.

Mr. Speaker, in closing, I would like to urge my colleagues to vote "yes" on House Resolution 480 and on the underlying bill. Passage of S. 250 will not cure all the ills of voter nonparticipation, but it will lower some of the barriers that confront Americans during the voting process.

Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. All time has expired.

The question is on ordering the previous question.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 256, nays 163, not voting 15, as follows:

[Roll No. 190]

YEAS—256

Abercrombie	Byron	Durbin
Ackerman	Campbell (CO)	Dwyer
Alexander	Cardin	Dymally
Anderson	Carper	Early
Andrews (ME)	Carr	Eckart
Andrews (NJ)	Chapman	Edwards (CA)
Andrews (TX)	Clay	Edwards (TX)
Annunzio	Clement	Engel
Anthony	Coleman (TX)	English
Applegate	Collins (IL)	Erdreich
Aspin	Collins (MI)	Espy
Atkins	Condit	Evans
AuCoin	Conyers	Fascell
Bacchus	Cooper	Fazio
Barnard	Costello	Feighan
Bellenson	Cox (IL)	Flake
Bennett	Coyne	Foglietta
Berman	Cramer	Ford (MI)
Bevill	Darden	Ford (TN)
Bilbray	de la Garza	Frank (MA)
Blackwell	DeFazio	Frost
Borski	DeLauro	Gaydos
Boucher	Dellums	Gejdenson
Boxer	Derrick	Gephardt
Browster	Dicks	Geran
Brooks	Dingell	Gibbons
Browder	Dixon	Glickman
Brown	Donnelly	Gonzalez
Bruce	Dooley	Gordon
Bryant	Dorgan (ND)	Guarini
Bustamante	Downey	Hall (OH)

Hall (TX) McNulty
 Hamilton Mfume
 Harris Miller (CA)
 Hatcher Mineta
 Hayes (IL) Mink
 Hayes (LA) Moakley
 Hertel Mollohan
 Hoagland Schroeder
 Hochbrueckner Montgomery
 Horn Moody
 Hoyer Moran
 Huckaby Morrison
 Hughes Mrazek
 Hutto Murphy
 Jefferson Murtha
 Jenkins Nagle
 Johnson (SD) Natcher
 Johnson (SD) Neal (MA)
 Johnson Neal (NC)
 Jones (GA) Nowak
 Jones (NC) Oakar
 Jontz Oberstar
 Kanjorski Obey
 Kaptur Olin
 Kennedy Oliver
 Kennelly Ortiz
 Kildee Orton
 Kleczka Owens (NY)
 Kolter Owens (UT)
 Kopetski Pallone
 Kostmayer Panetta
 LaFalce Parker
 Lancaster Pastor
 Lantos Patterson
 LaRocco Payne (NJ)
 Laughlin Payne (VA)
 Lehman (CA) Pease
 Lehman (FL) Pelosi
 Levin (MI) Penny
 Lewis (GA) Perkins
 Lipinski Peterson (FL)
 Lloyd Peterson (MN)
 Long Pickett
 Lowey (NY) Pickle
 Luken Poshard
 Manton Price
 Markey Rahall
 Martinez Rangel
 Matsui Reed
 Mavroules Richardson
 Mazzoli Roe
 McCloskey Roemer
 McCurdy Rose
 McDermott Rostenkowski
 McHugh Rowland
 McMillen (MD) Roybal

Russo Sabo
 Sanders Sangmeister
 Sarpalus Sawyer
 Scheuer Schroeder
 Schumaker Schumer
 Serrano Serrano
 Sikorski Sikorski
 Siskis Siskis
 Skaggs Skaggs
 Skelton Skelton
 Slattery Slattery
 Slaughter Slaughter
 Smith (FL) Smith (FL)
 Smith (IA) Smith (IA)
 Solarz Solarz
 Spratt Spratt
 Staggers Staggers
 Stallings Stallings
 Stark Stark
 Olin Stenholm
 Stokes Stokes
 Studts Studts
 Swett Swett
 Swift Swift
 Synar Synar
 Tallon Tallon
 Tanner Tanner
 Tauzin Tauzin
 Taylor (MS) Taylor (MS)
 Thomas (GA) Thomas (GA)
 Thornton Thornton
 Torres Torres
 Torricelli Torricelli
 Towns Towns
 Traficant Traficant
 Unsoeld Unsoeld
 Valentine Valentine
 Vento Vento
 Visclosky Visclosky
 Volkmer Volkmer
 Washington Washington
 Waters Waters
 Waxman Waxman
 Weiss Weiss
 Wheat Wheat
 Whitten Whitten
 Wyden Wyden
 Yates Yates
 Yatron Yatron

Ramstad Schiff
 Ravenel Schulze
 Regula Sensenbrenner
 Rhodes Shaw
 Ridge Shays
 Riggs Shuster
 Rinaldo Skeen
 Ritter Smith (NJ)
 Roberts Smith (OR)
 Rogers Smith (TX)
 Rohrabacher Snowe
 Ros-Lehtinen Solomon
 Roth Spence
 Roukema Stearns
 Santorum Stump
 Saxton Sundquist
 Schaefer Taylor (NC)

Thomas (CA) Jefferson
 Thomas (WY) Jenkins
 Upton Johnson (SD)
 Vander Jagt Johnston
 Vucanovich Jones (GA)
 Walker Jones (NC)
 Walsh Jontz
 Weber Kanjorski
 Weldon Kennedy
 Wolf Kennelly
 Wylie Kildee
 Young (AK) Kleczka
 Young (FL) Kolter
 Zelliff Kopetski
 Zimmer Kostmayer
 LaFalce LaFalce
 Lancaster Lancaster
 Lantos Lantos
 LaRocco LaRocco
 Laughlin Laughlin
 Lehman (CA) Lehman (CA)
 Lehman (FL) Lehman (FL)
 Levin (MI) Levin (MI)
 Lewis (GA) Lewis (GA)
 Lipinski Lipinski
 Lloyd Lloyd
 Long Long
 Lowey (NY) Lowey (NY)
 Luken Luken
 Manton Manton
 Markey Markey
 Martinez Martinez
 Matsui Matsui
 Mavroules Mavroules
 Mazzoli Mazzoli
 McCloskey McCloskey
 McCurdy McCurdy
 McDermott McDermott
 McHugh McHugh
 McMillen (MD) McMillen (MD)

Morrison Mrazek
 Murphy Murtha
 Nagle Natcher
 Neal (MA) Neal (MA)
 Neal (NC) Neal (NC)
 Nowak Nowak
 Oakar Oakar
 Oberstar Oberstar
 Orton Orton
 Owens (NY) Owens (NY)
 Owens (UT) Owens (UT)
 Pallone Pallone
 Panetta Panetta
 Parker Parker
 Pastor Pastor
 Patterson Patterson
 Payne (NJ) Payne (NJ)
 Payne (VA) Payne (VA)
 Pease Pease
 Pelosi Pelosi
 Penny Penny
 Perkins Perkins
 Peterson (FL) Peterson (FL)
 Peterson (MN) Peterson (MN)
 Pickett Pickett
 Pickle Pickle
 Poshard Poshard
 Price Price
 Rahall Rahall
 Rangel Rangel
 Reed Reed
 Richardson Richardson
 Roe Roe
 Roemer Roemer
 Rose Rose
 Rostenkowski Rostenkowski
 Rowland Rowland
 Roybal Roybal
 Sabo Sabo
 Sanders Sanders
 Sangmeister Sangmeister
 Sarpalus Sarpalus
 Sawyer Sawyer

NOT VOTING—15

Bonior Marlenee
 Hefner Quillen
 Hubbard Ray
 Levine (CA) Savage
 Lowery (CA) Sharp

Traxler Traxler
 Williams Williams
 Wilson Wilson
 Wise Wise
 Wolpe Wolpe

□ 1454

The Clerk announced the following pair:

On this vote:
 Mr. Bonior for, with Mr. Quillen against.

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

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the resolution.

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

RECORDED VOTE

Mr. DREIER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 264, noes 157, not voting 13, as follows.

[Roll No. 191]

AYES—264

Allard Edwards (OK)
 Allen Emerson
 Archer Ewing
 Army Fawell
 Baker Fields
 Ballenger Fish
 Barrett Franks (CT)
 Barton Gallegly
 Bateman Gallo
 Bentley Gekas
 Bereuter Gilchrest
 Bilirakis Gillmor
 Billey Gilman
 Boehlert Gingrich
 Boehner Goodling
 Broomfield Goss
 Bunning Gradison
 Burton Grandy
 Callahan Green
 Camp Gunderson
 Campbell (CA) Hammerschmidt
 Chandler Hancock
 Clinger Hansen
 Coble Hastert
 Coleman (MO) Hefley
 Combust Henry
 Coughlin Henger
 Cox (CA) Hobson
 Crane Holloway
 Cunningham Hopkins
 Dannemeyer Horton
 Davis Nichols
 DeLay Houghton
 Dickinson Hunter
 Doolittle Hyde
 Dorman (CA) Inhofe
 Dreier Ireland
 Duncan Jacobs
 James James

Abercrombie Chapman
 Ackerman Clay
 Alexander Clement
 Anderson Coleman (TX)
 Andrews (ME) Collins (IL)
 Andrews (NJ) Collins (MI)
 Andrews (TX) Condit
 Annunzio Conyers
 Anthony Cooper
 Applegate Costello
 Aspin Cox (IL)
 Atkins Coyne
 AuCoin Cramer
 Bacchus Darden
 Barnard de la Garza
 Beilenson DeFazio
 Bennett DeLauro
 Berman Dellums
 Bevill Derrick
 Bilbray Dicks
 Blackwell Dingell
 Boehlert Dixon
 Borski Donnelly
 Boucher Dooley
 Boxer Dorgan (ND)
 Brewster Downey
 Brooks Durbin
 Browder Dwyer
 Brown Dymally
 Bruce Early
 Bryant Eckart
 Bustamante Edwards (CA)
 Byron Edwards (TX)
 Campbell (CO) Engel
 Cardin English
 Carper Erdreich
 Carr Espy

NOES—157

Allard Allard
 Allen Allen
 Archer Archer
 Army Army
 Baker Baker
 Ballenger Ballenger
 Barrett Barrett
 Barton Barton
 Bateman Bateman
 Bentley Bentley
 Bereuter Bereuter
 Bilirakis Bilirakis
 Billey Billey
 Boehlert Boehlert
 Boehner Boehner
 Broomfield Broomfield
 Bunning Bunning
 Burton Burton
 Callahan Callahan
 Camp Camp
 Campbell (CA) Campbell (CA)
 Chandler Chandler
 Clinger Clinger
 Coble Coble
 Coleman (MO) Coleman (MO)
 Combust Combust
 Coughlin Coughlin
 Cox (CA) Cox (CA)
 Crane Crane
 Cunningham Cunningham
 Dannemeyer Dannemeyer
 Davis Davis
 DeLay DeLay
 Dickinson Dickinson
 Doolittle Doolittle
 Dorman (CA) Dorman (CA)
 Dreier Dreier
 Duncan Duncan
 Edwards (OK) Edwards (OK)
 Emerson Emerson
 Ewing Ewing
 Fawell Fawell
 Fields Fields
 Fish Fish
 Franks (CT) Franks (CT)
 Gallegly Gallegly
 Gallo Gallo
 Gekas Gekas
 Gilchrest Gilchrest
 Gillmor Gillmor
 Gillingham Gillingham
 Gingrich Gingrich
 Goodling Goodling
 Goss Goss
 Gradison Gradison
 Grandy Grandy
 Green Green
 Gunderson Gunderson
 Hammerschmidt Hammerschmidt
 Hancock Hancock
 Hansen Hansen
 Hastert Hastert
 Hefley Hefley
 Henry Henry
 Henger Henger
 Hobson Hobson
 Holloway Holloway
 Hopkins Hopkins
 Horton Horton
 Inhofe Inhofe
 Ireland Ireland
 James James
 Johnson (CT) Johnson (CT)
 Johnson (TX) Johnson (TX)
 Kasich Kasich
 Kilgore Kilgore
 Kluge Kluge
 Kolbe Kolbe
 Koyne Koyne
 Lagomarsino Lagomarsino
 Leach Leach
 Lent Lent
 Lewis (CA) Lewis (CA)
 Lewis (FL) Lewis (FL)
 Lightfoot Lightfoot
 Livingston Livingston
 Livingston Livingston
 Lowery (CA) Lowery (CA)
 Machtley Machtley
 Martin Martin
 McCandless McCandless
 McCollum McCollum
 McDade McDade
 McEwen McEwen
 McGrath McGrath
 McMillan (NC) McMillan (NC)
 Meyers Meyers
 Michel Michel
 Miller (OH) Miller (OH)
 Miller (WA) Miller (WA)
 Molinari Molinari
 Moorhead Moorhead
 Myers Myers
 Nichols Nichols
 Nussle Nussle
 Oxley Oxley
 Packard Packard
 Paxon Paxon
 Petri Petri
 Porter Porter
 Pursell Pursell
 Ramstad Ramstad
 Ravenel Ravenel
 Regula Regula
 Rhodes Rhodes
 Ridge Ridge
 Riggs Riggs
 Rinaldo Rinaldo
 Ritter Ritter
 Roberts Roberts
 Rogers Rogers
 Rohrabacher Rohrabacher
 Ros-Lehtinen Ros-Lehtinen
 Roth Roth
 Roukema Roukema
 Santorum Santorum
 Saxton Saxton
 Schaefer Schaefer

NAYS—163

Johnson (CT) Johnson (CT)
 Johnson (TX) Johnson (TX)
 Kasich Kasich
 Klug Klug
 Kolbe Kolbe
 Kyl Kyl
 Lagomarsino Lagomarsino
 Leach Leach
 Lent Lent
 Lewis (CA) Lewis (CA)
 Lewis (FL) Lewis (FL)
 Lightfoot Lightfoot
 Livingston Livingston
 Machtley Machtley
 Martin Martin
 McCandless McCandless
 McCollum McCollum
 McCrery McCrery
 McDade McDade
 McEwen McEwen
 McGrath McGrath
 McMillan (NC) McMillan (NC)
 Meyers Meyers
 Michel Michel
 Miller (OH) Miller (OH)
 Miller (WA) Miller (WA)
 Molinari Molinari
 Moorhead Moorhead
 Morella Morella
 Myers Myers
 Nichols Nichols
 Nussle Nussle
 Oxley Oxley
 Packard Packard
 Paxon Paxon
 Petri Petri
 Porter Porter
 Pursell Pursell

Schiff	Solomon	Walker
Schulze	Spence	Weber
Sensenbrenner	Stearns	Weldon
Shaw	Stump	Wolf
Shays	Sundquist	Wyllie
Shuster	Taylor (NC)	Young (AK)
Skeen	Thomas (CA)	Young (FL)
Smith (NJ)	Thomas (WY)	Zelliff
Smith (OR)	Upton	Zimmer
Smith (TX)	Vander Jagt	
Snowe	Vucanovich	

NOT VOTING—13

Bonior	Levine (CA)	Traxler
Hefner	Marlenee	Volkmer
Houghton	Quillen	Wolpe
Hubbard	Ray	
Kaptur	Savage	

□ 1513

The clerk announced the following pair:

On this vote:

Mr. Bonior for, with Mr. Quillen against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MCNULTY). Pursuant to House Resolution 480 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the Senate bill, S. 250.

□ 1513

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 consideration of the Senate bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, with Mr. MCDERMOTT in the chair.

The Clerk read the title of the Senate bill.

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

Under the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 30 minutes, and the gentleman from California [Mr. THOMAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CONYERS], and I ask unanimous consent that the gentleman from Michigan be allowed to control that time.

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

There was no objection.

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

Mr. Chairman, I rise to acknowledge and thank the gentleman from Washington [Mr. SWIFT] for his long and arduous work in this regard on the bill that would move universal registration forward in this Nation. This might be called the "Al Swift Memorial Bill" because no one has worked harder and

longer and with more dedication to the bipartisan conclusion that we have come to today. I am very pleased and grateful to the gentleman for sharing his time with me and allowing me to control this part of my time.

Mr. Chairman, the bill before the House is my piece of legislation that has now come over from the Senate. The time has finally come for us to move. It took a long time, Mr. Chairman. We have met and gone over this bill so many times. Many of the provisions that this Member would have fought for have been bargained out of the bill. Still it remains a good piece of legislation.

Some of the Members will fail to recognize that the idea of motor-voter is not exactly a brilliant new idea that has come across this Nation. There are some States that have had it for a number of years. We applaud that. We have all of the necessary restrictions that have been put in it before. Some of the Members on the other side of the aisle that were supporting me on a previous bill are not as eager as we move toward conclusion, but I am sure that can be explained.

We wanted funding, too, in this measure. I regret that it is not there, but it is a good opportunity to make an important statement to move voting, which is at an all-time low in this Nation, forward. I am very, very happy that this moment has come. It is a historic moment.

Let no one be deceived, this is a voter's rights bill. This bill is a civil rights measure. This bill goes toward the heart of democratizing the electoral privileges of our American citizens, so it is in that spirit that I very proudly begin the debate on S. 250, the National Voter Registration Act.

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

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when H.R. 2190 passed this House in the last Congress my opening comments were:

Let me rise in support of a piece of legislation which is less than its critics have claimed it to be, and frankly, more than some of its supporters believe it to be. It is a piece of legislation which, although comprehensive at the Federal level, provides a significant amount of individual decision-making for States in areas where clearly the States should have that kind of individual decisionmaking.

Those were my opening comments in support of H.R. 2190, a bill which passed this House with a significant number of Republican as well as Democrat votes.

H.R. 2190 was a compromise. As in most compromises, there were wins and there were losses on both sides. As in most compromises, there was an evenhanded handling of difficult areas of conflicts. H.R. 2190 provided an outreach program. A portion of it is known as motor-voter. That was man-

dated. There was also an extension to other agencies. There were no specific agencies mandated, but rather a general charge that we open up the opportunity for people to register.

The other part of the evenhanded compromise was the acknowledgment that if we are going to add more people to the rolls through this outreach program, there should be a nonpunitive method of voter verification. One of the growing difficulties in almost every precinct across the United States is the fact that Americans are very mobile. We move a lot. Aside from the difficulty in getting on the rolls is the virtual impossibility of removing people from the rolls.

□ 1520

And what we needed for an evenhanded bill, in my opinion, was an outreach program coupled with a voter verification program. H.R. 2190 provided that linkage, it provided additions to the rolls and nonpunitive removal from the rolls.

It is an interesting historical aside that in the committee, as we were discussing options for voter verification, ironically enough it was the gentleman from Washington who did not seem to be too disturbed about removing people for not voting. It was the gentleman from California who fought hard to make sure that people were not removed from the rolls simply because they did not vote. After all, there are a number of reasons why people would not vote, not the least of which would be the candidates offered to them. But the simple fact that people do not vote should not be a reason for removing them from the rolls.

So what was put in place was a procedure which guaranteed that people who had died or moved away would be removed from the rolls. Now, this is an unprecedented intervention into the States' decision of who could vote. There are some who would challenge its constitutionality. I believe the Federal Government has the ability to make these decisions.

Both the outreach program and the voter verification program were mandated, not in specifics, not dictating to the States, as I said in my opening remarks to H.R. 2190, but leaving a degree of discretion to the States, where we believed it was appropriate. But the general concept of outreach and the general concept of voter verification were mandated. And because the Federal Government mandated, we thought it was incumbent upon us to place money in the bill to pay for these federally mandated programs. That also was somewhat unprecedented in recent years.

For Members to stand up and say that S. 250 is substantially the same as H.R. 2190 is to deny that fundamental structure of the compromise. In S. 250 not only is the outreach mandated, not

only does it specify certain agencies, but it goes on to the point that in those specified agencies the clerk or the staffer has to fill out the form as though it were the unemployment form or the welfare form. They have to take pen in hand, if necessary, and go item by item over the voter registration structure. It is mandated down to the checkpoint and the column, but there is no requirement whatsoever in this bill that the State perform a voter verification procedure. There is fuzzy language. Clearly there is no money provided for what was part of the bipartisan compromise.

So when someone says that S. 250 is almost like H.R. 2190, Madison Avenue is crying out for you folks, because the way in which you advertise and package an item is desperately needed on Madison Avenue. When you say S. 250 is substantially the same as H.R. 2190, it is like saying radio is like TV, except without the pictures. There is a fundamental difference. Something was lost between the bipartisan passage of H.R. 2190 and the return of the partisan S. 250.

Why do I say something was lost? It is pretty obvious. The Democrats wrote a rule which would not allow a historical offering under the rule of a motion to recommit with instructions. They bent the rules to make sure that we could not return to H.R. 2190. They are adamant, even though the bill does not go into effect until 1994, in shoving it to the President in this election season. They are willing to break the bipartisan working relationship that we had on H.R. 2190 to shove it to this President.

It bothers me a lot that a program that started out cooperatively, that worked, that actually produced a bill that has a majority of the Republican leadership in support of it to this day, and on which someone who worked hard as a cosponsor in passing the legislation has to stand up and oppose it.

We will go through and examine some specific areas in which S. 250 mandates the Federal Election Commission to regulate the States. For example, S. 250 requires a uniform form to be imposed on every State. Under H.R. 2190 there was a general understanding of the direction that was needed to be taken, but the individual States could conform and construct the procedures that best fit their needs.

Is there any money in the bill for the mandated FEC role of dictating forms? Of course not.

So when examining the differences between the two bills, my worthy opponents will tell Members that there is not much difference, and that it is basically the difference between mandating and allowing. It is a difference between funding and not funding. I can understand why some Members do not think that is much of a difference. I can tell you the American voters and

the State officials believe it is a great difference.

I happen to come from the largest State in the Union. I come from a State with more than 30 million people. I come from a State whose secretary of state is a Democrat. I come from a State in which Democrats and Republicans have operated a number of outreach programs. We have registration by mail, we have registration where you come into a fast-food establishment, we use State agencies, we use Federal agencies, we blanket in an attempt to try to register people to vote. The secretary of state of California, March Fong Yu, opposes S. 250. She is not with you in this attempt to mandate to the States, without funding, a voter registration program. You are doing your best to continue the mask of bipartisanship in moving forward a voter registration bill. But I can tell you as one of the key principals in putting together a truly bipartisan bill that passed this House, you are not successful. The difference between mandating and allowing, the difference between funding and not funding is fundamental.

S. 250 is a sham. It deserves to be vetoed, and it will be vetoed. And after this election, those of you who plan to be back, I will be willing to sit down and work with you once again, as we did in the previous Congress, to put together a bill that is truly bipartisan, that we can move to a Republican President so that he can sign it. That is my offer to you, and until then, if all you can offer back are these kinds of partisan documents, then I can tell you a veto is what you are going to get, and a veto is what you deserve.

Mr. CONYERS. Mr. Chairman, will the gentleman yield for a brief question?

Mr. THOMAS of California. I will yield on your own time. The gentleman has time.

Mr. CONYERS. I will yield myself such time as I may consume.

Mr. Chairman, did I hear the gentleman correctly when he said that the President might, or would, veto a voter rights measure at this particular time of the season? Is he going on what he hopes, or does he have reliable information to bring to the Congress, as we vote on this very important matter? I would be pleased to yield to my colleague.

Mr. THOMAS of California. If the gentleman will yield, I would tell the gentleman, as he probably well knows, that the President has said that if the bill is sent to him in its present form, mandating on the States without any funding, the kind of procedures in S. 250, the President's senior would recommend a veto.

Mr. CONYERS. OK. Is this in writing on Capitol Hill, and would a copy be made available to this Member who played a small role over the last 5 years in this legislation?

Mr. THOMAS of California. The letter is dated June 16, and the gentleman can certainly have a copy if he does not have one, or if his friends on that side of the aisle do not have one.

Mr. CONYERS. I thank the gentleman. I was not sent one, but I can hardly believe my ears that the White House would veto this bill.

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

□ 1530

Mr. THOMAS of California. Mr. Chairman, I will tell the gentleman that not only is the President going to veto it, I will repeat what I said: "The Democratic secretary of state of the State of California opposes S. 250 as well."

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

Mr. SWIFT. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I rise today I strong support of S. 250, the National Voter Registration Act. The bottom line, my colleagues, is that America needs this bill. Our Government is quickly becoming a nonparticipatory democracy.

Only 61 percent of the eligible voting age public is registered to vote. As a result, our Nation has the worst voting participation rate of the world's major democracies. Clearly, America, the model of democracy to the world, can and should do better.

Our Nation places too many barriers in the way of its citizens. Voting, some of these barriers are procedural and some are physical and attitudinal. The bill before us today encourages greater registration while still protecting the electoral system from fraud and misuse.

Because ours is such a mobile society, the reality is that people change their addresses and driver's licenses very often. By utilizing these and other access points to the public system, we greatly increase the chances that first, people will register to vote; and second, that voting lists will be more regularly updated and corrected.

Furthermore, in addition to retaining current protections against fraud, this bill also requires every applicant to sign an oath under penalty of perjury, that he or she is eligible to vote.

There are some who are criticizing the procedures under which this bill is coming to the floor. Yet, by coming to the floor today, we are ensuring that this bill will be sent to the President's desk where it belongs and where it should be signed. Further congressional review would be dilatory and unnecessary.

S. 250 was passed by the Senate by a vote of 61-38. Very similar legislation was approved by the House in 1990 by a vote of 289-132. The changes in the Senate bill were added to provide greater

flexibility to the States, which many critics of the earlier bill had called for.

The Senate added some very important changes to remove physical and attitudinal barriers to voter registration. I would like to spend a moment concentrating on those changes. As I have already stated, voter registration and participation is too low for too many Americans. But there is one group of Americans whose experience makes it even less likely that they will register or that they will vote, despite a strong interest to do so.

Several important changes to help these individuals with disabilities better access the system are included in S. 250.

Disabled Americans vote at a rate 12 percent lower than nondisabled Americans. Furthermore, they register at a rate that is six points lower than the general population.

Physical disability is often the reason cited for not registering to vote. One-half of all nonvoters over the age of 65 cited that reason. Furthermore, 50 percent of the nonvoting and nonregistered disabled say that they would like to participate more. S. 250 provides a way for them to do so.

In the Elderly and Handicap Accessible Polling Place Act of 1984, Congress took steps to ensure that disabled Americans could get to and vote at the polling place. But we must go back to the first step—registration. That is exactly what S. 250 does by providing that offices which receive State funds and who are primarily engaged in providing services to persons with disabilities, must offer voter registration services during intake procedures, recertification procedures, and change of address procedures.

Even more importantly for persons with disabilities, if the service is provided in an individual's home, the agency representative who actually goes to the home, must assist with voter registration. As in other sections of the bill, the client is guaranteed the right not to vote and is protected from coercion or harassment by the agency's personnel.

The procedures provided in the bill, which appears so simple and straightforward, are critical to reaching out to disabled Americans and allowing them to be part of the democratic process.

Our Nation, with the strong support and leadership of the current administration, has resoundingly said that people with disabilities must be part of mainstream America and that if it takes changes to do it, then changes will be made. Well, S. 250 includes some of those changes. They are reasonable, they are responsible, and most importantly, they are necessary.

I am greatly saddened that the substitute offered by the distinguished minority leader, does not include these important provisions. I was there to watch President Bush, with great

pride, sign the Americans With Disabilities Act into law. Surely, so soon after its enactment, we would not want to ignore the goal of that act.

Too often in our history, the disabled have been forgotten. Now, America has started to say no more to that mode of thinking. At this time, on this bill, say yes to allowing Americans with disabilities the means and the opportunity to exercise the most sacred right America offers.

I encourage my colleagues to support this bill and take an important step toward ensuring America's future as a participatory democracy.

Mr. THOMAS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I rise in opposition to this bill.

I rise in strong opposition to this legislation. Increasing voter registration is a noble goal, but this measure falls far short of the mark. Let's consider the facts:

This bill not only invites fraud—it virtually guarantees it. The Justice Department has reviewed the measure and deemed it "fraught with the potential for fraud" and electoral corruption.

This bill does not mandate any program to verify an applicant's address. There is no provision to ensure accurate, current voter registration lists, and there is an unreasonably strict limitation on standard means of purging old lists.

By targeting State offices which provide public assistance, the bill creates an unacceptable bias, one which is bound to result in partisanship. Why are such entities as public schools, libraries, marriage license bureaus, and the offices of city and county clerks not included?

This bill would run roughshod over traditional States' rights and impose unreasonable new costs on those States. It requires the Federal Election Commission [FEC] to prescribe such regulations as are necessary, without compensating the States for any increased costs.

The only way for a State to avoid unwanted new costs would be to allow election day registration, another step down the road to fraud.

Finally, this bill has never seen the light of day in committee. In comes to the floor only by bypassing the hearing process.

I strongly support the concept of simple, honest, accurate voter registration. But S. 250 is not the answer. Instead, it guarantees only partisanship, fraud, and wasteful spending. I urge its defeat.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS], the distinguished deputy majority whip, and, Mr. Chairman, the fact is that the gentleman from Georgia [Mr. LEWIS] has marched in many voter registration drives, was a leader in the march on Washington in 1963, and has created a career as a civil rights and voter rights leader in America.

Mr. LEWIS of Georgia. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today to urge Members of this body to support S. 250, the National Voter Registration Act.

As elected officials, we have a responsibility to encourage citizens to vote. We also have an obligation to protect their voting rights.

Before they can vote, they must register to vote. The reality is that it is not always easy or convenient to register to vote.

This legislation would make it easier and more convenient for millions of Americans to register to vote. It would increase voter participation in the political process.

We have an opportunity to expand democracy by supporting the National Voter Registration Act. As we all know, the United States has the lowest rate of voter turnout among the world's major democracies. In the 1988 Presidential election, turnout fell to 50 percent, the lowest turnout in the past 64 years. That figure is a function of the fact that only 61 percent of the eligible voting age population is actually registered to vote in this country.

Only 61 percent are registered to vote. Only 50 percent actually voted.

With this kind of voter turnout, America is becoming a government, of, for and by a few—a few who can afford to take time off from work to register, or the few who have transportation to travel long distances. Many people in rural areas must travel 50 or 60 miles to the county courthouse to register to vote.

The major barrier to voter participation is registering to vote. When you ask people why they do not vote, they say that registering to vote is a hassle. It is not convenient. Registration facilities are located in a few, out-of-the-way places. Registration hours conflict with work hours.

This bill makes it possible for people to register to vote where they work, where they get their drivers' licenses, where they do business, and by mail. It also makes it easier for disabled Americans to register to vote.

Mr. Chairman, more Americans want to vote.

Mr. Chairman, when more Americans have an opportunity to vote, it will renew the strength and vitality of our democracy.

In 1965, to be exact on March 15, 1965, Lyndon Johnson, the President of the United States, stood right behind me at this podium and endorsed the Voting Rights Act of 1965. At that time in our country, hundreds and thousands and millions of our citizens could not register to vote simply because of color. That act was passed by Congress and signed into law on August 6, 1965, and opened the doorway, made it possible for millions of people to become registered voters. That was a great step. By passing this act today is another significant step to open up the political process and letting all of our citizens come in and participate.

This is a good bill. It is the right thing to do.

I strongly urge you, my colleagues, to support S. 250, the National Voter Registration Act.

Mr. THOMAS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the ranking member of the Subcommittee on Elections of the Committee on House Administration, who, as ranking member of that subcommittee, has not had a chance to review this legislation.

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition to S. 250. While I strongly support increasing voter registration and encouraging participation in the electoral process, I do support expensive Federal mandates which promote fraud.

This bill contains much more than the motor-voter provisions implied by the bill's nickname. S. 250 requires the States to implement mail registration, with registration at welfare and unemployment offices, and encourages States to adopt election day registration. All in a costly Federal mandate with no funding to help the States comply with big brother's wishes.

This is not a serious bill. The Democrats have done a great job of loading this turkey up with every fraud-inducing provision possible to gain a certain veto.

Coming from Louisiana, I know something about election fraud. There have been several celebrated voter fraud cases in Louisiana in recent history. One case occurred in my home district. Therefore, I am very concerned about legislation which would open the door to widespread fraud.

The very purpose of voter registration laws is to ensure the integrity of the elections process. This bill would jeopardize that integrity by opening the way for fraud. S. 250 requires the States to accept registration by mail, while simultaneously forbidding the States from requiring notarization or other formal authentication. So, just mail it in. Popeye can register, Porky Pig can register. What the heck, register your cat.

The bill also requires the States to provide registration at unemployment and welfare offices, but fails to include public schools, libraries, city and county clerks, and other bipartisan locations. Clearly, registering more Democrats is the intent of this bill. Applicants for public assistance could be highly susceptible to coercion by public officials, or to the perception that their benefits were linked to registering for the right party.

In 1991, the St. Louis Post Dispatch reported an ongoing investigation into allegations that public assistance employees were routinely registering public assistance applicants, suggesting who they should vote for, and even taking them to the polls. These cases will increase as we require every welfare official in every State to register welfare recipients.

This bill contains a provision that is either a glaring loophole or a devious attempt to undermine the entire voter registration system. Section 4 of S. 250 states that the act does not apply to a State if all voters in the State may register to vote at the polling place at the

same time of voting in a general election for Federal office. Therefore, if the States do not want to comply with the costly and onerous mandates of S. 250, they simply must allow election day registration. Merging the registration and the voting process into one simultaneous act would totally preclude meaningful verification of voter eligibility. This is truly a farce. This is not a motor-voter bill, it is an election-deception bill that in effect does away with the voter registration.

The States have every right to implement these new voter procedures if their State legislatures approve them. In fact, 17 States have adopted some form of registration while applying for a driver's license. However, the great things promised by the supporters of motor-voter have not been fulfilled. The nonpartisan Congressional Research Service studied the changes in voter participation resulting from enacting motor-voter registration systems prior to the 1988 Presidential election, eight States displayed declines in the percentage of voting age populations voting in elections after the adoption of motor-voter registration.

No wonder the Senator from Kentucky, the chairman of the Senate Rules and the Sponsor of S. 250, stated on the Senate floor on May 19, 1992, that, "This bill has never purported to increase voter turnout. It never has." Well, then why the heck are we risking all this fraud if we aren't going to increase voter turnout.

Supporters would have you believe that the bill has a program for removing ineligible voters. However, the bill only says that the States shall conduct a general program that makes a reasonable effort to remove ineligible voters. This general and reasonable program may not remove a name for not voting. It may not remove a name unless the registrant requests removal in writing or fails to respond to a mailed notice and does not vote in two general elections. In other words, the States can have a voter removal program but it cannot have any teeth.

Human Serve, a group opposed to removing names from voter lists, wrote about S. 250 that:

Even though people drop off the driver/ID or human service agency lists, they will not be struck from the voter registration lists. First, the act provides that addresses must be checked by mail notices. And even if that suggests people have died or moved, they still will not be purged. * * * It is hard to see how people could be given greater opportunity to keep their registration status current.

I agree. It is also hard to see how a State could maintain reliable voter lists under this graveyard voter registration act.

This so-called motor-voter bill opens up numerous avenues for voter fraud and causes a hearty case of sticker shock for the States who must pay for it. It prevents States from verifying their voter lists and CRS says it won't increase turnout. In short, it is a bad bill which will undermine the integrity of the electoral process. I urge my colleagues to vote against S. 250 and in support of the Republican substitute.

Mr. Chairman, I am submitting a formal statement for the RECORD, but at this point I would like to make some informal comments at this time. The

gentleman that preceded me yields to no one in advocacy of civil rights. He is a civil rights hero in this Nation.

In 1965, because of his efforts and many others in this Chamber and others throughout America, the sacrifices that they made came to fruition, and we passed the 1965 Voting Rights Act.

Today American citizens are free to vote. They are free to register. They are free to go to the polls and cast their ballots for the candidates of their choice. But they are also free not to vote. They are also free to decline to cast their ballot, unless, of course, we pass this law which binds them to register, intimidates them to register, and induces individuals to take advantage of the electoral process.

□ 1540

Human Serve, a group advocating this legislation, is opposed to the removal of name from the voter list.

Now, when people die, you would think they should have their names removed from the voter list. When people move away, they should have their names removed from the voter list. When people for some reason or another choose not to go to the polls and exercise their privilege of voting, perhaps they should have their names removed from the voter list; but Human Serve says no.

They also said,

Even though people drop off the driver ID or Human Serve Agency list, they will not be struck from the voter registration list under this legislation.

First, the Act provides that the addresses must be checked by mail notices. And even if that suggests people have died or have moved, they still will not be purged. It is hard to see how people could be given a greater opportunity to keep their registration status current.

I agree with that, because if this provision passes, Lord knows you could stand on your head in an insane asylum for years and years and still be registered, even though you never left the place. You would still be registered to vote, and if somebody wanted to take advantage of your registration and go in and cast your ballot for you, they could do it. It would not take much.

This bill tramples on States rights, Mr. Chairman. The Justice Department asserts that S. 250 would deny the States their historic freedom to govern the electoral process and questions whether or not the bill is even constitutional.

They point out that if this bill passes, it would usurp the rights of States to govern their own election process.

Throughout the history of this country and certainly since the 1965 Voting Rights Act was passed, States have the right to govern their own voter registration system. This bill would change that. Proponents would say you have to abide by Federal mandate in each and every State, that you have to

provide for same-day registration, that you have to register people under circumstances proscribed by Federal law.

Even though such Federal mandates would cost the States an incredible amount of money to implement, they have still got to do it. They are forced to do it.

Freedom is taken away from the States, and the boot of Big Brother is imposed upon the States to implement this legislation.

Now, 10 States alone have estimated that the mandates in this bill would cost \$87.5 million to implement the provisions. Many States are already running record deficits, but that does not matter. They will be forced to live by Federal rules.

If this legislation were to pass, we would require the Federal Election Commission to regulate each and every State. That means a big bloated bureaucracy would be looking over the registrar's shoulders to make sure that they are doing what Big Brother said they should do.

The FEC would prescribe such regulations as are necessary to carry out the act. They would generate universal voter registration application forms. And they would require each State to live by their article.

In other words, the Federal Government in Washington would prescribe the rules which the State must follow and the hoops through which they must jump.

Now, there are several other mandates, though. This bill requires that people be entitled to register by mail. It also specifically designates registration at welfare offices and also encourages same-day registration; that is, you walk in and you say that you have a driver's license, you want to vote at this particular poll. After all, if you have a driver's license, you should be able to vote.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has expired.

Mr. THOMAS of California. Mr. Chairman, I yield 2½ additional minutes to the gentleman from Louisiana.

Mr. LIVINGSTON. What that means, Mr. Chairman, is that it is going to be incredibly easy to walk into the polls and to cast a ballot—anytime you want.

Now, is that good or bad? I think certainly people should have as few restrictions on them as possible. But that ought to be regulated by a State. Some States already have many of these provisions, and that is fine. If they want to do that, let them do it; however, I might also add that for those States that have such provisions, the turnout at the polls is not necessarily increased, as the gentleman from Georgia [Mr. LEWIS] was concerned about. Actually, States with mail-in registration show decreases in turn out rates after the introduction of mail registration procedures.

More States with motor-voter registration systems showed declines in voter turn out rates after the adoption of motor-voter registration procedures. So a motor-voter bill is not necessarily going to increase turnout.

If people do not want to vote, they are not necessarily going to vote because of this legislation. But, this bill is going to increase the possibility of fraud.

My own district 16 years ago was involved in a case of fraud, not by me, but other people involved in the election were involved in fraud. Several people ended up going to prison.

Fraud exists. If people want to take advantage of the current system, they can do so, but by passage of these Federal mandates, we will make it very easy for people who want to take advantage of the system to induce people to go to the polls and cast ballots even though they are not legally entitled to do so. That is going to undermine democracy.

Mr. Chairman, I urge this House to reject this bill, because if we are going to make it easier to destroy democracy and allow people to cast invalid votes, then we are not about serious business in this House.

Mr. Chairman, I urge rejection of this bill.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, first of all, I would like to thank the gentleman from Washington [Mr. SWIFT] for yielding me time on this very important issue.

Mr. Chairman, I rise today in strong support of S. 250, the National Voter Registration Act.

I would first like to compliment the author of this legislation, Mr. CONYERS, and the chairman of the House Administration Elections Subcommittee, Mr. SWIFT, for their continued dedication to this cause.

As a member of the campaign finance reform task force, which brought H.R. 3750, the Election Reform Act of 1991, to the floor late last year, I have spent a great deal of time over the past year and a half exploring the problems of our current set of election laws. While there are partisan differences on many issues, one point that cannot be argued is that voter turnout is too low, and that Congress must do everything in its power to bring the people back into the electoral process.

The object of this bill is an area of deep concern, not only to those of us who serve in this Chamber, but to every American who marks a ballot. For this bill ensures that every one has an equal and unobstructed chance to cast their vote for Federal office holders.

While we have come a long way from the days of poll taxes and literacy tests, a maze of inhibiting local laws

and procedures—often as restrictive as these outlawed practices—remains intact.

My home State of Wisconsin has been one of the most progressive in eliminating barriers to the polls. Since 1976, Wisconsin has been among the three States that offer election day registration at the voting site. I am proud to say that it has ranked among the top four States in voter turnout in each of the last four presidential elections.

And according to our State elections board, there has not been a single report of voter fraud in that time.

I am confident these statistics are due, in part, to the access to the polls Wisconsin provides its voters. Voting records, tabulated by the Congressional Research Service, show that States with the election day registration—clearly the most far-reaching registration system—average nearly 14 percent higher turnout than States without it. While S. 250 does not have a national same day registration requirement, a goal I hope this Nation will some day reach, I believe this bill will greatly increase accessibility to the polls and voter turnout.

It is generally accepted that between 75 and 80 percent of those citizens who are registered vote in Presidential elections. However, only about 61 percent of the eligible voters are registered. Thus, even a relatively good turnout of registered voters will only produce an overall participation rate in the low 50 percent range.

Statistics from the Department of Transportation indicate that approximately 87 percent of the population 18 years and older have driver's licenses. Furthermore, 3 to 4 percent of the adult population have identification cards issued by State motor vehicle agencies. So essentially 90 percent of the population 18 years or older—many of those coming from demographic categories least likely to be registered—would be reached by this procedure.

Mr. Chairman, over 150 years ago, when the Congress passed laws allowing non-land owners to vote, it took the first steps toward the enfranchisement of all Americans.

We can be part of this enfranchisement process today by voting for S. 250, and bring the process of democracy to more of our citizens.

Mr. Chairman, Congress not only has the right, but the duty to make Federal elections as accessible as possible.

I believe S. 250 takes a strong step toward fulfilling that duty. I urge my colleagues to join me in supporting the National Voter Registration Act.

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

Mr. KLECZKA. I yield to the gentleman from Michigan.

Mr. CONYERS. First of all, Mr. Chairman, I want to commend the gentleman as a distinguished member of the Committee on Government Oper-

ations, but to point out that his State and other States have same-day registration which he strongly supported and was in the previous bill. It was compromised out. That does not mean it will not be coming as soon as we can bring it in.

Mr. KLECZKA. Well, in response to the gentleman, the previous speaker indicated that this system, this motor-voter system, with the other registration could have the effect of decreasing voter participation, and I say that is clear nonsense. I think the more we open up the system, the more participation that we will see.

Again let me repeat, the State of Wisconsin with its on-site registration has on average nearly 14 percent higher turnout than States without it, so let us not kid anyone. If we do not want people to vote, let us eliminate elections and we will be appointed for life by some higher body.

It seems to me that the minority party fears people voting in this country, and with the President's threatened veto, I think that is very sad.

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Let us make sure that we do not get carried away with the rhetoric here about who is for people voting and who is not.

This gentleman cosponsored a bill which was a major outreach bill. One of the fundamental differences between the bill the Republicans supported and this bill is that we believe that if you mandate requirements to the States, you should pay for them.

□ 1550

There is no question that the Democrats are not familiar with this concept, that if the Federal Government mandates there should be dollar amounts tied to it. There is no question that you folks have a clear history of Federal mandates with no funding. I understand that.

One of the things we tried to do in the compromise was to get you to understand that if we are going to have States cooperating in this effort, that if we are going to mandate States, we should fund it. You have failed to understand that point that was in H.R. 2190. It is not in S. 250.

The gentleman from Maryland talked about the fact that this was an outreach to disabled. There are clear, specific requirements for outreach in S. 250, to those on welfare, unemployed, and the disabled. Not only is there an outreach to those who are disabled who come into the State agency, but if the State agency offers programs for the disabled that are in the home, this bill mandates that it be done in the home as well. Is there anything wrong with that? No, of course not. But if we mandate it, should we pay for it? Yes.

That is one of the fundamental flaws with your approach. You simply want

to order, you want to dictate, you want to require, you want to mandate; you just forget one other word, and that is "fund."

In H.R. 2190, mandating and funding went together.

In S. 250, a classic partisan document, you mandate with no funding.

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

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. I thank the chairman for that generous yielded time.

Mr. Chairman, I rise in very strong support of his bill. As the gentleman knows, it was authored in the other body by the senior Senator from Kentucky, Senator FORD.

I am for the bill because it strikes a blow for better voter registration, for better voter turnout, which I think would result from better voter registration, and, with better turnout, I am voting for better government.

I would also hasten to add my support for the gentleman from Washington's campaign finance reform bill, which the President vetoed. I think as a total package of making government receive the people's attention, I think that that bill more accessible and more prone to ought to pass at some stage.

Using my own State of Kentucky as a case in point, Mr. Chairman, only 17 percent of the eligible Kentuckians voted in the May primaries. Only 30 percent of eligible Kentuckians voted in last November's general election. Some 800,000 Kentuckians are not even now registered.

This bill makes a modest step in that direction by allowing people to register to vote when they get their licenses, auto licenses, allows people to register to vote at public places like schools and libraries and also establishes a uniform system of mail-in voter registration, which we also have in Kentucky.

Mr. Chairman, some say that people do not vote because they are content and satisfied; others say people do not vote because they are disaffected and alienated. But among the reasons people may not vote is the difficulty to register, and this bill helps correct that. Part of what we should do as public people and what our public policy ought to be is 100 percent voter registration, 100 percent voter participation. This bill makes a step in that direction.

I am very much for the bill, and I hope this House resoundingly passes this into law.

Mr. CONYERS. Mr. Chairman, Democrats, Republicans, and Independents support this measure. One of the Independents who serves with great distinction on the Committee on Government Operations is the gentleman from Vermont [Mr. SANDERS], to whom I yield 2 minutes.

Mr. SANDERS. I thank the chairman for yielding this time to me, and con-

gratulations to him for his work over the years on this important issue.

Let us be clear what we are talking about this afternoon. What we are talking about is the most fundamental and important issue that this institution can address, and that is whether or not we are satisfied that the United States of America today is at the bottom, the bottom of the list of industrialized nations in terms of voter turnout? Are we happy that last congressional elections, two-thirds of the American people did not vote and the estimate is that this presidential election half the people will not vote? Are we happy that 90 percent of poor people do not vote and 3 out of 4 young people do not vote?

What this issue is about is opening the doors of democracy to all of our citizens, to make it as easy as possible for all people, for the young, for the poor, for the working people to participate in the political process.

When this country was formed, it was rich, white men who could vote, and people struggled; then it was all white men. Then finally, after women fought very hard, it was women as well. And after minorities and blacks fought very hard, we allowed black people the right to vote.

What this legislation says is that if you are an American citizen, if you are over 18 years of age, you should vote, the door is open to your voting, we want you to vote.

If you believe in democracy, if you believe in the right of people, all people, to control the future of this country, we must support this legislation.

Mr. Chairman, I urge a strong "yes" vote.

Mr. THOMAS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to this bill, and it is always a treat to rise right after my friend from Vermont because we discovered that we do not agree on much of anything. And that is true also in this case.

One of the reasons, Mr. Chairman, that people are not voting is because the Federal Government has their nose in everybody's business. I think that is part of the process here.

So if we want to deal with voting, it seems to me we ought to deal with it on the level where people live, and that is what I object to.

Mr. Chairman, I rise in opposition to the bill. There are real questions of workability of the plan. There are real questions about the cost to the local offices that do this. I think there is question about insuring it is free from fraud.

But the real reason that I rise is the notion that other than the idea that we ought to protect the civil rights of ev-

everyone for an opportunity to vote and not to be barred from voting is this ought to be an issue of local government. I am a little surprised at my friend, who comes from being a mayor and from local governments, that he wants to turn this matter of registration and qualifying for voting over to the Federal Government.

So I think we do a pretty darned good job in Wyoming. We have people that can come in and register, we register in the primary, there is no problem with registering. You can register as you vote. If you are handicapped, people will come and bring your registration for you.

We think it is a pretty good deal.

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

Mr. THOMAS of Wyoming. Let me finish my enthusiasm for what you spurred me on to here first.

We are talking to the voting election officers in our State, the secretary of state, the county clerks, who do not think that this is a necessary item and indeed do not believe it ought to be, that the folks in this room or any other room in Washington know any more about registering voters than they do, and indeed will not do a better job.

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

Mr. THOMAS of Wyoming. I yield to the gentleman from Vermont.

Mr. SANDERS. I thank the gentleman for yielding.

Mr. Chairman, in terms of how well States do, let me ask the gentleman a question: If 3 days before an election, a voter suddenly becomes interested in the issues of the day or a particular candidate, walks into a local board in Wyoming and says, "I am ready to vote, I want to vote," can that voter vote?

Mr. THOMAS of Wyoming. You cannot vote unless you have registered in the primary.

Mr. SANDERS. So what the gentleman is saying is that in the heart of the political season, when people are most attuned to the political process, they cannot vote?

Mr. THOMAS of Wyoming. I am saying that the political process goes beyond the last week before an election, and I think it is probably a good thing to have been involved along in an election. We have a system where indeed you can vote.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. I thank the chairman and join in thanks to both chairmen for this legislation.

Mr. Chairman, out our way in Montana we have one of the highest registration and get-out-the-vote percentages of any State in the Nation. But nonetheless, a year ago in January, the Montana State Legislature, in an effort

to improve our registration and our voting percentage, implemented a law that is very similar to the one we are considering today. It is the Montana motor-voter program.

□ 1600

It went into effect in October of last year, and, since that time, more than 1,700 Montanans each month have been using the services to either register or update their registration.

As this is related to fraud, Mr. Chairman, I talked to our Secretary of State, Mike Cooney, and he tells me, "No, there guarding against the possibility of fraud," and, "No, they're has not been a single case of fraud in Montana," he tells me, "since this act has been implemented."

Mr. Chairman, I really think now is the time for us to move on to a Federal law of this kind, now, particularly as we move into the heat of an election year.

Article by Mike Cooney follows:

Earlier this month, syndicated columnist George F. Will wrote a column in which he described the National Voter Registration Act pending in Congress (S. 250), as "another example in missing the point." I disagree.

In his widely circulated column, Mr. Will argues that it is acceptable and perhaps preferable if barriers to voting are "filtering out the unmotivated, who are apt to be the uninformed." Perhaps Mr. Will has forgotten the very basics of our democracy. The Constitution of the United States of America does not start, as Mr. Will seems to suggest it should: "We the motivated and informed people," and our rights as Americans are not dependent upon our ability to pay a poll tax or pass a literacy test.

The rights that our ancestors fought for and which brave Americans are fighting for today, are guaranteed to all Americans. Of these rights, the right to vote is perhaps the very cornerstone of our rich past and our promising future.

The National Voter Registration Act currently pending in the Congress, and known commonly as the "Motor-Voter" bill, will further enhance access to the electoral process for all Americans. The measure is really quite simple. If passed, the bill would mandate that states develop a program to allow individuals applying for a drivers license to simultaneously register to vote. In addition, mail in registration and agency based registration programs would be implemented to further increase public access to the voter registration procedure.

Unlike Mr. Will, I believe that this is government at its best. It is the fundamental responsibility of a democratic government to make laws that protect the basic rights of its citizenry. The National Voter Registration Act not only reaffirms the importance of our right to vote, but it implements a set of programs that make it easier for all Americans to utilize the power of the vote.

It is here that Mr. Will and I have a significant disagreement. Mr. Will does not believe that it should be easier to vote. In fact, he further leads his readers to believe that the 26th Amendment to the Constitution, the Voting Rights Act and other progressive measures of the 1960s designed to increase access to the system, have provided exactly the opposite result.

This is patently absurd. How many times have you heard anyone say, "I don't want to

vote because it is too easy?" Without question, voter participation in America has declined since the early 1960s. However, to correlate this decline to reduction in barriers to voting is not dissimilar to attributing the rain to the fact that you washed your car. While both events took place, a causal connection is not likely.

Rather, in the case of voter participation, it is more likely that an anti-government reaction stemming from the war in Vietnam, Watergate, Abscam, Iran-Contra, and the S&L crisis have been the root of increased public skepticism about our political process.

The real question, however, is what we do now to encourage more Americans to register to vote and to vote on election day. While I agree with Mr. Will that part of the solution is incumbent upon government officials to uphold the public trust, I disagree that we should sit on our collective hands when it comes to implementing a program that will provide an additional access point for more than 90 percent of all voting age Americans to become part of the electoral process. And getting these citizens registered to vote is a crucial step, because people who are registered to vote, go to the polls and vote. U.S. Census Bureau figures show that since 1976 some 85 percent of those registered actually cast a ballot in presidential elections.

It is going to take some time for politicians to regain the public trust, but we can and should pass the National Voter Registration Act this year.

In Montana, we passed a Motor-Voter bill this past January that will go into effect on Oct. 1, 1991. This program will effectively cut bureaucratic red tape by allowing Montanans to register to vote when they get or renew their drivers licenses. The "I'm-sorry-you'll-need-to-go-to-another-agency-to-do-that" shuffle will end, and the public will be much better served.

Will passage of S. 250 provide an immediate solution to the problem of declining voter participation? No. Will passage of this measure make the problem worse? No. Will passage of the National Voter Registration Act cut bureaucratic red tape and make it easier for Americans to register to vote? Absolutely, and this is the point that Mr. Will has missed in his column, and that I hope the Congress will not miss when they vote on passage of this bill.

It's time to reject the scare tactics of conservative nay sayers in whom Mr. Will has clearly held too much stock and move ahead with a measure representing what is best about our democracy. Our democracy is great because we are free to determine our own fate, as individuals and as a country. We can elect our representatives and we can throw them out when we chose. We do this on our own; each with our own background, beliefs and dreams.

In the words of President Franklin D. Roosevelt, "Inside the polling booth every American man and woman stands as the equal of every other American man and woman. They have no superiors. There they have no masters save their own mind and consciences."

This is as it should be.

Mr. THOMAS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I rise today in strong support of the motor-voter concept embodied in this legislation. In my home State of Washington,

a State with the foresight to have already adopted motor-voter, 800 to 1,000 new voters are being registered every day. Much of the credit goes to our Secretary of State, Ralph Munro. The program has been in place for only 5 months, yet a remarkable 100,000 voters have already been added to the registration rolls. Motor-voter works.

My friends, we have an opportunity today to bring folks across the country back into the democratic process. Making the voting booth—the foundation of our democracy—more accessible, is a goal Members from both sides of the aisle should embrace.

For those who contend that motor-voter will increase State costs, let me again take you back to my State's example. In Washington, motor-voter costs no more than 40 to 50 cents per transaction—the lowest per-transaction cost of any form of voter registration. And we have found no evidence of the increased fraud which opponents of this bill are trying to sell to you today.

In short, this is commonsense legislation. Bringing the millions of unregistered voters into our system strengthens and legitimizes our democracy. I can't think of a more laudable goal, and urge all of my colleagues to give this legislation their strong support.

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

Mr. MORRISON. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, I applaud the fact that the State of Washington has adopted their own law. They did it without the passage of this Federal legislation.

Why is it that the gentleman is looking at the success in the last 5 months, the untested success of the last 5 months, in the State of Washington and seeking to impose upon the entire Nation an additional cost, whether or not States wish to implement this legislation or not?

Mr. MORRISON. To the gentleman from Louisiana all I can say is, "We like to share a good thing."

Mr. LIVINGSTON. And I say to the gentleman from Washington, "We'll take your apples. You can have the legislation."

Mr. THOMAS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think it interesting to note that both the gentleman of Montana and the gentleman from Washington, who have indicated they have just instituted a motor-voter procedure in their States, also have a purging procedure in their States. Montana removes people from the rolls for failure to vote. Washington removes people from the rolls for failure to vote. So, there is no question that States who have an outreach program, who put people on the rolls, who have a punitive procedure for removing them by taking them off the rolls if they do not vote, will have clean rolls.

It is ironic that the gentleman from Washington supports Federal registration which mandates putting people on the roll, but provides no funding or real mechanism in the States to take them off the rolls. It would be convenient if every State could have this kind of a procedure so that they could keep their rolls clean. The legislation does not parallel either the election laws of the State of Montana or the election laws of the State of Washington.

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

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

Mr. WALKER. Mr. Chairman, I just came to the floor, and is the gentleman telling me that, under the bill that we have before us, that the States would not be able to purge their rolls of these folks that were added through drivers' licenses?

Mr. THOMAS of California. The authors of S. 250 are more than generous in the bill, telling the States that if they wish to get the deadwood off the rolls, that they should do so with their own State funding. They mandate putting people on the rolls, but they do not provide funding to remove them, in direct contravention to the bipartisan H.R. 2190 which provided an outreach and a funded removal mechanism.

Mr. WALKER. So, if a college student came to a college in my area, applied for a driver's license at that address, got registered to vote at that point, then moved away years later, he could still be on the rolls in that community.

Mr. THOMAS of California. It depends upon the particular State. With all of these names being mandated by this bill to be added to the voter rolls, it is up to the State then, with its own resources, to try to figure out a way to counter it. Some States have on the books the ability to purge their rolls. Others do not.

Mr. Chairman, the problem with this legislation is that it is classic mandating without funding, one-half of the requirement.

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I am delighted to find out that there is something in writing about what the President may do about this bill. But it does not come from the President. It comes from the Office of Management and Budget, and maybe that is the same place; I do not know.

But nowhere on this document, generously provided to me by my friend from California, does it say that the President is going to veto this bill.

I am doing this in defense of Republicans. Nowhere does it say the President is going to veto this bill. So, if anybody is worried about the President further lowering his rating, which now stands at an all-time low of 34 percent in the polls, he is not about to make that mistake.

Mr. Chairman, what he did say, somebody in OMB, maybe Mr. Darman, said that the administration opposes S. 250 in its current form. He did not say that he would veto it.

That is my contribution to good bicameral government today.

Mr. SWIFT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act. This bill will make it easier for eligible citizens to register to vote while at the same time strengthening antifraud measures.

S. 250 would permit voter registration simultaneously with application for a driver's license. Since most Americans are licensed to drive, this is a simple, cost-effective means to facilitate voter registration for all eligible voters.

In order to reach those who don't have driver's licenses, the bill would allow voters to register when they apply for many other public certificates, such as hunting permits or marriage licenses. It would also let citizens register by mail and in person at a host of Government offices, where the opportunity to apply for registration is offered along with whatever services the agency normally provides.

S. 250 is an important step in the ongoing effort to expand voter registration. The bill will also help open up all aspects of public life to Americans with disabilities, many of whom have difficulty registering under current procedures.

S. 250 contains strong antifraud measures to safeguard against abuse. It mandates that all the requirements for eligibility to register are clearly stated, and that the applicant sign under penalty of perjury. States may require that a first-time voter who has applied by mail make a personal appearance to vote. Federal criminal penalties would apply to any person who knowingly and willfully engages in fraudulent conduct.

I support this legislation because increasing voter registration is a first step toward bringing more Americans into the political process. Over the past decade, we've seen voter participation in Federal elections steadily decline. In the 1988 Presidential election, turnout dropped to 50 percent, the lowest participation rate in the last 64 years. According to the League of Women Voters, about 70 million Americans who are eligible to vote are not registered. Clearly, this must be cause for alarm. It's been estimated that nearly 90 percent of all eligible voters would be registered if S. 250 were enacted. That's why this bill is so essential.

S. 250 would give all Americans earlier access to the most fundamental right our country affords its citizens—the right to be a part of our democratic legislative process. All folks should have their voices heard come election day. With so many vital issues facing the Nation, and with growing public discontent over the political process, it's essential to expand opportunities for voter registration. I urge adoption of S. 250.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act of 1991, and wish to thank the chairman of the subcommittee, the gentleman from Washington [Mr. SWIFT], for helping to bring this measure to the House floor.

Mr. Chairman, most of us are fully aware that participation in our Nation's elections is not what it should be. Particularly in non-Presidential election years, participation by those eligible to vote is alarmingly low. The process of registering to vote is cited by many as a reason for not voting.

S. 250, which is virtually the same as H.R. 2190, which passed the House by a vote of more than 2 to 1 last Congress, is designed to encourage more eligible citizens to vote by directing States to incorporate voter registration into applications for drivers' licenses and by permitting registration by mail and through certain State agencies, including State public assistance, unemployment, and very importantly, disability offices. The bill also establishes penalties for election officials attempting to coerce voters to join a certain party or vote for a certain candidate.

In addition, Mr. Chairman, through the motor-voter provisions of the bill and use of our U.S. Postal Service's national change of address [NCOA] system, States will be able to save thousands of dollars and be much more accurate in the maintenance of up-to-date voter registration lists.

In sum, this measure encourages voter participation by providing greater access for registration, incorporating anticorruption efforts, and providing flexibility to the States to clean up their registration rolls. Accordingly, I urge my colleagues to support this measure, bearing in mind that good government is dependent upon an alert, concerned, and an active citizenry.

Mr. CONYERS. Mr. Chairman, I yield half of the time remaining that the gentleman from Washington [Mr. SWIFT] has generously given to me, 2 minutes, to the gentleman from Mississippi [Mr. ESPY] who is a direct product of the Voter Rights Act of 1965.

Mr. ESPY. Mr. Chairman, I appreciate the gentleman from Michigan [Mr. CONYERS] yielding this time to me, and I appreciate his offering this very important legislation.

Mr. Chairman, at a time when millions of Americans are alienated from our political system, this legislation helps to accomplish two very important purposes. First of all, it encourages citizens to register, and it makes it more convenient, second, for them to do so.

Now to the gentleman from Louisiana [Mr. LIVINGSTON] I say, "We know already that all Americans are free to vote and free not to vote. That's not the issue. That's been well settled a long time ago with the blood and sacrifice of many heroes and heroines."

The point is that oftentimes in rural States like Mississippi it is not convenient to vote, and I think that is a worthy and legitimate purpose for government. So, by this bill, it allows eligible voters to register by mail, it automatically registers them when they get a drivers license, and it allows voters to register when they conduct business at State and Federal agencies, all very important provisions in States like mine.

□ 1610

This legislation also provides for uniform and nondiscriminatory verification to ensure that voter registration lists are kept up to date.

Mr. Chairman, in part I am proud to say that some of the changes in this bill were recently adopted by the Mississippi Legislature, a State with a sordid history, as the gentleman from Michigan [Mr. CONYERS] has already noted, of obstruction to voter participation. So it is a sign of the tremendous progress in my State that we have already passed some of these provisions.

So in furtherance of that, I hope that the Congress will pass this bill today as a sign of progress throughout all of our Nation, and urge all of my colleagues to support this very, very worthwhile bill.

Mr. SWIFT. Mr. Chairman, I yield such time as he may consume to the gentleman from the Virgin Islands [Mr. DE LUGO] for the purposes of entering into a colloquy.

Mr. DE LUGO. Mr. Chairman, I would like to ask the gentleman from Washington [Mr. SWIFT] a clarifying question.

The initiatives in this bill should go a long way in simplifying and expanding voter registration in this country as such, I want to commend the gentleman from Washington [Mr. SWIFT] and Congressmen JOHN CONYERS, prime sponsor CHARLIE ROSE, JOHN LEWIS, and staff on a fine effort.

Some in the insular areas have expressed an interest in these types of voter registration methods. As chairman of the subcommittee with jurisdiction over the insular matters, I will be speaking with insular leaders, including the Governor of the Virgin Islands, about this and the possibility of including the insular areas by an amendment through my subcommittee. It is my understanding that you and the primary sponsor do not object to this. Is that correct? And may I count on your support if such an amendment were to be included in legislation reported by my subcommittee?

Mr. SWIFT. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. CONYERS. Mr. Chairman, if the gentleman will yield, that is absolutely correct.

Mr. DE LUGO. Mr. Chairman, may I count on the support of the gentleman

from Michigan [Mr. CONYERS] and the gentleman from Washington [Mr. SWIFT] if such an amendment were to be included in legislation reported by my subcommittee?

Mr. CONYERS. Mr. Chairman, if the gentleman will yield, I think that is a fine idea.

Mr. SWIFT. Mr. Chairman, if the gentleman will yield further, I would support the subcommittee in that area.

Mr. DE LUGO. Mr. Chairman, the American citizens in the insular areas thank both of these fine leaders.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mr. THOMAS of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland.

The CHAIRMAN. The gentlewoman from Maryland [Mrs. MORELLA] is recognized for 3½ minutes.

Mrs. MORELLA. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act. By opening up the political process, I believe this bill is good for the democratic process and the American people.

One of the most fundamental rights protected by our Constitution is the right to vote. I believe every Member of Congress will agree that the American people's ability to vote must be protected, nurtured, and even facilitated if our political system is to be preserved.

The 36-percent national voter turnout in the 1990 congressional elections, the lowest turnout since 1942, should be a serious warning to our Nation that our constituents are becoming increasingly disenfranchised from the political process.

When tied to driver licensing and State ID's, voter registration becomes readily accessible to over 90 percent of the population, and getting voters registered is the key to high voter turnout. The most often heard explanation for why Americans do not vote is that they do not register in time. This bill would make the registration process virtually effortless and statistics show 80 to 90 percent of the registered voters participate in Presidential elections, even when overall voter turnout is low.

States, who have motor-voter programs have not only increased political participation but have also significantly decreased costs of registration. This, too, is an objective that follows no party lines.

The greatest concerns raised regarding S. 250 are the potential risks of fraud through mail registration and lax list-cleaning procedures. The successes of existing State motor-voter programs are proof that these concerns are unfounded.

For example, Oregon has had mail registration for 17 years without a single case of fraud, and Minnesota and Washington have had similar experiences. However, this bill is anything

but indifferent to the threat of fraud. It provides for strong criminal penalties for fraud, mandatory address verification procedures, and requirements to remove from the voting rolls the names of those who have died or moved out of the jurisdiction.

Mr. Chairman, with passage of the Voting Rights Act of 1965, Congress made a historic stand for the voting rights of the American people. Today, we have an opportunity to again engage millions of Americans, especially the disabled and the elderly, in our participatory democracy. Let us not pass up this opportunity. I urge my colleagues to support this legislation.

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

Mrs. MORELLA. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, the gentlewoman from Maryland [Mrs. MORELLA] has made the point that this bill would increase turnout. I just wondered if the gentlewoman is familiar with the bipartisan Committee for the Study of the American Electorate, which found that declining voter participation cannot be attributed to problems in registration and voting laws since it has occurred during a time when registration and voting laws generally have been altered to make registration and voting easier.

Furthermore, the chairman of the Senate Rules and sponsor of the bill said not too long ago that, "This bill never purported to increase voter turnout. It never has."

If the gentlewoman would yield further, I would simply point out that you can increase registration, but you are not necessarily going to increase the vote. In fact, statistics in place where this type of legislation already exists already reflect that voter turnout on election day declines.

Mrs. MORELLA. Mr. Chairman, it has the potential for increasing voter participation. In my State of Maryland, which has the mail-in voter card, participation has increased because of the facility of being able to vote. So maybe there is no scientific proof, but I think you will find some experiences in States will indicate if you make it readily accessible and available, then it is going to promote I think an interest in voting.

Mr. THOMAS of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to underscore the fact that the gentlewoman from Maryland [Mrs. MORELLA], who just spoke, the gentleman from New York who spoke previously, the gentleman from Montana, and the gentleman from Washington, all have purge language in their State laws. If this legislation becomes law, the Federal Government will dictate and that portion of the election law of those States must be stricken. There is no option for the States to follow a procedure they already have in law and want to follow.

So I hope these people who are excited about this legislation understand that it will preempt the already chosen procedures of the States in dealing with their own election laws.

Mr. SWIFT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, just for the record I would like to do several things. One, it has been said on the floor that this bill contains same day registration. That is not true. It has been said on the floor several times there is no purge language. That is not true.

Mr. Chairman, if one were listening to the opposition of this, one would think that this is supported only by evil, mean, and stupid people. For the RECORD I submit a list of supporters of this legislation, including the American Association of Retired Persons, the American Baptist Churches, USA, the American Jewish Congress, the Association for Education and Rehabilitation of the Blind and Visually Impaired, the Disabled American Veterans, Friends Committee on National Legislation, League of Women Voters, the National Council of Churches, the National Urban League, Paralyzed Veterans of America, the Presbyterian Church, the United Church of Christ, the United Methodist Church, and the United States Catholic Conference.

Mr. Chairman, I would also indicate that dated today and addressed to the Speaker of the House the American Bar Association, which represents 380,000 lawyers nationally, informs the Speaker they support the enactment of S. 250.

Mr. Chairman, I include these two documents for the RECORD.

JUNE 9, 1992.

DEAR REPRESENTATIVE: We urge you to support House passage of S. 250, the National Voter Registration Act. Through simple and effective means, S. 250 will ensure that every citizen has the opportunity to register and vote.

National voter registration reform is long overdue. If current trends continue, more than one-third of the eligible electorate—nearly 70 million citizens—will not be able to vote this year because they are not registered.

Access to voter registration differs greatly from state to state and county to county. In our highly mobile society, this patchwork system acts to discourage voter participation and permits restrictions and practices that discriminate against many of our citizens.

A citizen's right to vote cannot be distinguished from his or her opportunity to register and stay registered. Your support for S. 250 will help strengthen our democracy by ensuring convenient and accessible voter registration for all citizens.

Sincerely,

American Association of Retired Persons (AARP).

American Baptist Churches USA.

American Civil Liberties Union.

American Council of the Blind.

American Ethical Union, Washington Ethical Action Office.

American Federation of State, County and Municipal Employees.

American Nurses Association.

Americans for Democratic Action.
American Jewish Congress.
Association for Education & Rehabilitation of the Blind and Visually Impaired.
Center For A New Democracy.
Central Conference of American Rabbis.
Church of the Brethren, Washington Office.
Citizen Action.
Citizenship Education Fund.
Common Cause.
Commonwealth of Puerto Rico, Electoral Coordination and Orientation Division.
Disabled American Veterans.
Disabled AND Able to Vote.
Federally Employed Women.
Federation of Reconstructionist Congregations and Havurot.
Friends Committee on National Legislation.

Human Rights Campaign Fund.
100% VOTE/Human Serve.
Interfaith Impact for Justice and Peace.
International Ladies' Garment Workers' Union.

International Union, U.A.W.
League of United Latin American Citizens (LULAC).

League of Women Voters of the United States.

Lutheran Office for Governmental Affairs.
Mexican American Legal Defense and Educational Fund (MALDEF).

Midwest/Northeast Voter Registration Education Project.
NAACP Legal Defense and Educational Fund.

National Association for Black Veterans, Inc.

National Association for the Advancement of Colored People (NAACP).

National Association of Latino Elected and Appointed Officials.

National Association of Recording Merchandisers.

National Association of Rehabilitation Facilities.

National Center for Law and Deafness.
National Coalition of Black Voter Participation.

National Community Action Foundation.
National Congress of American Indians.

National Council of Churches.
National Council of La Raza.

National Council of Senior Citizens.
National Education Association.

National Rainbow Coalition.
National Student Campaign for Voter Registration.

National Urban League.
Paralyzed Veterans of America.

People for the American Way Action Fund.
Planned Parenthood Federation of America.

Presbyterian Church, (USA) Social Justice and Peacemaking Unit.

Public Citizen.
Rock The Vote.

Service Employees International Union.
Union of American Hebrew Congregations.

Unitarian Universalist Association of Congregations.

United Church of Christ, Office For Church In Society.

United Food & Commercial Workers Union.
United Methodist Church, General Board of Church and Society.

U.S. Conference of Mayors.
U.S. Public Interest Research Group.

United States Catholic Conference.
United States Student Association.

AMERICAN BAR ASSOCIATION,

Washington, DC, June 16, 1992.

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

DEAR MR. SPEAKER: We understand the House of Representatives will consider short-

ly S. 250, National Voter Registration legislation. The American Bar Association, which represents 380,000 lawyers nationally, supports the enactment of S. 250.

While we do not have positions on and do not necessarily agree with all the specific components of this package, the ABA believes that it represents a logical and well-crafted compromise which would benefit the electoral interests of both parties in the House of Representatives by bringing in more citizens to the electoral process. The need for revisions in our system of registering voters is obvious. Today, nearly 70 million Americans cannot vote because they are not registered. Only about 23 percent of people with disabilities are registered to vote. Nearly one-third of adult Americans move within a two-year period, and they have to register to vote in addition to changing their postal address and their drivers licenses. Americans need a simple, efficient national system of voter registration. The National Voter Registration Act would address this need.

We hope members from both parties will put aside their fears of the unknown to support S. 250. It offers the best opportunity to balance the sensitivities of both political parties and to adopt a bill that will provide the opportunity to vote to many persons now faced with unnecessary barriers to exercising their franchise.

This legislation will:

- (1) establish national procedures for voter registration for elections for federal office;
- (2) require states to allow their citizens to register to vote when applying for a motor vehicle license or identification card;
- (3) provide for voter registration by mail and in person at federal, state, and other governmental locations.

Since 1974, the ABA has supported legislation creating a federal administration of, and procedures and funding for, voter registration by mail for federal elections. In 1979 the ABA supported the enactment of legislation that encourages voter participation. In August 1990 the ABA specifically endorsed supporting efforts to increase voter registration through state and local agencies that have direct contact with the public (e.g. licensing agencies), and encouraged efforts that make the opportunity to vote easy and convenient. In our opinion S. 250 implements these goals.

We urge you and your colleagues to adopt S. 250.

Sincerely,

TALBOT D'ALEMBERTE.

Mr. CONYERS. Mr. Chairman, the State of Michigan is losing six Members this term, and one who will be missed very sorely inside the Metropolitan Detroit area is the distinguished gentleman from Michigan [Mr. HERTEL], to whom I yield such time as he may consume.

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Mr. HERTEL. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to commend the gentleman from Michigan [Mr. CONYERS] and the gentleman from Washington [Mr. SWIFT] for all their work in this area. There is a lot of talk about reform of this body, but this is real reform that lets citizens participate at a higher level. Who are we talking about? We are talking about, in many cases, less educated. We are talking about people

with lower incomes, because people that are better off can better plan, have more time, let us be frank about it.

This gives the average person a chance to vote in an election. Is that not what we want? To have more people participate? Are we not all embarrassed when we talk to people from foreign nations that have such a high percentage of people participating in voting?

More importantly, is it not a danger to our democracy to see a continually declining base of support? We are talking about primary elections where less than 15 percent of voters eligible to vote can decide the outcome. We are talking about Presidential elections where it is hard to get 50 percent turnout of those that are eligible to vote and register, and even less for those that are just eligible by age and citizenship.

The key to a strong democracy is participation. People share the responsibility, and the wider we can reach people for that first step of citizen responsibility, just to vote, and then to get people more active in their communities and their States and their governments will make this a stronger country.

I want to commend the gentlewoman from Maryland for her strong support of this measure. It should be a bipartisan measure and bill, because we are talking about all the people in this country having a better chance to participate and to vote and to make this a stronger democracy.

I want to again thank the sponsors very much for putting this forward. I wish them the best of luck in getting this passed all the way and signed into law.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act.

Never, in the years that I have served in the House of Representatives, have I seen the American people so dissatisfied with their Government. I believe the only way that this Congress can regain the trust and confidence of the American public is to earn it—through reform of our campaign finance system, reform of the procedures, of this institution to make us more effective and responsive, and encouraging and facilitating increased voter participation.

National voter registration reform is a necessary step in encouraging voter participation, which has reached historically low levels. In the 1990 elections, only 36 percent of eligible American citizens went to the polls—the lowest percentage in 50 years. Even more disturbing is the fact that an es-

timated 70 million eligible citizens cannot vote because they are unregistered.

Study after study has shown that a primary reason for this shocking statistic is the public's unfamiliarity with the confusing array of State and local registration procedures. The bill before us today addresses this problem by putting three registration methods into effect nationwide which will reach the entire eligible population, including those who are most underserved under our current registration system—disabled and low-income Americans.

Mr. Chairman, we are a self-governing people. It is our duty to pass legislation that will facilitate the voting process and enfranchise, empower, and involve all eligible American citizens in our democratic system of government. S. 250 would do that, and I urge my colleagues to join me in supporting it.

Mr. THOMAS of California. Mr. Chairman, I yield myself the balance of my time.

This fight is not about expanding the rolls. This fight is not about trying to ensure that more Americans can participate in the electoral process. This fight is about something that started out as a bipartisan compromise that has turned into a mandated, non-funded, partisan fight.

I would urge the gentleman from Michigan to take the June 16 statement of administration policy and read the last sentence of the first paragraph which says, "If S. 250 were presented to the President in its current form, his senior advisers would recommend a veto."

That may not mean veto to the gentleman from Michigan, but 28 times this President has sent the same message to this Congress. Seven times in this Congress the President has sent the same message. Three times in this session the President has sent this message, and every time the President vetoed it. At no times has this Congress overturned a Presidential veto.

The gentleman from Michigan may feel that this language is ambivalent or unclear to him, but I am sure that same capability to read this language, and see it as ambivalent or unclear, is exactly the same mental set that brought him to S. 250 and saw mandate after mandate with no funding leading him to believe that S. 250 is virtually identical to H.R. 2190, which had funding in it for the mandated programs.

It is very simple, my colleagues. If we want to mandate to the States, put money in the bill. If we want to dictate, pay. If we are going to continue to try the same old policies, we are going to get a veto. And the President's veto is going to be sustained.

I am only sorry that this is now a partisan issue in a partisan season, when it started out as a bipartisan effort to expand the roles.

I will end with my initial offer. After the President vetoes, after you folks lose another Presidential election, let us try to sit down and craft a bipartisan bill that can move through both Houses and that can be signed by the President.

I await my colleagues' understanding of reality.

Mr. SWIFT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the United States has a history in one respect that is not proud. It is the history in which government in this country has for decades used registration as a means to deny the vote to people who some political organization or other deemed to be unreliable citizens. It has been used against the Irish, the Southern Europeans, the Eastern Europeans, and of course, African-Americans.

The fact is that most free nations on the face of this Earth believe that it is Government's positive responsibility to facilitate citizens being able to vote through registration. In fact, a friend of mine who lives in Canada had to practically beat the canvasser off the front porch with a broom, so badly did he want to register him for an upcoming Canadian election in which he could, obviously, not participate because he was an American citizen. Yet here we have the idea government has a right to interpose itself.

One of the earlier debaters said government has got to get its nose out of people's business. That, Mr. Chairman, is precisely what this will do. It will get government out of its place between the citizen and the ballot box by making registration easy.

Mr. FAZIO. Mr. Chairman, I rise today in strong support of the National Voter Registration Act, a commonsense piece of legislation which may do more to revitalize the democratic process in this country than any other bill that we consider during this Congress.

This measure will remove roadblocks to voting registration which contribute to low election turnout. It simply says that a citizen should be able to register to vote when and where they get or renew their driver license, or by uniform application through the mail. Many States already have successful registration programs of this type, and this legislation asks remaining States to imitate these successful examples.

This bill also provides important registration assistance to Americans with disabilities, millions of whom are currently discouraged from going to the ballot box by the difficulties that they face with the registration process in many States.

Those concerned that an increase in voter registration will mean an increase in ineligible people on the registration rolls should be reassured by the antifraud provisions of the legislation. This bill strengthens Federal authority to criminally prosecute vote fraud, in addition to retaining all present safeguards against fraud and abuse, and it requires that States have a regular, effective and nondiscriminatory list-cleaning program to remove ineligible voters from the registration lists.

For those who ask if we can afford the modest initial costs of this legislation, I think there are two answers. First, in the narrow sense, the simplification and list-cleaning provisions of this legislation will save the States \$9 to \$12 million per election year in the short term, and 50 percent per registrant once the new system is implemented. Second, in the larger sense, in an era when declining voter turnout threatens to undermine the system of reciprocal responsibility between voter and representative which lies at the heart of our government, how can we afford not to reduce unnecessary roadblocks to voting?

The philosophy behind motor-voter is a conservative one: keep government interference to a minimum when it comes to our citizens exercising one of their most fundamental rights. It should be endorsed by people from the entire political spectrum, and I am proud to support it.

Mr. CLAY. Mr. Chairman, I support legislation to create a national voter registration program. The bill we are considering today, S. 250, creates that program. Last Congress an overwhelming bipartisan majority of this House passed a similar voter registration program. Today we can, and should, reaffirm that support.

S. 250 provides for voter registration through driver's license applications which allows ready access to voter registration for young people, elderly, working poor, and those who have recently moved. Our country's voter lists will be more up-to-date and accurate.

Basically, this bill will do two important things: it will expand the voting franchise to more Americans, and it will help our States, counties, and cities compile up-to-date and accurate voter lists. Let's move ahead and strengthen our democracy—support S. 250.

Ms. PELOSI. Mr. Chairman, I rise today in support of S. 250, the motor-voter bill. This important legislation is a long overdue step in helping millions of Americans become active voters.

Over the last 40 years, voter participation in the election process has been declining at a troubling rate. In fact, in the 1990 election only 36 percent of eligible Americans chose to exercise their right to vote. This means that 19 percent of the eligible voting population constituted a majority and thus made decisions affecting the entire country, rather than the 51 percent that should be necessary. In order to increase participation we must remove obstacles to participation.

A significant percentage of those individuals who do not vote say they would have voted if they had been registered.

However, complicated deadlines and filing procedures have led many Americans to believe that it is just not worth their time or their vote to deal with the bureaucratic headache of registering.

By allowing voter registration through the mail, or while registering an automobile, or applying for a drivers license, millions more young Americans, older Americans, disabled Americans, and minority Americans will become registered to vote. Through such wider voter registration and increased voter participation, we can do what we were sent here to do, represent the views of all Americans.

Mr. Chairman, we cannot allow the trend toward lower voter turnout to continue. The issues facing our country are too serious and too comprehensive to allow 19 percent of the voting population to decide the fate for the rest. I urge my colleagues to support the necessary and long overdue voter registration reform bill.

Ms. LONG. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act—or motor-voter bill. This legislation would facilitate registration, thereby increasing voter participation in our country—something I think all Americans favor.

The bill ensures that individuals will be allowed increased opportunities to register to vote, including the ability to register to vote at the time they apply for a driver's license.

Mr. Chairman, years ago, Franklin Delano Roosevelt said that, "Every man and every woman who has voted in the past has had a hand in the making of the United States of the future." He also said at the same time that, "They (the people) become good citizens by the exercise of their citizenship and by the discussions, the reading, and campaign give-and-take which help them make up their minds how to exercise that citizenship."

The motor-voter bill will allow people to more easily become the good citizens about which President Roosevelt spoke.

I commend our colleagues who worked to bring this legislation to the floor, and I urge the House to support the bill.

Mr. KOLTER. Mr. Chairman, I ask my colleagues to join me in supporting S. 250 which would simplify and make uniform the voter registration process. More than ever before, we need to do everything we can to bring detached American voters back into our democracy. Toward this end, the National Voter Registration Act would facilitate the process of registering to vote by expanding the facilities where a voter can register and by standardizing the applications.

The United States is bringing up the rear in voter turnout among the world's major democracies. A 50-percent turnout among registered voters is an embarrassing and unacceptable rate which declines every year. What's more, only 61 percent of those eligible to vote are even registered. We in Congress should support all efforts to head off this constant, alarming decrease in voter participation. This is precisely what S. 250 aims to achieve.

Presently it is not all that difficult to register to vote. However, voter apathy in this Nation is a serious problem. Many voters throughout this Nation are either alienated, cynical, or disinterested in the political process. It follows that many Americans not presented with the opportunity to register will either not inquire or simply not pursue the necessary forms to do so. This is why further simplification is vital.

The potential benefits of this bill far outweigh the cost to the States. Moreover, turning this into a partisan debate and trying to make the case that this would tend to bring more voters likely to vote Democratic, rather than Republican, into the process seems to me to be an overly cynical, bordering on silly, argument.

Voting no on this important legislation would be inconsistent with what would be expected of a Member of Congress who should be

doing everything possible to encourage voter participation which is, after all, the foundation of our democratic government.

Mrs. KENNELLY. Mr. Chairman, 61 percent of those eligible to be registered voters in the United States are, in fact, registered. The other 39 percent are missing from the rolls. In 1988, 50 percent of those eligible to vote for President did. The other 50 percent did not. In 1986 there were 40 million more nonvoters than voters.

These figures are appalling and embarrassing. Mr. Chairman, I strongly support S. 250, the Senate version of the National Voter Registration Act, which passed the House during the last Congress.

Both apathy and barriers to registration are responsible for low turnout. While voter apathy is difficult to address, there is simply no excuse for not removing registration barriers. The future of our representative democracy is at stake.

Now I know this legislation has been criticized based on cost and the potential for fraud. Frankly, I think the potential for fraud is overrated. Each and everyone of us stands for election. I ask you, given your experience with elections, which has been a bigger problem—voter fraud or voter apathy?

That is exactly the point. Apathy is a far bigger problem than the rare occurrence of voter fraud. And, as a former Secretary of State who was responsible for administering elections, let me assure you that I think the enhanced protections against fraud in this legislation are more than sufficient.

The Governor of my own State of Connecticut recently signed into law motor-voter legislation. Four States that have implemented motor-voter laws have increased voter turnout between 16 and 26 percent from 1986 to 1990. In five States without such laws, voter turnout decreased between 9 and 35 percent.

It is now time for us in the Congress to do our job. We have sworn to protect the Constitution—our democratic form of government. Let's do it by passing this legislation. It is unacceptable for us to allow any obstacle to remain in the path of an American citizen exercising his or her right to vote.

Mr. ROEMER. Mr. Chairman, it is truly a national shame that the United States has what is arguably the worst reputation in the free world for voter turnout. This country is the No. 1 guardian of democracy, free speech, and voting rights around the globe, yet our own voter registration continues to fall.

When only half of the eligible voters in the Nation show up at the polls, as it happened in the 1988 Presidential elections, we are approaching what should be considered a crisis.

The legislation before us today, known as the motor-voter bill, seeks to address this national concern. By making it easier to register to vote, we improve the opportunities for our citizens to take part in one of the most vital functions of our democracy.

Mr. Chairman, we read and hear every day about how disenfranchised the American public feels from their Government, and about how pessimistic the voting populace is. If we pass this bill today, we will be sending a signal that we want to address these concerns and bring the people back into the system.

Our democracy's health depends on the support and participation of the American peo-

ple. This is a small but important step toward maintaining that health.

Mr. PACKARD. Mr. Chairman, I am an advocate of registering citizens of this country to vote. I support measures which make it easier for citizens of this country to vote.

I have strong convictions that citizens should register to vote, and in doing so undertake a duty. Along with any right, there comes responsibility. We live in the greatest country on the face of the Earth. One of the foundations on which this country is built is participatory democracy. What makes this country work are the citizens of the United States taking an active interest in the state of our democracy by voting.

It is precisely my deeply held convictions about U.S. citizens' responsibility to register and vote that leads me to oppose this legislation. The bill before us today undermines right and responsibility of the voting process. I am sure that I do not need to remind my colleagues that the right to vote is extended to citizens of the United States.

Illegal immigrants pose a tremendous strain on California's social services. However, under the legislation, these very State institutions are charged with registering people to vote. Agencies which administer public assistance, unemployment, and State-funded programs administer a large percentage of this assistance to illegal immigrants. Because the process includes so many entities it invites fraud and abuse.

My problem with this bill stems from the impact of illegal immigration which I have witnessed upon the State of California. It is not difficult for an illegal immigrant to obtain phony documents such as green cards. It is in their best interest to try and obtain a driver's license as proof that they belong here, when in fact, they do not.

In addition, this legislation requires only that the applicant sign a form that states they meet the eligibility requirements, including citizenship, under penalty of perjury. Illegal immigrants aren't afraid of being charged with perjury, they are afraid of being sent back across the border. These are people who are already here illegally—they broke the law to get into this country. Penalty of perjury is hardly a stiff legal deterrent.

Now, I don't know about my colleagues, but procedurally this does not sound to me like a rigorous, thorough way to determine a person's citizenship and along the way, extend an opportunity to vote like an American citizen. To illegal aliens who may already possess phony documentation, this sounds more like an invitation to obtain a more reliable form of identification, like a driver's license.

Finally, as a reasonable person would conclude, this bill invites voter fraud. The agencies which administer social services to illegal immigrants are given the power to register them to vote. Furthermore, it only asks them to promise they are citizens, under penalty of perjury. This distorts the objective of democracy by allowing those who are not legal citizens to participate in a process they have no business participating in.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise today in support of the Michel substitute to the National Voter Registration Act. The goal of the legislation the House will pass

today is an admirable one, one that will keep democracy alive in our country. How we achieve this goal, however, is as important as the goal itself. The bill that has been offered is not an attempt to increase voter participation—it is an obvious attempt to railroad the House into passing legislation that will merely give the appearance of solving our country's problem of decreasing voter participation.

I listen to some of my colleagues accusing the Republican Party of trying to drive down voter participation and can hardly believe what I am hearing. The system with which the voters are disillusioned, the one in which they no longer choose to participate, is the system that is a result of almost 30 years of Democratic domination of the House. It is the Democratic-ruled Congress that brought about the House bank scandal, the unpaid restaurant bills, and a plethora of perks and privileges with which the public is finally fed up.

I think that my Republican colleagues have very much the same goal in mind as the Democrats appear to have. We want more voters and we want more participation, because it is finally time to change the system, and give the American people a government in which they have a voice, and in which they have respect and confidence.

If the goal today is to achieve the best reform in the system of voter registration, then we must address several provisions in this legislation that would render our goal impossible.

We cannot impose on our States costly mandates that will weaken their control over the electoral process. Our Founding Fathers recognized the vital role the States play in our electoral system, and we are now ignoring this role in favor of Federal regulations which fail to account for local considerations and solutions. We must allow the States to choose the methods that will best increase their local voter participation.

We must also avoid the possibility of increased fraud in our voter registration system. Unsupervised registration by mail, without any provisions for verification of the authenticity of the applications, can only be expected to result in fraud and error which will hurt, not help our system.

The use of State agencies as vehicles—no pun intended—for increasing voter registration, is another questionable provision of this bill. The benefits provided by the suggested agencies should in no way be tied with the electoral process, so as to avoid the perception that the way in which a person votes could have some effect on the receipt of these benefits.

In addition, the bill we consider today is a perfect example of the Democratic domination of the House taking precedence over the just and fair process by which a bill should be considered. This bill has not been fully examined by the House committees of jurisdiction, no opportunity has been given to amend and perfect this legislation with input from the Members of the House. We are forced to either blindly accept what is set before us, or be portrayed as being against increased voter participation.

Fortunately, we have been given one option to the problem-ridden legislation that has been forced down our throats today—the Michel

substitute attempts to address these problems by allowing States to decide how they will encourage and facilitate voter registration.

Let us pass legislation that will increase participation in our system in the most just and equal manner. Let us leave in the hands of our States the power that rightly belongs to them. Let us change our system in a way that will solve our existing problems without creating new ones.

I know my Republican colleagues are as much in support of improving our electoral system as I am, and as dedicated to achieving the best reforms possible. It is for these reasons that I lend my strong support to the Michel substitute.

Mr. PASTOR. Mr. Chairman, I rise in strong support of S. 250, the National Voter Registration Act.

One of the most important rights and responsibilities of citizenship in the United States is the right to vote. Yet recent census data indicates that nearly 70 million citizens will not be able to exercise this fundamental right because they are not registered.

Compared to other industrialized countries—some of which have voting participation rates in excess of 75 percent—American citizens have a dismal voting record. For instance, during the 1988 Presidential election, barely half of those eligible bothered to vote. This is totally unacceptable.

The apathy and disillusionment displayed by nonvoters in America are disappointing. However, we have an opportunity, through S. 250, to substantially improve this situation.

The legislation before us today provides a simpler, cost-effective means to facilitate voter registration for all eligible voters. Individuals will be able to register at designated government agencies and by mail. More importantly, people can register to vote when applying for a driver's license. By enacting this legislation, we can reach up to 90 percent of all eligible voters nationwide.

For a variety of reasons, people with disabilities and our younger eligible citizens traditionally have low registration and low participation rates during most elections. This bill will remove some of the barriers that inhibit or discourage these people from voting. Although enacting this legislation will not increase voter turnout, it will help increase the pool of those eligible to vote.

Bringing more voters into the system is a vital first step to expanding participatory democracy, while ensuring the integrity of the electoral system. I urge all of my colleagues to vote for the National Voter Registration Act.

Mr. CHANDLER. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act.

During the past two decades, voter participation in Federal elections has steadily declined. In 1988, only half the Nation's eligible population participated in the Presidential election. During the 1990 congressional elections, the turnout of eligible voters was 36 percent, the lowest since 1942 and the second lowest since 1798.

In an effort to increase citizen participation in the electoral process, many States have enacted motor-voter laws. Washington State began its motor-voter registration program this past January. The Washington State program

was designed by Secretary of State Ralph Munro in 1989. Our legislature passed it into law in 1990. The program has already produced extremely positive results.

In just 5 short months, motor-voter registration has added more than 100,000 voters to Washington State registration rolls. This is a remarkable achievement by any standard. At the current rate, the motor-voter program will register 800,000 Washington voters during the next 4 years, an increase of 30 percent.

There are those who contend that motor-voter registration will significantly increase voter registration costs. The Washington State experience has been to the contrary. In Washington, motor-voter registration costs no more than 40 to 50 cents per transaction. This is the lowest per-transaction cost of any form of voter registration.

Motor-voter provides protection against fraud and abuse. By connecting the licensing and voter registration systems, Federal, State, and local election officials have several new cross-checks and auditing tools to protect the integrity of the registration process. It is the only form of voter registration in which the applicant's picture is taken.

Motor-voter provides a convenient accessible method of registering voters while maintaining personal contact with the applicant and the registrar. Most States maintain dozens of driver licensing outlets which are accessible to both rural and urban areas.

The bottom line is that voter registration is an administrative mechanism, and should be as convenient as possible for our citizens. We must remember that the purpose of the election process is not to test the fortitude and determination of the voter, but to discern the will of the majority.

Motor-voter registration is not the cure to all that ails our election process. It does, however, remove many of the administrative barriers to voter registration. Combined with campaign reform, voter education, and programs to increase voter turnout, this legislation will provide a positive step in increasing participation in American democracy. I urge my colleagues to vote "yes" on S. 250.

Mr. STOKES. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act. This bill, better known as the motor-voter bill, contains many provisions designed to remove the barriers to voter registration. I commend Representative CONYERS and the leadership for bringing this bill to the floor for consideration.

Mr. Chairman, the right to vote is a fundamental right guaranteed under the Constitution. Unfortunately, our Nation's antiquated voter registration system has unfairly excluded millions of Americans from exercising this right by denying them equitable access to the electoral process. The fundamental right to vote means little if the opportunity to register and stay registered is limited. S. 250 would remove many of the barriers to voter registration and facilitate equal access to citizen participation in the electoral process.

Specifically, S. 250 would allow eligible voters to register for Federal elections by mail, when applying for a driver's license, and at State and Federal agencies. Since it is estimated that 91 percent of the adult population in this country either has a driver's license or

a photo ID card, this provision would dramatically increase the number of registered voters. Those who do not have a driver's license or photo ID may simply apply to register to vote at designated Government agencies. S. 250 would also provide for automatic voter registration when individuals apply for, renew, or change their address on such licenses.

S. 250 also extends the ability of millions of disabled Americans to register to vote. According to a Harris poll, disabled Americans show greater interest in politics and public affairs than does the general population, but they register and vote at lower rates. Study after study has shown that persons with disabilities list lack of transportation as the first or second obstacle in their lives.

Today, 20 States in this country require a person with a disability to go to either the offices of the board of elections or to a temporary voter registration site where deputy registrars offer voter registration. S. 250 removes the barriers to the disabled by mandating all officers primarily engaged in providing services to persons with disabilities to offer voter registration services during intake procedures, recertification procedures, and change-of-address procedures. It guarantees that if services are provided in a disabled person's home, the agency representative who actually goes to the home must assist the client with voter registration.

Opponents to S. 250 have argued that it would not increase voter turnout and that it would increase the cost associated with voter registration. Contrary to this, research has concluded that voter turnout increased between 13 and 26 percent in the four States which instituted effective motor-voter programs, and cost actually fell because the demand to hire additional staff, as voter registration deadlines approached, was eliminated.

Mr. Chairman, new opportunities for political empowerment must be afforded to persons left out of the political system. It is important for us to ensure that everyone in this country has a stake in our democratic form of government and that the people are encouraged to seek change through the ballot box, creating a more representative government.

Although the literacy tests and poll taxes of the past which excluded potential voters and minorities in particular, no longer exist, inconvenient and cumbersome procedures in many States still serve to inhibit citizen participation in the electoral process.

I encourage my colleagues to join me today in support of S. 250 and bring down the barriers which have prohibited participation in the electoral process.

Ms. NORTON. Mr. Chairman, I rise today in strong support of the National Registration Act of 1991. This legislation embodies the essence of democracy at a time when the strongest threat to democracy in this country is the shrinking participation of Americans at the polls. A democracy is dysfunctional when there is shallow participation. Motor-voter legislation is a remedy with impressive proven effectiveness.

The District of Columbia has first-hand experience with the benefits of local motor-voter registration, which we started over 2 years ago. Under the District's motor-voter program, individuals who register for a driver's permit or

a nondriver's identification card fill out a single one-page form—the top half goes to the department of motor vehicles and the bottom of the form goes to the board of elections. With that simple step, District residents are registered to vote.

At a cost of six cents per form, the motor-voter system saves money compared with voter registration by mail, which costs at least ten cents per form plus two-way postage. Especially important, the motor-voter systems allows year round voter registration and avoidance of the preelection rush.

The success of motor-voter registration in the District is born out in the numbers. Since its inception in May 1989, this system has yielded more than 46,000 new registrants, or half the new registrants in this time period. Of voter address changes, the motor-voter system accounted for 25 percent. Thus, almost 9,500 registrants would have been purged from the voter rolls or gone to the wrong polling place without motor-voter, and 13.8 percent of the changes in party affiliation in the District since May 1989, were accomplished through the motor-voter system. In the November 1990, general election, motor-voter registrants accounted for 30 percent of the total voting population.

The District is justifiably proud of its results with motor-voter. Many of us are ready to move on to same day registration allowing those with adequate evidence of their eligibility to vote as they register. Why not? If not, with so fewer and fewer Americans voting, we are dangerously close to de facto democracy.

If we want to promote citizen participation, if we want to eliminate voter apathy, if we want a healthy democracy, then this legislation is an effective step in the right direction. I urge my colleagues to follow the District's example and vote in favor of democracy by voting for national motor-voter legislation.

Mr. EWING. Mr. Chairman, I rise in opposition to S. 250, the National Motor Voter Registration Act, the so-called motor-voter bill. This bill contains many serious flaws that cannot be ignored and which overshadow any benefit it attempts to offer.

I strongly support efforts to increase voter registration, but this legislation would place another expensive, unfunded mandate on States, drastically increase the chances of voter fraud, and probably would not significantly increase voter turnout. Indeed, a Congressional Research Service survey has revealed that many States showed lower voter turnout after motor-voter programs were instituted.

This bill would force States to order their agencies to provide voter registration services. However, Federal funds are not appropriated to reimburse the States' expenses needed to set up and maintain these services. These rigid mandates are heaped upon State governments, many of which are already suffering the burden of severe budget shortfalls, caused in large part by more and more unfunded Federal mandates in recent years. If Congress finds that these mandates so important, it ought to back them up with the necessary funds.

S. 250 robs the States of their rights to regulate the election process by establishing national standards. The bill requires the Federal

Elections Commission to write Federal voter registration regulations and orders States to comply with them. This bill is a classic example of the tendency of the Federal Government in recent years to trample on the rights of the States, and enforcing them to pick up the tab for the whimsical mandates of the Federal Government.

The motor-voter bill will encourage more registration fraud, a problem many States are already trying to tackle. First, S. 250 requires States to adopt voter registration through the mail, but also limits the ability of States to verify the eligibility and identity of applicants. Second, the bill puts severe limits on the ability of State agencies to rid their voter lists of bad names. Third, the bill encourages election day registration, which makes acceptable verification impossible. Finally, by requiring registration in welfare and unemployment agencies, it would be extremely difficult to prevent partisan encouragement or coercion. This bill's proposed methods invite a situation where the opportunity for voter registration fraud is heightened.

I support Republican leader MICHEL's substitute to S. 250, which will increase voter registration without encouraging fraud. This substitute would make motor-voter voluntary and provide block grants, with State matching requirements, for implementing voter enhancement programs. S. 250 would encourage partisanship and manipulation of citizen's voting activities, as well as electoral fraud, and this is not what our government should be encouraging. This bill will cost States millions of dollars.

Finally, Mr. Chairman, S. 250 did not even receive consideration from the House committee of jurisdiction. It is brought before the House without the benefit of hearings or a committee markup. This is a mockery of the legislative process. This type of handling by the majority party leads me to believe that this bill is politically motivated, this at a time when the American people are crying for the Congress to put politics as usual aside and be concerned about the real needs of America.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the Senate bill is considered as having been read for amendment under the 5-minute rule.

The text of S. 250 is as follows:

S. 250

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Act of 1992".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the right of citizens of the United States to vote is a fundamental right;

(2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and

(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish procedures that will increase the number of eligible citizens who

register to vote in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to implement this Act in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term "election" has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1));

(2) the term "Federal office" has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3));

(3) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

(4) the term "State" means a State of the United States and the District of Columbia; and

(5) the term "voter registration agency" means an office designated under section 7(a)(1) to perform voter registration activities.

SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRATION FOR ELECTIONS FOR FEDERAL OFFICE.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 5;

(2) by mail application pursuant to section 6; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and

(B) at a Federal, State, or nongovernmental office designated under section 7.

(b) NONAPPLICABILITY TO CERTAIN STATES.—This Act does not apply to a State described in either or both of the following paragraphs:

(1) A State in which there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) A State in which all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REGISTRATION AND APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.

(a) IN GENERAL.—(1) Except as provided in subsection (b), each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office.

(2) An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant.

(b) DECLINATION TO REGISTER.—(1) An applicant for a State motor vehicle driver's license may decline in writing to be registered by means of the motor vehicle driver's license application.

(2) No information relating to a declination pursuant to paragraph (1) may be used for any purpose other than voter registration.

(c) **FORMS AND PROCEDURES.**—(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

(2) The voter registration application portion of an application for a State motor vehicle driver's license—

(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) shall include a means by which an applicant may decline to register to vote pursuant to subsection (b);

(C) may require only the minimum amount of information necessary to—

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(D) shall include a statement that—

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury; and

(E) shall be made available (as submitted by the applicant, or in machine readable or other format) to the appropriate State election official as provided by State law.

(d) **CHANGE OF ADDRESS.**—Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall serve as notification of change of address for voter registration with respect to elections for Federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.

SEC. 6. MAIL REGISTRATION.

(a) **FORM.**—(1) Each State shall accept and use the mail voter registration application form prescribed by the Federal Election Commission pursuant to section 9(a)(2) for the registration of voters in elections for Federal office.

(2) In addition to accepting and using the form described in paragraph (1), a State may develop and use a mail voter registration form that meets all of the criteria stated in section 9(b) for the registration of voters in elections for Federal office.

(3) A form described in paragraph (1) or (2) shall be accepted and used for notification of a registrant's change of address.

(b) **AVAILABILITY OF FORMS.**—The chief State election official of a State shall make the forms described in subsection (a) available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

(c) **FIRST-TIME VOTERS.**—(1) Subject to paragraph (2), a State may by law require a person to vote in person if—

(A) the person was registered to vote in a jurisdiction by mail; and

(B) the person has not previously voted in that jurisdiction.

(2) Paragraph (1) does not apply in the case of a person—

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);

(B) who is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

(C) who is entitled to vote otherwise than in person under any other Federal law.

SEC. 7. VOTER REGISTRATION AGENCIES.

(a) **DESIGNATION.**—(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies—

(A) all offices in the State that provide public assistance, unemployment compensation, or related services; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include—

(i) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms.

(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph (2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.

(5) A person who provides service described in paragraph (4) shall not—

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance; or

(C) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall—

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance—

(i) the mail voter registration application form described in section 9(a)(2); or

(ii) the office's own form if it is substantially equivalent to the form described in section 9(a)(2), unless the applicant, in writing, declines to register to vote;

(B) to the greatest extent practicable, incorporate in application forms and other forms used at those offices for purposes other than voter registration a means by which a person who completes the form may decline, in writing, to register to vote in elections for Federal office; and

(C) provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) **FEDERAL GOVERNMENT AND PRIVATE SECTOR COOPERATION.**—All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a), and all nongovernmental entities are encouraged to do so.

(c) **TRANSMITTAL DEADLINE.**—(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.

(a) **IN GENERAL.**—In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 5, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(B) in the case of registration by mail under section 6, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(2) require the appropriate State election official to send notice to each applicant of the disposition of the application;

(3) provide that the name of a registrant may not be removed from the official list of eligible voters except—

(A) at the request of the registrant;

(B) as provided by State law, by reason of criminal conviction or mental incapacity; or

(C) as provided under paragraph (4);

(4) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of—

(A) the death of the registrant; or

(B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d);

(5) inform applicants under sections 5, 6, and 7 of—

(A) voter eligibility requirements; and
(B) penalties provided by law for submission of a false voter registration application; and

(6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

(b) CONFIRMATION OF VOTER REGISTRATION.—Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

(1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and

(2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote.

(c) VOTER REMOVAL PROGRAMS.—(1) A State may meet the requirement of subsection (a)(4) by establishing a program under which—

(A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and

(B) if it appears from information provided by the Postal Service that—

(1) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or

(ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) to confirm the change of address.

(2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude—

(i) the removal of names from official lists of voters on a basis described in paragraph (3) (A) or (B) or (4)(A) of subsection (a); or

(ii) correction of registration records pursuant to this Act.

(d) REMOVAL OF NAMES FROM VOTING ROLLS.—(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:

(A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B). If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.

(B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.

(e) PROCEDURE FOR VOTING FOLLOWING FAILURE TO RETURN CARD.—(1) A registrant who has moved from an address in the area covered by a polling place to an address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant—

(1) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrant of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(ii)(II), voting at the former polling place as described in subparagraph (A)(i) and at a central location as described in subparagraph (A)(ii)(I) need not be provided as alternative options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant

continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

(f) CHANGE OF VOTING ADDRESS WITHIN A JURISDICTION.—In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d).

(g) CONVICTION IN FEDERAL COURT.—(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 10 of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include—

(A) the name of the offender;
(B) the offender's age and residence address;

(C) the date of entry of the judgment;
(D) a description of the offenses of which the offender was convicted; and

(E) the sentence imposed by the court.

(3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.

(4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

(h) REDUCED POSTAL RATES.—(1) Subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

"§ 3629. Reduced rates for voter registration purposes

"The Postal Service shall make available to a State or local voting registration official the rate for any class of mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1992."

(2) Section 2401(c) of title 39, United States Code, is amended by striking "and 3626(a)-(h)" and inserting "3626(a)-(h), and 3629".

(3) Section 3627 of title 39, United States Code, is amended by striking "or 3626 of this title," and inserting "3626, or 3629 of this title".

(4) The table of sections for chapter 36 of title 39, United States Code, is amended by inserting after the item relating to section 3628 the following new item:

"3629. Reduced rates for voter registration purposes."

(1) PUBLIC DISCLOSURE OF VOTER REGISTRATION ACTIVITIES.—(1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the

purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

(j) DEFINITION.—For the purposes of this section, the term "registrar's jurisdiction" means—

(1) an incorporated city, town, borough, or other form of municipality;

(2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic area than a municipality, the geographic area governed by that unit of government; or

(3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

SEC. 9. FEDERAL COORDINATION AND REGULATIONS.

(a) IN GENERAL.—The Federal Election Commission—

(1) in consultation with the chief election officers of the States, the heads of the departments, agencies, and other entities of the executive branch of the Federal Government, and representatives of nongovernmental entities, shall prescribe such regulations as are necessary to carry out this Act;

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act; and

(4) shall provide information to the States with respect to the responsibilities of the States under this Act.

(b) CONTENTS OF MAIL VOTER REGISTRATION FORM.—The mail voter registration form developed under subsection (a)(2)—

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that—

(A) specifies each eligibility requirement (including citizenship);

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury; and

(3) may not include any requirement for notarization or other formal authentication.

SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFICIAL.

Each State shall designate a State officer or employee as the chief State election offi-

cial to be responsible for coordination of State responsibilities under this Act.

SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF ACTION.

(a) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this Act.

(b) PRIVATE RIGHT OF ACTION.—(1) A person who is aggrieved by a violation of this Act may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) RELATION TO OTHER LAWS.—(1) The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) Nothing in this Act authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

SEC. 12. CRIMINAL PENALTIES.

A person, including an election official, who in any election for Federal office—

(1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for—

(A) registering to vote, or voting, or attempting to register or vote;

(B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or

(C) exercising any right under this Act; or

(2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 13. EFFECTIVE DATE.

This Act shall take effect—

(1) with respect to a State that on the date of enactment of this Act has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on January 1, 1996; and

(2) with respect to any State not described in paragraph (1), on January 1, 1994.

The CHAIRMAN. No amendment to the bill is in order except the amendment printed in House Report 102-558. Said amendment shall be considered as read and shall not be subject to amendment.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THOMAS OF CALIFORNIA

Mr. THOMAS of California. Mr. Chairman, as the designee of the gentleman from Illinois [Mr. MICHEL], I offer an amendment in the nature of a substitute.

The CHAIRMAN. The clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. THOMAS of California:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Enhancement Act of 1992".

SEC. 2. FINDINGS AND PURPOSES.

(A) FINDINGS.—The Congress finds that—

(1) the right to vote is a fundamental right;

(2) it is the responsibility of each citizen to exercise that right;

(3) it is the duty of the Federal, State, and local governments to promote the exercise of that right;

(4) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office;

(5) such laws and procedures can disproportionately harm voter participation in such elections by members of various groups, including racial minorities;

(6) all citizens of the United States are entitled to be protected from vote fraud and from voter registration lists that contain the names of ineligible or nonexistent voters, which dilute the worth of qualified votes honestly cast; and

(7) all citizens of the United States are entitled to be governed by elected and appointed public officers who are responsible to them and who govern in the public interest without corruption, self-dealing, or favoritism.

(b) Purposes.—The purposes of this Act are—

(1) to increase registration of citizens as voters in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to enhance voter participation in elections for Federal office;

(3) to protect the integrity of the electoral process;

(4) to ensure the maintenance of accurate and current official voter registration lists; and

(5) to guarantee to the States, and to their citizens, a republican form of government, including elections conducted free of fraud, and governmental processes conducted free of corruption, self-dealing, or favoritism.

"TITLE I—VOTER REGISTRATION ENHANCEMENT"

SEC. 101. FEDERAL COORDINATION AND BIENNIAL ASSESSMENT.

The Attorney General—

(1) shall be responsible for coordination of Federal functions under this Act;

(2) shall provide information to the States with respect to State responsibilities under this Act; and

(3) shall, not later than June 30 of each even-numbered year, submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2 calendar years and providing recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act.

SEC. 102. RESPONSIBILITY OF CHIEF STATE ELECTION OFFICIAL.

The chief State election official of each State shall be responsible for coordination of State functions under this title.

SEC. 103. VOTER REGISTRATION ENHANCEMENT BLOCK GRANTS.

(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General—

(1) for making grants under this section for fiscal years 1992, 1993, and 1994, a total of \$25,000,000; and

(2) such additional sums as may be necessary for administrative expenses of the Attorney General in carrying out this title.

(b) BLOCK GRANTS.—(1) From the amounts appropriated under section (a) for any fiscal year, the Attorney General shall make grants to States, through chief State election officials, for the purposes of supporting, facilitating, and enhancing voter registration.

(2) To qualify for a grant under paragraph (1), a State shall match any amount of Federal funds dollar for dollar with State funds for voter registration enhancement activities, such as, but not limited to—

(A) providing for voter registration for elections for Federal office at State departments of motor vehicles; and

(B) providing for uniform and nondiscriminatory programs to ensure that official voter registration lists are accurate and current in each State.

(c) ALLOCATION OF GRANTS.—(1) The Attorney General shall by regulation establish criteria for allocation of grants among States based on—

(A) the number of residents of each State;

(B) the percentage of eligible voters in each State not registered to vote; and

(C) other appropriate factors.

(2) In promulgating criteria pursuant to paragraph (1), the Attorney General shall give special consideration to State-sponsored programs designed to improve registration in counties with voter registration percentages significantly lower than that for the State as a whole.

(d) ADMINISTRATIVE REQUIREMENTS.—(1) The Attorney General shall by regulation establish administrative requirements necessary to carry out this section.

(2) To be eligible to receive a grant under this section, a State shall certify that the State—

(A) has in place legislative authority and a plan to implement procedures to promote and facilitate, to an extent and in such manner as the Attorney General may deem adequate to carry out the purposes of this title, voter registration for Federal elections in connection with applications for driver's licenses;

(B) agrees to use any amount received from a grant under this section in accordance with the requirements of this section;

(C) agrees that any amount received through a grant under this section for any period will be used to supplement and increase any State, local, or other non-Federal funds that would, in the absence of the grant, be made available for the programs and activities for which grants are provided

under this section and will in no event supplant such State, local, and other non-Federal funds; and

(D) has established fiscal control and fund accounting procedures to ensure the proper disbursement of, and accounting for, grants made to the State under this section.

(3) The Attorney General may not prescribe for a State the manner of compliance with the requirements of this subsection.

(e) REPORTS.—(1) The chief State election official of a State that receives a grant under this section shall submit to the Attorney General annual reports on its activities under this section.

(2) A report required by paragraph (1) shall be in such form and contain such information as the Attorney General, after consultation with chief State election officials, determines to be necessary to—

(A) determine whether grant amounts were expended in accordance with this section;

(B) describe activities under this section; and

(C) provide a record of the progress made toward achieving the purposes for which the block grants were provided.

SEC. 104. DEFINITIONS.

For the purpose of this title—

(1) the term "chief State election official" means, with respect to a State, the officer, employee, or entity with authority, under State law, for election administration in the State;

(2) the term "election" has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1));

(3) the term "Federal office" has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3)); and

(4) the term "State" has the meaning stated in section 301(12) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(12)).

TITLE II—PUBLIC CORRUPTION

SEC. 201. ELECTION FRAUD AND OTHER PUBLIC CORRUPTION.

(a) AMENDMENT OF TITLE 18 OF THE UNITED STATES CODE.—Chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following new section:

§ 226. Public corruption

"(a) Whoever, in a circumstance described in subsection (d), defrauds, or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of the honest services of an official or employee of the United States or the State, political subdivision, or Indian tribal government shall be fined under this title, imprisoned for not more than 20 years, or both.

"(b) Whoever, in a circumstance described in subsection (d), defrauds, or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of a fair and impartially conducted election process in any primary, runoff, special, or general election—

"(1) through the procurement, casting, or tabulation of ballots that are materially false, fictitious, or fraudulent or that are invalid, under the laws of the jurisdiction in which the election is held;

"(2) through paying or offering to pay any person for voting;

"(3) through the procurement or submission of voter registrations that contain false material information, or omit material information; or

"(4) through the filing of any report required to be filed under State law regarding

an election campaign that contains false material information or omits material information,

shall be fined under this title, imprisoned for not more than 20 years, or both.

"(c) Whoever, being a public official or an official or employee of the United States, a State, a political subdivision of a State, or an Indian tribal government, in a circumstance described in subsection (d), defrauds or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of the right to have the affairs of the United States, the State, political subdivision, or Indian tribal government conducted on the basis of complete, true, and accurate material information, shall be fined under this title, imprisoned for not more than 20 years, or both.

"(d) The circumstances referred to in subsection (a), (b), and (c) are that—

"(1) for the purpose of executing or concealing such scheme or artifice or attempting to do so, the person so doing—

"(A) places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing;

"(B) transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce any writings, signs, signals, pictures, or sounds;

"(C) transports or causes to be transported any person or thing, or induces any person to travel in or to be transported in, interstate or foreign commerce; or

"(D) in connection with intrastate, interstate, or foreign commerce, engages the use of a facility of interstate or foreign commerce;

"(2) the scheme or artifice affects or constitutes an attempt to affect in any manner or degree, or would if executed or concealed so affect, interstate or foreign commerce; or

"(3) as applied to an offense under subsection (b), an objective of the scheme or artifice is to secure the election of an official who, if elected, would have some authority over the administration of funds derived from an Act of Congress totaling \$10,000 or more during the 12-month period immediately preceding or following the election or date of the offense.

"(3) Whoever defrauds or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States of the honest services of a public official or person who has been selected to be a public official shall be fined under this title, imprisoned for not more than 20 years, or both.

"(f) Whoever, being an official, public official, or person who has been selected to be a public official, directly or indirectly discharges, demotes, suspends, threatens, harasses, or in any manner discriminates against an employee or official of the United States, a State, a political subdivision of a State, or an Indian tribal government, or endeavors to do so, in order to carry out or to conceal any scheme or artifice described in this section, shall be fined under this title, imprisoned for not more than 5 years, or both.

"(g) For the purposes of this section—

"(1) the term 'official' includes—

"(A) any person employed by, exercising any authority derived from, or holding any position in an Indian tribal government or the government of a State or any subdivision of the executive, legislative, judicial, or other branch of government thereof, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established and subject to control by a government or governments for the execution of a governmental or intergovernmental program;

"(B) any person acting or pretending to act under color of official authority; and

"(C) any person who has been nominated, appointed, or selected to be an official or who has been officially informed that such person will be so nominated, appointed, or selected;

"(2) the terms 'public official' and 'person who has been selected to be a public official' have the meanings stated in section 201(a) and shall also include any person acting or pretending to act under color of official authority;

"(3) the term 'State' means a State of the United States, the District of Columbia, Puerto Rico, and any other commonwealth, territory, or possession of the United States; and

"(4) the term 'under color of official authority' includes any person who represents that such person controls, is an agent of, or otherwise acts on behalf of an official, a public official, or a person who has been selected to be a public official."

(b) TECHNICAL AMENDMENTS.—(1) The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following item:

"226. Public corruption."

(2) Section 1961(1) of title 18, United States Code, is amended by inserting "section 226 (relating to public corruption)," after "section 224 (relating to sports bribery)."

(3) Section 2516(1)(c) of title 18, United States Code, is amended by inserting "section 226 (relating to public corruption)," after "section 224 (bribery in sporting contests)."

SEC. 202. FRAUD IN INTERSTATE COMMERCE.

(a) AMENDMENT OF TITLE 18 OF THE UNITED STATES CODE.—Section 1343 of title 18, United States Code, is amended—

(1) by striking "transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds" and inserting "in connection with intrastate, interstate, or foreign commerce, engages the use of a facility of interstate or foreign commerce"; and

(2) by inserting "or attempting to do so" after "for the purpose of executing such scheme or artifice".

(b) TECHNICAL AMENDMENTS.—(1) The heading of section 1343 of title 18, United States Code, is amended to read as follows:

"§ 1343. Fraud by use of facility of interstate commerce".

(2) The chapter analysis for chapter 63 of title 18, United States Code, is amended by striking the analysis for section 1343 and inserting the following:

"1343. Fraud by use of facility of interstate commerce."

SEC. 203. PRESERVATION OF THE EFFECT OF STATE LAW THAT PROVIDES GREATER PROTECTION AGAINST VOTE FRAUD.

In the case of any conflict between the provision of this Act and any provision of the

civil or criminal law of any State, the law of the State shall prevail to the extent that such State law provides for more stringent suppression of vote fraud than this Act.

Amend the title so as to read "An Act to establish national voter registration procedures for Presidential and congressional elections, and for other purposes."

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. THOMAS] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

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

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this substitute is fairly simple, and it underscores the difference that apparently failed to be understood in the major arguments against S. 250.

This is a block grant program which funds, the ability of States to carry on a motor-voter program if they so desire and a voter verification program if they so desire. It contains \$25 million for States to assist their voters in more easily being placed on the rolls and for the States to have a more accurate roll for carrying out its elections.

That is basically the sum and substance, except for title II, which is a fraud section. It attempts to place some teeth in the law for those people who would believe that, because we believe more people should be registered, it is an opportunity for carrying out fraudulent practices in an election.

This substitute is not to be an invitation to fraud. It is an invitation for more people to participate in a fundamental act of their government.

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

□ 1630

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

The CHAIRMAN. The gentleman from Washington is recognized for 30 minutes in opposition to the amendment.

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

Mr. Chairman, in beginning another hour of debate, this one on the substance, I would like to make one point. Others can be made later. That is that the substitute says that it is voluntary. Once we realize that, it is not very important what else is in the substitute. It has no force at all. The States now can do this voluntarily, so what the amendment is is not a serious effort to try to come up with an alternative approach to assuring that voter registration is eased in all the States, but it is, rather, something that tries to gloss over the reality by the simple word "may."

Yes, the provision this is an amendment to is a bill that says all the States will provide the opportunity for citizens to register when they renew

their driver's license. They may have the opportunity to register through direct mail, and they will have available to them agency registration. It says the States will do that. The moment an alternative comes in and says "may," it means, "We are not going to do anything."

The States may do that now and many States in fact have. The majority of people in this country today can register by mail. Many States already have motor-voter. There is nothing, in fact, in this bill that is not in place and working in some of the States at the present time.

For the reasons I listed just as we closed debate a few minutes ago, the fact that in a free society it is government's responsibility not to provide high hurdles for the citizen to jump over in order to be able to get at his right to vote, it is government's responsibility to facilitate the ability of a citizen to meet what minimal requirements are necessary to assure we have an accurate roll, and then facilitate the citizen's way past that to the ballot box.

The substitute as offered says "may." It is voluntary. We have all that now. It has no effect. Therefore, I suggest that we get on with the vote on that and move to passage of a bill that will in fact facilitate the ability of Americans to get from where they are to the ballot box, the way they have every right to do.

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

Mr. THOMAS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, I love the gentleman's comment about how a free society should be operated, or I should say, a free society should be mandated, and that in a free society, we have to tell the States exactly how to handle their election laws because they do not know how to do it themselves.

Of course, it is a coincidence that the State of Washington has already passed their own version of a motor voter law, and it is irrelevant, so we have got to go ahead and tell them to conform to Federal standards. We have to tell Louisiana to conform to Federal standards. We have to tell every State to conform to Federal standards. But I do not understand. It seems to me in a free society a State ought to be able to choose its own electoral process.

Mr. Chairman, I rise in strong support of the Republican substitute to S. 250. Passing the substitute is the only chance for Congress to really improve the Nation's voter registration procedures in this session of the Congress. S. 250 will be vetoed by the President and the veto will be sustained. If the Members vote against this reasonable substitute, I hope they will not cry croco-

dile tears when the President delivers the well-deserved veto of what I would call the auto-fraudo bill.

The Republican substitute will make the Federal voter registration requirements voluntary, which apparently is anathema to the gentleman that just spoke. It will make it voluntary for the States, thereby affirming the constitutional and historic authority of the States to conduct elections.

The Justice Department, in a letter to the chairman of the Senate Committee on Rules and Administration, wrote,

While Congress has some authority to preserve the integrity of the Federal election process by taking steps to prevent fraud, it cannot encroach upon the exclusive power of the States to regulate the manner in which elections are conducted.

But that is what this bill would do.

The States are in the best position to know which mechanisms are most likely to increase voter turnout, at what cost the State can afford, and without increasing the likelihood of election fraud. In comparison, S. 250 would trample those States rights and prevent the States from tailoring their individual approaches to their own particular problems and circumstances.

The Republican substitute encourages the States to adopt motor-voter registration while providing matching grants for State voter registration efforts. The carrot approach embodied in the Republican substitute will encourage States to enact improvements in voter registration without the big stick of unfunded Federal mandate. Also, the Republican substitute contains a strong public corruption title that would significantly increase the ability of the Federal criminal justice system to prosecute electoral fraud. The substitute preserves State law if it provides greater protection against voter fraud.

Most importantly, the Republican substitute will not prevent the States from implementing procedures which will ensure accurate voting rolls and prevent fraud. S. 250 ties the hands of State elections officials and invites fraud.

Mr. Chairman, I include at this point a letter from the Louisiana Registrar of Voters Association, Inc., which illustrates their opposition to S. 250:

LOUISIANA REGISTRAR
OF VOTERS ASSOCIATION, INC.,
Franklin, LA, May 22, 1992.

DEAR LOUISIANA REPRESENTATIVE: On behalf of the Louisiana Registrar of Voters Association, Inc. I would like to urge you to vote against Senate Bill 250. Although this bill contains provisions for registration that we do not oppose and that we currently have in effect in the State of Louisiana it also contains provisions that we oppose and could possibly lead to election day registration.

For years the Association has worked with the legislature in Louisiana to provide the best voter registration laws possible for our people. We currently rank high in the United States in number of eligible citizens reg-

istered to vote and also number of voters participating in elections.

Please allow our Association and the legislature of Louisiana to provide the best methods of registration for our people. Therefore, we urge you to consider voting against SB 250.

Thank you for your consideration regarding the above mentioned bill.

Sincerely,

STEVEN BERNARD,

President, LA Registrar of Voters Assoc.

Mr. Chairman, Project Human Serve, a group devoted to removing registration requirements, writes:

Current policies in all but a few States allow election officials to strike people from the rolls if they do not appear at the polls during some specified period, * * * a practice that would be prohibited by the S. 250.

In addition, S. 250 forces States to accept mail registration but expressly prevents States from requiring notarization or authentication. I guess the States do not know what they need to address fraud.

In short, the Republican substitute provides both funds and flexibility to the States while at the same time providing Federal prosecutors with stronger tools to combat election fraud and preserves the States rights to prevent fraud. I urge my colleagues to support this responsible approach, and simply, again, suggest that if we are going to operate in a free society, the States should be free to set their own electoral laws.

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

Mr. LIVINGSTON. I am delighted to yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I was fascinated by the gentleman's discussion.

Mr. CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has expired.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I was fascinated by the gentleman's discussion of electoral problems in his own State that occurred before he got to the Congress, which I presume gives him some particular expertise over and above ordinary Members of Congress.

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

Mr. CONYERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, certainly I have a personal acquaintance with the ramifications of fraud. I will tell the gentleman, they are deadly. They do steal elections in this country. They do steal elections in my State. I think S. 250 makes it easier to steal elections. I am against that.

Mr. CONYERS. Mr. Chairman, the gentleman's background and experience from the proximity of his congressional district and State would, of course, make him one that I would listen very carefully to, as I did in the

Committee on Rules. I do not think there is anywhere in the country where one could get the kind of background that would lead one to have the kind of experience that would lend him the voice of authority here.

I am sorry to understand that the President would veto this bill even with the Republican amendment.

Mr. LIVINGSTON. Mr. Chairman, I do not think that is the case.

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. RICHARDSON) 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 communicated to the House by Mr. McCathran, one of his secretaries.

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

□ 1639

NATIONAL VOTER REGISTRATION ACT OF 1992

The Committee resumed its sitting.

□ 1640

Mr. SWIFT. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, I rise in strong support of the Motor-Voter Registration Act and against the substitute.

Mr. Chairman, what we are trying to do is simply make it easier for people to vote. Now what is wrong with that? That is the purpose of a democracy.

If we look at what is happening today nationally, let us look squarely at the Perot factor. Hundreds and thousands of Americans are wanting to get involved in the political process because they are concerned about the gridlock brought forth by both parties. What are we going to say to those people? We should make it easier for them to participate in the political process so that we do not have 48 percent of the eligible voters voting in Presidential elections, below most Western democracies, below Central American countries that have never had elections in this century.

Mr. Chairman, let us also think about rural voters. I represent Indian reservations primarily, also rural Hispanic voters. Is there anything wrong with getting them to register to vote and to bring up their very low participation rates by using motor voter? My State of New Mexico in 1991 passed this kind of legislation. Do we say to our

native Americans, our Indian people, the first Americans who vote only about 7 percent of the time that we will continue to make it difficult for them to vote? They have to go to the Navajo Reservation main office which is hundreds and hundreds of miles away to register? Should they not be able to register by license if 78 percent of the American people have driver's licenses? Should we not make it easier?

Mr. Chairman, low rates of voter participation threaten the legitimacy of our democratic process, and 60 million Americans are not registered to vote. However, most registered voters do indeed exercise their right to vote. Of those who are registered, 80 percent to 90 percent vote in Presidential elections. These figures stress the urgency of expanding access to voter registration.

Minorities are among those most unlikely to register to vote. Perhaps the most important impact of this legislation will be the registration of these groups. Are we afraid of minorities voting? In 1980, only 53.5 percent of the total eligible Hispanic voters were registered to vote. What is worse, this figure has decreased during the past decade. In 1990, only 51.9 percent of the total eligible Hispanic voters were registered to vote compared to 67 percent of the eligible white population.

Mr. Chairman, let us pass the Swift legislation.

Mr. Chairman, I rise today to express my strong support for the National Voter Registration Act. By streamlining the voter registration process, this legislation reaffirms our commitment to democracy and, if signed into law, this legislation will give a political voice to millions of Americans.

Low rates of voter participation threaten the legitimacy of our democratic process. Sixty-eight million citizens are not registered to vote. However, most registered voters do indeed exercise their right to vote. Of those who are registered, 80 to 90 percent vote in Presidential elections. These figures stress the urgency of expanding access to voter registration.

Minorities are among those most unlikely to register to vote. Perhaps the most important impact of this legislation will be the registration of these groups. In 1980, only 53.5 percent of the total eligible Hispanic voters were registered to vote. What's worse, this figure has decreased during the past decade: In 1990, only 51.9 percent of the total eligible Hispanic voters were registered to vote, compared to 67 percent of the eligible white population. By simplifying and standardizing the voter registration process, the National Voter Registration Act will result in 90 percent registration of all eligible voters.

As a champion of the democratic system, our country must dismantle the obstacles to voter registration, just as we removed barriers to voting itself, such as poll taxes and literacy tests. If we are to call ourselves a democracy, we must affirm the fundamental right to vote.

The National Voter Registration Act is a strong symbol of Congress' commitment to the

American people. I am proud to lend my support to this important legislation and I urge my colleagues to do the same.

OPPOSITION ARGUMENTS—OUR RESPONSES

This bill is coming to the floor with no hearings or consideration by the committee of jurisdiction. This procedure subverts the democratic process and the rules of the House.

This bill has been the subject of more "democratic process" than almost any other—for over five years we have heard testimony on, debated, amended, negotiated, and compromised on a voter registration improvement proposal. S.250 is not a new proposal—it's the same checklist of reforms that passed the House with bi-partisan support in the last Congress. Many of us have personally conceded provisions that we'd worked on for years, in order to develop a consensus bill that would receive bipartisan support. And we had that bill in that last Congress, with Gingrich and Thomas leading the fight on the minority side. It would be a waste of valuable taxpayer's money to spend more of this Congress' time and energy putting this legislation through the long committee process, when it's been through that numerous times.

The bill requires voter registration at welfare offices and unemployment offices. Applicants would be highly susceptible to coercion by public officials, or to the perception that their benefits were linked to registering for the "right" party.

It is the worst kind of duplicity for those Members on the minority side who supported this proposal in the last Congress which included agency registration, to now turn around and argue that agency registration invites fraud. And even more reprehensible is the Dear Colleague that was circulated by the Minority Leadership—instead of arguing against all agency registration, they selected only the welfare and unemployment office registration as being potentially fraudulent. One can only conclude that they wish to exclude the poor and the unemployed from fully exercising their democratic right to vote. 87% of the population has a driver's license—the purpose behind agency registration is to register those persons who are unlikely to be registered under the Motor-Voter program—the elderly, those persons with disabilities, and the poor. It is a disgrace to try to pick and choose among these groups in deciding who will vote, and who will be ignored.

As Bill Thomas, who now stands opposed to agency registration, said in support of this program "When you can charge with a VISA card anywhere in the USA in 5 seconds, there is no reason we cannot stop fraud at the polling place if we are determined to do so. Honest people should not be penalized by making it more difficult to register, using the excuse of voter fraud."

It requires the states to allow mail registration while simultaneously limiting the ability of the states to verify the applicant's identity and eligibility.

27 states currently have a successful mail-in registration programs, and S. 250 will set a fair national standard to provide equal treatment for registrants from state to state. As for verifying the identity of mail-in registrants, S. 250 specifically give states the power to require in-person voting for new mail registrants in a jurisdiction. The only persons exempt from that requirement are those protected under federal statutes, like the Voting Accessibility for the Elderly and Handicapped Act. It is hard to imagine any better verification than in-person voting.

If a state wishes to avoid the costs and mandates of the bill, it must allow election day registration. Merging registration and voting into one simultaneous act precludes meaningful verification and invites fraud.

Same-day registration is not a part of this bill, and we are not imposing any restrictions which would encourage or require States to adopt such a plan. In fact, when the Congressional Budget Office conducted their study in the last Congress, it found an annual average of \$20-25 million dollars for local and state governments to implement this plan—States like Michigan have implemented their own Motor-Voter programs with nominal costs. You can look to Minnesota, which spent a grand total of \$65,000 per year, processed 200,000 Motor-Voter transactions at a cost of 33 cents each, and didn't hire a single new full-time employee. Many States have taken the initiative in devising Motor-Voter and Agency registration programs, and this bill builds on the momentum by setting national guidelines for every State. Those States, like the Minority Leader's home State of Illinois, which have consistently resisted reasonable registration reform are now creating cost estimates that boggle the imagination—I suggest that they use the model programs of Michigan, Minnesota, Oregon, or any of the other States which have successful, cost-effective programs.

The percentage of voter participation went down in some States after they adopted Motor-Voter. Motor-Voter doesn't really work the way they say it does.

This is a red-herring to make people think that Motor-Voter isn't effective: their statistics on voter participation are a comparison between the registered population and the number who vote in an election. So the fact is that a State can register hundreds of thousands of eligible voters in one year under a new Motor-Voter program, and if half those new registrants vote you'll still have a 50 percent percentage rate. The hard numbers go way up, but the percentage stays the same—it's easy to be misled. (Ex: 30 registered voters, 15 actually vote = 50 percent rate; 100,000 registered voters, 50,000 actually vote = 50 percent rate)

S. 250 requires the Federal Election Commission to write and impose on the States regulations for voter registration nationwide. The costs to the FEC are not reimbursed.

The Federal Election Commission is not required to anything more than to create regulations for this program, to draft the standard mail-in registration form, and to report to Congress once every 2 years on the status and impact of the voter registration program. All these responsibilities are within the jurisdiction of the FEC, and none require extra funding at this time.

Mr. THOMAS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL], our minority leader and the author of the substitute, whose understanding of election law, based upon his State that he is from, is perhaps more personal than for most of us.

Mr. MICHEL. Mr. Chairman, I appreciate the gentleman from California yielding me the time. May I applaud him for the manner in which he has acquitted himself today, both during the course of the general debate and in consideration of the substitute amendment to S. 250.

I obviously rise in support of the substitute being offered on our side. S. 250 is in desperate need of repair.

The moniker given this bill, motor-voter, is indeed a misnomer. The gentleman from Louisiana [Mr. LIVINGSTON], who preceded me in the well, referred to it I think as auto-fraudo which is probably a very appropriate moniker to be attached to it.

The American people do not want a return to those days of yesteryear when some voters were encouraged to vote, as we have referred to it so many times out in Illinois early and often.

Increasing voter participation at the expense of honest elections, frankly, is not worth the cost. And our substitute significantly strengthens the voter fraud provisions of S. 250. Without these important modifications the bill is, frankly, dead on arrival at the White House.

Our substitute also provides \$25 million in block grant money to implement those voter registration programs.

Our Nation's Governors agree there are too many Federal mandates made on the States that come without Federal money. As a result, the States have been forced to make very dramatic cuts of some very important programs. Our substitute encourages the States to start with their own innovative programs to increase voter participation without telling them how to do it.

The American people want and will bring about change in the status quo, if the early polls are correct. But such a determination to change the system to participate in our form of government, to vote, must be done in a legal and honest manner. Exposing the system to the potential of widespread abuse is no solution to the problem of decreased voter participation.

Theresa Petrone of the State board of elections in my home State of Illinois put it best when she said:

Though the intent of this proposed legislation to increase voter participation is commendable, the implementation requirements will greatly increase the potential of vote fraud and impose a significant monetary burden on the States.

Our substitute addresses both of those concerns. It makes the changes to S. 250 that are critical to its survival, and I would urge all of my colleagues to support it.

I would also say, without a doubt that if our substitute were adopted there would be no question that we would have a favorable nod by the folks down Pennsylvania Avenue to the degree that the President could sign it into law, and that is why we offer the substitute in good faith, because we know it is something that could be supported by the Chief Executive, and obviously signed into law. And I think that is what we are really looking for.

Mr. SWIFT. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Chairman, I want to thank you for the opportunity to express my strong support for S. 250—the National Voter Registration Act. Over the past 3 years, we have watched many formerly totalitarian countries hold open democratic elections for the first time in decades. I am always amazed at the turnout in the countries of the former Soviet bloc, for instance. Despite the lack of recent first-hand experience in conducting elections, a huge percentage of the eligible population has turned out for each election. In Central America, over the past decade, we have seen people turn out to vote despite the threat of violence at the polls. The great desire to embrace free elections around the world stands in sharp contrast to the often ambivalent attitude Americans take toward our 200-year-old tradition of voting.

That is why I am strongly in favor of S. 250, which closely resembles a measure approved by this House in 1990. I believe that any steps we can take to strip away impediments to voting can only improve the American democratic process. In many parts of the country, voter registration levels are only slightly over 50 percent. It is estimated that difficulties with registration are now blocking 70 million Americans from voting.

Even if motor-voter and mail-in registration reaches only 20 percent of this total—that would still mean 14 million new voters, a huge number. Democracy works best with the most people involved. These new procedures are also a boon for the elderly and handicapped people who have difficulty getting to a municipal building to register in person.

Mr. Chairman, I also believe this measure adequately addresses the questions of potential fraud and misuse of voter lists. The penalties are realistic and enforceable. Many States have taken steps to improve and update their voter lists. This bill sets forth some commonsense registration guidelines. I believe these guidelines are long overdue. S. 250 is not a partisan bill—all political parties and candidates will benefit from the removal of registration barriers and from new opportunities for easier registration. I urge my colleagues to support this important measure.

□ 1650

Mr. THOMAS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. ROBERTS], a member of the Committee on House Administration.

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

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the Michel substitute. I want to make it

clear that the substitute should not be viewed as a partisan package meant to scrap the past efforts to improve the process.

The basic truth is that S. 250 is flawed in many ways. We heard all the comments in regard to cost and the potential for fraud, and the administrative burdens that this legislation will place upon the States.

This measure attempts to address all of these concerns and points, and I do not know of anybody in this House who is opposed to increasing the registration of voters. In fact, the Republicans have long fought for legislation to increase participation through various campaign finance reform measures. We want to open it, the election process, to all Americans.

The Michel substitute does contain many substantial provisions. There are real strong positives. First and foremost, it creates a national voter registration program. Second, it strengthens the fraud provisions contained in S. 250 and allows State law that is more explicit, with punishment more forceful, to be retained, and, finally, the Michel substitute would make the program voluntary for States that already adopted the various voter registration programs, and it would authorize \$25 million to be provided to State governments to improve the voter registration.

During the previous hour's debate, it seems to me the focus has been, as the gentleman from Vermont [Mr. SANDERS] has indicated, that we have a theory here that motor-voter is the culmination of democracy, and to oppose it is basically standing in the way of justice and the American way. Let the RECORD show, and I want to repeat it again, that nobody in this body is opposed to more voter registration and more participation in the voting process, nobody.

The gentleman from Vermont [Mr. SANDERS] and the proponents of this bill believe that too few Americans vote. I agree. But the reasons they do not vote hinges on barriers to registration, and to that I disagree.

In the last 40 years, the voter registration in America, during the Presidential election years, has remained fairly constant despite the massive reforms that have removed the roadblocks in many States—literacy tests, property ownership, poll taxes, residency requirements. Long ago they were torn down and rightly so.

The facts are that registration has remained fairly constant since 1948, around 70 percent. The truth is there is very little correlation between registration and actual voting. The voting percentage in the Presidential elections has dropped to around 50 percent, and the 30-percentile range for congressional elections.

Why? Why are people not voting? Disillusionment with the process, a

lack of good candidates, the absence of true election reform, a government that simply does not address the needs of the individual, whether they be from the inner city or a rural area, or economic status, or minority or whatever.

The need for accountability, a strong two-party system where the parties stand for something, Congress needs to clean up its act, and we are trying to do just that, negative campaigning, gridlock in the House as evidenced by this legislation. Those are the reasons, those are the reasons that people are not voting.

Let us not forget that the American people vote all the time, for school boards, for local community candidates, bond issues, and, yes, also in national elections.

That is why the turnout does not compare favorably with many foreign countries. You put a school bond issue or a competitive local race on the ballot and you hold an election where people can actually influence government one way or another, and they will vote.

Can we also stress that voting is a cherished right, but it is also a privilege, and it carries with it the responsibility of getting informed and getting registered, and getting to the polling place, and an uninformed and real apathetic voter may be worse than no vote at all.

One final thought, you know, we went through a debate in this House in regard to our official mail around this place and the use of registered voter mailing lists, to wash out those who were not registered. Do you remember that? The argument that the majority made at that time was that we were just cleansing our mail to the folks who really counted. The practice of using Member office funds to wash individual mailing lists to include only those registered to vote is wrong, and so is S. 250.

I urge my colleagues to vote for a reasonable, a reasonable substitute as introduced by the gentleman from Illinois [Mr. MICHEL].

I rise in support of the Michel substitute to S. 250.

Unfortunately, and completely due to the majority's efforts, this substitute is the single opportunity that the minority has been allowed to improve upon this legislation.

However, this substitute should not be viewed as a partisan package meant to scrap the past efforts to improve the U.S. election process. It is meant to correct certain inconsistencies and concerns associated with S. 250.

S. 250 is flawed in many ways. We have heard numerous comments on the cost, the potential for fraud, the administrative burdens this legislation will place upon the States. This measure attempts to address all these concerns and points, while preserving the fundamental principle in which S. 250 is based upon—increasing voter participation.

I do not know anyone opposed to increasing voter registration. In fact, Republicans have

long fought for legislation to increase voter participation through various campaign finance reform measures. Republicans want to open the election process to all Americans. Republicans fully embrace efforts to strengthen the concept of one man, one vote.

Mr. Chairman, the Michel substitute contains many substantial provisions. First, and foremost, it creates a national voter registration program. Second, it strengthens the fraud provisions contained in S. 250 and allows State law, that is more explicit and punishment more forceful, to be retained. Finally, the Michel substitute would make the program voluntary for States that already adopted voter registration programs and it would authorize \$25 million to be provided to State governments to improve voter registration. Millions of dollars have been invested by State governments in recent years to increase voter registration. Why should these efforts be thrown away? Why should not States be provided an opportunity to improve their current efforts and be given Federal dollars to assist them. Current registration programs are working. Voter registration has been increasing, although voter participation has been falling.

Again, I would like to stress that as a Republican member of the House Administration Committee in the 102d Congress, I would have and continue to welcome the opportunity to bring any voter registration bill before our committee. I would urge my colleagues to support the Michel substitute and improve State voter registration programs.

During the previous hour's debate, Mr. SANDERS provided us with the theory that motor-voter was the culmination of democracy and to oppose it was basically standing in the way of justice and the American way.

Let the RECORD show that no one in this body is opposed to more voter registration and more participation in the voting process. Mr. SANDERS and the proponents of the bill believe that too few Americans vote, I agree, but the reasons they do not vote hinge on barriers to registration, and to that, I disagree.

In the last 40 years, voter registration in America during the Presidential election years has remained fairly constant despite the massive reforms that have removed roadblocks in many States. Literacy tests, property ownership, poll taxes, residency requirements were torn down long ago, and rightly so.

The facts are that registration has remained fairly constant since 1948; around 70 percent. The truth is there is very little correlation between registration and actual voting. The voting percentage in Presidential elections has dropped to around 50 percent and in the 30 percentile range for congressional elections.

Why? Disillusionment with the process. A lack of good candidates. The absence of true election reform. A Government that simply does not address the needs of the individual. The need for accountability, a strong two-party system where the party stands for something, a Congress that needs to clean up its act, and we are trying to do just that. Negative campaigning. Gridlock in this House. Those are the reasons people are not voting.

And, let us not forget the American people vote all of the time, for school boards, for local community candidates, for bond issues, and yes, in national elections. That is why the turn-

out does not compare favorably with many foreign countries. Put a school bond issue or a competitive local race on the ballot and hold an election where people can actually influence government one way or another and they vote.

And, can we also stress that voting is a cherished right but it is also a privilege and it carries with it the responsibility of getting informed and getting registered and getting to the polling place. An uninformed and apathetic voter may be worse than no vote at all.

Remember the story about the two volunteers registering voters in the cemetery and quitting about half way through when one turned to the other and said, lets finish the job, the folks in this part of the cemetery have just as much right to vote as the folks we have already registered. Integrity of our election process is just as important as turnout.

One final thought. You know we went through a debate in this House regarding our official mail and the use of registered voter mailing lists to wash out those who were not registered. Remember that? The argument the majority made at that time was that we were just cleansing our mail to the folks who counted. The practice of using Member's office funds to wash individual mailing lists to include only those registered to vote is wrong.

Mr. SWIFT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I must confess that I am a little confused by the debate.

We have heard one gentleman say Government has got to get its nose out of the people's business and objected that this bill mandates some things, and then we hear what is wrong with the bill is that it does not mandate things.

H.R. 2190 mandated two specific ways of purging the lists. This bill mandates that lists will be purged, but it does not mandate exactly how. It gives States additional flexibility.

The former bill mandated a specific application form. This sets some general standards and gives more flexibility.

The former bill mandated a lot more places where registration forms had to be available. This mandates fewer and leaves completely open to the States what they want.

Mr. Chairman, I think sometimes we have to decide whether we want mandates or not, and not criticize the bill both because it has them and because it does not.

Let me address one other major issue that is being raised here, and that is the whole question of fraud. This is a bugaboo that has been waved around. It started in the Senate described as the primary thing that was wrong with this bill, as though this bill in some way was going to increase the opportunity for fraud. It does nothing of the sort. It leaves everything that currently exists in place; all the antifraud provisions that are in place in any State in any place at the present time are left untouched, and it does these additional things: This bill gives Fed-

eral prosecutors the right to prosecute in Federal court for any election fraud at any level, State or local. It addresses all the fraud concerns, and, first, an attestation clause that sets out all requirements for eligibility to vote; second, a signature that the applicant must provide under penalty of perjury; third, the States may require by law that a first-time voter who registers by mail make a personal appearance to vote; fourth, that each applicant is to be given notice of the disposition of his or her registration. Many States use this notice as a means of detecting fraudulent registrations. And, fifth, Federal criminal penalties would apply to any person who knowingly or willfully engages in fraudulent conduct.

Motor-voter does not automatically register people to vote. It automatically serves as an application to register to vote, and this allows for State election officials to use discretion and review each application and decide if an applicant is a minor, a noncitizen, or in some other way a fraudulent registrant.

As regards the whole issue of mail registration, which most States and most Americans currently can use, a letter from the chief elections officer of the State of Mississippi, the Honorable Dick Molpus, who is the secretary of state, says that:

I am proud that on July 1, we will begin voter registration by mail, the 27th State to do so. During a heated public debate on the merits of mail-in registration, my office conducted an extensive nationwide study of voter registration with particular emphasis on determining the potential for fraud during registration.

And he underlined the next sentence, "We could find no evidence of registration fraud."

It is a red herring. Every protection against fraud that is currently in effect in this country today will be in effect if this law passes, and this law adds additional protections. The only thing fraudulent here is the argument against the bill about fraud.

Mr. Chairman, I am including at this point in the RECORD the letter from the secretary of state of the State of Mississippi, as follows:

STATE OF MISSISSIPPI,
SECRETARY OF STATE,
Jackson, MS, March 20, 1992.

Hon. ALFONSE D'AMATO,
U.S. Senate, Washington, DC.

DEAR SENATOR D'AMATO: Our citizens cannot participate in American democracy unless they are registered to vote. The "Motor Voter" bill to come before you soon is a creative, modern way to make voter registration available to some people who might have difficulties registering in more traditional ways. I hope you will support "Motor Voter" as a good way to extend enfranchisement, while safeguarding the integrity of the electoral process.

In my state of Mississippi, I am proud to say that July 1 we will begin voter registration by mail—the 27th state to do so. During a heated public debate on the merits of mail-in registration, my office conducted an ex-

tensive nationwide study of voter registration with particular emphasis on determining the potential for fraud during registration. We could find no evidence of registration fraud. The U.S. Postal Service confirmed that it has had virtually no instances of registration fraud. In other words, mail-in voter registration is effective and safe.

As my state's chief elections officer, I also believe a well-crafted "Motor Voter" system will be effective and safe. If you or your staff would like a copy of our mail-in registration research, please contact me. I will be happy to provide you with a copy. Public officials such as you and I must search for ways to help Americans participate in their government. I believe mail-in and "Motor Voter" registration are two such ways.

Sincerely yours,

DICK MOLPUS.

□ 1700

Mr. THOMAS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. GILLMOR], who, had this underlying bill been brought to the committee, would have had a chance to examine it in the appropriate committee structure of the Subcommittee on Elections of the Committee of House Administration.

Mr. GILLMOR. Mr. Chairman, I rise in support of the Michel substitute.

Mr. Chairman, I rise today in support of the Michel substitute to S. 250, the so-called motor-voter bill.

I would have preferred to be rising in support of the amendment I offered in the Rules Committee last Wednesday. That amendment would have made State compliance with the provisions of S. 250 optional unless and until this new Federal mandate was fully funded by the Federal Government.

Unfortunately, my amendment—one designated as a "key amendment" by the National Association of Counties—was not made in order by the committee.

I am not one who believes that S. 250 is necessary. Administrative burdens to voting have generally been reduced over the years, and at the same time voting has declined. People register because they want to vote. They do not vote—just because they are registered.

Men and women elected to this body should not ram the costs of the legislation down the throats of State and local governments.

If you really want to bring people back into the elections process, perhaps we should start by restoring some consistency and responsibility to our actions here on the floor of the House.

It is no wonder that the American people listen to very little of what we say, and believe even less.

Just 5 days ago, we debated the need for a balanced budget amendment. We heard eloquent speeches by Members saying that we did not need the amendment, that all we needed was a little backbone, a little guts, to prioritize, to make the hard decisions, and to live within our means.

How soon those empty words were forgotten.

The fiscal responsibility of this body has been in question for some time. Now we are reaching with both hands into the treasuries of the States.

Mr. Chairman, the problem is that the States do not have the luxury of buy-now and pay-later.

In my home State of Ohio, Governor Voinovich and the legislature simply cannot afford to fund another Federal pet project. They already have their hands full making ends meet now to fund vital State services. They are already making hard decisions.

In April of this year, in large part because of Federal mandates, 96,000 Ohioans were removed from the general assistance rolls due to lack of funding. State employee unions are faced with a best case of either freezes in salaries or significant layoffs in their collective bargaining negotiations because of a lack of funding. Public universities once again as a result of Federal mandates, are facing millions of dollars in cuts and State agencies are bracing for future cuts of as high as 20 percent because they simply do not have the money.

Mr. Chairman, I think it would be fair to ask the sponsors of this bill how many more poor people you want to cut off of welfare in Ohio and other industrial States, how many more students you want to deny college education to fund your pet projects.

Mr. Chairman, I intend to vote for the Michel substitute, for the motion to recommit and, if necessary, against the final passage, not because I am opposed to voter participation, but because this body will not fund this mandate.

If this legislation is a priority, fine. Fund it. If it is not, let us not pass it.

Mr. SWIFT. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I rise in full support of this bill and would just point out that the arguments made by the Republican side are fully rebutted by People for the American Way, who will tell anyone who asks that this bill is almost exactly the same as last year's bill. There is no difference and it is good for America.

Mr. Chairman, I want to pay tribute to several people who worked on this bill last Congress who made this historic day possible.

The first one is Bill Gray. As majority whip during the last Congress, he brought the various civil rights and public interests groups together on a compromise bill that could garner Republican support and give every American the opportunity to vote, free from onerous registration rules. Certainly a tribute is deserved by our colleague, AL SWIFT of Washington. The other Members I would like to pay tribute to are the ranking Republican on House Administration and the minority whip. Last Congress they worked tirelessly on passing the motor-voter bill, and even sent letters urging its passage.

Unfortunately, they have decided to oppose this year's bill, despite the fact that the only

real difference is that the antivoter fraud sections are toughened. I can only hope that the Republicans' irrational opposition does not stem from a desire to keep voter turnout low during this election year.

Nevertheless, this is an important bill. No democracy in the world sets up voting barriers like we do. And those States that have torn these barriers down have seen a tremendous increase in voter turnout without any increase in voter fraud.

This bill will bring more democracy to more people than any bill the Congress has debated with since the Voting Rights Act of 1965. I urge its passage.

Mr. SWIFT. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

Mr. GEPHARDT. Mr. Chairman, there is a healthy revolt going on in this country among average people who feel so unrepresented that they are becoming directly involved, many for the first time, in this historic Presidential campaign.

People who never thought of themselves as political are leading petition drives. People who feel locked out of the system are now seeing the answer to their problems lying right before them; they're getting involved.

I do not fear this development; I welcome it. I want participation to increase. I want to get people off the sidelines.

I want people to enjoy the 200-year-old tradition in this country that the people of Eastern Europe and Latin America are now discovering, many for the first time.

Motor-voter legislation is the right bill for us to bring forward at this time. This legislation is aimed at increasing participation by making registration forms as accessible as driver's license forms.

It enables States to make registration by mail available. It opens new avenues for registration at State agencies and, perhaps most significant, it makes it easier for people with disabilities—people with great stakes in the political process—to participate more easily and exercise their rights as citizens.

I cannot think of a better time to widen the circle of democracy, to urge more Americans to exercise their franchise, and to bring more people into the process.

And I cannot think of a worse time to tell Americans that their vote isn't welcomed, or their participation doesn't count.

This is not a Democratic voter recruitment bill. The reality is, if you are listening to what the people are saying, is that the allegiance of Americans to particular parties is up for grabs.

We cannot win their devotion with a registration form, we have to win it with our beliefs.

And what we are saying today in this debate is that we don't care which box

on the form they check—we want them to register because we want them to participate. Once they enter the political arena, Democrats and Republicans and Perot people will enter democracy's most important contest—the competition of ideas.

The truth is this: The substitute offered by the distinguished minority leader is a pale imitation of the regular bill. It may taste great to the people who do not want legislation at all, but it is less filling for those of us who want to break down the walls to increased participation.

And increasing participation is really what this debate is all about.

At its proudest moments, during the most difficult periods of our national life, this Congress has risen to the moment and broken down barriers to widen and deepen the democratic experience.

Stopping slavery and segregation, empowering women, repealing poll taxes, the Voting Rights Act, voting rights for the District and 18-year-olds, the Americans With Disabilities Act—these constitutional amendments and Federal statutes are monuments to this democracy's ceaseless efforts at self-improvement and expansion, and they are testaments to our ability to surmount the procedural arguments and the passions, and to do what is right.

That is what we must do this afternoon.

We cannot stop now. The motor-voter registration bill is not the answer to all our democracy's problems, but it is a good place to take a stand and make a start.

If you want to validate the respect our country has earned across the world, if you want to tell the people mobilized in our country that we hear their concerns, vote for the motor-voter bill.

Mrs. BOXER. Mr. Chairman, will the gentleman yield?

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

Mrs. BOXER. Mr. Chairman, I just was really moved by the gentleman's comments.

I think this bill is far more momentous than people understand. Here we are the world's leader for democracy and yet we have one of the worst voter turnouts. Here we are, the people responsible for the fact that democracy is spreading throughout the world, and we still have this alienation and apathy.

To me this is a government of, by and for the people. That means all the people, and this bill leads us toward a more perfect democracy.

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Perhaps one of the reasons that the American voters are not voting in the numbers that we would like them to

vote is because more and more of them are watching the process. If the process looks anything like this one, it is no wonder that they chose not to participate.

I myself am a little confused about the arguments against the substitute. Is it because it allows States the option to participate, or is it because there is money in the bill to fund those States who want to participate?

It seems to me that a substitute which stresses motor-voter registration and voter verification and can be signed by the President would be something that the majority would at least want to look at, instead of dismissing it out of hand.

Their argument is that this is the bipartisan bill which passed the House, which was modified in the Senate to mandate the outreach, but not to mandate the verification. I can assure you that the language in the bill that says States must make an effort to verify whether or not voters are still there is not anything more than the "may" language of the substitute.

So on the one hand the substitute gets criticized because it is an opportunity for States to participate, while on the other hand the underlying legislation treats voter verification in exactly the same fashion, and it is wrong in the substitute but it is OK in the bill.

I think the \$25 million is more the heart of the issue. I do not think the Democrats want to put any money in any bill at any time.

The idea of dictating to the States is such an overwhelming aphrodisiac that even folks who should know better stand up on the floor and say that S. 250 will not change State law at all.

□ 1710

Whoever said that has not read S. 250, if I give them the benefit of the doubt in terms of the veracity of the statement. S. 250, if it were passed and became law, would change State election law in Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. State law would be changed in every one of those States. So to stand up and say that this does nothing to State law, that all we are doing is adding to what is already done by States, is simply untrue.

S. 250 mandates a series of requirements to the States, State law notwithstanding, and, if in contradiction to S. 250, the State law must go.

In contrast to that, the substitute says we want to work with the States,

through Federal grant, through motor-voter and other procedures for registration, and through voter verification to make it easier for Americans to vote. And by the way, we will put a pot of \$25 million out there for those States who are willing to share in working these changes.

Now, why is that so onerous? What is wrong with the bill that can become law which underscores the areas that have been discussed and which provides funding with one difference? The Michel substitute says, "States, you can reserve the right which has been historic under the Constitution to exercise your option," as opposed to S. 250, which mandates the changes, "whether you like it or not," and does not provide any funding.

It seems to me that in the condition that we find ourselves today, the Democrats willing to scuttle the compromise structure that was H.R. 2190 and substitute a partisan document which mandates with no money, that another compromise that seems reasonable is an outreach program that does fund programs, that urges States to change their laws and provides the wherewithal to do so.

That is, I believe, a reasonable compromise. It is the substitute that is in front of us and it is a substitute worthy of sending to the President so he can sign it.

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

Mr. HAYES of Illinois. Mr. Chairman, I rise today to speak in support of S. 250, the National Voter Registration Act, or as many have decided to call it, the motor-voter bill. This much needed piece of legislation would certainly increase voter participation in the electoral process. In a democracy such as ours all citizens should have the opportunity to exercise their right to vote, and as their leaders we should try to make it as easy as possible for them to accomplish that goal. Yesterday we provided the perfect opportunity to make that happen.

National voter turnout has declined steadily since 1964 in both Presidential and non-Presidential election years. In 1990, a non-Presidential election year, 34.4 percent of the national voting age population voted. In 1988, a Presidential election year, barely 50 percent of the national voting age population voted. These figures are atrocious. With the rise of democratic governments around the world, it is crystal clear how precious the freedom to vote has become. Turnout in the United States is embarrassingly low compared to many other countries and the motor-voter bill could drastically improve these dismal figures.

It has been shown that simplified registration increases voter turnout. States like Minnesota have simple registration procedures and have voter turnout that is 25 percent higher than the national average. I am confident that if such a plan existed in Illinois, voter participation among African-Americans and other minorities would dramatically increase. Linking voter registration to application, renewal or change of address for a driver's license or a

nondriver's ID is logical and cost effective, since nearly 90 percent of the American population has a driver's license or identification from a State's motor vehicle department. Since the agencies will share information, address changes and updated information from license renewal would be automatically given to the election boards.

The U.S. voter registration system is complicated and inconvenient, sometimes requiring voters to drive miles to register or update their registration each election cycle. This legislation would help alleviate this problem by allowing Americans to register quickly and conveniently.

As we approach the 1992 Presidential Elections, this country stands to have another abysmal showing at the polls. S. 250 would allow greater access to voting and therefore increase voter participation. I am thankful that 268 of my colleagues' had the courage to support the motor-voter bill, so that we can make some aspect of democracy a convenient reality for thousands.

Mr. SWIFT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California [Mr. THOMAS].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. THOMAS of California. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 192]

Abercrombie	Bilbray	Clement	Dickinson	Johnson (CT)	Olver
Alexander	Bilirakis	Clinger	Dicks	Johnson (SD)	Ortiz
Allard	Blackwell	Coble	Dingell	Johnson (TX)	Orton
Allen	Billey	Coleman (MO)	Dixon	Johnston	Owens (NY)
Anderson	Boehlert	Coleman (TX)	Donnelly	Jones (GA)	Oxley
Andrews (ME)	Boehner	Collins (IL)	Dooley	Jones (NC)	Packard
Andrews (NJ)	Borski	Collins (MI)	Doolittle	Kantjz	Pallone
Andrews (TX)	Boucher	Combust	Dorgan (ND)	Kanjorski	Panetta
Annuzio	Boxer	Condit	Dornan (CA)	Kaptur	Parker
Anthony	Brewster	Conyers	Downey	Kasich	Pastor
Applegate	Brooks	Cooper	Dreier	Kennedy	Patterson
Archer	Browder	Costello	Duncan	Kennelly	Paxon
Army	Brown	Coughlin	Durbin	Kildee	Payne (NJ)
Aspin	Bruce	Cox (CA)	Dwyer	Kiecicka	Payne (VA)
Atkins	Bunning	Cox (IL)	Dymally	Klug	Pease
AuCoin	Burton	Coyne	Early	Kluge	Pelosi
Bacchus	Bustamante	Cramer	Eckart	Kolter	Penny
Baker	Byron	Crane	Edwards (CA)	Kopetski	Perkins
Ballenger	Callahan	Cunningham	Edwards (OK)	Kostmayer	Peterson (FL)
Barnard	Camp	Dannemeyer	Edwards (TX)	Kyl	Peterson (MN)
Barrett	Campbell (CA)	Darden	Emerson	LaFalce	Petri
Barton	Campbell (CO)	Davis	Engel	Lagomarsino	Pickett
Bateman	Cardin	de la Garza	English	Lancaster	Pickle
Beilenson	Carper	DeFazio	Erdreich	Lantos	Porter
Bennett	Carr	DeLauro	Espy	LaRocco	Poshard
Bentley	Chandler	DeLay	Evans	Laughlin	Price
Bereuter	Chapman	DeLays	Ewing	Leach	Pursell
Bevill	Clay	Derrick	Fascell	Lehman (CA)	Rahall
			Fawell	Lehman (FL)	Ramstad
			Fazio	Lent	Rangel
			Feighan	Levin (MI)	Ravenel
			FIELDS	Lewis (CA)	Reed
			Fish	Lewis (FL)	Regula
			Flake	Lewis (GA)	Rhodes
			Foglietta	Lightfoot	Richardson
			Ford (MI)	Lipinski	Ridge
			Ford (TN)	Livingston	Rinaldo
			Franks (CT)	Lloyd	Ritter
			Frost	Long	Roberts
			Gallegly	Lowery (CA)	Roe
			Gallo	Lowey (NY)	Roemer
			Gaydos	Luken	Rogers
			Gedensson	Machtley	Rohrabacher
			Gekas	Manton	Ros-Lehtinen
			Gephardt	Markey	Rose
			Geren	Marlenee	Rostenkowski
			Gibbons	Martin	Roth
			Gilchrest	Martinez	Roukema
			Gillmor	Matsui	Rowland
			Gilman	Mavroules	Roybal
			Gingrich	Mazzoli	Russo
			Glickman	McCandless	Sabo
			Gonzalez	McCloskey	Sanders
			Goodling	McCollum	Sangmeister
			Gordon	McCrery	Santorum
			Goss	McCurdy	Sarpaluis
			Gradison	McDade	Savage
			Grandy	McDermott	Sawyer
			Green	McEwen	Saxton
			Guarini	McGrath	Schaefer
			Gunderson	McHugh	Scheuer
			Hall (OH)	McMillan (NC)	Schiff
			Hall (TX)	McMillen (MD)	Schroeder
			Hamilton	McNulty	Schulze
			Hammerschmidt	Meyers	Schumer
			Hancock	Mfume	Sensenbrenner
			Hansen	Michel	Serrano
			Harris	Miller (CA)	Sharp
			Hastert	Miller (OH)	Shaw
			Hatcher	Miller (WA)	Shays
			Hayes (IL)	Mineta	Shuster
			Hayes (LA)	Mink	Sikorski
			Hefley	Moakley	Siskis
			Henry	Mollinari	Skaggs
			Herger	Mollohan	Skeen
			Hertel	Montgomery	Skelton
			Hoagland	Moody	Slattery
			Hobson	Moorhead	Slaughter
			Hochbrueckner	Moran	Smith (FL)
			Holloway	Morella	Smith (IA)
			Hopkins	Morrison	Smith (NJ)
			Horn	Mrazek	Smith (OR)
			Horton	Murphy	Smith (TX)
			Houghton	Murtha	Snowe
			Hoyer	Myers	Solarz
			Huckaby	Nagle	Solomon
			Hughes	Natcher	Spence
			Hunter	Neal (MA)	Spratt
			Hutto	Neal (NC)	Staggers
			Hyde	Nichols	Stallings
			Inhofe	Nowak	Stearns
			Ireland	Nussle	Stenholm
			Jacobs	Oakar	Stokes
			James	Oberstar	Studds
			Jefferson	Obey	Stump
			Jenkins	Olin	Sundquist

Swett	Trafcant	Weldon
Swift	Unsoeld	Wheat
Synar	Upton	Whitten
Tallon	Valentine	Williams
Tanner	Vander Jagt	Wilson
Tauzin	Vento	Wise
Taylor (MS)	Visclosky	Wolf
Taylor (NC)	Volkmr	Wyden
Thomas (CA)	Vucanovich	Wyllie
Thomas (GA)	Walker	Yates
Thomas (WY)	Walsh	Yatron
Thornton	Waters	Young (AK)
Torres	Waxman	Young (FL)
Torrice	Weber	Zeliff
Towns	Weiss	Zimmer

□ 1738

The CHAIRMAN. Four hundred and seventeen Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from California [Mr. THOMAS] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Members will have 5 minutes on this vote.

The vote was taken by electronic device, and there were—ayes 133, noes 290, not voting 11, as follows:

[Roll No. 193]

AYES—133

Allard	Goss	Packard
Applegate	Gradson	Paxon
Archer	Grandy	Petri
Army	Gunderson	Porter
Baker	Hammerschmidt	Ravenel
Balenger	Hancock	Regula
Barrett	Hansen	Rhodes
Barton	Hastert	Riggs
Bentley	Hefley	Ritter
Bereuter	Heger	Roberts
Bilirakis	Hobson	Rogers
Biley	Holloway	Rohrabacher
Boehner	Hopkins	Ros-Lehtinen
Bunning	Houghton	Roth
Burton	Hunter	Santorum
Callahan	Hyde	Saxton
Camp	Inhofe	Schaefer
Campbell (CA)	Johnson (CT)	Schiff
Clinger	Johnson (TX)	Schulze
Coleman (MO)	Kasich	Sensenbrenner
Combest	Kolbe	Shaw
Coughlin	Kyl	Shuster
Cox (CA)	Lagomarsino	Skeen
Crane	Lancaster	Smith (NJ)
Cunningham	Lent	Smith (OR)
Davis	Lewis (CA)	Smith (TX)
DeLay	Lightfoot	Snowe
Dickinson	Livingston	Solomon
Doolittle	Lowery (CA)	Spence
Dornan (CA)	Martin	Stearns
Dreier	McCandless	Stump
Duncan	McCollum	Sundquist
Edwards (OK)	McCrery	Thomas (CA)
Emerson	McDade	Thomas (WY)
Ewing	McEwen	Vander Jagt
Fawell	McGrath	Vucanovich
Fields	McMillan (NC)	Walker
Franks (CT)	Meyers	Weber
Gallely	Michel	Weldon
Gallo	Miller (OH)	Wolf
Gekas	Molinar	Wyllie
Gilchrest	Moorhead	Young (AK)
Gillmor	Myers	Young (FL)
Gingrich	Nichols	
Goodling	Nussle	

NOES—290

Abercrombie	Annunzio	Bateman
Alexander	Anthony	Beilenson
Allen	Aspin	Bennett
Anderson	Atkins	Berman
Andrews (ME)	AuCoin	Bevill
Andrews (NJ)	Bacchus	Bilbray
Andrews (TX)	Barnard	Blackwell

Boehrlert	Hoyer	Pease
Borski	Huckaby	Pelosi
Boucher	Hughes	Penny
Boxer	Hutto	Perkins
Brewster	Ireland	Peterson (FL)
Brooks	Jacobs	Peterson (MN)
Browder	James	Pickett
Brown	Jefferson	Pickle
Bruce	Jenkins	Poshard
Bustamante	Johnson (SD)	Price
Byron	Johnston	Pursell
Campbell (CO)	Jones (GA)	Rahall
Cardin	Jones (NC)	Ramstad
Carper	Jontz	Rangel
Carr	Kanjorski	Reed
Chandler	Kaptur	Richardson
Chapman	Kennedy	Ridge
Clay	Kennelly	Rinaldo
Clement	Kildee	Roe
Coble	Kleczka	Roemer
Coleman (TX)	Klug	Rose
Collins (IL)	Kolter	Rostenkowski
Collins (MI)	Kopetski	Roukema
Condit	Kostmayer	Rowland
Conyers	LaFalce	Roybal
Cooper	Lantos	Russo
Costello	LaRocco	Sabo
Cox (IL)	Laughlin	Sanders
Coyne	Leach	Sangmeister
Cramer	Lehman (CA)	Sarpalius
Dannemeyer	Lehman (FL)	Savage
Darden	Levin (MI)	Sawyer
de la Garza	Levine (CA)	Scheuer
DeFazio	Lewis (FL)	Schroeder
DeLauro	Lewis (GA)	Schumer
Dellums	Lipinski	Serrano
Derrick	Lloyd	Sharp
Dicks	Long	Shays
Dingell	Lowey (NY)	Sikorski
Dixon	Luken	Sisk
Donnelly	Machtley	Skaggs
Dooley	Manton	Skelton
Dorgan (ND)	Markey	Slatery
Downey	Marlenee	Slaughter
Durbin	Martinez	Smith (FL)
Dwyer	Matsui	Smith (IA)
Dymally	Mavroules	Solarz
Early	Mazoli	Spratt
Eckart	McCloskey	Staggers
Edwards (CA)	McCurly	Stallings
Edwards (TX)	McDermott	Stark
Engel	McHugh	Stenholm
English	McMillen (MD)	Stokes
Erdreich	McNulty	Studds
Espy	Mfume	Swift
Evans	Miller (CA)	Synar
Fascell	Miller (WA)	Tallon
Fazio	Mineta	Tanner
Feighan	Mink	Tauzin
Fish	Moakley	Taylor (MS)
Flake	Mollohan	Taylor (NC)
Foglietta	Montgomery	Thomas (GA)
Ford (MI)	Moody	Thornton
Ford (TN)	Moran	Torres
Frank (MA)	Morella	Torrice
Frost	Morrison	Towns
Gaydos	Mrazek	Trafcant
Gejdenson	Murphy	Unsoeld
Gephardt	Murtha	Upton
Geren	Nagle	Valentine
Gibbons	Natcher	Vento
Gilman	Neal (MA)	Visclosky
Glickman	Neal (NC)	Volkmer
Gonzalez	Nowak	Walsh
Gordon	Oakar	Washington
Green	Oberstar	Waters
Guarini	Obey	Waxman
Hall (OH)	Olin	Wells
Hall (TX)	Oliver	Wheat
Hamilton	Ortiz	Whitten
Harris	Orton	Williams
Hatcher	Owens (NY)	Wilson
Hayes (IL)	Oxley	Wise
Hayes (LA)	Pallone	Wyden
Henry	Panetta	Yates
Hertel	Parker	Yatron
Hoagland	Pastor	Zeliff
Hochbrueckner	Patterson	Zimmer
Horn	Payne (NJ)	
Horton	Payne (VA)	

NOT VOTING—11

Ackerman	Hefner	Ray
Bonior	Hubbard	Traxler
Broomfield	Owens (UT)	Wolpe
Bryant	Quillen	

□ 1748

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. Bonior against.

Mr. THOMAS of Wyoming changed his vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

□ 1750

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. MCDERMOTT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the Senate bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, pursuant to House Resolution 480, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. THOMAS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 268, nays 153, answered "present" 1, not voting 12, as follows:

[Roll No. 194]

YEAS—268

Abercrombie	Boxer	Darden
Alexander	Brooks	de la Garza
Anderson	Brown	DeFazio
Andrews (ME)	Bruce	DeLauro
Andrews (NJ)	Bustamante	Dellums
Andrews (TX)	Campbell (CO)	Derrick
Annunzio	Cardin	Dicks
Anthony	Carper	Dingell
Applegate	Carr	Dixon
Aspin	Chandler	Dooley
Atkins	Chapman	Dorgan (ND)
AuCoin	Clay	Downey
Bacchus	Clement	Durbin
Beilenson	Coleman (TX)	Dwyer
Bennett	Collins (IL)	Dymally
Berman	Collins (MI)	Early
Bilbray	Condit	Eckart
Bilirakis	Conyers	Edwards (CA)
Blackwell	Cooper	Edwards (TX)
Boehrlert	Costello	Engel
Borski	Cox (IL)	English
Boucher	Coyne	Espy

Evans
Fascell
Fazio
Felghan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gedjenson
Gephardt
Geren
Gibbons
Glichrest
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Hopkins
Horn
Horton
Hoyer
Huckaby
Hughes
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Kantj
Kojorski
Kaptur
Kennedy
Kennelly
Kildee
Klecicka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd

Long
Lowe (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Oliver
Ortiz
Orton
Owens (NY)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Rahall
Ramstad
Rangel
Reed
Richardson
Riggs

Rinaldo
Roe
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpallus
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Sisisky
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Solaz
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torrice
Towns
Traficant
Unsoeld
Vento
Walsh
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron
Zimmer

Johnson (TX)
Kasich
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lowery (CA)
Marlenee
McCandless
McCollum
McCrery
McDade
McEwen
McMillan (NC)
Michel
Miller (OH)
Moorhead
Myers
Nichols
Nussle
Olin
Oxley
Packard
Paxon
Petri
Pickett
Porter
Pursell
Ravenel
Regula
Rhodes
Ridge
Ritter
Roberts
Rogers
Rohrabacher
Roth
Roukema
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Skaggs
Skeen
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Weber
Weldon
Wolf
Wyllie
Young (AK)
Young (FL)
Zeliff

ANSWERED "PRESENT"—1

Martin

NOT VOTING—12

Ackerman
Bonior
Broomfield
Bryant
Hefner
Hubbard
Lancaster
Owens (UT)
Quillen
Ray
Traxler
Wolpe

□ 1810

The Clerk announced the following pairs:

On this vote:
Mr. Bonior for, with Mr. Quillen against.
Mr. Lancaster for, with Mr. Martin of New York against.

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

Mr. MARTIN. Mr. Speaker, I have a live pair with the gentleman from North Carolina [Mr. LANCASTER]. Had he been present, he would have voted "yea." I, therefore, withdraw my vote and vote "present."

Mr. MARTIN changed his vote from "nay" to "present."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on S. 250, the Senate bill just passed.

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

There was no objection.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 5373, ENERGY AND WATER DEVELOPMENT APPROPRIATION ACT, FISCAL YEAR 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report

(Rept. No. 102-571) on the resolution (H. Res. 485) waiving certain points of order during consideration of the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5099, CENTRAL VALLEY PROJECT IMPROVEMENT ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-572) on the resolution (H.R. 486) providing for the consideration of the bill (H.R. 5099) to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3247, NATIONAL UNDERSEA RESEARCH PROGRAM ACT OF 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-573) on the resolution (H. Res. 487) providing for the consideration of the bill (H.R. 3247) to establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4310, NATIONAL MARINE SANCTUARIES PROGRAM REAUTHORIZATION AND ESTABLISHMENT OF COASTAL AND OCEAN SANCTUARY FOUNDATION

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-574) on the resolution (H. Res. 488) providing for the consideration of the bill (H.R. 4310) to reauthorize and improve the National Marine Sanctuaries Program, and to establish the Coastal and Ocean Sanctuary Foundation, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4996, JOBS THROUGH EXPORTS ACT OF 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-575) on the resolution (H. Res. 489) providing for the consideration of the bill (H.R. 4996) to extend the authorities of the Overseas Private

NAYS—153

Allard
Allen
Archer
Armye
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bentley
Bereuter
Bevill
Bliley
Boehner
Brewster
Browder
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Donnelly
Doolittle
Dorman (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Gunderson
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hefley
Henry
Henger
Hobson
Holloway
Houghton
Hunter
Hutto
Hyde
Inhofe
Ireland
James

Investment Corporation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV. Such rollcall vote, if postponed, will be taken on Wednesday, June 17, 1992.

U.S. HOLOCAUST MEMORIAL COUNCIL AUTHORIZATION

Mr. KOSTMAYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2660) entitled "Authorization of appropriations for the United States Holocaust Memorial Council," as amended.

The Clerk read as follows:

H.R. 2660

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

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 8 of the Act of October 17, 1980 (P.L. 96-388; 36 U.S.C. 1408) is amended to read as follows:

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"To carry out the purposes of this Act there are authorized to be appropriated such sums as may be necessary for fiscal year 1993 and for each succeeding fiscal year through fiscal year 2000. Notwithstanding any other provision of law, there are authorized to be appropriated to the Council such amounts as may be necessary to obtain, from a private insurance carrier, insurance against loss in connection with the memorial museum and related property and exhibits. Notwithstanding any other provision of this Act, no funds authorized under this Act may be used for construction. Authority to enter into contracts and to make payments under this Act, using funds authorized to be appropriated under this section shall be effective only to the extent, and in such amounts, as provided in advance in appropriation Acts."

SEC. 2. REPORT.

The Act of October 7, 1980 (P.L. 96-388; 36 U.S.C. 1401 and following) is amended by adding the following new section at the end thereof:

SEC. 11. REPORT.

"The Council shall submit to Congress by June 30, 1995 a report containing each of the following:

"(1) A description of the extent to which the objectives of this Act are being met.

"(2) An examination of future major endeavors, initiatives, programs, or activities that the Council or museum proposes to undertake to better fulfill the objectives of this Act.

"(3) An examination of the Federal role in the funding of the Council and its activities, and any changes that may be warranted."

SEC. 3. MISCELLANEOUS AMENDMENTS.

The Act of October 7, 1980 (P.L. 96-388; 36 U.S.C. 1401) is amended as follows:

(1) In section 1, strike "oversee the operation of," in paragraph (2) and insert "operate,".

(2) Section 6 is amended by adding the following at the end thereof:

"(d) All employees of the memorial who on April 1, 1993, including employees currently on excepted appointments covered under schedules A, B, and C who are performing inherently governmental functions which will continue after the opening of the museum shall be brought into the competitive service in accordance with the classification and pay policy guidelines contained in V of the United States Code.

"(e) The Council shall maintain insurance on the memorial museum to cover such risks, in such amount, and containing such terms and conditions as the Council deems necessary."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. KOSTMAYER] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER].

GENERAL LEAVE

Mr. KOSTMAYER. 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. 2660, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, let me say very briefly that H.R. 2660 authorizes appropriations for the U.S. Holocaust Memorial Council through the year 2000.

The legislation was approved by the Committee on Interior and Insular Affairs on May 20, and subsequently discharged from the Committee on Post Office and Civil Service and the Committee on House Administration without prejudice.

Mr. Speaker, let me say that this legislation was written by the gentleman from Illinois [Mr. YATES], our distinguished colleague. Its intent, of course, is clear, to recall for the people of our own country and for all the world those unspeakable deeds which took place in Nazi Germany and in Europe during World War II.

Mr. Speaker, I am proud of support this legislation. I think it is an invaluable piece of legislation to help all of us to remember that period of time.

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

Mr. YATES. Mr. Speaker, I thank the gentleman for yielding me this time and for shepherding my bill through the committee and bringing it to the floor at this time.

The U.S. Holocaust Memorial Council was, under the existing legislation, required to construct a memorial, mu-

seum and memorial, respecting the Holocaust with donated funds. Pursuant to that charge, over \$125 million was raised for the purpose of constructing that museum. It now stands on 15th Street near Independence, a magnificent structure that has won acclaim from architects and from critics all over the country, for that matter all over the world. It will stand as a memorial for those who were killed by the Nazis during the dark days of World War II and will serve as an instruction to all those who come within its doors that what happened in the killing of the people by the Nazis must not happen again.

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

Mr. Speaker, let me only add a very brief personal note. My subcommittee held a hearing on this legislation, and one of the things that interested me the most, and I will be very brief, is that before the war began, Senator Robert Wagner of New York introduced, along with a Member of the House, Edith Rogers of Massachusetts, a bill to allow 10,000 Jewish children into the United States in 1939, 1940, and 1941. The American Legion testified against the bill, and the Daughters of the American Revolution testified against the bill. A vote was taken to allow these 30,000, over 3 years, into this country. It was defeated in the subcommittee.

Some time later, the ship the *St. Louis* with almost 1,000 German Jews sailed into Miami harbor. Those Jews were seeking refuge from Nazi Germany. The war had begun, Hitler had been in control of Germany for some years, and the U.S. Immigration Service turned the ship back. The ship returned to Europe.

One of the things I hope that this museum will do is to let all Americans know of our own complicity, let all American gentiles know of our own guilt, of the role we played and of our silence during the Holocaust. That for me, as an American and as a non-Jew, is the invaluable lesson of the legislation we seek to pass today.

Mr. Speaker, H.R. 2660 authorizes appropriations for the U.S. Holocaust Memorial Council through the year 2000. It was approved by the Committee on Interior and Insular Affairs on May 20 and subsequently discharged from the Committees on Post Office and Civil Service, and House Administration, without prejudice.

The U.S. Holocaust Memorial Council was created by Public Law 96-388 to achieve three main objectives: First, to plan, construct, and oversee the operation of a permanent living memorial museum to the victims of the Holocaust, second, to provide for appropriate ways for the Nation to commemorate the Days of Remembrance as an annual national, civic commemoration of the Holocaust, and third, to develop a plan for carrying out the 1979 recommendations of the President's Commission on the Holocaust.

The Federal funding has augmented a very successful private fundraising campaign and will result in a world class museum here in Washington, DC. The museum is scheduled to open in April 1993 and will stand as a truly remarkable symbol of our moral obligation to remember the Holocaust.

The museum's permanent exhibition has been fully designed, and the microdesign for each of the 108 exhibition segments is almost complete. Historians and writers are preparing the text of the exhibition and the captions for photographs, objects, and documents which will be on display.

In the coming year the final hardware and software equipment needed for the interactive learning center will be installed. The learning center databases include the Holocaust Encyclopedia, maps, photographs, and oral histories. Printouts of various data, including maps and photographs, will be available to the visitor to take home. Planning for two special exhibitions to premiere at the museum's opening is also underway.

I want to express my appreciation to the bill's author, Representative YATES, for his support and commitment to the council's work, and I urge the bill's adoption.

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

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bill.

Let me congratulate the chairman and others who have put in so much effort and so much work to successfully bring this bill to the floor and, more importantly, bring the memorial to where it is now.

I guess I am particularly impressed that it is to be funded from private funds. I know it is a difficult task to raise \$150 million, plus, in that area.

I think perhaps there is some lack of specificity as to how these funds will be handled in the future in terms of the operation, but I understand that will be discussed and will be resolved in the near future. So I do rise in support.

The administration has no objection to the bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. DELAY].

□ 1820

Mr. DELAY. Mr. Speaker, this is not an easy thing for me to do. It is with great reluctance that I rise in opposition to passing H.R. 2660 under suspension of the rules, as I am certain my opposition will be misunderstood by many. I do not argue that the Holocaust Memorial Council is not making a valuable contribution to creating an awareness of the tragic events the Jewish people experienced not too long ago, nor do I argue that this is not a worthy cause to support. Rather, I argue that the Federal Government simply does not have the resources to fund every worthy cause no matter how much they may merit assistance.

The Holocaust Memorial Council was created in 1980 by an act of Congress

and was charged with building the U.S. Holocaust Memorial Museum in Washington, DC. The Museum is being built on Federal land, but the act specifically stipulates that the costs of construction be covered by private contributions, as the Vietnam Memorial and many others have been.

The Federal role was limited to the donation of land and \$2½ million in upfront development funds. To date, Congress has gone well beyond the original figure by appropriating \$33 million above the authorized ceiling.

H.R. 2660 authorizes such sums as may be necessary in fiscal years 1992 to the year 2000 for the operation of the Holocaust Memorial Council and Holocaust Museum. The CBO estimates that such sums means about \$18.3 million in fiscal year 1993, and \$15.4 million for each additional year, adjusted for inflation, and that could amount to \$110 million until the year 2000. These are not small sums. This is \$3 million more than operating the Air and Space Museum, the most visited Museum in the world. It is seven times the funding authorized for the Lincoln, Jefferson, and Washington Memorials combined.

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

Mr. DELAY. I am glad to yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I do not know where the gentleman gets his figures.

I would point out to the gentleman that it was always intended that after the museum was constructed it would become a part of the U.S. Government as a museum comparable to the museums of the Smithsonian Institution.

Operating funds are needed for the museum.

I point out the paragraph in the report of the Commission, the report of the President's Commission on the Holocaust:

The Commission proposes the Museum become a federal institution, perhaps an autonomous bureau of the Smithsonian Institution offering extension services to the public, to scholars and to other institutions.

As it happens, I am chairman of the Appropriations Subcommittee which has jurisdiction over the expenditures.

Mr. DELAY. Mr. Speaker, I do not have much time.

Mr. YATES. Mr. Speaker, I will be glad to get the gentleman additional time.

Mr. DELAY. Mr. Speaker, I thank the gentleman.

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

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

Mr. KOSTMAYER. Mr. Speaker, I want to say that I certainly do not question the gentleman's motives. I know he is sincere.

This is a Federal museum. It was built with private funds, unlike any other Federal museum. It is to be operated with public funds.

What the gentleman is saying is that we ought to operate the Smithsonian with private funds. That would not be a good thing.

Mr. DELAY. Reclaiming my time, Mr. Speaker, it is my time and you all can answer me and I will ask you to yield the time you spend.

Let me just say that the President's Commission on the Holocaust, formed in 1978 to make those recommendations, and I quote from their own recommendations:

Concerning the critical question of funding of the Museum and its operation, the Commission's report stated "The Commission holds that funding for the memorial should be realized principally through public subscription. Despite the size of the project, the Commission believes that it can receive extensive public support. The sources for funds for establishing and maintaining the Holocaust Memorial and its programs can include large individual contributors, foundations, associations, institutions, corporations, civic organizations, churches, and synagogues as well as voluntary contributions from Americans from all walks of life throughout the Country."

Even in its own publication, it states that the act creating the council stipulates that the museum be built and operated with private contributions.

I know how important this is to the gentleman and I do not take this action lightly, but I have got to tell you that even a detailed look at one of the aspects of running this museum, this operation, reveals the inflated cost that we are finding there.

For instance, the Artifact Curation Program for the Holocaust is budgeted to cost \$830,000.

The SPEAKER pro tempore (Mr. McNULTY). The time of the gentleman from Texas [Mr. DELAY] has expired.

Mr. KOSTMAYER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Texas.

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

I am just saying that the Artifact Curation Program for the Holocaust is budgeted to cost \$830,000 annually and requires 11 full-time permanent employees to curate a 22,000-item collection.

By comparison, the National Park Service spends less than \$50,000 annually to support two temporary employees who oversee the 25,000-item collection of artifacts collected from the Vietnam Veterans Memorial.

The Council is requesting these funds for traveling education programs, the establishment of a research center, ongoing programs, and to complete research on the museum's exhibits, among other activities.

Again I am certain these are worthy projects, but is it the Federal Government's responsibility to pay for them?

I do not need to remind this House that we have a \$400 billion operating deficit, and in light of this fact it does not seem wise to spend money on the

operation of a museum when there are many urgent needs, such as feeding hungry children or helping poor families, or many others that we can barely fund now.

I hope my colleagues will recognize that opposing H.R. 2660 under suspension does not mean we do not appreciate what the Jewish people experienced or that it should not be memorialized. Rather, it means we believe that we have to make hard decisions about where our limited Federal dollars are spent, and this is not the best choice at this time.

I urge my colleagues to oppose H.R. 2660 under suspension of the rules.

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

Mr. DELAY. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, this is not a memorial only to the Jewish people. This is a memorial for all those who suffered at the hands of the Nazis during the dark years of World War II. The funds are being raised not only from the Jewish people, but from people of all faiths from all over the country. There has been an outpouring of support for this museum.

I point out to the gentleman, too, and I do not know where he got his figures, because we are familiar with the figures that are pertinent to the Holocaust Museum, and his I think are beyond the extreme.

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I will tell the gentleman where I got them.

Mr. YATES. Where did the gentleman get them?

Mr. DELAY. The Congressional Budget Office.

Mr. YATES. For all the figures that you received?

Mr. DELAY. That is my understanding, that is where we got them.

Mr. YATES. Well, I cannot believe that the Congressional Budget Office made such errors.

At any rate, I point out to the gentleman that the President of the United States supports this legislation. The President of the United States supports the budget for the Holocaust Museum, and I point out to the gentleman that this memorial will stand proudly with the other museums and memorials in the District of Columbia that have been established in order to memorialize historic events.

□ 1830

This is a memorial which will memorialize one of the incredible human crimes in all the history of civilization. It will serve as the model for the museums that are memorializing the Holocaust throughout the country. There are memorials to the Holocaust in various cities now, which are small, but this will be the greatest memorial to the Holocaust in the entire world.

I would hope that the gentleman would reexamine his views on this. I

think the gentleman is in error with his figures. I think the Congressional Budget Office has erred somewhere along the line, because the figures that the gentleman has presented have never surfaced before.

Mr. Speaker, I urge passage of this legislation.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

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

Mr. Speaker, I rise in strong support of H.R. 2660, legislation authorizing the operations of the U.S. Holocaust Memorial Council and programs for the impending Holocaust Museum. I commend its chief sponsor, our distinguished colleague, the gentleman from Illinois [Mr. YATES], for his ongoing strong support and leadership in this important and historic endeavor.

For the past decade, plans have been underway to make a U.S. Holocaust Memorial Museum a reality. While all construction has been privately funded—\$147 million to date—H.R. 2660 authorizes operating appropriations to the Holocaust Memorial Council, which is responsible for planning and overseeing the construction and operations of the museum.

In past years the National Days of Remembrance ceremony hosted by the Holocaust Memorial Council has taken place in our own Capitol rotunda. At long last, the Holocaust Memorial Museum is now scheduled to open next year, in April 1993, and will thereafter be the location for the National Days of Remembrance ceremony.

Mr. Speaker, the authorization under consideration today will allow the Holocaust Memorial Council to continue to develop educational programs, to establish a research center, and allow the completion of research on planned exhibits. H.R. 2660 authorizes such sums as may be necessary for fiscal year 1992-2000. The Congressional Budget Office estimates outlays of \$18.3 million in fiscal year 1993, including a one-time start-up cost of \$3.5 million.

The establishment of the U.S. Holocaust Memorial Council back in 1980 was one of the most significant steps our Nation had undertaken during the past several decades. When the Congress created the Council, it was based upon the recognition that if we do not remember the injustices and the inhumanities of the past, our world is doomed to repeat them.

Today, the need for such a memorial is underscored more than ever. We read in horror of our young people being unable to identify Hitler, being unable to name the major issues of World War II, being unaware of this gross inhumanity which took place not a millenium ago, but within the lifetimes of many of us in this Chamber.

Accordingly, Mr. Speaker, I urge our colleagues to support the important

work of the Holocaust Memorial Council by voting for H.R. 2660. To do so will allow the completion of the long-awaited museum, which will not only honor the memory of the millions of innocent men, women, and children who perished during that chilling era, but will also serve the public by teaching the important lessons that can be learned from those horrible years.

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

Mr. KOSTMAYER. Mr. Speaker, I yield myself such time as I may consume and conclude by saying this is the only Federal museum that we know of that has been constructed entirely with private funds. Given the subject matter of this museum, it seems entirely appropriate, especially appropriate to me, that the funds to operate it should be paid for by all Americans.

My suspicion is, although I do not know, that a large number of donors to the construction program were American Jews, and it seems especially appropriate that that not be the case for its operating budget and that those funds come from Americans of all faiths, from the American taxpayer.

That seems especially appropriate to me.

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

The SPEAKER pro tempore (Mr. McNULTY). The question is on the motion offered by the gentleman from Pennsylvania [Mr. KOSTMAYER] that the House suspend the rules and pass the bill, H.R. 2660, as amended.

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

The title of the bill was amended so as to read: "A bill to authorize appropriations for the U.S. Holocaust Memorial Council, and for other purposes."

A motion to reconsider was laid on the table.

ANNUAL REPORT ON DEVELOPMENT OF ENERGY CONSERVATION AND EFFICIENCY STANDARDS FOR CERTAIN COMMERCIAL AND RESIDENTIAL BUILDINGS—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 Energy and Commerce:

To the Congress of the United States:

I transmit herewith the annual report describing the activities of the Federal Government for fiscal year 1991

required by subtitle H, title V of the Energy Security Act (Public Law 96-264; 42 U.S.C. 8286, *et seq.*). These activities include the development of energy conservation and efficiency standards for new commercial and multifamily high-rise buildings and for new residential buildings.

GEORGE BUSH.

THE WHITE HOUSE, June 16, 1992.

INTERRELATIONSHIP OF GENERAL AGREEMENTS ON TARIFFS AND TRADE AND NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, earlier today I referred to a factsheet on the interrelationship of the General Agreements on Tariffs and Trade [GATT] and the North American Free-Trade Agreement [NAFTA] supplied by the United Food and Commercial Workers International Union. Because I believe the American people should be made aware of the threats to our national sovereignty by these agreements as they are currently being considered, I am going to discuss them here this afternoon.

I might point out first that GATT is the international agreement under negotiation in Geneva known as the Uruguay round.

Of course, NAFTA brings together the three countries in North America—with the Mexican Free-Trade Agreement playing a major role.

The factsheet follows:

FACTS YOU SHOULD KNOW ABOUT THE GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT)

The GATT negotiations have served in part as a "stalking horse" for rules which will govern a U.S.-Mexico Free Trade Agreement.

Fact: The language of the draft U.S.-Mexico Free Trade agreement (FTA) clearly anticipates consistency between GATT and a FTA. Fifteen separate references in the FTA draft indicate compliance with GATT. In addition, the FTA draft suggest that the Standards and Risk section (relating to food safety) as well as the Market Access section of the GATT will be incorporated in the FTA. The draft NAFTA text also allows the U.S., Mexico and Canada to select the dispute-settling mechanisms of GATT.

The current GATT draft eliminates key import control laws and threatens jobs in the meat packing industry.

Fact: The terms of the current GATT draft will result in elimination of all import control laws including the U.S. Meat Import Act. This will mean a rise in beef imports from the current limit of 1.2 million pounds annually to 1 billion pounds per year by 1999. Ultimately, this will result in the elimination of jobs in the meat packing industry.

The current GATT draft proposes greatly expanded powers for GATT. It creates a multi-lateral trade organization [MTO] which would threaten existing laws and our Nation's right to enact and enforce new laws in the future.

Fact: According to a memorandum by the Congressional Research Service, "The bottom line is that a party that loses a challenge to one of its laws and policies would no longer have control * * * over whether or not it must change that particular policy or law to conform with the GATT." (CRS, March 18, 1992).

Under the current GATT draft, a GATT panel decision that is contrary to the U.S. national interest presumptively becomes world trade policy unless all GATT countries decide otherwise.

Fact: The Congressional Research Service has concluded that the current GATT draft requires a unanimous vote to change a panel decision. This reverses present GATT rules, which require a consensus for adoption of a panel report. According to a CRS memorandum, this change would mean that the adoption of a panel decision "would be presumed unless the GATT votes unanimously" not to do so. Incredibly, this unanimity requirement means that the country which brought the charge in the first place must change its mind! (CRS, January 13, 1992).

GATT officials have characterized the MTO as a means to thwart the power of elected representatives.

Fact: "The MTO is about keeping the House and the Senate from doing whatever they want whenever they want. This is not about reorganization * * * It is about power to make countries follow GATT rules." (A GATT official as quoted by Representative Jill Long at a House Agriculture Committee hearing, March 31, 1992).

A GATT panel has ruled that GATT is part of U.S. Federal law and is, therefore, supreme over the laws of our 50 States. If the panel report is adopted, this would massively erode our Federal system of government.

Fact: According to a ruling by a GATT panel, "GATT is part of federal law in the United States and as such is superior to GATT-inconsistent state law." If the panel report were to be adopted, the federal government would be obligated to ensure that the fifty states were in strict compliance with GATT. This means that under GATT the right of states and localities to implement strong and effective laws with respect to consumer safety, the environment, labor, etc. is subordinate to the authority of international bureaucrats? (Feb. 7, 1992 GATT Panel decision).

The general counsel of the Office of the U.S. Trade Representative has admitted in public testimony that GATT procedures constitute a danger to important U.S. laws.

Fact: In reacting to the recent Tuna-Dolphin decision by a GATT panel the U.S. Trade Representative's then General Counsel stated: "The implications are quite grave for a lot of our important statutes" (General Counsel John Bolten in testimony before Representative Henry Waxman's Subcommittee on Health and the Environment, September 27, 1991).

Under GATT, the United States' food safety standards will be dragged downward.

Fact: The proposed GATT draft threatens the Delaney Clause of the Federal Food, Drug and Cosmetics Act. This important food safety standard helps keep our food supply safe from carcinogenic additives. For instance, under the Delaney Clause, no cancer causing pesticide, color or flavor can be added to processed foods such as apple sauce.

Under the terms of the current GATT draft, the U.S. Government would be under severe pressure from food companies to lower food safety standards since imported food products could initially be under less

stringent safety requirements than those governing U.S. food companies. This ultimately means either loss of jobs, or downward pressure on our national and local food safety standards or both!

□ 1840

WAIT-AND-SEE ISN'T GOOD ENOUGH

The SPEAKER pro tempore (Mr. PETERSON of Florida). Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, President Bush stated in a recent CNN interview that he would take a wait-and-see approach to the possibility of military intervention in Bosnia.

Well, Mr. Speaker, let's see where the wait-and-see policy has gotten us so far.

Wait-and-see has allowed at least 15,000 men, women and children in the former Yugoslavian republics to die in the fighting.

Wait-and-see has forced a million and a half refugees to flee the war zone, the largest mass movement of refugees since World War II. Nearby nations like Hungary and Germany have been swamped by the flood.

Finally, wait-and-see may even be responsible for the bloodshed. The administration's silence in response to Serbia's attacks on Slovenia and Croatia last year may have been mistaken for apathy or approval. While Serbia was warming up its war machine, the United States refused to support in any way the new states of Slovenia, Croatia and Bosnia-Herzegovina. Instead it feebly called for peace. It was months before even United States assistance to Serbian-dominated Yugoslavia was cut off.

Well over a year ago I called for recognition and support of the new Balkan nations. I believe that a show of American strength and resolve on their behalf at the time would have prevented its need now.

To turn to the present the President's wait-and-see policy does nothing to stop the rising death toll in Bosnia. For 2 months the Bosnian capital of Sarajevo has endured the brutal, barbaric warfare inflicted on it by Serbian forces. Last week's edition of Time magazine printed graphic evidence of the war's terrible toll, showing gruesome photos of innocent civilians killed in Sarajevo.

In response to the atrocities, last month the administration abandoned its wait-and-see policy on economic sanctions and joined in imposing U.N. sponsored sanctions. The sanctions will halt all Serbian exports and imports except for food and medicine, freeze all Serbian assets, and break all airlinks to the outside world.

I support the sanctions, but we should have imposed them a year ago. At this stage they are too little, too late.

The fact is that the sanctions and 13 cease-fires in the last 2 months have failed to stop the advance of Serbian forces in Bosnia. Serbs now control 70 percent of Bosnia's territory and the end is nowhere in sight.

I believe the only effective policy is to threaten military action against Serbia—and be prepared to back up the threat. We should make clear to President Milosevic, the Balkan Butcher, that a U.N. force will bomb the artillery batteries that are tormenting Sarajevo unless he removes them. We should no longer sit idly by while these terrorists shell the homes, markets, and hospitals of Sarajevo. They must be stopped.

Without armed intervention, Bosnia's foreign minister believes that, and I quote, "hundreds of thousands will be condemned to death from attack and starvation." I fully agree with him.

We therefore must not delay. I understand the risks, but I also believe that the Balkan Butcher is not foolish enough to challenge the strength of the United Nations. Threatening retaliation provides the best opportunity we have to stop the war.

Mr. Speaker, I hope and pray that Milosevic, the Balkan Butcher, will come to his senses so that further bloodshed can be avoided. But the people of Bosnia cannot afford to wait for the time to come. I support taking action to force his hand—now. Let's wait-and-see no longer.

TIME FOR ACTION IN BOSNIA-HERZEGOVINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, while we have been debating whether or not to pass a balanced budget amendment, the people of Bosnia-Herzegovina have been enduring bombardment and starvation. I am compelled to call upon the President and my colleagues to take decisive action in the former Yugoslavia to halt the senseless killing of innocent civilians. Serbia and its henchmen in Bosnia-Herzegovina have taken their irredentist war to that formerly peaceful model of ethnic tolerance, Bosnia-Herzegovina. Bearing witness to a two-month siege and bombardment of Sarajevo, formerly a city of 560,000, we are now receiving reports of the slow starvation of the entire populace. To date, over one million Bosnians have fled their homes, joining another one million refugees for Croatia and Serbia. Over 5,200 Bosnians have been killed and 20,000 wounded in the past 2 months.

On purely humanitarian grounds, the United States, as the preeminent democracy of the world, should involve itself in protecting the innocents of this fledgling nation. First it was Croatia, now it is Bosnia-Herzegovina. On national security grounds, we have a clear stake in the resolution of a war that threatens to spread throughout the Balkan nations at a

time when the former Soviet Union remains combustible.

We have the ability successfully to intercede. The United Nations, stronger than ever, has demonstrated that its Security Council is capable of and willing to authorize decisive collective military action to halt illegal international aggression.

The administration has tried to avert its responsibility by making the case that Europe should care of its own. Europe is not doing the job, however, and the United States has a duty to bring this crisis before the U.N. Security Council and to force decisions about the Council's course of action without delay. We ought to be able to work closely with our European allies, but their hesitation should not provide cover for the Bush administration's footdragging.

First, the administration ought to aid the relief effort in Bosnia by providing supplies through air supply drops and military protection to relief convoys, and it should press the United Nations, our NATO allies, and the European Community strongly to participate in that effort. On June 10, U.N. peacekeepers began to attempt to secure the Sarajevo airport to allow relief flights to deliver food to Sarajevo's starving citizens. The United States must provide whatever humanitarian, military and logistical assistance is required in that effort.

Second, the U.N. sanctions on Serbia must be tightened and enforced; too many supplies of oil and other materials continue to flow through Montenegro and Macedonia, states powerless to stop them without the military assistance of the United Nations.

Third, I would join with the other body, which has passed a resolution calling on the President urgently to develop a joint military action plan in the U.N. Security Council to authorize a collective intervention in Bosnia-Herzegovina. I would urge my colleagues in the House to adopt the resolution without delay.

An intervention should anticipate specific and discrete deployments and strikes to force Serb troops to cease their bombardment of Sarajevo and pull back from attacks on relief convoys. Once that first, minimal objective had been achieved, a cease-fire could be arranged and civilian populations provided permanent protection. In other words, the provision of relief convoy protection could be upgraded to secure critical transportation corridors through Bosnia-Herzegovina. In combination with the worldwide, U.N.-imposed sanctions on Serbia, a strong U.N. military presence in and around Sarajevo and around key transport routes might be enough to persuade Serbia's leaders to agree to pull back their allied forces in Bosnia-Herzegovina.

In the event that Serbia refuses to abide by a cease-fire and agree to withdraw from all captured areas, the administration should lay plans now for an escalated military intervention by American and allied forces under the auspices of the U.N. Security Council. We are not under the illusion that Serbia and its hardliner forces in Bosnia-Herzegovina will go quietly, nor that a limited military action is certain to bring a quick and decisive victory. I strongly believe that Serbian military forces would retreat promptly in the face of an inter-

national military coalition and an air campaign. Nevertheless, the U.N. Security Council and American and allied military planners must be prepared for a range of contingencies, including the possibility that Serbian units will entrench themselves throughout Bosnia. Under those circumstances, I would support whatever collective force was necessary under the aegis of the U.N. Security Council to quell Serb forces in Bosnia-Herzegovina.

The President speaks of a new world order, but his actions in Yugoslavia have been muted. If we stand at a threshold in history—and I believe we do—we must recognize that the Serb aggression in Bosnia-Herzegovina is yet another vital test of our resolve to fashion a just, stable and peaceful world order. I urge my colleagues and the President to accept this challenge and pass the test.

AN HONEST BALANCED BUDGET ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. ROSE] is recognized for 60 minutes.

Mr. ROSE. Mr. Speaker, last week's debate on the balanced budget amendment to the Constitution moved us closer to what may be an historic window of opportunity for tackling the Federal budget deficit. Skeptics want to know if we are really serious this time. Both Congress and President have expressed their commitment to reducing the deficit, but of course we have made those promises before. The real difference between new plans to balance the budget and our failed plans of the past is that the American people now recognize the seriousness of the situation, and appear willing to make the kind of sacrifices needed to bring our debt under control.

If in fact we are going to abide by the will of the people, let us also be truthful with the people. Using Social Security surplus receipts to mask the true size of the annual debt is not being straightforward. Yet that is what we continue to do each year, playing a very dangerous game with the future of our trust funds. Today I am introducing the Honest Balanced Budget Act, a plan which would eliminate the Federal debt by 1998, and protect the future solvency of Social Security and other trust funds by removing them from the calculation of the annual debt.

I voted against the amendment to the Constitution last week for several reasons, but chief among them was a date of enactment which would have allowed the deficit to soar for 6 more years. Under the Honest Balanced Budget Act, the deficit reduction process would begin next year. Of immediate concern would be balancing the operating budget, which would include everything except the interest payments on our debt and the trust fund receipts. The President would be required to propose a balanced operating budget in fiscal year 1994. Any proposed budget which was not in full compliance with the act would go back to the White House with a request for a new one.

Beginning in 1995, we would begin tackling the interest on the debt at an annual rate of about 1 percent gross domestic product, which is the rate most economists believe we can

eliminate the debt without substantially undermining the economy. At about \$70 billion a year, the debt could be eliminated by 1998. Meanwhile, surplus receipts for trust funds like Social Security would be going directly into those trust funds, where they belong.

Enforcement provisions include points of order against any budget not in full compliance with the act, any legislation which changes the provisions of the act, any legislation that requires outlays that exceed the statutory debt limit, and any increase in the statutory debt limit beyond the established level.

I hope that the American people and their elected representatives will maintain their resolve and move forward in what promises to be a painful process. But if we are going to do it, let us do it honestly.

APPLAUDING PRESIDENT YELTSIN'S COMMITMENT TO A FULL ACCOUNTING OF ANY AND ALL SOLDIERS IMPRISONED BY THE SOVIETS

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

Mr. MINETA. Mr. Speaker, Russian President Boris Yeltsin and other Russian officials have now confirmed what some have long suspected:

American soldiers were held prisoner in the Soviet Union during the Second World War, the Vietnam war, and the cold war.

President Yeltsin says that some of these Americans may still be alive.

Mr. Speaker, just as the legacy of the Soviet Union is an outrage, Russian President Yeltsin's candor is heartening.

Nine months ago, I wrote President Yeltsin and asked him to investigate this matter, determine the truth, and act.

His admission is welcome, but far from the ultimate action Americans demand.

I applaud President Yeltsin's commitment to a full accounting of any and all soldiers imprisoned by the Soviets during the conflicts of the past 50 years—including the Korean war.

That is the sort of honesty and action required from Russia, in my opinion, for it to join the community of nations fully, and for a policy of vigorous economic assistance to Russia from the United States.

President Yeltsin has made a bold start toward making that a reality.

MANDATORY LABELING OF GENETICALLY ENGINEERED FOODS

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

Mr. KLECZKA. Mr. Speaker, on May 29, the Food and Drug Administration [FDA] published its policy for new food varieties derived from gene splicing,

cell fusion, and other advanced biotechnology methods.

Unfortunately, it contains a glaring omission—the absence of a labeling requirement for these revolutionary foods. Today, I am introducing legislation which mandates that these new, genetically engineered foods be labeled as such.

One project in this emerging field illustrates my case for labeling genetically engineered foods. A well-known U.S. biotech firm is now field testing an antifreeze protein derived from Arctic fish. When injected into fruits and vegetables, this protein is intended to preserve their freshness and texture after being frozen and thawed. Fresh vegetables and fruits altered in this unusual fashion may not be dangerous, but we don't really know this for certain.

When these altered products are on sale in the supermarket of the future, full disclosure and labeling of genetic alteration is the only way to inform the consumers of this fact.

By supplying consumers up front with information on where food comes from, as required by my bill, they can more easily make their own decisions about the benefits or risks of genetically altered foods. By mandating full disclosure of genetic engineering, this labeling requirement should help consumers to make more informed decisions about these novel foods than the current, flawed FDA policy which denies the public the right to know how, and with what, the new foods are altered.

I hope my colleagues agree that consumers have a right to know whether their groceries have been altered by the new biotechnology methods, and invite them to cosponsor this legislation.

At this point, let me provide you with some background on genetically engineered foods, and explain why mandatory labeling of these products is in the public interest.

The science of plant breeding is centuries old. It involves the combining through repetitive breeding cycles of the desirable genetic traits of plants into a new variety, which is generally used to improve crop yields or food quality. Some useful gene transfer methods have been developed in the past to streamline this otherwise lengthy process. Mutation by treatment with chemicals and physical agents, or hybridization by embryo transfer and chromosome doubling, are commonly used today to cross breed plants. However, the new biotechnology methods by which plants are genetically altered, such as cell fusion and gene splicing—the recombinant DNA technique—represent a quantum leap forward from the traditional forms of plant breeding.

While these new, genetic engineering methods are used to achieve the same goals as traditional plant breeding techniques, they enable scientists for the first time to combine genetic material from completely unrelated genera or species. One such project now under development involves transferring an anti-

freeze protein from Arctic fish into fruits and vegetables to preserve their freshness and texture after being frozen and thawed. Foods can be altered in this revolutionary and unusual fashion only through the advanced genetic engineering methods now available to society. Such cross-breeding certainly would never occur in nature. Unbelievable as it may seem, it is nevertheless true that the science fiction of yesterday is fact today. At this time, more than 30 new crops developed using recombinant DNA methods are in field trials. The harvest from these crops may be available in grocery stores as early as next year.

The power to manufacture enhanced foods in the laboratory triggers a duty to protect public health and consumer rights. These foods are not the traditional harvest to which we are accustomed, and which Federal law presumes to be safe because of longstanding use. Although unlikely, the FDA itself admits that genetic engineering may in some rare cases activate hidden toxicants, allergens, or other characteristics posing a danger if consumed. For this reason, it is the duty of Congress to ensure the public is safeguarded from any dangerous food traits or novel substances which may be unintentionally released by genetic engineering.

New food varieties are expected to reach supermarkets by 1993. However, because the May 29 policy represents guidance only, it is essential that foods derived by genetic engineering be labeled as such. My bill stipulates these new food varieties will be considered misbranded unless they are labeled as genetically altered. The measure also provides the Department of Health and Human Services with 1 year in which to publish final regulations implementing the labeling requirement. This approach is well suited for advancing the development of these foods while promoting consumer confidence in them.

My bill is consistent with the Federal Food, Drug, and Cosmetic Act, which requires a producer to inform consumers of food properties by an appropriate label. Although such labels generally have never before contained information on a food's production method, genetic engineering is an exception. Cell fusion, gene splicing, and other new breeding methods enable scientists for the first time to completely alter food and even food properties with great precision. This ability directly affects food nutrition, texture, shelf life, taste, and a host of other traits. Accordingly, we cannot divorce the production method from the finished product, as with foods long used that occur in nature or are modified by traditional breeding techniques. For the new foods, my bill simply clarifies the labels must state the derivation method—that is, the label must inform consumers whether the food is genetically engineered. In this way, my bill empowers consumers to decide for themselves whether it is safe to buy a genetically altered food.

This legislation is a reasonable response to the pending introduction into our grocery stores of foods modified by advanced genetic engineering. Again, I urge my colleagues to cosponsor this bill.

At this point, I will include the text of the bill in the RECORD, and related material concerning the debate over genetically modified foods.

The material follows:

[From Newsweek magazine, June 8, 1992]

A MYSTERY IN YOUR LUNCHBOX—BIOENGINEERED FOOD IS THE BRAVE NEW WAVE OF THE FUTURE, BUT SHOULD WE BE ASKING MORE QUESTIONS?

Hungry? Sit right down, we're having catfish, corn on the cob, baked potatoes and fresh tomatoes. This might turn out to be the most nutritious meal of your life. It might even be the best-tasting dinner you ever had. On the other hand, it might expose your body to a toxic combination no human has ever experienced before. Or it might induce an allergic reaction—even though you're not allergic to any of these foods. Still hungry? Bon appétit!

Last week's announcement that the federal government would impose no special regulation on bioengineered foods, in effect permitting them to be marketed exactly like nature's own, heralds a potentially vast change in our food supply. Virtually any characteristic of a living organism may now be transferred to another organism; with a few exceptions, the resulting product may be placed on supermarket shelves without federally mandated testing or special labeling. "We will not compromise safety one bit," Vice President Dan Quayle told the press. "[And] the consumer will enjoy better, healthier food products at lower prices." Many specialists in biotechnology agree—in fact, they see consumers around the world benefiting from a new, genetically engineered green revolution—but critics are urging the government to move ahead more cautiously. A potato that resists disease with the help of a chicken gene? A catfish that grows like lightning, thanks to a gene from a virus? Some believe new products like these, which may be on the market by the end of the decade, call for a new regulatory system. "We should have learned from the history of regulating pesticides that we never knew the long-term consequences until it was too late," says Ellen Haas, executive director of Public Voice for Food and Healthy Policy, a Washington, D.C.-based advocacy group. The Food and Drug Administration maintains that most bioengineered foods present no special safety issues. "We're saying this is just another plant-breeding technique," says Eric Flamm, deputy director of the FDA's Office of Biotechnology.

Here's how bioengineering works: all cells contain DNA, the long molecule shaped like a double helix. A gene is a swatch of DNA that controls a certain characteristic of the organism. In the 1970s scientists discovered the could clip off a gene-length swatch from a DNA molecule, and later they learned to affix it to a different DNA molecule—a cut-and-paste job that became known as gene splicing and results in what's called recombinant DNA. Immediately, visions of carrots with the flavor of peanut butter began dancing in the imaginations of scientists and food writers alike. But most current experiments are not as exotic. In many ways the new technology differs little from traditional cross-breeding. "One of the powers of the technology is that you make simple and direct changes and alter the food as little as possible," says William Belknap, a plant physiologist at the Department of Agriculture's Agricultural Research Service in Albany, Calif.

The first example of recombinant DNA in a form suitable for lunch makes its debut next summer: the Flavr Savr tomato (chart). Scientists at Calgene, Inc., a biotech company based in Davis, Calif., isolated the gene in the tomato that triggers the enzyme responsible for rotting and rendered it inactive.

Rather than having to be picked hard and green for easy shipping, the tomatoes stay on the vine about five days longer than usual. They can be shipped without refrigeration, which also helps retain flavor, and they'll resist rotting for more than three weeks, twice as long as their conventionally grown cousins. They aren't perfect: like other supermarket tomatoes they're grown with pesticides, they may be waxed, and they still lack the last three to five days of vine-ripening that homegrown tomatoes enjoy. Sampled at Calgene's headquarters, the Flavr Savr tasted fine; whether consumers will find it worth a dollar more per pound remains to be seen.

Repel pests: Several companies are hard at work on plants that will repel pests. Monsanto, a St. Louis chemical company, expects to put many such products on the market before the end of the decade, including cotton resistant to the cotton bollworm and a potato that kills the Colorado potato beetle. The weapon of choice is bacillus thuringiensis, or BT, a soil dwelling bacterium that creates a protein crystal that is toxic to certain insects but harmlessly digested by humans. BT has been used for 30 years as an organic pesticide. Scientists can transfer the gene for the toxin into plant cells, and the new plants will produce their own insecticide. Like traditional insecticides, however, these may simply spur the creation of new, more resistant pests. According to Belknap, the solution will be to splice several toxins into a given plant, thus lessening the potential for insects to develop resistance (or inviting the birth of some pretty amazing insects).

Monsanto is also developing herbicide-resistant plants, specifically Roundup-resistant plants. Roundup is one of Monsanto's most lucrative products, a herbicide with sales of a billion dollars a year. It has been recognized as noncarcinogenic by the Environmental Protection Agency, though it's toxic to fish. Roundup is used as a weed-killer, but it will kill everything else it touches in the field, so farmers have had to apply it carefully. Now, however, Monsanto can isolate the enzyme in, say, corn, that is fatally vulnerable to Roundup. A corn plant engineered to have twice as much of that enzyme can lose a chunk of it to Roundup and still survive. Critics charge that this technology simply invites farmers to use more Roundup. Jim Altemus, manager of public affairs for plant/science research at Monsanto, says the aim is to help farmers manage their crops. "Some herbicides are better than others; they can't all be classified as bad," he says.

[From the Washington Post, June 10, 1992]
FOR THE NEXT COURSE, "ENGINEERED" ENTREES? "GENETIC" TOMATO MAY LAUNCH AN INDUSTRY

(By Sandra Sugawara)

Calgene Inc.'s tomato, which is expected to be the first genetically engineered food to hit the market, could be the little fruit that launched a billion-dollar industry.

At least, that's the hope of companies that use biotechnology to try to improve foods, make heartier plants and chemical-free pesticides.

"The industry needs a good blockbuster product to come. Hopefully, Calgene can do that with its tomato," said Joseph Kelly, chairman and chief executive of Crop Genetics International Corp., which uses biotechnology to produce herbicides and insecticides. "Many people in this industry believe that ag-bio is today where the human medical biotech was in 1987, ready to take off."

For years, these companies have been the Rodney Dangerfields of biotechnology, struggling for just a little respect. While medical biotechnology companies were the darling of Wall Street last year, raising billions of dollars, agricultural biotechnology companies were largely ignored by investors.

Few investment firms even have analysts that follow the agricultural biotech industry. And the few times the industry thought it had a blockbuster product, antibiotech activist Jeremy Rifkin and other critics launched an emotional offensive to rally public opinion against agriculture biotechnology.

The newest hope for the industry lies with Calgene, a Davis, Calif. biotech company that says it has found a way to turn off the gene that causes tomatoes to soften and rot, enabling it to ship what it says are juicy, tasty vine-ripe tomatoes. To do so, researchers essentially add a backward version of the softening gene to the tomato's genetic materials. The company, which has targeted the \$3.5 billion fresh tomato market, plans to grow and sell the tomatoes next year. They will sell for about twice the price of grocery store tomatoes, which are picked green and ripened by using ethylene gas.

Unlike the medical biotechnology sector, which has produced several successful products, agricultural biotech has not had any big winners yet. And while most of the publicity for medical biotech companies has been positive stories about efforts to create wonder drugs for diseases such as AIDS and Alzheimer's, most of the publicity for agriculture companies has centered on public fears of mutant organisms in foods and the environment. For example, bovine somatotropin, or BST, a growth hormone designed to increase milk production in cows, ran into bitter opposition from farmers and consumer groups.

Another difference between the two biotech fields is that agriculture often faces intense price competition while drug companies do not. Because it is unlikely that a patient with a fatal or debilitating disease will reject a drug because it is too expensive, the markup on drugs can be quite high. It is more likely however, that someone may decide not to pay twice as much to get a tastier tomato salad.

Likewise, someone who is suffering from a life-threatening disease may not be upset that injected medicine contains a mouse gene. But healthy consumers may think twice before ingesting tomato juice with flounder genes.

Some investors also worry that protecting patents on crops and animals (and the profits from those patents) may be more difficult than protecting patents on medicines, because it might require companies to track how farmers re-sow seeds and breed animals.

Cynthia Robbins Roth, editor of BioVenture View newsletter in San Mateo, Calif., said there is another less tangible reason that agriculture has been ignored by biotech investors. "Agriculture just isn't as sexy as human therapeutics. It's exciting to participate in the creation of a new treatment for cancer or a drug for helping heart attack victims. It's not as easy to feel personally involved in tomatoes that don't rot," she said.

The federal government also has played a role in determining the comparative well-being of the two industries, according to Jim McCamant, editor of two Berkeley, Calif.-based newsletters on the medical and agriculture biotech industries. Medical biotechnological advancements came much more rapidly because of the billions of dol-

lars that the National Institutes of Health poured into cancer research. There were no comparable funds for agriculture biotech research.

Agriculture biotech companies also faced more regulatory uncertainties. The Food and Drug Administration regulates all drug products. But jurisdiction over agricultural biotech is split between the FDA, the U.S. Department of Agriculture, and the Environmental Protection Agency. In the Crop Genetics case, for example, the company does not deal with the FDA at all. The EPA must approve Crop Genetics pesticide products.

The FDA has tried to eliminate some of the uncertainty by stating precisely how it would treat biotech food products. In a long-expected announcement, the FDA recently said that genetically engineered foods would be regulated in the same manner as foods developed by traditional plant breeding. Although the industry has sought the ruling to increase investor confidence, it prompted Rifkin to launch a campaign to kill the industry, with Calgene's tomato at the top of his list.

"We're going to give the 'Flavr Savr' tomato more publicity than they could ever have hoped for," said Rifkin, who has formed a group called the Pure Food Campaign, which he said is composed of anti-biotech environmentalists, consumers and farmers.

Rifkin held a press conference in New York, along with chefs from more than 20 restaurants, including the Water Club, the Russian Tea Room and Tatou, who pledged to boycott the use of genetically engineered foods. "I will not sacrifice the entire history of culinary art to revitalize the biotechnology industry," declared Rick Monnen executive chef at the Water Club Restaurant.

Rebecca Goldberg, a senior scientist with the Environmental Defense Fund, said that, unlike Rifkin, her group is not opposed to all genetically engineered foods.

But she said she was alarmed that the FDA did not require that all biotech food be screened by the agency and labeled. The FDA said labeling may be needed if a gene inserted in a product could cause an allergic reaction. But Goldberg said that things not generally considered allergens can cause a dangerous allergic reaction in some people. She said mandatory labeling would help those people protect themselves.

Calgene Chairman Roger H. Salquist said there will be no attempt to hide the fact that Flavr Savr is genetically engineered. In fact, he called it an important selling point for persuading consumers that Flavr Savr is indeed a better tomato.

He said focus groups have convinced him that consumers will accept a genetically engineered tomato that tastes good. And despite the activities of Rifkin and others, analysts who follow Calgene generally do not expect a consumer revolt.

"They are not making weird killer tomatoes or anything. They are going to make sure that they are safe," said Jeffrey Krawns, an analyst with Alex Brown & Sons Inc. "The company does not have an interest in going out and harming the public intentionally."

□ 1850

THE MISSING IN CYPRUS

The SPEAKER pro tempore (Mr. PETERSON of Florida). Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 60 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise today to speak of an unfortunate and tragic matter. It is a matter that should have been resolved years ago—however, the fate of 1,619 individuals, collectively known as the missing in Cyprus, remains an unsolved mystery today; one that seemingly defies resolution, at least partly because this mystery is wrapped in an even greater tragedy.

There are those of us in this Congress, and around the world, who have pledged that this issue—unlike these unfortunate 1,619 individuals—will not disappear. We speak on their behalf today and we ask the world to listen.

Mr. Speaker, in the summer of 1974, Turkish forces occupied the northern part of the Mediterranean island-nation of Cyprus, splitting it in two from that day to this. As a result of this military invasion, 1,619 individuals—some of whom happened only to be in the wrong place at the wrong time—have never been seen again.

I continue to stress for my colleagues that these are individuals of which we speak today, 1,619 individual human lives like yours and mine. Indeed, we can sometimes overlook the individual stories that collectively make up such large numbers as this. It is important that we do not. Rather, it is important that we keep focused in our minds exactly what we are talking about here today.

Each of these individuals had dreams of productive lives with loving families, dreams that were swept away in a conflagration that left only shattered families and long-answered questions in its wake.

For nearly two decades the families of the missing have been grieving the loss of their loved ones. These families do not have the first clue as to the whereabouts of their relatives. In July, they will have been living with this awful uncertainty for 18 years. Eighteen years is a long time.

Mr. Speaker, among those 1,619 individuals are 5 U.S. citizens—unaccounted for, lost, missing.

Coming to light even now are reports from Russian President Boris Yeltsin that the former Soviet Union shot down 9 United States planes in the 1950's and took 12 survivors prisoner. Mr. Yeltsin has said that records show eight of the fliers were held in prisons or prison camps in 1953 and four others were in psychiatric clinics run by the KGB secret police. Whatever happened to them "is being investigated," according to Mr. Yeltsin.

These reports are causing widespread outrage across our Nation. Questions are being asked, such as, "How could this happen?" "How could 12 Americans simply disappear?" "Weren't they missed?" "Didn't we investigate?"

I ask, Mr. Speaker, if the 1,619 missing of Cyprus—including 5 Americans—are any less worthy of an investigation by our Nation?

Last month, in fact, I chaired a congressional human rights caucus hearing that dealt with the missing in Cyprus. What I heard was heart-wrenching.

In a briefing for that hearing, Mr. Costas Kassapis, an American citizen who resides in Michigan, testified that he and his family had been vacationing in Cyprus at the time of the invasion and occupation. His son, Andrew, who was only 17 years old at the time, was taken before his eyes on August 20, 1974.

While the rest of his family was held captive for 11 days, Andrew was dragged off by Turkish Cypriot soldiers, as Mr. Kassapis testified, "U.S. passport in hand."

His family has not seen him since, though a message purportedly from Andrew was relayed to them through the Red Cross in October 1974, stating that he was in Amasia Prison in Turkey. Since that time—nothing.

Mr. Kassapis pleaded with the caucus in that briefing. He made it plain that he harbors no hatred. All he wants, Mr. Speaker, is to have his son returned to him. Is this too much to ask?

"If he is alive, I want him back," Mr. Kassapis told us. "If he is not, I need a concrete answer as to what has happened. I need help finding out."

My family and I have suffered very much these past 18 years wondering where Andrew is. Our thoughts and prayers are with him every single day wondering if he is hungry or fed, if he is rotting in a Turkish prison.

Mr. Speaker, why is it that five American citizens are still missing as a result of the military invasion of Cyprus in 1974? Turkey is considered by the United States and this administration as an ally, however, Turkey has not offered any proof of what has happened to these people.

Ambassador Nelson Ledsky of the United States Department of State, special coordinator for Cyprus, testified at the caucus hearing as well. He told us that he has had many meetings with Turkish Cypriot leader Rauf Denktash and that in these meetings, Mr. Denktash informed him that all the 1,619 missing people, including Andrew Kassapis and the other 4 Americans, were dead.

Ambassador Ledsky told us that Mr. Denktash said he went out and personally interviewed villagers to attempt to find the whereabouts of Andrew Kassapis and the other four Americans, and he has concluded by these interviews that these people were killed.

However, when I asked Ambassador Ledsky if the Turkish Government and Mr. Denktash had provided the United States or the Greek Cypriot people with any concrete evidence that these missing individuals are dead, Ambassador Ledsky told us that they have offered no evidence proving the exact whereabouts of these people.

Nearly two decades have passed, and still we do not know what really hap-

pened to these people. All we have is the word of Mr. Denktash that these people are dead.

Mr. Speaker, that is not enough. We must find out what has happened to these 1,619 missing individuals if their families ever are to have peace.

In 1974, Turkish television and newsreels produced photographs of prisoners of war that were taken during the occupation. They show Greek Cypriot soldiers on their knees with their hands above their heads.

These prisoners of war that have been identified in these photographs are still listed as missing. If these defenseless prisoners are dead, as Mr. Denktash told Ambassador Ledsky, then where are they? They were last in the hands of Turkish army officials who must know their whereabouts—even if it is only the locations of graves. However, even this information we have not been given.

During the informal briefings for the hearing, we heard another story of a missing Greek Cypriot. It was the story of a 5-year-old boy that went by the name of "Christaci," or young Chris. During the fighting, this 5-year-old was nicked by a stray bullet. His mother took him to a nearby Turkish doctor to be examined for any other injuries that he might have sustained.

The mother gave the boy into the doctor's care—and never heard from or saw him again; not in 18 years. He would be 23 now. What happened to him? What threat could a 5-year-old boy have been that he was spirited away while in the care of a doctor? That question, too, goes unanswered.

The U.N. General Assembly Resolution 33/173 notes that the United Nations is:

Concerned also at reports of difficulties in obtaining reliable information from competent authorities as to the circumstances of such missing persons, including reports of the persistent refusal of such authorities or organizations to acknowledge that they hold such persons in their custody or otherwise to account for them.

The International Conference of the Red Cross at their 24th conference is on record as saying it is "Alarmed at the phenomenon of forced or involuntary disappearances, perpetrated, connived at or consented to by governments."

Amnesty International writes on the missing, that:

Enforced disappearance is one of the most serious violations of the human rights safeguarded by international instruments; it infringes virtually all the victims personal rights and many of the rights of their families.

The violations are also contrary to the 1949 Geneva Conventions and cannot be justified by special circumstances, whether armed conflict, state of emergency or internal unrest or tension. Under International Law (article 4 of the International Covenant on Civil and Political Rights) there can be no derogation from the obligation to respect a "hard core" of rights, comprising the right to life, protection against torture and the universal

right to recognition as a person before the law, which are infringed in the event of enforced disappearance. The breach is so serious that it should elicit the most severe international sanctions.

The European Commission on Human Rights, in its report adopted on July 10, 1976, writes that:

The Commission considers that there is a presumption of Turkish responsibility for the fate of persons shown to have been in Turkish custody. However, on the basis of the material before it, the Commission has been unable to ascertain whether, and under what circumstances, Greek Cypriot prisoners declared to be missing have been deprived of their life.

During the caucus hearing, we also heard testimony about the destruction of the cultural heritage of the Greek Cypriot people in northern Cyprus. Greek Orthodox churches in the northern part of the nation—churches that are hundreds of years old—have been looted, destroyed, or converted into mosques, hotels, and even cafeterias.

Priceless religious icons have been chiseled out of church walls and sold to the highest bidder. Cemeteries have been defiled, the graves dug up, tombstones destroyed, and the remains of the dead scattered throughout the area.

Mr. Speaker, the only way that peace will ever come to the families of the missing, and—indeed—to the nation of Cyprus, will be the day that the Turkish troops leave the island and the mystery of the missing of Cyprus is solved.

I believe that the evidence is solid enough to prove that a violation of human rights has occurred on the island of Cyprus. The United States simply must act to help the Greek Cypriot families locate their loved ones, as well as the five United States citizens lost in a storm that descended upon their peaceful lives from out of nowhere.

It has been 18 years, Mr. Speaker. It is time for answers.

Mr. FAZIO. Mr. Speaker, I rise to join my colleagues in this special order on behalf of those missing on the island of Cyprus.

In 1974, when the island was originally divided, Turkish troops seized and removed over 1,600 men, women and children. Twenty-seven of these "Cyprus disappeared" were under 16 years of age when this happened. Five of the Cyprus disappeared were American citizens, and three were relatives of American citizens.

One of those unfortunate enough to be abducted was a Detroit, MI, youth, who was 17 years old at the time. And now, 18 years later, his family has still heard nothing from him. They have no idea whether or not he remains in danger. They do not know if he is sick or well, dead or alive.

The Turkish Government has yet to adequately account for these missing people. Although it maintains that all of them are dead, it has produced no solid evidence of their status. In the meantime, however, families continue to suffer, as they draw their own conclusions about the fates of their loved ones.

The human suffering that results from the political division of a territory is inevitable, but this sustained torment of these poor families is not only insensitive, it is also criminal. And with no settlement of the Cyprus problem on the horizon, their agony will be prolonged even more.

As we focus on the peace process and the human rights abuses on Cyprus, we cannot forget those who were taken prisoner 18 years ago and who remain unaccounted for. As we work toward a free, unified Cyprus, we must somehow also concentrate our efforts on putting this issue to rest for these victims, as well as for their families and friends. It is time to bring their heartache and torture to a close, once and for all.

Mr. Speaker, I would like to close by thanking the distinguished gentleman from Florida [Mr. BILIRAKIS]. My colleague has called this special order and thereby not permitted us to forget our responsibility to Cyprus' disappeared. He has instead allowed us to reaffirm our commitment, both to these innocent victims of Cyprus' occupation, and to their families.

Mrs. BENTLEY. Mr. Speaker, last evening, a network reported that Russian President Yeltsin expressed familiarity with documents relating to the fate of American servicemen sent to the Soviet Union from Vietnam. Similar stories have surfaced about American POW's being sent to Russia in the aftermath of World War II—never to return to their own homeland. I mention this tonight because I think it terribly important that we press the Russians for a full accounting of the whereabouts of these servicemen.

In addition, I think it important to call attention to other Americans who have failed to return to our shores. Specifically, I am referring to a number of American citizens who were on Cyprus at the time of the bloody fighting in 1974. In fact, 5 Americans are currently listed as being among the 1,600 still missing. That is five too many. Mr. Speaker, it is my hope that the Eastern Mediterranean soon will yield new hope for the families of these innocent people.

I want to pay a special compliment to my good friend from Florida, Mr. BILIRAKIS, for making this a priority issue here this evening. I also want to thank him for his tireless efforts to forge a peaceful solution for Cyprus—which remains tragically divided after nearly 2 decades.

Mr. BROOMFIELD. Mr. Speaker, I want to join my colleagues in participating in this important special order on the missing in Cyprus. Let me salute Congressman MIKE BILIRAKIS for his leadership on this important humanitarian concern.

I have a longstanding personal interest in the missing on Cyprus. One of my constituents, Andrew Kassapis, is among those unaccounted for. Andrew's tragic story highlights the futility and continuing anguish of that unjust war.

In 1974, Andrew's father, Costas Kassapis, took his family to Cyprus and was planning to return to the United States when Turkey invaded the island. The then 17-year-old boy and his brother-in-law were taken away from the Kassapis home and never seen again. There are some indications that they may

have been taken to a prison in Turkey, but neither Turkish nor Turkish Cypriot officials have been able to provide any concrete evidence about these two innocent victims of that conflict.

As any loving father would, Mr. Kassapis has worked tirelessly to determine what happened to his son. He deserves our recognition as well as continuing help in trying to solve the disappearance of Andrew and the other victims of Turkish aggression.

There are 1,619 people still missing from the Turkish occupation of Cyprus, including 5 Americans. Each missing person is a tragedy, and those left with only memories of their loved ones must wonder every day about their whereabouts.

I strongly encourage the administration to aggressively pursue the matter of the missing in Cyprus. I also urge Turkish and Turkish Cypriot officials to provide all information currently available concerning these cases. Making progress on this issue would be a positive accomplishment and could help to promote a resolution of the Cyprus dispute.

We can honor the missing by continuing to work to find answers about their fate.

Mr. WOLPE. Mr. Speaker, Cyprus has always been a good friend to the United States. Sometimes memories are short, but I want to remind everyone that in October 1983, when the United States was hurt by an attack on the marines in Lebanon, the people of Cyprus helped evacuate our wounded soldiers. In 1985, when Americans were being held hostage after a TWA airliner was hijacked, the people of Cyprus helped free the hostages.

Unfortunately, the people of Cyprus are no strangers to conflict on their own soil. It has been almost 18 years since Turkish troops invaded and partitioned Cyprus. For Cypriots, this had meant 18 years of disappointment, pain, and suffering. This is 18 years too long for a people to be divided and to have foreign troops on their soil.

Mr. Speaker, as Cyprus has been a friend to the United States, I am proud to have been a friend to Cyprus. I am a member of the congressional friends of Cyprus working group. I have advocated the reunification of Cyprus to Presidents Reagan and Bush, and Secretaries of State Baker and Schultz. As a member of the House Foreign Affairs Committee, I have consistently supported efforts to prevent Turkish military escalation on Cyprus. Most recently, I am a cosponsor of legislation which would withhold United States military and economic assistance from Turkey as long as that nation continues to occupy Cyprus illegally. On numerous occasions I have spoken here on the floor, and back in Michigan, in support of Cypriot reunification. Quite frankly, I'm outraged with how slow a resolution of the Cyprus conflict seems to be in coming.

Throughout the world, we are seeing tremendous advances toward peace, reconciliation, and self-determination. People who had suffered under oppression or in conflict in Eastern Europe, the former Soviet Union, and South Africa, are now facing the prospect of freedom for the first time in decades. It is now time for the people of Cyprus to enjoy these same freedoms.

Freedom and true independence on Cyprus can only come with the removal of all foreign

troops from the island. Although there is currently an apparent impasse in negotiations leading to this end, I hope that strong United Nations and international action will bring a long-awaited solution for the Cypriots.

President Bush speaks of a new world order. If indeed this means dedication to international law and respect for national sovereignty, then let Cyprus be the first test of the new world order. There are operative U.N. resolutions which pertain to the resolution of the Cyprus conflict and which are not being enforced. Moreover, Turkey continues to ignore the will of the international community by maintaining its occupation of Cyprus. The unenforced U.N. resolutions weaken the United Nations as an institution, and destroy the opportunity for a new world order.

Mr. Speaker, we have been talking about issues of international diplomacy in lands which seem very far away. Unfortunately, there is a very human face to the suffering in Cyprus. There is a father in Michigan named Costas Kassapis. Costas Kassapis has a son named Andrew. Andrew Kassapis was born and raised in Michigan, in Detroit. Andrew Kassapis was in Cyprus in 1974 with his United States passport. With his American passport in hand, Andrew Kassapis was kidnapped by Turkish Cypriots during the 1974 Turkish invasion of Cyprus. That father in Michigan, Costas Kassapis, has not seen his son since then. Costas Kassapis does not know if his son is dead or alive, if he is in prison, if he is hungry, if he is clothed. A day does not go by without Costas Kassapis living the horror and tragedy that has befallen his native Cyprus. How many more Andrew Kassapises do we need before peace finally comes to Cyprus, before that small island can be reunified, and before families like the Kassapises can again be made whole?

Mr. MANTON. Mr. Speaker, I rise today to join my colleague, Mr. BILIRAKIS, in this important special order on the missing in Cyprus. At the outset, I want to commend Mr. BILIRAKIS for his tireless work to ensure this issue is not forgotten.

Mr. Speaker, since Turkey invaded Cyprus in 1974, 1,619 people, including 8 Americans, last seen alive in the Turkish-occupied areas of Cyprus have never been accounted for. The families of these missing individuals suffered a twofold tragedy; first the immediate loss of their relatives, and second the long years of uncertainty which have followed.

I first learned of the tragedy of the disappeared in Cyprus from the Anastasiou family who live in Astoria, NY, in my district. Andreas Anastasiou's brother George has been missing since 1974, when he was captured by Turkish troops. Although his family received a message from George Anastasiou 6 months after his capture, no word has been heard from him since.

For the many families like the Anastasiou, the war will never be over until they learn the whereabouts of their loved ones.

Unfortunately, although the Congressional Human Rights Caucus held a hearing in which I participated in 1988, and again looked into the matter this year, the Turkish Government has still not accounted for these missing persons.

Earlier this year, the committee ministers of the Council of Europe made public the report

of the European Commission of Human Rights, which is an impartial international judicial body, regarding Turkey's violations of human rights in Cyprus.

The Commission found that Turkey had violated the European Convention on Human Rights by the continuous deprivation of liberty of Greek Cypriot missing persons who were in Turkish territory in 1974.

The Commission also found that the families of the missing have suffered severely from the 9 years of uncertainty they have endured about the fate of their relatives.

Mr. Speaker, it is time for the suffering to end. It is time for the Turkish government to provide some answers. So far, congressional and U.N. appeals on behalf of human rights have failed to give us any answers. For many years, those of us who have favored taking a firm stance against Turkey have been told Turkey's strategic position as a NATO ally required us to be patient in the interest of preserving the strength of NATO.

However, the time for such arguments has long passed. The Government of Turkey continues to urge the world to stop calling attention to the aftermath of the 1974 Cypriot war, while ignoring the obvious first step necessary to put that war behind us: Accounting for all the missing.

Turkey should be required to account for the missing in Cyprus before she receives any more United States assistance. Maybe withholding financial assistance is the only way we can force a reply from Turkey. One thing is clear, all other recourse has failed.

Mr. TORRICELLI. Mr. Speaker, I would like to address an issue of deep concern to many Americans and Greeks alike, the thousands of people still missing in Cyprus after the 1974 Turkish invasion.

Some 18 years have passed and little progress has been made to resolve this issue. When Turkish forces swept through Cyprus 18 years ago, they rounded up and abducted some 600 Greek Cypriot civilians in their raid. The International Red Cross reports 112 of these prisoners were women and 26 were under the age of 16.

The United Nations and the International Red Cross have worked in vain to resolve the issue through the Committee of Missing Persons in Cyprus. This body was constituted despite the opposition of Turkey and now remains paralyzed due to political stonewalling.

Prisoner accounts reveal that many of the Greek Cypriots captured during the raid were relocated to Turkish prisons. Amnesty International backs this contention. Yet the Government of Turkey and Turkish Cyprus will not cooperate by providing information on the 1,619 missing. Instead, they simply assert that they are dead.

If these Greek Cypriots are dead, then evidence must be produced. Compassion dictates that Turkey and Turkish-controlled Cyprus return the remains of these individuals so that families and friends may finally lay to rest the hopes of their return.

What is more astounding is that the United States has not taken a more active role in resolving the issue of missing in Cyprus. Of the thousands unaccounted for, seven are American citizens.

The issue of missing in Cyprus needs to be resolved. For 18 years, this unsettled matter

has toyed with the emotions of Cypriots and Americans alike. We have an international humanitarian obligation to end their pain. It is time for the Bush administration and the world community to give this issue the attention it deserves.

Mr. MAVROULES. Mr. Speaker, when George Bush was Vice President, the Reagan administration sold arms to Iran in an attempt to obtain the release of American hostages held in Lebanon. Why has he ignored the issue of Americans being held prisoner by Turkey?

The President was at the dedication of a memorial for the forgotten war, Korea, but he does not address the fate of five Americans kidnaped by Turkish forces during the illegal 1974 invasion of Cyprus. They are the forgotten hostages.

It is a disgrace that the Government of the United States refuses to pressure the Turkish regime to even confirm the fate of our hostages. I am extremely disappointed that a supposed ally continues to violate international law and disregard the human rights of Americans, all while the Bush administration presses for millions of dollars in direct assistance to Turkey. The Bush administration has even threatened the 7:10 ratio, disregarding blatantly anti-American policies of the Turkish regime.

Mr. Speaker, we must act now. There are no hostages in Lebanon. Russia has come forward to help solve the mystery of Vietnamese POW/MIA's. Even Vietnam has shown an increasing willingness to locate Americans missing or killed during that war.

We cannot wait any longer. The families of the hostages missing from Cyprus should receive the same assurances from the President that our hostages in Lebanon received during the past few years. This Chamber must call on the President to give this issue the priority it deserves, and has deserved for more than a decade-and-a-half.

Mr. ATKINS. Mr. Speaker, I rise to join my colleagues to mourn the fact that 1,619 people are still missing in Cyprus after 18 years of illegal Turkish occupation of the northern portion of that island.

Last month, the Congressional Human Rights Caucus had the opportunity to hear from both Greek and Turkish Cypriots. The caucus heard from Costas Kassapis, who testified that his son, Andrew, an American citizen, was kidnapped at age 17 by two Turkish Cypriots during the invasion. Although it is said that he is prisoned in Turkey, his family has not heard from him since. A similar story is repeated over and over again—1,619 times to be exact. The tragedy of so many missing Greek Cypriots—perhaps dead, perhaps alive—has made it impossible for Greek Cypriots to rebuild their lives, even after 18 years of Turkish occupation.

Namik Korhan, the Washington representative of the so-called Turkish Republic of Northern Cyprus appeared before the Congressional Human Rights Caucus. In his testimony, Mr. Korhan said, "For over 400 years, Cyprus has been the home of Muslim Turkish Cypriots and Christian Orthodox Greek Cypriots, who, together, make up the native population of Cyprus." This much I think we can all agree with.

But then Mr. Korhan engaged in a bit of revisionist history. In an attempt to justify the un-

justifiable actions of the Turkish Government in Cyprus, he claimed that the "distinct national, religious, and cultural characteristics of each ethnic people has prevented the creation of a Cypriot nation over the centuries." His claim appears to be that there are no Cypriots, rather, there are Greeks and Turks on Cyprus. This kind of cynical revisionism defies the facts of the summer of 1974, when Cypriots defended themselves against the invading forces.

Of the 1,619 missing Greek Cypriots, Mr. Korhan argued that 1,100 were military personnel who took part in the fighting. But what kind of crime is it to defend your native land? And what of the other 519 missing Greek Cypriots? By referring to the missing Cypriots as "alleged" and assuming the missing to be dead at the hands of the Greek Cypriots, Mr. Korhan then engaged in the ultimate revisionist speculation. His testimony stands on its own: It is revolting and inexcusable.

In opening the Human Rights Caucus Hearing, Congressman BILIRAKIS quite rightly limited the scope of the hearings to the human rights concerns and not political questions concerning the division of Cyprus. He said that such questions "should be left to another place and time." Therefore, let it be said at this place and at this time: The 1974 Turkish invasion of Cyprus was an illegal act. The subsequent revelation that the invasion resulted in 1,619 missing Greek Cypriots, including 116 women and 27 children under the age of 16, makes this illegal act a massive human rights violation. And the fact that the Turkish Government ignores the pleas on behalf of the missing makes this whole tragic event into an indefensible coverup on the part of the Turkish Government.

Mr. PORTER. Mr. Speaker, I thank the gentleman from Florida for yielding to me and for his tireless efforts to bring about a full accounting of the 1,619 individuals who disappeared during the Turkish invasion of Cyprus in 1974.

The issue of the missing of Cyprus remain a horrendous stain on the history of Europe and a constant torment to the families of those who have been missing for nearly 18 years. This stain cannot be removed until all 1,619 missing, including 5 American citizens, are accounted for.

At Mr. BILIRAKIS' request, the Congressional Human Rights Caucus recently held a members forum on the missing of Cyprus. Members of the caucus heard statements from Ambassador Nelson Ledsky, the United States Special Assistant on Cyprus, and from representatives of human rights and religious groups regarding the missing and status of negotiations to discover their whereabouts.

At the members forum, there was some difference of opinion whether the issue of the missing could be fully resolved short of a comprehensive settlement of the Cyprus issue. I am a firm believer that it can. The disappeared is not a political issue, it is a humanitarian issue. As such, it can be separated from the political issues that have separated the island of Cyprus for the last 18 years and dealt with on its own terms.

A U.N. commission to investigate the fate of the missing has been in existence for years, but to date has not reported any findings. Dur-

ing the Human Rights Caucus forum, Nelson Ledsky indicated that he believed that the Commission had reached conclusions on the fates of several hundred of the missing, but has been blocked from releasing this information by one of the principle nations involved. I call on the Commission to report its findings to date and renew its efforts to account for all the missing.

It also became evident during the hearing that Rauf Denktash, the leader of the occupied north of Cyprus, could lay to rest a great many questions by allowing a neutral group from the United Nations or another international agency access to the north to search for clues to the disappearances. To date, Mr. Denktash has not agreed to do this. I call on Mr. Denktash to demonstrate goodwill and humanity by allowing such a team access to the north.

While a political solution to the separation of Cyprus is not a prerequisite to resolving the issue of the missing, it is clear that a fair, just and democratic solution is the most desirable course of action and would also entail a resolution of the missing issue.

To this end, last Friday, the Foreign Operations Subcommittee included report language in its fiscal year 1993 bill that strongly supports the upcoming U.N. negotiations in New York on the Cyprus issue. The subcommittee made clear that it will pay close attention to the positions taken by each party during the upcoming talks and expects all parties to be fully cooperative and forthcoming.

I intend to monitor the talks carefully and if any party is obstructionist in the negotiations, I will push to have this party's foreign assistance eliminated in the coming year. Cyprus has remained separated too long and the United States should not be party to supporting any nation that tacitly or directly undermines a solution to this unconscionable separation.

Mr. Speaker, I thank Mr. BILIRAKIS for calling this special order today. He has been in the forefront calling for a resolution of the missing issue and is one of the truest friends of Cyprus in Congress. I appreciate the opportunity to participate today and look forward to working with Mr. BILIRAKIS and other members to resolve the issue of the missing and reunify the island of Cyprus.

Mr. FEIGHAN. Mr. Speaker, I want to commend the gentleman from Florida [Mr. BILIRAKIS] for his leadership in taking out this special order and for allowing us this opportunity to address one of the most prolonged and unsettling human rights situations in the world: The plight of the 1,619 people who remain missing and unaccounted for since the 1974 Turkish invasion of Cyprus.

Today's headlines are filled with revelations by Russian President Boris Yeltsin that United States servicemen, missing since the Vietnam conflict, were transferred to Soviet work camps and still may be alive in Russia. The plight of these Americans strikes a chord deep within the American psyche. There is a deep longing on the part of the families of these American citizens and by the American public at large to end the years of suffering and make these families whole again.

It is that same longing that we saw in the faces of the mothers of the disappeared in Argentina. It is the same longing we saw in the faces of the classmates and families of the

students who faced-down tanks in Tiananmen Square. And it is the same longing that we see in the face of Mr. Costas Kassapis, an American whose son, Andrew, was taken captive by Turkish soldiers, with his United States passport in hand, and subsequently disappeared 18 years ago.

Andrew Kassapis is one of the 5 Americans among the 1,619 Greek-Cypriots who are still missing. Turkish authorities claim to this day that all of the missing were killed at the time of the invasion. That claim is contradicted by evidence collected by the International Committee of the Red Cross as well as by photographs in the Turkish press showing Greek-Cypriot captives in Turkish prisons.

The time has come for the international community to demand a full accounting for each of these cases. Ankara claims that there are no Greek-Cypriots held in Turkish prisons. If so, it is within the power of the Turkish Government to allow an independent investigation of the northern part of the island to conduct interviews, to locate remains, and to take all the necessary steps to bring these cases to a resolution.

Whether it's for purely humanitarian reasons or to remove this issue from the ongoing Cyprus dilemma, it is in Turkey's best interest to see this issue resolved. But that won't happen unless the United States and the rest of the international community makes it known that we are concerned about this issue. That's why this special order is so important, not just for the families of the disappeared, but to influence policymakers around the world about this prolonged denial of basic human rights.

Once again, I want to commend my friend, the gentleman from Florida [Mr. BILIRAKIS], for his tireless commitment to this issue and to all my other colleagues who have worked so hard for justice and human rights for the people of Cyprus.

□ 1900

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 60 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HEFNER (at the request of Mr. GEPHARDT), for today through June 26, because of illness.

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 Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. RIGGS, for 60 minutes, on June 16, 17, 18, and 19.

Mr. BROOMFIELD, for 60 minutes, on June 16 and 17.

Mrs. BENTLEY, for 5 minutes, today.

Mr. STEARNS, for 5 minutes, today.

(The following Members (at the request of Mr. LIPINSKI) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ROSE, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. COMBEST.

Mr. GALLEGLEY.

Mr. CUNNINGHAM.

Mr. COX of California.

Mr. BROOMFIELD.

Mr. PACKARD.

Mr. PORTER.

Mr. HORTON.

Mr. LEWIS of California.

Mrs. ROUKEMA in two instances.

Mr. LEWIS of Florida.

(The following Members (at the request of Mr. LIPINSKI) and to include extraneous matter:)

Ms. SLAUGHTER.

Mrs. KENNELLY.

Mr. HOYER.

Mr. SWETT.

Mr. SCHEUER.

Mr. LEVINE of California.

Mr. MRAZEK.

Mr. TORRES.

Mr. PENNY.

Ms. NORTON.

Mr. JACOBS.

Mr. MAZZOLI in two instances.

Mr. VENTO.

Ms. OAKAR.

Mr. McDERMOTT.

Mr. MATSUI.

Mr. TORRICELLI.

Mr. FORD of Michigan.

Mr. HOCHBRUECKNER in two instances.

Ms. LONG.

Mr. ROSTENKOWSKI.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2507. An act to amend the Public Health Service Act to revise and extend the program of the National Institutes of Health, and for other purposes.

ADJOURNMENT

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, accordingly (at 7 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 17, 1992, 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:

3756. A letter from the Chairman, Federal Housing Finance Board, transmitting annual enforcement report of the Federal Housing Finance Board, pursuant to 12 U.S.C. 1422a; to the Committee on Banking, Finance and Urban Affairs.

3757. A letter from the Director, Environmental Protection Agency, transmitting the semiannual report of activities of the inspector general covering the period October 1, 1991 through March 31, 1992, and management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3758. A letter from the Secretary, Department of the Interior, transmitting the biological study of the striped bass fishery resources and habitats of the Albermarle Sound-Roanoke River basin area, pursuant to 16 U.S.C. 1851 note; to the Committee on Merchant Marine and Fisheries.

3759. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 5, United States Code, to encourage the voluntary separation of civilian employees of the Department of Defense, and for other purposes; to the Committee on Post Office and Civil Service.

3760. A communication from the President of the United States, transmitting a copy of a proclamation that extends nondiscriminatory treatment to the products of Albania; also enclosed is the text of the "Agreement on Trade Relations Between the Government of the United States of America and the Republic of Albania," which was signed on May 14, 1992, pursuant to 19 U.S.C. 2437(a) (H. Doc. No. 102-346); to the Committee on Ways and Means and ordered to be printed.

3761. A communication from the President of the United States, transmitting his determination that Syria no longer meets the eligibility requirements set forth in the GSP law (H. Doc. No. 102-345); to the Committee on Ways and Means and ordered to be printed.

3762. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the second and third annual report of the Federated States of Micronesia on the use and expenditure of funds made available under the Compact of Free Association, pursuant to 48 U.S.C. 1681 note; jointly, to the Committees on Interior and Insular Affairs and Foreign Affairs.

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. 3673. A bill to authorize a research program through the National Science Foundation on the treatment of contaminated water through membrane processes; with an amendment (Rept. 102-566). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 5344. A bill to authorize the National Science Foundation to foster and support the development and use of certain computer networks (Rept. 102-567). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 2675. A bill to amend title 5, United States Code, to provide for the granting of leave to Federal employees wishing to serve as bone-marrow or organ donors, and to allow Federal employees to use sick leave for purposes relating to the adoption of a child; with an amendment (Rept. 102-568). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4484. A bill to authorize appropriations for fiscal year 1993 for the Maritime Administration; with an amendment (Rept. 102-570). Referred to the Committee of the Whole House on the State of the Union.

Mr. FROST: Committee on Rules. House Resolution 485, waiving certain points of order during consideration of H.R. 5373 a bill making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-571). Referred to the House Calendar.

Mr. BELLENSON: Committee on Rules. House Resolution 486. Resolution providing for the consideration of H.R. 5099, a bill to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes (Rept. 102-572). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 487. Resolution providing for the consideration of H.R. 3247, a bill to establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration (Rept. 102-573). Referred to the House Calendar.

Mr. MOAKLEY: June 16, 1992 Committee on Rules. House Resolution 488. Resolution providing for the consideration of H.R. 4310, a bill to reauthorize and improve the national marine sanctuaries program, and to establish the Coastal and Ocean Sanctuary Foundation. Referred to the House Calendar.

Mr. BELLENSON: Committee on Rules. House Resolution 489. Resolution providing for the consideration of H.R. 4996, a bill to extend the authorities of the Overseas Private Investment Corporation, and for other purposes. Referred to the House Calendar.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 5099. A bill to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes, with an amendment (Rept. 102-576, 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. FASCELL: Committee on Foreign Affairs. H.R. 4547. A bill to authorize supple-

mental assistance for the former Soviet republics; with amendments; referred to the Committees on Agriculture, Armed Services, Banking, Finance and Urban Affairs, and Science, Space, and Technology for a period ending not later than July 2, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1 (a), (c), (d), and (r) of rule X, respectively. (Rept. 102-569, Pt. 1). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of June 15, 1992]

H.R. 5095. Referral to the Committee on Armed Services extended for a period during not later than June 17, 1992.

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. EDWARDS of California:

H.R. 5399. A bill to amend the U.S. Commission on Civil Rights Act of 1983 to provide an authorization of appropriations; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself, Mr. BURTON of Indiana, Mr. MONTGOMERY, Mr. STUMP, Mr. EVANS, and Mr. KENNEDY):

H.R. 5400. A bill to establish in the Department of Veterans Affairs a program of comprehensive services for homeless veterans; to the Committee on Veterans' Affairs.

By Mr. KLECZKA:

H.R. 5401. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods derived from plant varieties developed by methods of genetic modification be labeled to identify their derivation; to the Committee on Energy and Commerce.

By Mr. PENNY:

H.R. 5402. A bill to amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program, and for other purposes; to the Committee on Agriculture.

By Mr. PENNY (for himself, Mr. FAWELL, Mr. JONTZ, Mr. BALLENGER, Mrs. MEYERS of Kansas, Mr. ZELIFF, and Mr. UPTON):

H.R. 5403. A bill to rescind funds made available under the Department of Defense Appropriations Act, 1992, for the Arctic Region Supercomputing Center; to the Committee on Appropriations.

By Mr. ROSE:

H.R. 5404. A bill to require that the operating segment of the Federal budget be balanced in fiscal year 1994 and that the entire budget be balanced by fiscal year 1998 and to provide tough enforcement mechanisms to guarantee the budget is balanced; jointly, to the Committee on Government Operations, Rules, and Ways and Means.

By Mr. TORRICELLI (for himself, Mr. FIELDS, Mr. SOLARZ, Mr. LANTOS, Mr. LENT, Mr. JONES of North Carolina, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. AUCOIN, Mr. BATEMAN, Mrs. BENTLEY, Mr. BORSKI, Mr. DARDEN, Mr. DAVIS, Mr. DELLUMS, Mr. ENGEL, Mr. HOCHBRUECKNER, Mr. HUBBARD,

Mr. JEFFERSON, Mr. JOHNSTON of Florida, Mr. KOSTMAYER, Mr. LAUGHLIN, Mr. MACHTLEY, Mr. MANTON, Mr. MILLER of Washington, Mr. NAGLE, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PRICE, Mr. RAHALL, Mr. RITTER, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. SWETT, Mr. TAUZIN, Mrs. UNSOELD, and Mr. YOUNG of Alaska):

H.R. 5405. A bill to amend the Foreign Assistance Act of 1961 to ensure that U.S. cash transfer assistance is utilized to purchase U.S. goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BERMAN (for himself, Mr. HAMILTON, Mr. MILLER of Washington, Mr. GEJDENSON, Mr. PANETTA, Mr. MILLER of California, Mr. GONZALEZ, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. WEISS, Mr. MCCLOSKEY, Mr. LEVINE of California, Mr. WAXMAN, Mr. KOSTMAYER, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. MINETA, Mr. KOPETSKI, Mr. ATKINS, Mr. NAGLE, and Mr. RANGEL):

H.R. 5406. A bill to restrict the authorities of the President with respect to regulating the exchange of information with, travel to or from, and educational and cultural exchanges with, foreign countries; to the Committee on Foreign Affairs.

By Mr. RICHARDSON (for himself, Mr. HALL of Texas, Mr. SERRANO, Mr. MORAN, Mr. ABERCROMBIE, Mr. ECKART, Mr. PAYNE of New Jersey, Mr. ANDREWS of New Jersey, Mr. ROYBAL, Mr. TORRES, Mr. TAUZIN, and Mr. DORGAN of North Dakota):

H.R. 5407. A bill to establish in the Department of Labor the U.S. Boxing Commission to develop minimum Federal boxing standards applicable to the conduct of professional boxing, and for other purposes; jointly, to the Committees on Energy and Commerce and Education and Labor.

By Mr. STARK:

H.R. 5408. A bill to extend until January 1, 1995, the existing reduction of duty on certain paper products; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 5409. A bill to extend the statute of limitations applicable to civil actions brought by the Federal conservator or receiver of a failed depository institution; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GEPHARDT (for himself and Mr. MICHEL) (both by request):

H.J. Res. 507. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of the Republic of Albania; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. PORTER, Mr. FASCELL, Mr. MARKEY, Mr. FEIGHAN, Mr. RICHARDSON, Mr. RITTER, Mr. SMITH of New Jersey, Mr. WOLF, Mr. SMITH of Florida, Ms. HORN, Ms. PELOSI, Mrs. MORELLA, Mr. MCNULTY, Mr. BLILEY, Mr. CARDIN, Mr. ACKERMAN, Mr. LEHMAN of California, Mr. HUGHES, Mr. LANTOS, Mr. BATEMAN, Mr. OWENS of Utah, Mr. SISISKY, Mr. BUSTAMANTE, Mr. SCHEUER, Ms. NORTON, and Mr. LIPINSKI):

H.J. Res. 508. Joint resolution designating August 1, 1992, as "Helsinki Human Rights Day"; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

By Mr. MCCOLLUM (for himself, Mr. CRANE, Mr. HUNTER, and Mr. DORNAN of California):

H. Con. Res. 332. Concurrent resolution expressing the sense of the Congress that the governmental authorities of the independent states of the former Soviet Union should release certain information regarding the past activities of the Communist Party of the Soviet Union, and for other purposes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILCHREST:

H.R. 5410. A bill to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHIFF:

H.R. 5411. A bill for the relief of Benjamin Stock; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 53: Mr. GUARINI, Mr. GALLEGLY, and Mr. CLEMENT.

H.R. 576: Mr. CAMP and Mr. CLEMENT.

H.R. 643: Mr. SUNDQUIST.

H.R. 747: Mr. ROWLAND.

H.R. 875: Mr. MINETA.

H.R. 1188: Mr. KLUG and Mr. RITTER.

H.R. 1218: Mrs. LOWEY of New York.

H.R. 1443: Mr. CONDIT, Mr. SMITH of Texas, and Mr. COLORADO.

H.R. 1468: Mr. SANTORUM.

H.R. 1509: Mr. DAVIS.

H.R. 1536: Mrs. COLLINS of Michigan, Mrs. BYRON, and Mrs. BOXER.

H.R. 1624: Mr. CUNNINGHAM and Mr. GINGRICH.

H.R. 2063: Mrs. UNSOELD.

H.R. 2089: Mr. BUSTAMANTE.

H.R. 2650: Mr. WEISS.

H.R. 2798: Mr. PETERSON of Florida.

H.R. 3026: Mr. GUARINI.

H.R. 3164: Mr. MCCRERY and Mr. GALLEGLY.

H.R. 3258: Mr. SCHEUER.

H.R. 3438: Mr. RITTER.

H.R. 3439: Mr. RITTER.

H.R. 3440: Mr. RITTER.

H.R. 3441: Mr. RITTER.

H.R. 3442: Mr. RITTER.

H.R. 3450: Mr. ATKINS, Mrs. COLLINS of Michigan, and Mr. OWENS of New York.

H.R. 3518: Mr. UPTON and Mr. MCCURDY.

H.R. 3561: Mr. EWING and Mr. MILLER of Washington.

H.R. 3570: Mr. ATKINS.

H.R. 3599: Mr. EWING.

H.R. 3677: Mr. AU COIN and Mr. BUSTAMANTE.

H.R. 3763: Mr. LANTOS.

H.R. 3838: Mr. DANNEMEYER and Mr. GOODLING.

H.R. 4089: Mr. FISH and Ms. DELAURA.

H.R. 4124: Mr. ATKINS.

H.R. 4159: Mr. BEILSON, Mr. MORRISON, Mrs. UNSOELD, and Mr. EVANS.

H.R. 4192: Mr. WELDON.

H.R. 4206: Mr. MOLLOHAN and Mr. CAMPBELL of Colorado.

H.R. 4207: Mr. SENSENBRENNER, Mr. BOEHLERT, and Mr. PETERSON of Minnesota.

H.R. 4259: Mr. FRANK of Massachusetts, Mr. HAYES of Illinois, Mr. PENNY, Mr. EARLY, Mr. NOWAK, Mr. KOPETSKI, Mr. LAGOMARSINO, Mr. KENNEDY, Mr. SHAYS, and Ms. KAPTUR.

H.R. 4300: Mr. ATKINS, Mr. SAWYER, Mrs. SCHROEDER, and Mr. TORRICELLI.

H.R. 4311: Mr. ENGLISH, Mr. DEFAZIO, Mr. JONTZ, Mrs. MINK, Mr. STALLINGS, Ms. NORTON, Mr. KOPETSKI, Mr. PETERSON of Minnesota, Mr. RANGEL, Mr. HUGHES, Mrs. SCHROEDER, and Mr. LANCASTER.

H.R. 4393: Mr. CRAMER, Mr. FLAKE, Mr. GOSS, Mr. HOCHBRUECKNER, Mr. JOHNSTON of Florida, Mr. LAFALCE, Mr. LANCASTER, Mr. LENT, Mrs. LOWEY of New York, Mr. MCHUGH, Mr. NOWAK, Mr. OWENS of New York, Mr. PAXON, Mr. SHAW, Mr. SOLOMON, Mr. SUNDQUIST, Mr. THOMAS of Wyoming, and Mr. WALKER.

H.R. 4611: Ms. MOLINARI.

H.R. 4689: Mr. OWENS of Utah.

H.R. 4754: Mr. RITTER.

H.R. 4848: Mr. BERMAN and Mr. MURTHA.

H.R. 4961: Mr. GALLEGLY.

H.R. 5000: Mr. HORTON and Mr. HOYER.

H.R. 5017: Mr. BERMAN.

H.R. 5019: Mr. DORNAN of California, Mr. KLUG, Mr. PORTER, Mr. DANNEMEYER, Mr. SANTORUM, and Mr. BROWN.

H.R. 5036: Ms. NORTON.

H.R. 5108: Mrs. KENNELLY.

H.R. 5113: Mr. BOEHRER.

H.R. 5155: Mr. WELDON, Mr. RANGEL, and Mr. FROST.

H.R. 5157: Mr. RIGGS.

H.R. 5166: Mr. ATKINS.

H.R. 5167: Mr. BERMAN.

H.R. 5176: Mr. TOWNS.

H.R. 5208: Mr. PALLONE, Mr. OWENS of Utah, Mr. LANTOS, Mr. LEWIS of Georgia, and Mrs. MORELLA.

H.R. 5217: Mr. ATKINS, Mr. FORD of Michigan, and Mr. TORRICELLI.

H.R. 5250: Mr. SHAW and Mr. ANTHONY.

H.R. 5257: Mr. TAUZIN and Mr. BLACKWELL.

H.R. 5272: Mr. PENNY, Mr. VISLOSKEY, and Mr. ESPY.

H.R. 5276: Mr. PARKER, Mr. BLAZ, Mr. COBLE, Mr. STENHOLM, Mr. HAYES of Louisiana, Mr. PICKETT, Mr. MCCRERY, Mr. CALAHAN, Mr. UPTON, Mr. SCHAEFER, Mr. BILLEY, Mr. BARTON of Texas, Mr. HANCOCK, Mr. OXLEY, Mr. CHANDLER, Mr. COSTELLO, Mr. SAXTON, and Mr. GALLO.

H.R. 5282: Mr. STUDDS, Mr. ROHRBACHER, Mr. PALLONE, and Mr. MURPHY.

H.R. 5316: Mr. JEFFERSON.

H.R. 5323: Mr. HOCHBRUECKNER.

H.R. 5340: Ms. ROS-LEHTINEN.

H.R. 5357: Ms. NORTON.

H.R. 5360: Mr. FRANK of Massachusetts, Mr. SCHEUER, Mr. ATKINS, Mr. OBERSTAR, Mr. PENNY, Mr. FOGLIETTA, Mr. LEHMAN of Florida, Mr. HAYES of Illinois, Mr. JOHNSTON of Florida, Mr. OLIN, Mr. STARK, Mr. ABERCROMBIE, Mr. MOODY, Ms. HORN, Mr. HALL of Ohio, Mr. KOPETSKI, Mr. DE LUGO, Mr. ACKERMAN, Mr. GEJDENSON, Mr. DYMALLY, Mr. WHEAT, Mr. CLAY, Mr. OWENS of New York, Mr. STOKES, Mr. ESPY, Mr. BLACKWELL, and Mr. KOSTMAYER.

H.J. Res. 83: Mr. YOUNG of Alaska.

H.J. Res. 237: Mr. LEHMAN of Florida, Mr. HUBBARD, Mr. MATSUI, Mr. GONZALEZ, Mr. NATCHER, and Mr. KOPETSKI.

H.J. Res. 336: Mr. FISH.

H.J. Res. 393: Mr. MURTHA, Mr. FASCELL, Mr. BORSKI, Mr. ANNUNZIO, Mr. BILIRAKIS, Mr. FRANK of Massachusetts, Mr. ROWLAND, Mr. SMITH of Florida, Mr. McNULTY, Mr. GILCHREST, Mr. EWING, Mr. PORTER, Mr. GOODLING, and Mr. GINGRICH.

H.J. Res. 399: Mr. BOUCHER.

H.J. Res. 411: Mr. ACKERMAN, Mr. ROEMER, Mr. STAGGERS, and Mr. BACCHUS.

H.J. Res. 436: Mr. FISH.

H.J. Res. 473: Mr. MATSUI.

H.J. Res. 476: Mr. ESPY.

H.J. Res. 478: Mr. OWENS of New York and Mr. FALCOMAVAEGA.

H.J. Res. 483: Mr. TALLON, Mr. MILLER of Washington, and Ms. NORTON.

H.J. Res. 486: Mr. ANNUNZIO, Mr. MCHUGH, Mr. TANNER, Mr. PETERSON of Florida, Mr. SAWYER, Mr. LEHMAN of California, Mrs. PATTERSON, Mr. ATKINS, Mr. ERDREICH, Mr. FEIGHAN, Mr. HUBBARD, Mr. HARRIS, Mr. HEFNER, Mr. FASCELL, Mr. HAYES of Illinois, Mr. CRAMER, Mr. ROSE, and Mr. JONTZ.

H.J. Res. 495: Mr. SERRANO, Mr. QUILLEN, Mr. BATEMAN, Mr. GALLEGLY, Mr. BEVILL, Mrs. MORELLA, Mrs. BENTLEY, Mr. BREWSTER, Mr. CLEMENT, Mr. COOPER, Mr. COSTELLO, Mr. DE LUGO, Mr. DICKS, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. FALCOMAVAEGA, Mr. FEIGHAN, Mr. FORD of Tennessee, Mr. GEJDENSON, Mr. GEKAS, Mr. GEREN of Texas, Mr. GILCHREST, Mr. HEFNER, Mr. HERTEL, Mr. HOBSON, Mr. HOCHBRUECKNER, Mr. HUGHES, Mr. HUTTO, Mr. HYDE, Mr. JONES of North Carolina, Mr. JONTZ, Mr. KASICH, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LEACH, Mr. LEWIS of California, Ms. LONG, Mr. LOWERY of California, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCEWEN, Mr. MARTIN, Mr. MURPHY, Mr. OWENS of New York, Mrs. PATTERSON, Mr. PURSELL, Mr. RINALDO, Mr. RITTER, Mr. ROE, Mr. ROWLAND, Mr. ROYBAL, Mr. SAVAGE, Mr. SLATTERY, Mr. SPRATT, Mr. STAGGERS, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mr. VALENTINE, Mr. VANDER JAGT, Mr. WYLLIE, Mr. YATRON, Mr. BACCHUS, Mr. MATSUI, Mr. HAYES of Illinois, and Ms. NORTON.

H. Con. Res. 189: Mr. PETERSON of Florida, Mr. PAXON, Mr. ZELIFF, Mr. LENT, Mr. DURBIN, Mrs. MEYERS of Kansas, Mr. CAMPBELL of California, Ms. HORN, Mr. GUARINI, Mr. GILMAN, Mr. OXLEY, Mr. FRANKS of Connecticut, Mr. HUGHES, Mr. HAYES of Illinois, and Mr. BUSTAMANTE.

H. Con. Res. 295: Mrs. KENNELLY.

H. Con. Res. 309: Mr. Espy.

H. Con. Res. 316: Mr. QUILLEN, Mr. HUGHES, Mr. CONDIT, and Mr. DIXON.

H. Res. 347: Mr. UPTON.

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. 4211: Mr. BERMAN.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

161. By the SPEAKER. Petition of the city council of the city of New York, relative to a national health plan; to the Committee on Energy and Commerce.

162. Also, petition of the city council, District of Columbia, relative to legal admission of Haitian refugees; jointly, to the Committees on Foreign Affairs and the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4996

By Mr. ANDREWS of New Jersey:

—Page 50, line 10, strike "INFORMATION IN AGGREGATE FORM" and insert "BASIS FOR PROJECTIONS".

Page 50, line 13, strike "Such" and all that follows through page 51, and line 2, and insert the following after line 3:

"(3) MANNER OF REPORTING EFFECTS ON EMPLOYMENT.—In reporting the projections on employment required by this subsection, the Corporation shall specify, with respect to each project—

"(A) any loss of jobs in the United States caused by the project, whether or not the project itself creates other jobs;

"(B) any jobs created by the project; and

"(C) the country in which the project is located, and the economic sector involved in the project.

No proprietary information may be disclosed under this paragraph.

—Page 2, strike line 4 and all that follows through page 55, line 23, and insert the following:

TITLE I—TERMINATION OF OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 101. TERMINATION OF OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) TERMINATION OF AUTHORITY TO MAKE NEW OBLIGATIONS.—(1) Effective 60 days after the date of the enactment of this Act, the Overseas Private Investment Corporation shall not issue any insurance, guarantee, or reinsurance, make any loan, or acquire any securities, under section 234 of the Foreign Assistance Act of 1961, enter into any agreements for any other activity authorized by such section 234, or enter into risk sharing arrangements authorized by section 234A of that Act.

(2) Paragraph (1) does not require the termination of any contract or other agreement entered into before such paragraph takes effect.

(b) TERMINATION OF OPIC.—Effective 180 days after the date of the enactment of this Act, the Overseas Private Investment Corporation is abolished.

(c) TRANSFER OF OPERATIONS TO OMB.—The Director of the Office of Management and Budget shall, effective 1890 days after date of the enactment of this Act, perform the functions of the Overseas Private Investment Corporation with respect to contracts and agreements described in subsection (a)(2) until the expiration of such contracts and agreements, but shall not renew any such contract or agreement. The Director shall take the necessary steps to wind up the affairs of the Corporation.

(d) REPEAL OF AUTHORITIES.—Effective 180 days after the date of the enactment of this Act, title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 and following) is repealed, but shall continue to apply with respect to functions performed by the Director of the Office of Management and Budget under subsection (c).

(e) APPROPRIATIONS.—Funds available to the Corporation are authorized to be transferred, upon the effective date of the repeal made by subsection (d), and to the extent provided in appropriations Acts, to the Director of the Office of Management and Budget for use in performing the functions of the Corporation under subsection (c). Upon the expiration of the contracts and agreements with respect to which the Director is exercising such functions, any unexpended balances of the funds transferred under this subsection shall be deposited in the Treasury as miscellaneous receipts.

SEC. 102. SAVINGS PROVISIONS.

(a) PRIOR DETERMINATIONS NOT AFFECTED.—The repeal made by section 101(d) of the provisions of law set forth in such section shall not affect any order, determina-

tion, regulation, or contract that has been issued, made, or allowed to become effective under such provisions before the effective date of the repeal. All such orders, determinations, regulations, and contracts shall continue in effect until modified, superseded, terminated, set aside, or revoked in accordance with law by the President, the Director of the Office of Management and Budget, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PENDING PROCEEDINGS.—

(1) The repeal made by section 101(d) shall not affect any proceedings, including notices of proposed rulemaking, pending on the effective date of the repeal, before the Overseas Private Investment Corporation, except that no insurance, reinsurance, guarantee, or loan may be issued pursuant to any application pending on such effective date. Such proceedings, to the extent that they relate to functions performed by the Director of the Office of Management and Budget after such repeal, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Director, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

(2) The Director of the Office of Management and Budget is authorized to issue regulations providing for the orderly transfer of proceedings continued under paragraph (1).

(c) ACTIONS.—Except as provided in subsection (e)—

(1) the provisions of this title shall not affect suits commenced before the effective date of the repeal made by section 101(d); and

(2) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this title had not been enacted.

(d) LIABILITIES INCURRED.—No suit, action, or other proceeding commended by or against any officer in the official capacity of such individual as an officer of the Overseas Private Investment Corporation, shall abate by reason of the enactment of this title. No cause of action by or against the Overseas Private Investment Corporation, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this title.

(e) PARTIES.—If, before the effective date of the repeal made by section 101, the Overseas Private Investment Corporation or officer thereof in the official capacity of such officer, is a party to a suit, then such suit shall be continued with the Director of the Office of Management and Budget substituted or added as a party.

(f) REVIEW.—Orders and actions of the Director of the Office of Management and Budget in the exercise of functions of the Overseas Private Investment Corporation shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the Overseas Private Investment Corporation. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function of the Overseas Private Investment Corporation shall apply to the exercise of such

function by the Director of the Office of Management and Budget.

By Mr. BEREUTER:

—At the end of the bill (Page 77, after line 16), add the following:

TITLE VI—ENTERPRISE FOR THE AMERICANS INITIATIVE

SEC. 601. SHORT TITLE.

This title may be cited as the "Enterprise for the Americas Act of 1992".

SEC. 602. PURPOSE.

The purpose of this title is to encourage and support improvement in the lives of the people of Latin America and the Caribbean through market-oriented reforms and economic growth with interrelated actions to promote debt reduction, investment reforms, community based conservation, and sustainable use of the environment, and child survival and child development. The Facility will support these objectives through administration of debt reduction operations under this title for those countries with democratically elected governments that meet investment reforms and other policy conditions.

SEC. 603. DEFINITIONS.

For purposes of this title—

(1) the term "administering body" means the entity provided for in section 609(c);

(2) the term "Americas Framework Agreement" means the agreement provided for in section 609;

(3) the term "Americas Fund" means an Enterprise for the Americas Fund provided for in section 608(a);

(4) the term "appropriate congressional committees" means the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

(5) the term "beneficiary country" means an eligible country with respect to which the authority of section 605(a)(1) is exercised;

(6) the term "eligible country" means a country designated by the President in accordance with section 604;

(7) the term "Enterprise for the Americas Board" or "Board" means the board established by section 610 of Agricultural Trade Development and Assistance Act of 1954 (as amended by section 610(b) of this title); and

(8) the term "Facility" means the Enterprise for the Americas Facility established in the Department of the Treasury by section 601 of that Act.

SEC. 604. ELIGIBILITY FOR BENEFITS.

(a) REQUIREMENTS.—To be eligible for benefits from the Facility under this title, a country must be a Latin American or Caribbean country—

(1) whose government is democratically elected;

(2) whose government has not repeatedly provided support for acts of international terrorism;

(3) whose government cooperates on international narcotics control matters;

(4) whose government (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights;

(5) that has in effect, has received approval for, or, as appropriate in exceptional circumstances, is making significant progress toward—

(A) an International Monetary Fund standby arrangement, extended Fund arrangement, or an arrangement under the structural adjustment facility or enhanced structural adjustment facility, or in exceptional

circumstances, a Fund monitored program or its equivalent, unless the President determines (after consultation with the Enterprise for the Americas Board) that such an arrangement or program (or its equivalent) could reasonably be expected to have significant adverse social or environmental effects; and

(B) as appropriate, structural or sectoral adjustment loans from the International Bank for Reconstruction and Development or the International Development Association, unless the President determines (after consultation with the Enterprise for the Americas Board) that the resulting adjustment requirements could reasonably be expected to have significant adverse social or environmental effects;

(6) has put in place major investment reforms in conjunction with an Inter-American Development Bank loan or otherwise is implementing, or is making significant progress toward, an open investment regime; and

(7) if appropriate, has agreed with its commercial bank lenders on a satisfactory financing program, including, as appropriate, debt or debt service reduction.

(b) **ELIGIBILITY DETERMINATIONS.**—Consistent with subsection (a), the President shall determine whether a country is eligible to receive benefits under this title. The President shall notify the appropriate congressional committees of his intention to designate a country as an eligible country at least 15 days in advance of any formal determination.

SEC. 605. REDUCTION OF CERTAIN DEBT.

(a) **AUTHORITY TO REDUCE DEBT.**—

(1) **AUTHORITY.**—The President may reduce the amount owed to the United States (or any agency of the United States) that is outstanding as of January 1, 1991, as a result of concessional loans made to an eligible country by the United States under part I of the Foreign Assistance Act of 1961 (or predecessor foreign economic assistance legislation).

(2) **APPROPRIATIONS ACT REQUIREMENT.**—The authority of this section may be exercised only in such amounts or to such extent as is specifically provided in advance by appropriations Acts.

(3) **CERTAIN PROHIBITIONS INAPPLICABLE.**—A reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

(b) **IMPLEMENTATION OF DEBT REDUCTION.**—

(1) **IN GENERAL.**—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations outstanding as of the date specified in subsection (a)(1).

(2) **EXCHANGE OF OBLIGATIONS.**—The Facility shall notify the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of the agreement with an eligible country to exchange a new obligation for outstanding obligations pursuant to this subsection. At the direction of the Facility, the old obligations shall be canceled and a new debt obligation for the country shall be established, and the agency primarily responsible for administering part I of that Act shall make an adjustment in its accounts to reflect the debt reduction.

SEC. 606. REPAYMENT OF PRINCIPAL.

(a) **CURRENCY OF PAYMENT.**—The principal amount of each new obligation issued pursuant to section 605(b) shall be repaid in United States dollars.

(b) **DEPOSIT OF PAYMENTS.**—Principal repayments of new obligations shall be depos-

ited in the United States Government account established for principal repayments of the obligations for which those obligations were exchanged.

SEC. 607. INTEREST ON NEW OBLIGATIONS.

(a) **RATE OF INTEREST.**—New obligations issued by a beneficiary country pursuant to section 605(b) shall bear interest at a concessional rate.

(b) **CURRENCY OF PAYMENT; DEPOSITS.**—

(1) **LOCAL CURRENCY.**—If the beneficiary country has entered into an Americas Framework Agreement under section 609, interest shall be paid in the local currency of the beneficiary country and deposited in the Americas Fund provided for in section 608(a). Such interest shall be the property of the beneficiary country, until such time as it is disbursed pursuant to section 608(d). Such local currencies shall be used for the purposes specified in the Americas Framework Agreement.

(2) **UNITED STATES DOLLARS.**—If the beneficiary country has not entered into an Americas Framework Agreement under section 609, interest shall be paid in United States dollars and deposited in the United States Government account established for interest payments of the obligations for which the new obligations were exchanged.

(c) **INTEREST ALREADY PAID.**—If a beneficiary country enters into an Americas Framework Agreement subsequent to the date on which interest first became due on the newly issued obligation, any interest already paid on such new obligation shall not be redeposited into the Americas Fund established for that country pursuant to section 608(a).

SEC. 608. ESTABLISHMENT OF, DEPOSITS INTO, AND DISBURSEMENTS FROM AN ENTERPRISE FOR THE AMERICAS FUND.

(a) **ESTABLISHMENT.**—Each beneficiary country that enters into an Americas Framework Agreement under section 609 shall be required to establish an Enterprise for the Americas Fund to receive payments in local currency pursuant to section 607(b)(1).

(b) **DEPOSITS.**—Local currencies deposited in an Americas Fund shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

(c) **INVESTMENT.**—Deposits made in an Americas Fund shall be invested until disbursed. Any return on such investment may be retained by the Americas Fund, without deposit in the Treasury of the United States and without further appropriation by Congress.

(d) **DISBURSEMENTS.**—Funds in an Americas Fund shall be disbursed only pursuant to an Americas Framework Agreement under section 609.

SEC. 609. AMERICAS FRAMEWORK AGREEMENTS.

(a) **AUTHORITY.**—The Secretary of State is authorized, in consultation with other appropriate Government officials, to enter into an Americas Framework Agreement with any eligible country concerning the operation and use of the Americas Fund for the country. In the negotiation of such Agreements, the Secretary shall consult with the Enterprise for the Americas Board in accordance with section 610.

(b) **CONTENTS OF AGREEMENTS.**—An Americas Framework Agreement with an eligible country shall—

(1) require that country to establish an Americas Fund;

(2) require that country to make interest payments under section 607(b)(1) into an Americas Fund;

(3) require that country to make prompt disbursements from the Americas Fund to the administering body described in subsection (c);

(4) when appropriate, seek to maintain the value of the local currency resources of the Americas Fund in terms of United States dollars;

(5) specify, in accordance with subsection (d), the purposes for which amounts in an Americas Fund may be used; and

(6) contain reasonable provisions for the enforcement of the terms of the agreement.

(c) **ADMINISTERING BODY.**—

(1) **IN GENERAL.**—Funds disbursed from the Americas Fund in each beneficiary country shall be administered by a body constituted under the laws of that country.

(2) **COMPOSITION.**—The administering body shall consist of—

(A) one or more individuals appointed by the United States Government,

(B) one or more individuals appointed by the government of the beneficiary country, and

(C) individuals who represent a broad range of—

(i) environmental nongovernmental organizations of the beneficiary country,

(ii) child survival and child development nongovernmental organizations of the beneficiary country,

(iii) local community development nongovernmental organizations of the beneficiary country, and

(iv) scientific or academic organizations or institutions of the beneficiary country.

A majority of the members of the administering body shall be individuals described in subparagraph (C).

(3) **RESPONSIBILITIES.**—The administering body—

(A) shall receive proposals for grant assistance for eligible grant recipients (as determined under subsection (e)) and make grants to eligible grant recipients in accordance with the priorities agreed upon in the Americas Framework Agreement, consistent with subsection (d);

(B) shall be responsible for the management of the program and oversight of grant activities funded from resources of the Americas Fund;

(C) shall be subject, on an annual basis, to an audit of financial statements conducted in accordance with generally accepted auditing standards by an independent auditor;

(D) shall be required to grant to representatives of the United States General Accounting Office such access to books and records associated with operations of the Americas Fund as the Comptroller General of the United States may request;

(E) shall present an annual program for review each year by the Enterprise for the Americas Board; and

(F) shall submit a report each year on the activities that it undertook during the previous year to the Chair of the Enterprise for the Americas Board and to the government of the beneficiary country.

(d) **ELIGIBLE ACTIVITIES.**—Grants from an Americas Fund shall be used for—

(1) activities that link the conservation and sustainable use of natural resources with local community development; and

(2) child survival and other child development activities.

(e) **GRANT RECIPIENTS.**—Grants made from an Americas Fund shall be made to—

(1) nongovernmental environmental, conservation, child survival and child development, development, and indigenous peoples organizations of the beneficiary country;

(2) other appropriate local or regional entities; and

(3) in exceptional circumstances, the government of the beneficiary country.

(f) **REVIEW OF LARGER GRANTS.**—Any grant of more than \$100,000 from an Americas Fund shall be subject to veto by the Government of the United States or the government of the beneficiary country.

(g) **ELIGIBILITY CRITERIA.**—In the event that a country ceases to meet the eligibility requirements set forth in section 604(a), as determined by the President pursuant to section 604(b), then grants from the Americas Fund for that country may only be made to nongovernmental organizations until such time as the President determines that such country meets the eligibility requirements set forth in section 604(a).

SEC. 610. ENTERPRISE FOR THE AMERICAS BOARD.

(a) **RESPONSIBILITIES.**—For purposes of this title, the Enterprise for the Americas Board shall—

(1) advise the Secretary of State on the negotiations of Americas Framework Agreements pursuant to section 609;

(2) ensure, in consultation with—

(A) the government of the beneficiary country,

(B) nongovernmental organizations of the beneficiary country,

(C) nongovernmental organizations of the region (if appropriate),

(D) environmental, scientific, child survival and child development, and academic leaders of the beneficiary country, and

(E) environmental, scientific, child survival and child development, and academic leaders of the region (as appropriate),

that a suitable administering body is identified for each Americas Fund; and

(3) review the programs, operations, and fiscal audits of each administering body.

(b) **AMENDMENTS RELATING TO THE BOARD.**—Section 610 of the Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) in the section heading, by striking out "ENVIRONMENT" and inserting in lieu thereof "ENTERPRISE";

(2) in subsection (a), by striking out "Environment" and inserting in lieu thereof "Enterprise"; and

(3) in subsection (b)(1)(B)—

(A) by inserting "child survival and child development," after "environmental," and

(B) by inserting ", at least one of whom shall be a representative from a child survival and child development organization" after "Caribbean".

SEC. 611. ANNUAL REPORTS TO CONGRESS.

(a) **IN GENERAL.**—Not later than December 31 of each year, the President shall transmit to the Speaker of the House of Representatives and the President Pro Tempore of the Senate a report on the implementation of this title and title VI of the Agricultural Trade Development and Assistance Act of 1954. Such report shall include—

(1) a description of the activities undertaken by the Enterprise for the Americas Facility during the previous fiscal year;

(2) a description of any Americas Framework Agreements entered into under this title and a description of any Environmental Framework Agreement entered into under title VI of the Agricultural Trade Development and Assistance Act of 1954; and

(3) a description of any grants that have been extended by administering bodies pursuant to an Americas Agreement under this title or pursuant to an Environmental Framework Agreement under title VI of that Act.

(b) **SUPPLEMENTAL VIEWS.**—Each member of the Enterprise for the Americas Board shall be entitled to receive a copy of the report required by subsection (a) at least 14 days before the report is to be transmitted to the Congress, to have 14 days within which to prepare and submit supplemental views for inclusion in such report, and to have those views included in the report when it is so transmitted.

(c) **CONFORMING AMENDMENT.**—Section 614 of the Agricultural Trade Development and Assistance Act of 1954 (relating to annual reports to the Congress on the Enterprise for the Americas Facility) is repealed.

By Mr. BROOMFIELD:

—Page 33, line 19, strike "1995" and insert "1997".

—Page 2, strike line 4 and all that follows through page 55, line 23, and insert the following:

TITLE I—OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 101. SHORT TITLE.

This title may be cited as the "Overseas Private Investment Corporation Amendments Act of 1992".

SEC. 102. REFORM PURPOSE; UPDATING INCOME LEVELS.

Section 231 of the Foreign Assistance Act of 1961 (22 U.S.C. 2191) is amended—

(1) in the first paragraph by inserting after "economic and social development of" the following: "emerging democracies, free market economies, and";

(2) in paragraph (2) of the second undesignated paragraph—

(A) by striking "\$384 or less in 1986 United States dollars" and inserting "\$1,146 or less in 1990 United States dollars"; and

(B) by striking "\$4,269 or more in 1986 United States dollars" and inserting "\$4,974 or more in 1990 United States dollars".

SEC. 103. STOCK OF THE CORPORATION.

Section 232 of the Foreign Assistance Act of 1961 (22 U.S.C. 2192) is amended to read as follows:

"**SEC. 232. CAPITAL OF THE CORPORATION.**—The Secretary of the Treasury shall hold the capital stock of the Corporation."

SEC. 104. REVISIONS TO PILOT EQUITY PROGRAM.

Section 234(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2194(g)) is amended—

(1) in paragraph (1)—

(A) by striking "40-year pilot program" and inserting "pilot program to terminate on September 30, 1997"; and

(B) by striking "(5)" and inserting "(4)"; (2) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(3) by amending paragraph (4), as so redesignated, to read as follows:

"(4) **CREATION OF FUND FOR ACQUISITION OF EQUITY.**—The Corporation is authorized to establish a fund to be available solely for the purposes specified in this subsection and to make transfers to the fund of a total of \$45,000,000 from its income, revenues, and other funds transferred to the Corporation for such purposes. Purchases of, investments in, and other acquisitions of equity from the fund are authorized for any fiscal year only to the extent or in such amounts as are provided in advance in appropriations Acts or are transferred to the Corporation pursuant to section 632(b) of this Act."

SEC. 105. RAISING CEILING ON INSURANCE.

Section 235(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(1)) is amended by striking "\$7,500,000,000" and inserting "\$10,000,000,000".

SEC. 106. RAISING CEILING ON INVESTMENT GUARANTIES.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by striking "\$1,500,000,000" and inserting "\$3,500,000,000".

SEC. 107. EXTENDING ISSUING AUTHORITY.

Section 235(a)(6) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(6)) is amended by striking "1992" and inserting "1997".

SEC. 108. CONFORMING AMENDMENTS FOR CREDIT REFORM.

ISSUING AUTHORITY, DIRECT INVESTMENT, AND RESERVES.—Section 235 of the Foreign Assistance Act of 1961 (22 U.S.C. 2195) is amended—

(1) in the section caption by striking "FUND" and inserting "LOANS";

(2) in subsection (a)—

(A) in paragraph (2) by inserting after "Acts" in the second sentence, the following: "pursuant to section 504(b) of the Federal Credit Reform Act of 1990";

(B) in paragraph (4)—

(i) by striking "and (b)"; and

(ii) by inserting after "expenses" the following: "for noncredit activities. There are authorized to be appropriated to the Corporation such amounts as may be necessary for operation and administrative expenses for credit activities. Such amounts may be transferred to and merged with funds for such expenses for noncredit activities"; and

(C) by striking paragraphs (3) and (5) and redesignating paragraphs (4) and (6) as paragraphs (3) and (4), respectively;

(3) by amending subsection (b) to read as follows:

"(b) Direct investment loans are authorized for any fiscal year only to the extent or in such amounts as provided in advance in appropriation Acts, pursuant to section 504(b) of the Federal Credit Reform Act."

(4) by amending subsection (c), to read as follows:

"(c) The Corporation shall maintain an insurance reserve. Such reserve shall be available for the discharge of liabilities, as provided in subsection (d) of this section, until such time as all such liabilities have been discharged or have expired or until such reserve has been expended in accordance with the provisions of this section. The insurance reserve shall consist of—

"(1) any funds in the insurance reserve of the Corporation on the effective date of the Overseas Private Investment Corporation Amendments Act of 1992;

"(2) amounts transferred to the reserve pursuant to section 236(b) of this Act; and

"(3) such sums as are appropriated pursuant to subsection (e) of this section for such purposes."

(5) in subsection (d)—

(A) by striking "(f)" in the first sentence and inserting "(e)"; and

(B) by striking all that follows "shall be paid" in the second sentence and inserting "in accordance with the Federal Credit Reform Act of 1990";

(6) by striking subsection (e) and redesignating subsection (f) as subsection (e); and

(7) in the first sentence of subsection (e), as so redesignated—

(A) by striking "and guaranty fund" and inserting "reserve";

(B) by striking "reinsurance, or guaranties" and inserting in lieu thereof "or reinsurance"; and

(C) by striking "guaranty" after "predecessor".

(b) **INCOME AND REVENUES.**—Section 236 of the Foreign Assistance Act of 1961 (22 U.S.C. 2196) is amended—

(1) by inserting after "earned by the Corporation," the following: "with respect to noncredit activities,";

(2) in subsection (b)—

(A) by striking "or guaranty reserves, the Direct Investment Fund established pursuant to section 235," and inserting "reserve"; and

(B) by inserting after "determine" the following "subject to the provisions of the Federal Credit Reform Act of 1990".

(c) GENERAL PROVISIONS.—(1) Section 237(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(d)) is amended to read as follows:

"(d)(1) Fees may be charged for providing insurance, reinsurance, guaranties, financing, and other services under this title in amounts to be determined by the Corporation. In the event fees charged for insurance, reinsurance, guaranties, financing, or other services are reduced, fees to be paid under existing contracts for the same type of insurance, reinsurance, guaranties, financing, or services and for similar guaranties issued under predecessor guaranty authority may be reduced.

"(2) For credit transactions covered by the provisions of the Federal Credit Reform Act of 1990, project-specific transaction costs relating to loan obligations or loan guaranty commitments, including but not limited to project related travel and outside legal expenses, shall be considered cash flows from the Government resulting from direct loan obligations or loan guaranty commitments and shall be paid out of the appropriate financing account established pursuant to section 505(b) of that Act.

"(3) Fees paid for the project-specific transaction costs and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 (other than those covered in paragraph (2) of this subsection), including financing, insurance, reinsurance, missions, seminars, conferences, and other preinvestment services, shall be available for obligation for the purposes for which they were collected."; and

(2) Section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is amended by adding at the end the following new subsection:

"(n) Loans, guaranties, or investments made with funds received in foreign currency by the Corporation as a result of activities conducted pursuant to section 234(a) of this Act, shall not be considered in determining whether the Corporation has made or has outstanding loans, guaranties, or investments to the extent of any limitation on obligations, commitments, and equity investment imposed by or pursuant to this Act. The provisions of section 504(b) of the Federal Credit Reform Act of 1990 shall not apply to direct loan obligation or loan guaranty commitments made with funds described in this subsection."

SEC. 109. PENALTIES FOR FALSE STATEMENTS.

Section 237 of the Foreign Assistance Act of 1961 is amended by adding at the end the following.

"(o) Whoever knowingly makes any false statement or report, or willfully overvalues any land, property, or security, for the purpose of influencing in any way the action of the Corporation with respect to any insurance, reinsurance, guaranty, loan, equity investment, or other activity of the Corpora-

tion under section 234 or any change or extension of any such insurance, reinsurance, guaranty, loan, equity investment, or activity, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefore, shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both."

By Mr. GEJDENSON:

—Page 43, strike lines 9 through 19 and insert the following:

"(j) USE OF LOCAL CURRENCIES.—Direct loans or investments made in order to preserve the value of funds received in inconvertible foreign currency by the Corporation as a result of activities conducted pursuant to section 233(a) shall not be considered in determining whether the Corporation has made or has outstanding loans or investments to the extent of any limitation on obligations and equity investment imposed by or pursuant to this title. The provisions of section 504(b) of the Federal Credit Reform Act of 1990 shall not apply to direct loan obligations made with funds described in this subsection.

By Mr. UPTON:

—Page 64, line 24, strike "and" and insert "by using, for example, technical teams consisting of highly skilled and experienced United States citizens who".

—Page 69, line 4, insert "(including a manufacturing plant)" before "or physical".

—At the end of the bill (page 77, after line 16), add the following:

TITLE VI—AMERICAN PRODUCTS FOR INTERNATIONAL CONSUMPTION AND SERVICES PROGRAM

SEC. 601. ESTABLISHMENT OF PROGRAM.

Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to economic assistance programs) is amended by adding at the end the following:

"Chapter 11—American Products for International Consumption and Services Program

"SEC. 498. ESTABLISHMENT OF PROGRAM.

"(a) IN GENERAL.—The President shall establish an American Products for International Consumption and Services Program (hereinafter in this section referred to as the "Program"). The Program shall be carried out with funds made available for economic assistance programs under this Act.

"(b) PURPOSE.—The purpose of the Program shall be to use the expertise of United States citizens to provide technical training and assistance to foreign countries (such as the independent states of the former Soviet Union and East European countries)—

"(1) that are developing a free market economy, and

"(2) whose manufacturing sector is outdated, inefficient, or otherwise unproductive, in order to encourage those countries to modernize their manufacturing sector by acquiring manufacturing equipment from the United States and to assist those countries in acquiring and using such equipment.

"(c) TECHNICAL TEAMS.—The Program shall assemble teams consisting of United States citizens who are highly skilled and experienced professionals or technicians with expertise relevant to manufacturing, such as industrial and manufacturing engineers, quality control engineers, materials manufacturing experts, accountants, and market-

ing experts. Such teams shall be sent, on a short term basis, to countries described in subsection (b)—

"(1) to analyze individual companies and develop projects and programs for the modernization of those companies using United States manufacturing equipment; and

"(2) to assist those companies in the purchase, shipment, and installation of such equipment and to provide on-site training with respect to such equipment.

"(d) PER DIEM, CULTURAL ORIENTATION, LANGUAGE TRAINING, AND OTHER ASSISTANCE.—The President shall ensure that the members of the teams provided for in subsection (c) receive appropriate per diem, cultural orientation, language training, and assistance with travel and other personal arrangements.

"(e) ANNUAL REPORTS.—The President, acting through an appropriate agency of the United States Government, shall report to the Congress each year on the program carried out pursuant to this section, including an analysis of the economic benefits to the United States of the program."

By Mr. WISE:

—Add the following at the end of the bill:

TITLE VI—TRADE PROMOTION EXPANSION

SEC. 601. SHORT TITLE.

This title may be cited as the "Trade Promotion Expansion Act of 1992".

SEC. 602. INCREASE IN COMMERCIAL SERVICE OFFICERS IN CERTAIN COUNTRIES.

"(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there are authorized to be appropriated \$5,000,000 for each of the fiscal years 1994 and 1995 for use by the Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service in accordance with subsection (b).

"(b) USE OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall be available only for placing and maintaining 20 additional Commercial Service Officers abroad. The Secretary of Commerce, acting through the Director General of the United States and Foreign Commercial Service, may place such additional Commercial Service Officers—

(1) in countries with which the United States has the largest trade deficit, and

(2) in newly emerging market economy countries, with democratically elected governments, in Central and Eastern Europe and elsewhere.

(c) REPORT TO CONGRESS.—The Secretary of Commerce, acting through the Director General of the United States and Foreign Commercial Service, shall, not later than December 31, 1995, submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the implementation of subsection (b). Each report shall specify—

(1) in what countries the additional Commercial Service Officers were placed, and the number of such officers placed in each such country; and

(2) the effectiveness of the presence of the additional Commercial Service Officers in increasing United States exports to the countries in which such officers were placed.