HOUSE OF REPRESENTATIVES—*Wednesday, July 1, 1992*

The House met at 10 a.m.

Rev. E. Kirk Robinson, Christ United Methodist Church, Arlington, VA, offered the following prayer:

Compassionate and loving God, great Governor of all the world: We pray for all who hold public office and power, and for the life, dignity, and virtue of the people who are in their hands. Enrich and strengthen the resource of compassion in our political life. Grant that the servants of the state may feel ever more deeply that any diversion of their public powers for private ends is a betrayal of their God and their country. Purge our cities, States, and Nation of the deep causes of corruption which have so often made sin and injustice profitable and uprightness difficult. Breathe a new spirit into all our Nation that we may be a leader for world peace. Give our leaders new vision. Set their hearts on fire with resolves that reach beyond party lines. Raise up a new generation of women and men for public service with the faith and daring of the kingdom of God in their hearts, who will enlist for life in a holy warfare for the freedom and the rights of all people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota [Mr. PENNY] come forward and lead the House in the Pledge of Allegiance.

Mr. PENNY 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will receive 1-minute requests not to exceed 10 on each side.

MESSAGE FROM THE SENATE

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

H.J. Res. 499. Joint resolution designating July 2, 1992, as "National Literacy Day".

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

S. 1330. An act to enhance the productivity, quality, and competitiveness of United States industry through the accelerated development and deployment of advanced manufacturing technologies, and for other purposes, and

S.J. Res. 281. Joint resolution designating the week beginning September 14, 1992 and ending on September 20, 1992, as "National Rural Telecommunications Services Week."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1150), "An act to reauthorize the Higher Education Act of 1965, and for other purposes.".

INVITING MEMBERS TO SIGN THE BICENTENNIAL CONSTITUTION

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

Mr. FOGLIETTA. Mr. Speaker, I rise to invite my colleagues to put themselves in the shoes of Ben Franklin, Alexander Hamilton, and James Madison—and sign the U.S. Constitution.

Today, Members of Congress will have a chance to sign the Bicentennial Constitution over in the Rayburn Room.

This version of the Constitution has been hand-copied, bit by bit, by the Governors of all 50 States, as well as an outstanding educator and worthy student in each State.

The Bicentennial Constitution started last December at Independence Hall in Philadelphia, in my district. Eventually, it will be received by the National Archives for future exhibition. This is the last event of the national celebration of the bicentennial of the Constitution.

By signing this document today, we play a role in deepening knowledge of the principles that will strengthen this Nation for its third century. I hope every Member will take a minute to walk across the hall, sign on, and recommit to the fundamental principles of our Nation.

TRIBUTE TO THE HONORABLE DAVID O'B. MARTIN

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

Mr. WALSH. Mr. Speaker, today I take on a melancholy privilege of honoring DAVID O'B. MARTIN, a friend who will be leaving this institution at the end of this year.

I am happy for the freedom he will find, his new goals, and his new beginning. But at the same time I am disappointed; I will not have his counsel. Suffice to say I have gained by the experience of our relatively short friendship.

DAVE MARTIN has given me direction, often without appearing to know it, as is often the way with leaders. He has shown me a standard of conduct and respect for the institution that is consistent with what I was always taught. Reject hypocrisy, savor friendship, extoll honesty and respect the uniqueness that makes each individual's ideas valuable. Work hard and help people. DAVE MARTIN did not teach me these things. My father did, and he also served in this Chamber. But I have found DAVE MARTIN to epitomize these lessons.

As long as I am in Congress, I can only hope to do as well for my constituents and our Nation as he has. He is leaving having accomplished much. He can point to projects which have had a dramatic, positive influence on northern New York, not the least of which is the growth of Fort Drum near Watertown.

But more important than physical achievement, he has earned respect from colleagues on both sides of the aisle as a no-nonsense, honorable man who has served his country well. He continues to approach life with good humor and the intelligence of a country lawyer quite at home in the city.

To lose this kind of person, this voice in Washington, makes his neighbors unhappy. If I were not so inspired by him, and if I did not see so clearly his plan and how well it works for him, I think I would be unhappy too. Because he has been a great friend to me and my central New York constituents as well.

Each of us will be praised and scorned over the course of our careers. Each of us will hear our names echo in this historic, hallowed hall. But how many of us will leave knowing we have done our best and kept integrity and reputation intact, like DAVE MARTIN?

Mr. Speaker, I want to add to my remarks today the following editorial from the Watertown Daily Times, the largest newspaper in DAVE MARTIN's district, which puts forth very well the

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sentiments of the people who know DAVE MARTIN. We all wish him well.

The editorial referred to follows:

[From the Watertown Daily Times, June 12, 1992]

DAVID O'B. MARTIN—VETERAN NORTH CONGRESSMAN NOT SEEKING REELECTION

Rep. David O'B. Martin, who has represented the sprawling Northern New York district in the House of Representatives for 12 years, will not seek re-election.

The announcement of his decision on Thursday surprised many political leaders although Rep. Martin, a lifelong resident of St. Lawrence County, has indicated in the past that he did not consider remaining in the Congress "forever," a position that should be emulated by other politicians.

Energetic and a fighter for issues and programs in which he believed, Rep. Martin has well represented his constituents in the nine-county 26th District. The House seniority he has secured over six terms have been of great value to the North Country.

The congressman, whose district is larger in area than that of nine states, has always tried to help the people he represented in Washington, who often contacted him to solve problems or ease the way through the federal bureaucracy.

Mr. Martin generally has taken a practical conservative approach to issues, but has not hesitated to vote against the veto wishes of Republican presidents when he believed their plans would be damaging to his constituency or to the general health of the nation.

Building on the work of his predecessor in Congress, Rep. Robert C. McEwen, also from St. Lawrence County, Mr. Martin has long played a valuable role in expanding the use of military installations at Fort Drum and Plattsburgh Air Force Base.

In 1982, for example, at a conference at which Secretary of the Army John O. Marsh Jr. said Fort Drum's role would be expanded, Rep. Martin pledged a "concentrated effort to use Drum in every way, adding he was not going to "pause to take a breath."

Rep. Martin spearheaded the drive to expand Fort Drum, long used only summers for National Guard and Army Reserve training. The congressman's efforts were invaluable in the building of the new Fort Drum, considered the most modern Army installation in the world, and the successful basing there of the reactivated 10th Mountain Division, a light infantry unit capable of quickly going to trouble spots anywhere in the world.

Mr. Martin spurred north country leaders to join in the campaign to enhance the role of Fort Drum. Included in the effort was a June 1984 hearing in Watertown at which north leaders pledged their support to the Army to ease the way for the expansion of Drum.

The vital session was led off by Gov. Mario M. Cuomo and Rep. Martin, who pledged, "Once we know fully what we must do, we will do it. It's as simple as that."

The congressman fully realizes the important economic role the north military bases play, and was a staunch advocate of their proven strategic value as well.

Rep. Martin is the leading Republican member of the House Armed Services subcommittee on military installations and construction and guided complex funding programs to benefit Drum and Plattsburgh through the legislative process.

Mr. Martin, however, did much more than convince Army and Congressional leaders of the value of Fort Drum. He also has led the battle in Washington over aid to farmers, fostering the use of St. Lawrence Seaway and industry as well as taking a stand on other issues which would affect life in the north country.

By leaving the Congress as the end of this current term, Rep. Martin will salvage some seniority for the north district, inasmuch as a great turnover in the House will take place this year, as many other members are leaving, including three other New Yorkers.

Mr. Martin, respected by his colleagues, has been well-liked by constituents as indicated by his overwhelming victories at the polls. He was unopposed in two campaigns.

Mr. Martin has served the North Country well and will be missed in the Congress, where many able and conscientious persons have become frustrated with the legislative process in recent years.

The hard-working congressman, who was not averse to taking a moderate stance on domestic issues when he felt it would be more beneficial to the nation, was energetic and sincere in his efforts and knew the value of compromise.

May his successor do as well.

GRANTING 16- AND 17-YEAR-OLDS THE RIGHT TO VOTE

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

Mr. PENNY. Mr. Speaker, they can drive cars, get married, work full-time, serve on juries in many courts, join the military, and in several jurisdictions can be tried in court as adults, but 16- and 17-year-olds cannot cast a vote for President or their representatives in Congress.

Yet, every day in every possible way, these same elected officials decide the fate of these young people. To remedy this situation, Mr. Speaker, today, on the 21st anniversary of the ratification of the 26th amendment, which granted 18-year-olds the right to vote, I am introducing a resolution to amend the Constitution to grant 16- and 17-year-olds the right to vote.

During this election year, when interest and participation in all elections is lagging, it is time to begin a debate on the future so as not to lose our next generation of voters. Registering and voting will help to establish a stronger sense of citizenship among high school students by putting their civics lessons into practice. I am also convinced that it will create a pattern of political participation that will last a lifetime.

But most importantly, decisions made by today's leaders on the budget, education, and the environment will dramatically affect the next generation—and these young citizens should have a right to vote for their future.

Mr. Speaker, this constitutional amendment is true to our Nation's democratic ideals. I urge our colleagues to sponsor this resolution for America's future.

SUPPORT FOR THE FREEDOM OF CHOICE ACT

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

Mr. CHANDLER. Mr. Speaker, I am announcing today that I will vote in favor of the Freedom of Choice Act as amended by the House Judiciary Committee.

As everyone knows, I am pro-choice. I have voted consistently to preserve a woman's right to choose for herself whether or not to have an abortion.

And, I believe a woman's right to choose should be protected by law.

I also strongly support notifying a minor's parent or guardian before terminating a pregnancy.

My consistent position on this legislation has been to hold my support for the Freedom of Choice Act until it was modified to allow for parental notification.

Now that the Judiciary Committee wisely has chosen to allow for parental notification, I will vote in favor of the Freedom of Choice Act.

I urge my colleagues to join me in support of the Freedom of Choice Act as amended.

□ 1010

MORE JOBS LOST TO MEXICO

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

Mr. SARPALIUS. Mr. Speaker, there was a time when a man with a high school diploma could raise his family, send his kids to school, and consider himself a solid member of the middle class. That does not exist anymore. The wages of a working male today with a high school diploma are 27 percent lower than what they were in 1979. The wages of a working woman are now 16 percent lower than what they were in 1979.

Mr. Speaker, I have in my district the small town of Bowie, where I recently held a town meeting. About a hundred people showed up. The day before, 250 people lost their jobs, people who worked for Haggar Slacks. Haggar Slacks has opened up a new plant in Mexico. They are employing people there and paying them 27 cents an hour.

Mr. Speaker, it is time that this body and the President started focusing on the middle class. As their jobs are crumbling, their future is crumbling and they live in a country where the promise that they could dream any dream and make that dream come true is being swept away.

NOT INCREASE NEA FUNDING

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

Mr. STEARNS. Mr. Speaker, I would like to bring my colleagues' attention

to two amendments that will be offered to the Interior appropriations bill later today.

The first amendment will be introduced by Congressman CRANE and will save $179 million by striking the appropriation for the National Endowment for the Arts.

If that amendment fails, I will offer an amendment to strike the almost $3 million increase the committee has provided the NEA.

With our Federal budget deficit expected to reach approximately $400 billion this year, we can only afford what is absolutely necessary, not just desirable.

Mr. Speaker, when the average American business or family experiences a budget crises, it is forced to prioritize and cut back on activities that may be desirable. Congress should be no different.

Given our deficit and the many critical Federal programs currently being underfunded how can we justify increasing funding for the NEA. We have cut our military, we have eliminated funding for the superconducting super collider, we have cut our legislative staff budgets—yet we are going to give the NEA a $3 million increase?

That just does not make sense.

Let us be honest with ourselves and the American people. The NEA is not a necessity—we cannot justify increasing funding for the NEA.

PRINTING OF BOOK ENTITLED "YEAR OF THE AMERICAN INDIAN, 1992: CONGRESSIONAL RECOGNITION AND APPRECIATION"

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 328) providing for the printing of the book entitled "Year of the American Indian, 1992: Congressional Recognition and Appreciation," and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, let me ask, will the gentleman from Illinois [Mr. ANNUNZIO] please explain the resolution?

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

Mr. WALSH. I yield to the gentleman from Illinois.

Mr. ANNUNZIO. Mr. Speaker, House Concurrent Resolution 328 is sponsored by the Honorable CHARLIE ROSE and currently has 45 cosponsors. As you all know, the President signed Public Law 102-188 which designates 1992 as the "Year of the American Indian." This recognition is a fitting tribute to honor the original inhabitants of this continent. Accordingly, this resolution provides for the printing of the book entitled "Year of the American Indian, 1992: Congressional Recognition and Appreciation."

This 100-page illustrated publication will be prepared by the Joint Committee on Printing and should prove to be an excellent resource as well as a tribute to the notable contributions which native Americans have made to our country's history and culture.

In addition to the usual number, the concurrent resolution provides for the printing of 123,000 copies of the document, of which 88,000 copies shall be for the use of the House of Representatives, 200 per Member, 20,000 copies shall be for the use of the Senate, and 15,000 copies shall be for the use of the Joint Committee on Printing.

The U.S. Government Printing Office estimates the cost of this publication to be $173,500.

Mr. WALSH. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolutions as follows:

H. CON. RES. 328

Resolved by the House of Representatives (the Senate concurring), That the book entitled "Year of the American Indian, 1992: Congressional Recognition and Appreciation", prepared under the direction of the Joint Committee on Printing, shall be printed as a House document, with illustrations and suitable binding. In addition to the usual number there shall be printed 123,000 copies of the document, of which 88,000 copies shall be for the use of the House of Representatives, 20,000 copies shall be for the use of the Senate, and 15,000 copies shall be for the use of the Joint Committee on Printing.

AMENDMENT OFFERED BY MR. ANNUNZIO

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

The Clerk read as follows:

Amendment offered by Mr. ANNUNZIO: Page 1, strike out line 7 and all that follows through the end of the resolution and insert in lieu thereof the following:

usual number there shall be printed the lesser of—

(1) 123,000 copies of the document, of which 88,000 copies shall be for the use of the House of Representatives, 20,000 copies shall be for the use of the Senate, and 15,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies as does not exceed a cost of $200,000, with distribution to be allocated in the same proportion as described in paragraph (1).

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

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, this amendment shall provide that the number of copies does not exceed a cost of $200,000, with distribution to be allocated in the same proportion as described in the resolution.

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

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 5488, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1993

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 505 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 505

Resolved, That during consideration of the bill (H.R. 5488) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes, all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning on page 47, line 10, through line 25; beginning on page 65, line 24, through page 66, line 12; and beginning on page 75, line 24, through page 76, line 17. The amendments en bloc specified in the report of the Committee on Rules accompanying this resolution to be offered by Representative McDade of Pennsylvania or his designee may amend portions of the bill not yet read for amendment, shall be considered as read when offered, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The amendments en bloc specified in the report to be offered by Representative Dorgan of North Dakota or his designee may amend portions of the bill not yet read for amendment, shall be considered as read when offered, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Such amendment en bloc and any amendments thereto shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent. Points of order under clause 2 of rule XXI against the amendment specified in the report to be offered by Representative Hoagland of Nebraska or his designee are waived. Such amendment and any amendments thereto

shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent.

Mr. GORDON. Mr. Speaker, with the permission of the Chair, I withdraw the previous resolution.

The SPEAKER pro tempore. House Resolution 505 is withdrawn from consideration.

WAIVING CERTAIN POINTS OF ORDER AGAINST AND DURING CONSIDERATION OF H.R. 5503, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 506 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 506

Resolved, That all points of order against consideration of the bill (H.R. 5503) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes, are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "*Provided further*" on page 10, line 9, through "filed:" on line 21; beginning with "*Provided*" on page 18, line 24, through the colon on page 19, line 1; beginning with "to provide" on page 21, line 6, through "option" on line 12; beginning with "*Provided*" on page 21, line 14, through "System" on line 19; beginning with "*Provided further*" on page 21, line 25, through "horses" on page 22, line 3; beginning on page 22, line 24, through "purposes" on page 23, line 4; beginning on page 49, line 20, through page 50, line 4; beginning on page 59, line 18, through line 23; beginning on page 69, line 9, through "Reserve:" or line 12; beginning on page 95, line 14, through page 96, line 6; and beginning on page 96, line 20, through page 97, line 3. Where points of order are waived against only part of a paragraph, a point of order against matter in the balance of the paragraph may be applied only within the balance of the paragraph and not against the entire paragraph. The amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order under clause 2 of rule XXI against the amendment specified in part 2 of the report to be offered by Representative Solomon of New York or his designee are waived. All points of order against the amendment specified in part 2 of the report to be offered by Representative de la Garza of Texas or his designee are waived. Such amendments and any amendments thereto shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent.

□ 1020

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 506 waives all points of order against H.R. 5503, the Interior and related agencies appropriations bill for fiscal year 1993.

During consideration of the underlying bill, all points of order against the bill for failure to comply with clause 2 of rule XXI—which prohibits unauthorized appropriations or legislative provisions in general appropriations bills, and restricts the offering of limiting amendments to the bill—are waived with the exception of 15 specific provisions which are printed in the report that accompanies the rule.

The 11 provisions in which clause 2 of rule XXI is waived make funding of those specific items contingent on future authorization by the House and the Senate. The 11 provisions shall be considered as adopted in the House and in the Committee of the Whole upon adoption of this rule.

Where points of order are waived against only part of a paragraph, a point of order against subject matter in the balance of the paragraph may be applied only within the balance of the paragraph, and not against the entirety of the paragraph.

The amendments in part 1 of the report of the Committee on Rules which accompanies this resolution shall be considered as adopted in the House and the Committee of the Whole.

Points of order under clause 2 of rule XXI against the amendment specified in part 2 of the report to be offered by Representative SOLOMON of New York or his designee are waived. The Solomon amendment, and any amendments to the Solomon amendment, are debatable for 20 minutes.

All points of order against the amendment specified in part 2 of the report to be offered by Representative DE LA GARZA of Texas or his designee are waived. The de la Garza amendment, and any amendments to the amendment are debatable for 40 minutes.

Finally, debate time on the Solomon and de la Garza amendments shall be equally divided between proponents and opponents.

Mr. Speaker, I would like to commend chairman YATES and the Interior Subcommittee members for once again bringing a very difficult piece of legislation to the floor. Chairman YATES and his subcommittee held 33 days of hearings and received testimony from over 800 witnesses, which is chronicled in over 14,000 pages.

H.R. 5503 is the product of hard work, careful consideration, and a mastery of the issues surrounding many diverse and intricate subjects.

The Interior appropriations bill funds programs and initiatives which range from alternative fuels research to national park and battlefield preservation to energy conservation to managing our Nation's forests and streams to funding programs for native Americans. This bill is truly diverse and has jurisdiction over many of today's most dynamic issues and Federal agencies.

I would like to once again congratulate Chairman YATES and ranking Republican RALPH REGULA for their efforts.

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

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

Mr. Speaker, let me first of all commend the gentleman from Illinois, Chairman YATES, and the ranking member, the gentleman from Ohio [Mr. REGULA]. These two gentlemen have one of the toughest jobs in this Congress, and they certainly perform admirably in the work that they do.

Let me at the outset say that I am supporting this rule. The rule seems very complicated on its face for one simple reason, and that is that we have had a major collision between the authorizing Committee on the Interior and the Appropriations Subcommittee on the Interior. The authorizing committee objected to numerous unauthorized provisions in this bill, and they asked us to either not protect them against points of order or to amend them so that they are subject to the authorization before the money could be spent.

Mr. Speaker, while the Committee on Appropriations asked that we protect all provisions of this bill against points of order, in deference to the Committee on Interior and Insular Affairs, we left 15 provisions unprotected and thus subject to points of order. And we self-execute into the bill by this rule some 11 amendments that make the appropriations subject to authorizations.

Other than that, the rule allows for a completely open amendment process and provides protection for two additional amendments, one dealing with forests and another dealing with grazing fees.

Mr. Speaker, I support this rule because I think it is the best we could do under difficult circumstances when two major committees are in disagreement. Unfortuantely—and I think I should say this to my good friend, the gentleman from Illinois [Mr. YATES] and to the gentleman from Ohio [Mr. REGULA]—the blame lies not so much with either committee, the appropriating committee or the Committee on Interior and Insular Affairs, but the blame lies with the other body, where many of these authorizing bills are languishing after passing this House. They are languishing forever, it seems sometimes.

But I do hope that the Hamilton-Gradison joint committee will seri-

ously look at ways in which we can complete our authorizing responsibilities before embarking on the appropriations process.

If this means biennial budgeting under which we adopt 2-year budgets and spend 1 year on authorizations and 1 year on appropriations, so be it.

There must be a better way to do things than we are doing them now, and I strongly urge the Hamilton-Gradison committee to make reform of the authorization-appropriations process one of its top priorities.

We need it desperately. Again, I would say to the Members here on the floor and back in their offices that this rule allows for a normal open amendment process. Therefore, I strongly urge support of the rule.

Mr. Speaker, I yield 6 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, yesterday we passed an appropriations bill that was $6.5 billion, $6.5 billion higher than last year's spending levels. The deficit this year is $400 billion. The national debt is $4 trillion, up from $1 trillion 10 years ago. The economy is in a very precarious position right now because of these huge deficits.

This bill is $475.1 million above the President's request and $415.5 million above last year's level.

I say to my colleagues, the people across this country are clamoring for fiscal responsibility in this Chamber. Two years ago we raised taxes in the 1990 budget summit agreement by $181 billion to get control of the deficit. At that time it was $221 billion. Now it is $400 billion. The debt is $4 trillion. The interest on the national debt is over $300 billion a year.

What are we doing? Every single appropriations bill that comes before the House is higher than last year. How in the world are we going to get control of spending if every appropriations bill is higher than last year's and last year we faced a $400 billion deficit?

□ 1030

I would like to give my colleagues a real quick economic lesson as far as the Federal Government is concerned. If the deficits continue like we are heading and they continue to rise unabated, then what is going to happen, according to Peter Grace, the chairman of the Grace Commission, is that by the year 2000, it is going to take over 100 percent, 102 percent of all personal income tax revenues just to pay the interest on the national debt.

I have not gone into this before, but I hope the Members will pay attention to this. Do they understand what happens when interest gets that high? That means that we will not be able to pay the interest on the financial instruments that are purchased by people in this country or abroad. If we cannot pay the interest on the debt, let alone the principal on the debt, and take care of current expenses such as Medicare, Medicaid, and so forth, then what is going to happen is the Federal Reserve Board is going to monetize the debt.

Why will they monetize the debt? And that means simply printing money at the Treasury to pay off all of the debt.

The reason they will print that money to pay off all or part of the debt is because we do not even have enough money, or will not by the year 2000, to pay interest on the debt. If they pay off half of the national debt, say, which would be, let us say, $8 or $10 trillion by then, that means they would have to put $5 trillion into circulation.

We talk about people on fixed incomes all the time, the people on Social Security and the people who are on welfare and so forth. We say we are really concerned about them. That is why we continue to give them more and more benefits. But if we print $5 trillion and put it into the economy to pay off part of the national debt so that the servicing of the debt, the interest, is manageable, then we are going to have what is called hyperinflation.

I do not know if anybody is paying any attention to this around here, but I wish somebody would. It is going to cause hyperinflation. If we look back at history, in Germany and South America and Brazil and Argentina and other countries, we will find when we have hyperinflation that a loaf of bread that costs $1 one day costs $5 a week later, and a week after that it costs $50. The people who are on fixed incomes because of our spending policies will have a lot of money, but they will not be able to buy anything with it.

I say to my colleagues, who obviously are not paying much attention around here but maybe somebody is: We need to get control of this.

Mr. YATES. Mr. Speaker, will the gentleman yield? We are paying attention to the gentleman's every word.

Mr. BURTON of Indiana. I appreciate that.

The point is that if we do not get control of spending, we are faced with one of two possibilities, either a depression or hyperinflation. Every single government throughout history, when faced with those two dilemmas, always goes to the printing money route, and we will be no exception, in my opinion.

When we start printing money to pay off this debt we are incurring on a day-in and day-out basis, we are going to destroy the economic foundation of this country, and the senior citizens and the people on fixed incomes are really going to suffer, and the kids, the future generations, are going to have to pay this debt through either a lower standard of living or worse.

I just say to my colleagues, every single appropriation bill which is higher than last year should not be passed, because we were $400 billion in the tank last year falling on the heels of a $181 billion tax increase that was supposed to get control of this problem, and it is just getting worse.

These guys on the Committee on Appropriations have to get control of spending before they bring this to the floor, because every single bill is higher and higher and higher. It is just going to be awful in the future.

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

Mr. BURTON of Indiana. I yield to my colleague, the gentleman from Illinois.

Mr. YATES. Mr. Speaker, what does the gentleman propose to do about the natural resources that the people of America own: the national parks, the national forests, the public lands, the wetlands, the coastal seashores? Those are deteriorating every single year. Let me point out that over 250 Members of the House appeared before our committee in response to the needs of our natural resources. That is an amazing statistic. We heard over 800 witnesses. It is an amazing statistic, but it is not surprising when we consider the tremendous confrontation that is taking place throughout our country between the developers who want, and understandably so, who want to purchase properties on the edge of the national parks, the national forests, the wetlands, the national ocean recreation areas. Can you imagine any sites that are more desirable for development?

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES], the chairman of the subcommittee.

Mr. YATES. Let me point out that we have this tremendous confrontation taking place between developers and those of us, including the Members, all of the Members of Congress, who want to protect the Nation's resources. The encroachment is taking place, understandably, because these are the most desirable properties in the country. When Members of Congress come in and ask us to set aside a certain amount of money to acquire lands, either in the forests or in the parks or on the seashores, it is not pork. Members do not benefit personally by this. It is an effort to preserve our natural resources that beautify their districts.

We do not have as much money in this bill as we should have for our land and water conservation fund. I think it is down to $284 million. We ought to be buying these properties to protect the resources for our children in the future. That is the function of our committee. In our bill, we are in the middle of that confrontation. We have to decide whether to make this money available to the extent that we can. We

are very aware of what the gentleman is telling us about the national debt. Sure we are aware of that. But we have this responsibility as well of protecting our national resources.

Mr. BURTON of Indiana. Will the gentleman yield?

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. There are needs in every congressional district, in every State in this Union. The problem is, we are not setting priorities on the spending. The gentleman just raised the issue that many Members are coming to the various members of the Committee on Appropriations, talking about the needs of their particular areas, and many of these needs are very important. I do not diminish their arguments. But the fact of the matter is, the legacy that this Nation is going to be left with because of our actions or inactions is going to be horrific economically.

We went from being the No. 1 economic power seat 10 years ago to the greatest debtor Nation in the world in just one decade. That means we have to get control of spending. Let me just give the Member a couple of statistics. Just 10 years ago we brought in $500 billion in tax revenues. It is now $1.3 trillion. We have almost tripled the tax revenues, and yet we are still $400 billion short this year, and these appropriations bills are going to exceed that. We have to do something.

Mr. YATES. Let me reclaim my time, and then I will yield more time to the gentleman if he wants. Does the gentleman realize there was not 1 year under the Reagan administration or under the Bush administration where either President proposed a balanced budget?

Mr. BURTON of Indiana. If the gentleman will yield, I will answer that.

Mr. YATES. Of course I will yield.

Mr. BURTON of Indiana. I do not care who is at fault. I do not care if it was the President or the Congress, although I think that everybody knows that all the appropriation bills originate in this body.

Mr. YATES. If the gentleman will permit me to reclaim my time, the appropriations process begins with the President's budget. If the President does not send Congress a balanced budget, then I think that there is where the deficits commence.

Mr. BURTON of Indiana. If the gentleman will continue to yield, I agree there is enough blame to go around. When the Members look in the gallery and look out in the streets and go back to their congressional districts and look at the senior citizens who are going to be faced with hyperinflation, having money but it will not buy anything because of that, when we look at the future generations and what they are going to deal with as far as this massive debt, then we have to come to the conclusion as Members of Congress that we have got to do something to control this spending.

What my point is, we have tripled the tax revenues, more than tripled the tax revenues, and we are still going in the tank at $400 billion a year, and we are going to exceed that this year because of the appropriations bills. We have got to do something about spending. We are sowing the terrible seeds of destruction for these kids.

Mr. SOLOMON. Mr. Speaker, I yield 3 additional minutes to the gentleman from Indiana [Mr. BURTON].

Mr. REGULA. Mr. Speaker, will the gentleman in the well yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague, the gentleman from Ohio.

Mr. REGULA. It will perhaps increase the gentleman's comfort level a little bit if I say to the gentleman that we did set priorities, because he mentioned that the priorities were that we reduce the President's request on land acquisition by $100 million, and there were no new starts in fish and wildlife, even though we have had many requests from Members; no new starts on visitor centers, and 30-some were requested by Members. We changed the formula on fire, which is out of our control in the sense that if there is a fire we have to take care of it. But we did realistically put the money in instead of having a supplemental.

□ 1040

If you take out the change in formula we are, in fact, under last year on budget authority by 1.3 percent. We are over only 1.4 percent on outlays over last year, and you have to take into consideration that this includes the cost of living that was granted to all Federal employees. It includes the inflationary pressure for gasoline, for equipment and so on. And we are below the rate of inflation by about 3 percent.

We have done that by just keeping it as tight as possible in every way.

Let me add one more thing, and that is that this is one of the few bills that generates revenue. About $8-billion plus comes into the Federal Treasury as a result of the investments that we make in our forests, in our parks, in our BLM lands, and we try to up that. And I for one have felt that we should increase our fees or admission to these facilities so we can accomplish some of the objectives that the gentleman is talking about.

Mr. BURTON of Indiana. I appreciate the gentleman's comments, and I also appreciate the efforts made by many members of the committee. But the fact of the matter is we are still spending $415.5 million above last year's spending levels.

Mr. Speaker, in this Chamber 2 weeks ago we had a vote on the balanced budget amendment. It failed by nine votes. And many Members who wanted to vote against the balanced budget amendment, and did, stood in this well and said we have to have the guts to make the hard decisions. We cannot do this just by passing a constitutional amendment, we have to have guts.

Well, I say to my colleagues, we really do need to have guts to make these hard decisions, because every appropriation bill is higher than last year. We brought a budget to the floor a couple of years ago called the 4-percent solution that would limit the growth in spending to 4 percent above last year's real spending levels. If we had passed that we could have balanced the budget in 5 to 6 years. We did not get a smell of getting that thing passed.

So, I just say to my colleagues, we have to get control of spending.

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

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, the defense appropriation bill will be substantially below last year's level, I think by nearly $17 billion. So I just wanted to make sure the gentleman understood that there is one area and one subcommittee that is below.

Mr. BURTON of Indiana. We appreciate that. And as long as we do not break down the firewalls and use that for deficit reduction.

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

Mr. BURTON of Indiana. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Speaker, the gentleman said 4 percent. I want to point out we are at 1.3 percent, so we are accomplishing the very objective, and in fact we are much better than the objective that the gentleman set forth. And talk about guts, frankly, we resisted enormous pressures from many Members for visitors centers, fish and wildlife facilities, land acquisition. It was tough, and the chairman had to say no, as did I and the other members of the subcommitee.

Mr. BURTON of Indiana. I think the gentleman is to be commended as well as the other members of that subcommittee. But I just say overall we have to get control of spending. This is above last year's spending levels and we have to deal with it.

Mr. GORDON. Mr. Speaker, I withdraw the resolution.

The SPEAKER pro tempore (Mr. MONTGOMERY). The resolution is withdrawn.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON ADAMHA REORGANIZATION ACT

The SPEAKER pro tempore. The unfinished business is the vote de novo on the resolution, House Resolution 479 waiving all points of order against the

conference report on the bill (S. 1306) to amend title V of the Public Health Service Act to revise and extend certain programs, and for other purposes, and against the consideration of such conference report.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. SOLOMON. 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 266, nays 138, not voting 30, as follows:

[Roll No. 252]

YEAS—266

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Aspin
Atkins
AuCoin
Barrett
Beilenson
Bereuter
Berman
Blackwell
Bliley
Boehlert
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Byron
Camp
Campbell (CO)
Cardin
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Gallegly
Gaydos
Gejdenson
Gephardt
Geren
Gilman
Gingrich
Glickman
Goodling
Gordon
Gradison
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Harris
Hayes (IL)
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Huckaby
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Orton
Owens (NY)
Owens (UT)
Oxley
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Ravenel
Ray
Reed
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Thomas (WY)
Thornton
Torricelli
Towns
Traficant
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walker
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron
Young (AK)

NAYS—138

Allard
Allen
Applegate
Archer
Armey
Bacchus
Baker
Ballenger
Barton
Bateman
Bennett
Bentley
Bilbray
Bilirakis
Boehner
Bunning
Burton
Callahan
Campbell (CA)
Carper
Carr
Chandler
Clinger
Coble
Coleman (MO)
Combest
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Ewing
Fascell
Fawell
Fields
Fish
Franks (CT)
Gallo
Gibbons
Gilchrest
Gillmor
Gonzalez
Goss
Grandy
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Houghton
Hubbard
Hughes
Hunter
Hyde
Inhofe
James
Johnson (TX)
Klug
Kolbe
Kyl
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Machtley
Marlenee
McCandless
McCollum
McCrery
McEwen
McNulty
Meyers
Miller (WA)
Molinari
Moorhead
Morrison
Nichols
Packard
Paxon
Peterson (FL)
Petri
Porter
Pursell
Quillen
Ramstad
Rangel
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shays
Shuster
Smith (FL)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (GA)
Upton
Vucanovich
Walsh
Weber
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—30

Ackerman
Alexander
Anthony
Barnard
Bevill
Bonior
Boxer
Bustamante
Chapman
Duncan
Dymally
Frost
Gekas
Hatcher
Hayes (LA)
Hefner
Ireland
Johnson (CT)
Jones (GA)
Ortiz
Perkins
Richardson
Riggs
Shaw
Snowe
Tallon
Torres
Traxler
Wilson
Wylie

□ 1107

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

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.

CONFERENCE REPORT ON S. 1306, ADAMHA REORGANIZATION ACT

Mr. WAXMAN. Mr. Speaker, pursuant to House Resolution 479, I call up the conference report to accompany the Senate bill (S. 1306) to amend title V of the Public Health Service Act to revise and extend certain programs, to restructure the Alcohol, Drug Abuse, and Mental Health Administration, and for other purposes.

The Clerk read the title of the Senate bill.

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

(For conference report and statement, see proceedings of the House of June 3, 1992, at page 13249).

The SPEAKER pro tempore. The gentleman from California [Mr. WAXMAN] will be recognized for 30 minutes, and the gentleman from Virginia [Mr. BLILEY] will be recognized for 30 minutes.

Mr. BILIRAKIS. Mr. Speaker, is either of these gentlemen in opposition to the legislation?

□ 1110

The SPEAKER pro tempore (Mr. MONTGOMERY). Is the gentleman from Virginia [Mr. BLILEY] opposed to this bill?

Mr. BLILEY. No, Mr. Speaker.

The SPEAKER pro tempore. Therefore, the gentleman from California [Mr. WAXMAN] will be recognized for 20 minutes, the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes, and the gentleman from Florida [Mr. BILIRAKIS], who is opposed to the bill, will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. WAXMAN].

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

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

There was no objection.

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

Mr. Speaker, this is our third time at bat on this legislation on the House floor. For those who may recall, we did bring up a conference report, for which there was a motion to instruct that we make a change, and we made that change. And now the conference report has been sent back to the House for consideration, and it was sent back unanimously. All the conferees have agreed on this conference report.

Mr. Speaker, the bill deals with the Alcohol, Drug Abuse, and Mental

Health Administration. It provides for the reorganization of the Agency's activities.

The legislation also provides for the first comprehensive reform of the Federal Alcohol, Drug Abuse, and Mental Health Services block grant. In making allocations under this block grant, unfortunately, some States feel aggrieved. They would prefer to get more money. I understand that.

Nevertheless, a compromise was worked out to the best ability of the conferees. Particularly, the State of Florida feels unhappy with this conference report in terms of how they will fare under the allocation. I regret it, but we have done the best we can. I would still urge Members that we go forward and support this legislation.

Mr. Speaker, the legislation is backed by the Bush administration, it has been backed by all Democrat and Republican conferees. I am going to insert in the RECORD a further explanation of this legislation for those who may want a more detailed description. It is an important piece of legislation, and I urge my colleagues to support it.

Mr. Speaker, on behalf of the House conferees, I am pleased to present the conference report on S. 1306, the ADAMHA Reorganization Act. Passage of this landmark legislation represents an important continuation of the Federal Government's leadership in the fields of addictive and mental disorders.

First and foremost, the legislation provides for the reorganization of the Alcohol, Drug Abuse, and Mental Health Administration [ADAMHA]. Under the bill the three ADAMHA national research institutes will be transferred to the National Institutes of Health. All service related activities of the institutes, including clinical training and program evaluation, are transferred to the new Substance Abuse and Mental Health Services Administration. Under the proposal, three new centers—the Center for Mental Health Services, Center for Substance Abuse Prevention, and Center for Substance Abuse Treatment—will be established to administer the Federal Government's substance abuse and mental health prevention and treatment services programs.

The legislation also provides for the first comprehensive reform of the Federal Alcohol, Drug Abuse, and Mental Health Services block grant. The conference agreement reflects the original House proposal to establish two discrete block grants: one for mental health services and one for substance abuse services. In addition, the funding formula for allotting block grant funds between the States is revised to more accurately target funds to populations most in need. Under the agreement, the relative population at risk will be taken into account as well as the State's fiscal capacity and cost of providing services.

Much has been said about the new funding formula and its applicability for fiscal year 1992. Members should be aware that it was always the preference of the House conferences that changes in the formula be prospective. We would have preferred that the new formula begin in fiscal year 1993 rather than fiscal year 1992. But conference reports are by their nature compromises and our colleagues in the other body were insistent. Indeed, when the conference report was considered in the Senate on June 9, a proposal to recommit the report and adopt an effective date of fiscal year 1993 was defeated by a vote of 79 to 14. The conference report was ultimately approved by a vote of 86 to 8.

Mr. Speaker, the new mental health formula allocates funds based upon each State's population at risk for mental illness, the State's fiscal capacity and the State's relative cost for providing services to the population at risk, particularly the population of urban youth.

The new formulae are an improvement over current law. Although the populations at risk differ, current law required that mental health funds be allocated to States by the same formula used to allocate substance abuse appropriations. Furthermore, current law placed great emphasis upon the relative urban population of a State. While urban population may have been a reasonable measure of the need for substance abuse services, it was certainly not an appropriate measure of the need for mental health services.

Mr. Speaker, in proposing a new formula, House and Senate conferees were concerned about minimizing program disruptions in the States. The conference agreement includes provisions that protect—for fiscal year 1992, fiscal year 1993, fiscal year 1994—any State allocation from falling below the fiscal year 1991 level. This provision was critically important to the Senate as it prevented funding in the States of Massachusetts, Ohio, Rhode Island, Indiana, District of Columbia, Hawaii, Mississippi, New York, and Maine from declining in fiscal year 1992.

Mr. Speaker, I want to take a moment and comment upon the issue of needle exchange programs. Although the House had agreed in passing H.R. 3698 that the Federal Government should leave the decision of whether or not to establish needle exchange programs to the States, last minute opposition from the White House drug czar and later the administration resulted in the recommittal of S. 1306 to conference. Consistent with the motion for recommittal, the conference report prohibits the use of Federal substance abuse block grant funds for needle exchange programs. The legislation does not, however, prohibit States or localities from supporting such programs with their own funds or from other sources of Federal funds. In addition, consistent with the motion for recommittal, the conference report removes the restriction in current law that prohibited the use of block grant funds for the distribution of bleach used to sterilize syringes. Beginning in fiscal year 1993, States will be permitted to use block grant funds for the distribution of bleach.

Mr. Speaker, under the conference agreement, the Surgeon General is authorized to waive the restriction on the use of block grant funds for needle exchange programs. It is the responsibility of the Surgeon General, after reviewing the State's justification for a waiver, to approve or disapprove proposals expeditiously. In making these decisions the Surgeon General is expected to review data on the operation and experience of needle exchange programs operating in the United States and in countries such as Canada, Britain, and Australia.

Mr. Speaker, many States are already acting in this area. The States of Hawaii and Connecticut have enacted legislation approving exchanges. Needle exchange programs are also operating in the States of California, Colorado, Massachusetts, New York, Oregon, Rhode Island, and Washington. There is a growing body of evidence in this country and abroad that such programs are a useful means of bringing addicts into the treatment system and can reduce the risk of HIV among intravenous drug users, their spouses, and children. Furthermore, there is no evidence that such programs encourage drug use. Addicts do not shoot up because they have access to clean needles.

Mr. Speaker, last year the National Commission on AIDS issued a report recommending that legal barriers to the purchase and possession of injection equipment be removed. The Commission concluded that strict restrictions on the availability of sterile needles did not reduce illicit drug injection and increased the risk of HIV through the sharing of dirty needles.

I regret the Office of National Drug Control Policy is clearly out-of-step with the public health experts on this issue. I regret the administration continues to treat the problem of AIDS and its relationship to substance abuse as a war of rhetoric rather than a public health crisis.

Mr. Speaker, I want to comment on the effect of the conference report on the provision of treatment services to intravenous drug abusers. The conference agreement does not include the requirement of the original House bill that substance abuse block grant recipients provide treatment on demand for intravenous drug users and pregnant addicts. The conferees recognized that, even with increased Federal funding, some States do not have the financial ability to provide such treatment. But the conferees believed in those States where treatment on demand was not available, extraordinary measures must be taken to slow the spread of infectious diseases among intravenous drug abusers, their partners, and their children.

The legislation requires that any State which cannot provide immediate access to comprehensive treatment services for intravenous drug abusers and pregnant addicts must provide interim services within 48 hours for those persons who are awaiting admission. The conference agreement further requires that States assure that every intravenous drug abuser seeking comprehensive treatment be admitted to a comprehensive program within 120 days of seeking treatment. Pregnant addicts are afforded preference in the admission to State funded treatment programs.

The conference agreement defines interim services to include services to reduce the adverse health effects of drug abuse, to promote the health of the individual awaiting comprehensive services, and to reduce the risk of transmission of disease. The conferences expect that such measure will, at a minimum, include counseling and education about HIV, about the health risks of needle sharing, about the risks of disease transmission to sexual partners and infants, and about steps that can be taken to ensure that HIV transmission does not occur. With respect to pregnant addicts, interim services should also include prenatal care.

Mr. Speaker, the conference agreement also includes a provision requiring the Secretary to make interim methadone services available as an option in those States where comprehensive treatment cannot be provided. This requirement is not applicable if the Secretary finds that first, the risk of HIV transmission through intravenous drug abuse is minimal, second that conventional methadone maintenace is not an effective method of treating heroin addiction, or third, that sufficient treatment capacity exists nationally to provide comprehensive treatment to all IV drug users within 14 days.

Mr. Speaker, I want to note that the provision of interim methadone services is strongly endorsed by the National Commission on Acquired Immune Deficiency Syndrome. In a letter dated May 26, 1992, Chairman June E. Osborn and vice chairman, David E. Rogers note the importance of the interim treatment requirements of the conference report. They write:

The provisions of the ADAMHA Reorganization Act encouraging interim treatment are strongly supported by the Commission. They are a logical first step towards the larger goal of actually providing drug abuse treatment to all who request it when they request it. The provisions are both good drug abuse policy and good AIDS policy.

Mr. Speaker, I ask that a copy of their letter be printed in RECORD at this point.

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME,
Washington, DC, May 26, 1992.

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

DEAR MR. SPEAKER: The National Commission on AIDS has repeatedly recommended that drug abuse treatment be provided to all persons in the U.S. who request such treatment as one means of reducing transmission of HIV. This recommendation was made in our report "The Twin Epidemics of Substance Use and HIV" and also in our recent report "America Living with AIDS." The Presidential Commission on the HIV Epidemic, appointed by former President Reagan, also recommended a national policy of providing "treatment on demand" for intravenous drug users. Studies of drug users have shown that they do care about their health, particularly about their risk of AIDS. Therefore, it is both inhumane and public health folly to not provide treatment for persons with dependence problems at the time they request such treatment.

The Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1991 contains a set of provisions that directly address the lack of treatment for persons with drug abuse problems. While the bill does not mandate "treatment on demand" it does require states to provide some form of "interim treatment" so that therapeutic contact can be maintained while the person awaits an opening in a comprehensive treatment program. The therapeutic contact would normally include education about AIDS and HIV transmission, including sexual and prenatal transmission. Bringing persons into contact with the health system is an important step in reducing both intravenous drug use and the rate of HIV infection.

The bill does not require that the states provide any specific form of interim treatment, but allows them to devise the types of interim treatment that would best suit their diverse situations. The bill does permit states to choose to provide interim methadone maintenance. This would include medically supervised methadone administration, AIDS education, and referral other psychosocial services. The present federal regulations do not permit this type of interim treatment, even though the only published study on the topic shows substantial benefits of interim treatment over simply leaving people on waiting lists.

The provisions of the ADAMHA Reorganization Act encouraging interim treatment are strongly supported by the Commission. They are a logical first step towards the larger goal of actually providing drug abuse treatment to all who request it when they request it. The provisions are both good drug abuse policy and good AIDS policy.

Sincerely,

DAVID E. ROGERS, MD,
Vice Chairman.
JUNE E. OSBORN, MD,
Chairman.

Mr. Speaker, by permitting States to provide interim methadone maintenance services, a new and potentially valuable tool will be available to provide a therapeutic bridge for patients awaiting treatment in comprehensive methadone treatment services. Although some have criticized the availability of this modality, a study in the American Journal of Public Health concluded that "interim methadone maintenance can reduce heroin use among persons awaiting entry into comprehensive treatment and increase the percentage entering treatment." I ask that a copy of this article and accompanying Editorial from the September 1991 issue of the AJPH be printed in the RECORD at this point.

A RANDOMIZED TRIAL OF AN INTERIM METHADONE MAINTENANCE CLINIC

(By Stanley R. Yancovitz, MD, Don C. Des Jarlais, PhD, Nina Peskoe Peyser, MBA, Edmund Drew, MD, JD, Patricia Friedmann, MS, Harold L. Trigg, MD,* and J. Waymond Robinson, MD)

Background. Interim methadone maintenance has been proposed as a method of providing clinically effective services to heroin addicts waiting for treatment in standard comprehensive methadone maintenance programs.

Methods. A clinic that provided initial medical evaluation, methadone medication, and AIDS education, but did not include formal drug abuse counseling or other social support services was established in New York City. A sample of 301 volunteer subjects recruited from the waiting list for treatment in the Beth Israel methadone program were randomly assigned to immediate entry into the interim clinic or a control group.

Results. There were no differences in initial levels of illicit drug use across the experimental and control groups. One-month urinalysis follow-up data showed a significant reduction in heroin use in the experimental group (from 63% positive at intake to 29% positive) with no change in the control group (62% to 60% positive). No significant change was observed in cocaine urinalysis (approximately 70% positive for both groups at intake and follow-up). A higher percentage of the experimental group were in treatment at 16-month follow-up (72% vs 56%).

Conclusions. Limited services interim methadone maintenance can reduce heroin use among persons awaiting entry into comprehensive treatment and increase the percentage entering treatment. (Am J. Public Health, 1991; 81:1185–1191)

INTRODUCTION

Expansion of drug abuse treatment programs has been one of the more frequently recommended means for controlling the spread of the human immunodeficiency virus (HIV) and AIDS among intravenous drug users (IVDUs). In the United States, the Presidential Commission on the HIV Epidemic[1] and the National Academy of Sciences[2,3] have both advocated "treatment on demand" (providing immediate voluntary entry into treatment) for IVDUs. The National Institute on Drug Abuse has determined that providing treatment for IVDUs will be its primary strategy for reducing the spread of HIV among drug injectors.[4]

The Food and Drug Administration (FDA) has proposed changing the regulations governing methadone maintenance treatment in the United States to permit interim methadone treatment. The term "interim" refers to the provision of limited services to patients awaiting treatment positions in comprehensive methadone programs. Interim clinics would provide intake physical examinations, education about AIDS, and methadone medication to prevent narcotic withdrawal symptoms and to block the euphoric effects of heroin. The methadone would be dispensed daily by a nurse so that there would be frequent contact between the patient and the medical staff and minimal opportunity for diversion of the medication. Interim clinics would not be required to provide ongoing drug abuse counseling, vocational rehabilitation, or the other social services that are incorporated in current federal regulations governing methadone maintenance treatment and that are integral components of most drug-free programs.

According to their proponents, interim clinics would not replace regular methadone maintenance programs, but would provide limited services to heroin addicts who would otherwise be on waiting lists and receiving no drug abuse treatment. The limited services are expected at least to reduce heroin use and the AIDS risks associated with heroin use. Opponents argue that interim methadone maintenance would not address the multiple social and vocational needs of most heroin addicts, and that implementation of limited service treatment might impede expansion of more comprehensive treatment programs, or, in a time of limited public resources for drug abuse treatment, even replace more comprehensive treatment.[1] (For an extended discussion of the proposed FDA regulations that would have permitted interim methadone maintenance treatment see the transcript of hearings conducted by the Select Committee on Narcotics Abuse and Control of the U.S. House of Representatives, March 23, 1990.)

The intensity of debate notwithstanding, there are relatively few data on the effec-

tiveness of interim methadone clinics. Hong Kong and The Netherlands both have some methadone maintenance programs that provide few supportive services beyond basic dispensing of the medication. These programs are generally considered effective within those societies,[5,6] but the effectiveness of interim methadone maintenance might be different in the United States, due to cultural differences with respect to drug use and the higher percentage of polydrug use among US heroin addicts. We report here on a random assignment evaluation of an interim methadone clinic in New York City. Subjects receiving interim clinic services were compared to waiting list controls. Change in heroin use was the primary outcome measure utilized; changes in cocaine use and entry into conventional treatment were also examined.

METHODS

Interim Clinic Services

The interim clinic was opened in February 1987. It was staffed by a one-quarter-time physician, one full-time registered nurse, one clinic coordinator, one outreach worker, and one full-time research interviewer. The services provided within the clinic included a standard physical examination upon admission and methadone administered by a nurse 5 days per week. Saturday medication and a single take-home dose were provided at another site in the same building. AIDS education, with free distribution of condoms, was also provided at the interim clinic. Urine samples were collected biweekly for toxicologic analyses, which included thin layer chromatography with confirmation by gas chromatography/mass spectrometry performed by Damon Clinical Laboratories of New York.

Results of the urinalysis were known to the treatment staff, but not incorporated into any treatment plan or discussed in formal counseling sessions, as they generally would be in a comprehensive methadone treatment program. Minimal counseling was available on an ad hoc, informal basis, and other supportive service needs could be addressed only by referral to community agencies. The physician could identify medical problems but, except for the most routine of interventions, had to refer patients elsewhere for treatment.

The initial dose of methadone was set by the examining physician based on the examination and drug use history and was typically 20 to 30 mg/day. This initial dose was then increased according to an escalation schedule preset by the physician, generally by 10 mg every third day until a maintenance dosage of approximately 80 mg/day was reached. The nurse was authorized to modify the rate of dose escalation or to stop the escalation process at a stabilization dose other than the scheduled maximum. Dosage adjustment decisions generally reflected subjective perceptions of the patients and instances of missed or vomited medication.

Subjects and Data Collection

Subjects were recruited from the waiting lists of Beth Israel methadone maintenance program. Separate waiting lists are maintained for the 23 Beth Israel clinics, and there is substantial variation in the time between application for treatment, placement on a waiting list, and admission to one of the regular clinics. At the time of the interim clinic study, the average time spent on a waiting list was approximately 3 months. Participation in the study would be from the time of enrollment until an opening occurred at the clinic to which the subject had originally applied. At that time the subject would be enrolled in the regular clinic and cease participation in the interim clinic study. Participation in the study would neither decrease nor increase the time spent waiting for an opening in a regular clinic.

A written informed consent for participation in the study was obtained from each subject. The project was approved by Beth Israel's Institutional Review Board and the FDA (Investigational New Drug number 28 232). A questionnaire covering demographics, drug use history, AIDS risk behavior, and knowledge of AIDS was administered by a trained interviewer. The subjects were informed that medical and drug use information collected at the interim clinic would not be revealed to the comprehensive clinic to which they would ultimately transfer. Subjects were paid $35 for the completion of intake data collection. A follow-up questionnaire, focusing on drug use since the preceding interview, was administered every 2 weeks.

Residual serum from the blood sample collected as part of the intake examination was stored at −70° C for later HIV testing. Since the objects of the study was to examine the effects of a methadone treatment program that did not include formal counseling, the actual HIV counseling and testing were postponed until completion of the evaluation study. (Relationships between serostatus and drug use behavior will be presented elsewhere.)

After completion of the initial data collection, subjects were assigned randomly to experimental treatment or control conditions. The random assignment was done by administrative staff at a different location. The intake interviewers frequently asked to have individuals placed in the methadone treatment group based on data obtained in the intake interview, but, consistent with the protocol, these requests were not honored. Subjects in the control condition were paid $20 for follow-up interviews. Data were analyzed using the PRODAS system of statistical programs.[7]

Change in Protocol

For the first 3 months after the study inception, there were three experimental conditions: the experimental treatment group immediately received interim clinic treatment as described above and a biweekly follow-up interview; the frequent contact control group received the bi-weekly follow-up interview, free condoms, and had biweekly urine samples collected; and the minimal contact control group were not reinterviewed until the end of their participation in the study.

Subject recruitment under these conditions was initially rapid, but then slowed dramatically. Discussions with recruited subjects and potential subjects applying for methadone treatment at Beth Israel indicated that the major difficulty was the perception of a low probability (one chance in three) of receiving methadone treatment in the interim clinic study.

In August 1987, the protocol was revised to increase subject recruitment. The minimal contact control group was eliminated from the study, and the time spent in the frequent contact control group was limited to 1 month, after which control subjects were switched into the experimental group and received methadone medication. After this modification, there was no difficulty in recruiting new subjects for random assignment into experimental and control conditions and the 150-person limit on patients receiving methadone in the interim clinic was soon reached. Data from the discontinued minimal contact control group are not included in this report, but are available from the senior author (S.R.Y.).

Data Collection Limitations

One research staff member was designated to conduct baseline and biweekly research interviews for the experimental and control subjects. The outreach worker, who was bilingual (Spanish/English), occasionally assisted in interviewing. It is thus unlikely that the subjects maintained a clear separation between clinic treatment staff and research staff, which may have contributed to underreporting of drug use as presented below.

Given the number of subjects and the severe limitation of clinic space and personnel, some urine collections and interviews were not conducted at the required intervals, especially in the first few months of the study when new intakes and biweekly follow-up interviews for both experimental and control subjects were needed. As the study progressed and the control participants reached their 30th day and were transferred to the experimental treatment group, the total number of study participants stabilized at the maximum of 150 patients receiving methadone, and the rates of missed urines and interviews diminished considerably.

RESULTS

Table 1 shows demographic characteristics and drug use histories for the 301 subjects who were assigned to the experimental and frequent (biweekly) contact control conditions. Ninety-eight percent reported that they had injected drugs at some time in their lives; 92% reported injecting in the month prior to entry into the study, with a mean of over three injections per day. There were nonsignificant differences between groups in demographics or drug use histories. More than half of those who were tested for HIV were seropositive, with a higher percentage seropositive in the control group.

TABLE 1.—SELECTED DEMOGRAPHIC AND DRUG USE CHARACTERISTICS FOR SUBJECTS AT ENTRY INTO STUDY (N = 301)

Characteristics	Experimental treatment group (n=149)		Frequent contact group (n=152)		X^2 or t value	R value
	N	%	N	%		
Sex:						
Male	121	81	118	78	.....	.....
Female	26	19	34	22	0.59	.44
Race:						
White	15	10	16	11	.....	.....
Black	44	30	61	40	.....	.....
Hispanic	89	60	75	49	3.83	.14
Currently employed	22	15	21	14	0.06	.65
LMng with sexual partner	59	40	62	41	0.04	.83
Prior drug treatment	115	78	122	81	0.43	.51
Prior MMTP treatments	89	60	81	53	1.27	.26
HIV status:						
Positive	66	50	93	64	.....	.....
Negative	66	50	52	36	5.83	<.05
Average age at baseline (yr)	34.8	....	34.4	....	t=−0.51	.61
Average age began IV drug use (yr)	18.6	....	19.4	....	t=1.15	.25
Average age began IV drug use on regular basis (yr)	19.5	....	20.2	....	t=1.02	.31

[1] MMTP = methadone maintenance treatment program.

Of the 301 subjects initially enrolled, no follow-up data were obtained from 41 subjects (20 from the experimental group, 21 from the control group). Of these 41 subjects, 32 were lost to contact, 8 were admitted to traditional drug treatment, and 1 was incarcerated before follow-up data could be collected.

Since control subjects were shifted into the experimental treatment after 1 month, primary outcome comparisons between the two groups must be restricted to behavior within that time period. Complete baseline and 1-month follow-up data are available for 169 subjects initially assigned to experimental and frequent contact control groups. The 1-month period was operationally defined as between 15 and 44 days after intake. For subjects with multiple follow-up interviews and urine samples during their participation in the study, the interview and urine sample collected nearest 30 days was used, with the restriction that data from the control subjects reflected only time spent in the control condition. Table 2 presents demographic and drug use history data for these subjects. They do not differ significantly on any of these variables from the total groups assigned to experimental treatment and frequent contact control conditions.

TABLE 2.—SELECTED DEMOGRAPHIC AND DRUG USE CHARACTERISTICS FOR SUBJECTS WITH 1-MONTH FOLLOW-UP DATA (N=169)

Characteristics	Experimental treatment group (n=75)		Frequent contact group (n=94)		X^2 or value	P value
	N	%	N	%		
Sex:						
Male	60	80	73	78	.....	.....
Female	15	20	21	22	0.14	.71
Race:						
White	11	15	6	6	.....	.....
Black	19	25	41	44	.....	.....
Hispanic	45	60	47	50	7.54	<.05
Currently employed	14	19	15	16	0.19	.66
Living with sexual partner	31	41	41	44	0.09	.76
Prior drug treatment	60	80	78	83	0.25	.62
Prior MMTP treatment [1]	50	67	51	54	2.67	.10
HIV status:						
Positive	24	36	59	67	.....	.....
Negative	43	64	29	33	14.91	<.001
Average age at baseline (yr)	33.9	....	35.7	....	t=1.71	.09
Average age began IV drug use (yr)	18.3	....	19.7	....	t=1.55	.12
Average age began IV drug use on regular basis (yr)	18.8	....	20.8	....	t=1.95	.05

[1] MMTP=methadone maintenance treatment program.

Table 3 presents baseline self-reported drug use and urinalysis results at enrollment for the 169 subjects with complete baseline and follow-up data. There is a general agreement between the self-reports and the urinalysis results. None of the differences between the two groups are statistically significant by chi-square tests.

Table 4 presents self-reported drug use and urinalysis results at the 1-month follow-up. There is clearly substantial underreporting among members of the experimental treatment group. Factors associated with discrepancies between self-reported drug use and urinalysis results will be examined in a separate paper. The drug use analyses presented in this report will be restricted to urinalysis results only. Comparisons of the urinalysis results across experimental treatment and control groups at 1 month using chi-square tests show less heroin use (χ^2=15.35, P<.001) and more methadone use (χ^2=52.86, P<.001) in the experimental group. The very small difference in cocaine use was not significant (χ^2=.09, P=.7) between two groups.

Comparisons from intake to the 1-month time period within each group showed significantly reduced heroin use (63% to 29%, McNemar χ^2=16.45, P<.001) and significantly increased methadone use in the experimental group (33% to 92%, McNemar χ^2=36.98, P<.001). The decrease in cocaine use in the experimental treatment group was not significant (from 77% to 66%, McNemar χ^2=1.33, P<.3). In the control group, neither the heroin nor cocaine use percentages changed significantly, but there was also a trend toward increased (illicit) methadone use (26% to 37%, McNemar χ^2=3.225, P<.10).

To determine whether the 169 subjects included in Table 4 were a biased sample of all subjects in the study, we examined urinalysis results for 129 subjects originally assigned to the experimental treatment group and 121 subjects originally assigned to the frequent contact group for whom there was at least one follow-up urinalysis result. These represent 87% of all subjects originally assigned to the experimental treatment group and 80% of all subjects originally assigned to the frequent contact control group. The urine sample collected closest to 30 days in the study was used for this analysis. For the experimental treatment group, the urinalysis at follow-up showed 47 (36%) had used heroin, 99 (77%) had used cocaine, and 117 (91%) had used methadone. For the frequent contact control subjects, 72 (60%) had used heroin, 93 (77%) had used cocaine, and 49 (40%) had used methadone. These results are similar to those reported in Table 4, although the percentage for heroin use in the experimental treatment group and the percentages for cocaine use in both the experimental and frequent contact control groups are modestly but not significantly higher. The difference in heroin metabolites between the experimental treatment group and the frequent contact control group at follow-up is still highly significant (χ^2=13.22, P<.001).

TABLE 3.—URINALYSIS AND SELF-REPORTED DRUG USE AT BASELINE FOR SUBJECTS WITH 1-MONTH FOLLOW-UP DATA (N=169)

Drugs	Experimental Treatment Group (n=75)		Frequent Contact Group (n=94)		χ^2	P Value	Odds Ratio (95% CI)
	N	%	N	%			
Heroin metabolities: Urinalysis	47	83	58	62	0.02	.90	0.960 (0.513–1.795)
Heroin: Self-report	68	91	89	95	1.02	.31	.....
Methadone, non-prescription: Urinalysis	25	33	24	26	1.23	.27	0.686 (0.352–1.337)
Self-report	40	53	53	56	0.16	.70	.....
Heroin metabolites and/or methadone: Urinalysis	56	75	66	70	0.41	.52	0.800 (0.404–1.583)
Heroin and/or non-prescription methadone: Self-report	72	96	91	97	0.06	.77	.....
Cocaine: Urinalysis	58	77	67	71	0.79	.37	0.727 (0.361–1.467)
Self-report	63	84	83	88	0.65	.42	.....

[1] CI=confidence interval.

In order to further explore possible determinants of heroin use at 1 month, univariate analyses (chi-square tests and t tests) on the 169 subjects with complete intake and 1-month follow-up data were performed to determine if demographic characteristics, drug history variables, or cocaine use were associated with heroin use at 1 month. Only use of cocaine at 1 month and assignment to the control group were significantly associated with heroin use at 1 month, as presented in Table 5.

Inspection of the data showed similar relationships between heroin use and cocaine use at 1 month for both the experimental treatment group and the control group. Among the 75 subjects in the experimental treatment group, 25% had evidence of both cocaine and heroin use in their urine sample, 4% had evidence of heroin use only, 43% had evidence of cocaine use only, and 28% had no evidence of either drug (X^2=4.82, P<.05). The relationship was slightly weaker among the 94 subjects in the control group: 46% had evidence of both cocaine and heroin use in their urine sample, 14% had evidence of heroin use only, 24% had evidence of cocaine use only, and 16% had no evidence of either drug (X^2=2.86, P<.09). Because the urinalysis performed was capable of detecting cocaine use only for the previous several days and was capable of detecting heroin use for the previous week, these results probably underestimate concurrent use of both drugs for both groups.

Multiple logistic regression was used to examine whether treatment group status and the presence of cocaine metabolites in the 1-month urine sample were independent predictors and whether interactions between experimental group status and demographic or behavioral variables were associated with heroin use at 1 month. Such interaction effects would indicate subjects for whom interim clinic treatment might be particularly effective or not effective in reducing heroin use. The final regression equation is presented in Table 5. Both treatment group status and cocaine use at 1 month were independent predictors of heroin use at 1 month, and none of the possible interactions between treatment group and the demographic and behavioral variables were significant.

A final aspect of the experimental treatment versus control group comparisons was to examine the numbers of subjects who had entered conventional drug treatment programs at the end of data collection in June 1988, i.e., 16 months after the program began. As shown in Table 6, of the 301 subjects originally enrolled in the experimental treatment and the frequent contact control groups, 107 (72%) of those in the experimental group had been enrolled in conventional drug treatment by this data vs 85 (56%) of the controls. This difference for entering conventional treatment was statistically significant (X^2 = 8.23, P<.005).

TABLE 4.—URINALYSIS AND SELF-REPORTED DRUG USE AT 1-MONTH FOLLOW-UP (N=169)

Drugs	Experimental treatment group (n=75)		Frequent contact group (n=94)		X^2	P value	Odds ratio (95% CI) [1]
	N	%	N	%			
Heroin metabolites: Urinalysis	22	29	56	60	15.35	<.001	3.550 (1.862–6.771)
Heroin: Self-report	21	28	83	88	64.08	<.001	.....
Methadone, Urinalysis	69	92	35	37	52.86	<.001	0.052 (0.020–0.131)
Methadone, non-prescription: Self-report	1	1	37	39	34.61	<.001	.....
Heroin metabolites and/or methadone: Urinalysis	71	95	68	72	14.24	<.001	0.147 (0.049–0.444)
Heroin and/or non-prescription methadone: Self-report	21	28	88	94	78.44	<.001	.....
Cocaine: Urinalysis	51	68	66	70	0.09	.76	1.109 (0.575–2.138)
Self-report	29	39	79	84	37.24	<.001	.....

[1] CI=confidence interval.

DISCUSSION

This study was based on the hypothesis that participation in a rapid intake, limited service methadone maintenance treatment program would reduce illicit drug use and

AIDS risk behaviors among persons with a history of heroin addiction. The study attracted a group of subjects with long histories of illicit narcotic use; the great majority had previous drug abuse treatment experience. These subjects are similar in their demographic characteristics to others admitted to the Beth Israel Methadone Maintenance Treatment Program during the same time period and to other persons admitted to New York State-funded methadone treatment programs in New York City during the same time period.[8] The rate of recent cocaine use was high among these subjects, with over 60% showing cocaine metabolites in the urine specimen taken at study entry.

Random assignment studies have been difficult to conduct in the drug abuse treatment field because of difficulties in recruiting subjects into and keeping them in treatment conditions that they do not want to be in. This study experienced similar difficulties when subjects had only a one in three chance of receiving methadone treatment. After the change in the protocol, the random assignment of either immediate limited service methadone treatment or a time-limited frequent contact control group appears to have been successful. There were few difficulties in recruiting subjects with this change and there was only one variable (HIV status) on which the two groups differed. Since the actual testing of the residual serum for HIV antibody was not done until after random assignment and data collection for this study had been completed, there is no way in which the test results could have influenced the randomization, and we assume that this difference between the experimental treatment and control groups was a random effect.

TABLE 5.—POTENTIAL PREDICTORS OF HEROIN IN URINE SAMPLE AT THE 1-MONTH FOLLOW-UP (n=169)

Potential predictors	Heroin in urine at 30 days		χ^2 or t value	P value
	N	%		
Group:				
Experimental	22	29		
Control	56	60	1535	<.001
Sex:				
Male	57	43		
Female	21	58	2.73	.10
Ethnicity:				
White	5	29		
Black	27	48		
Hispanic	46	50	2.50	.29
Employment status at baseline:				
Employed	11	38		
Not employed	67	48	1.01	.31
Living with sexual partner at baseline:				
Yes	33	46		
No	45	46	0.005	.94
Previous drug treatment:				
Yes	61	44		
No	17	55	1.15	.28
Previous MMTP treatment:[1]				
Yes	43	43		
No	35	51	1.29	.25
HIV Status:				
Positive	39	47		
Negative	34	47	0.0008	.98
Cocaine use at 30 days:				
Yes	62	53		
No	16	31	7.15	<.01
Average age at baseline (yrs)	34.9		t=.03	.97
Average age began IV drug use (yrs)	19.6		t=.07	.29
Average age began IV drug use (yrs) on regular basis	20.4		t=.91	.36

[1] MMTP = methadone maintenance treatment program.

Note: In the final logistic regression equation: beta for the intercept = −0.29, with a χ^2 of 0.78, p = .3774; beta for group status = −1.30 with a χ^2 of 14.89, P = .0001; beta for cocaine in the urine = .99, with a χ^2 of 7.11, P = .008. Variables were dummy coded to 0/1. For group, a value of 1 indicates that the patient was in the treatment group. For presence/absence of drugs, a 1 indicates that the drug was present in the urine at 30 days.

Ethical considerations required that only volunteers be used in this experimental study. Thus it is not possible to ascertain how these subjects might have differed from persons on the waiting list who chose not to participate and simply waited until a regular treatment position was available. Subject recruitment varied with the perceived likelihood of receiving methadone treatment in the interim clinic, suggesting that large number of persons on waiting lists would apply for interim treatment if they were certain that they would receive such treatment.

Because of the substantial discrepancies in self-reported drug use at follow-up, only urinalysis results could be used as a measure of follow-up drug use. Such discrepancies are common when clients in treatment suspect that drug use will lead to some form of negative sanctions.[9] Restricting the comparisons to the urinalysis data prevented assessment of the AIDS risk associated with drug injection, but given the long histories of drug injection among these subjects, it is a reasonably safe assumption that a very high percentage of both heroin and cocaine use was by injection.

Based on the urinalysis results, participation in the interim clinic was associated with a substantial decrease in heroin use. Heroin use at 1 month was reduced by approximately half for the experimental treatment group compared to either heroin use at intake or heroin use among the control group at 1 month. Immediate intake into the limited services methadone treatment was also associated with a higher percentage of subjects being enrolled in comprehensive drug treatment. It is not surprising that receiving even limited interim services would facilitate entry into conventional treatment compared to being on a waiting list. Little is known about why many drug users apply for treatment and are placed on waiting lists but do not enter treatment, but at the least they must be considered missed opportunities for reducing illicit drug use and preventing HIV infection.

The regression analysis for possible interactions between experimental group status and other demographic and behavioral characteristics of the subjects did not produce any significant findings. Thus, the present data do not provide evidence for what types of subjects would do comparatively better or worse in interim methadone treatment. Heroin use was more common among interim treatment subjects using cocaine than those not using cocaine. Indeed, it was rare to find a treatment group subject who had evidence of heroin use but not cocaine use in the follow-up urine sample despite the greater time sensitivity for detecting heroin use. Subjects using cocaine may have used herion simultaneously in "speedball" injections, which produce a drug effect that many users consider preferable to either drug taken alone. Cocaine users might also have taken heroin as self-medication to reduce the dysphoria following cocaine runs. Screening cocaine users out of interim methadone treatment would probably lead to greater reductions in heroin use during treatment, but would not solve the problem of what to do with the large group using both drugs.

The national Academy of Sciences[2,3] and the Presidential Commission on the HIV Epidemic[1] have recommended large-scale expansion of drug treatment in the United States as a method of reducing both illicit drug use and new HIV infections. Even if a financial commitment were made to provide large-scale expansion, it would still take a period of years for new sites to be found and for staff to be hired and trained. During this multi-year process, interim forms of treatment could be of substantial benefit as drug users waited for openings in conventional treatment. The present study did not compare interim treatment to conventional treatment, and we would object to using these findings as a rationale for substituting limited interim services for conventional treatment. We do believe, however, that these findings strongly support providing interim services rather than leaving drug users on waiting lists for conventional treatment.

TABLE 6.—STATUS OF SUBJECTS AT END OF STUDY (n=301)

Status	Experimental treatment group (n=149)		Frequent contact group (n=152)	
	N	%	N	%
Lost to contact	40	27	64	42
Drug treatment	107	72	85	56
Jail	2	1	1	1
Death	0	.....	2	1

FOOTNOTES

[1] Executive Office of the President. Report of the Presidential Commission on the Human Immunodeficiency Virus Epidemic. Washington, DC: Presidential Commission on the Human Immunodeficiency Virus Epidemic; June 1988.

[2] Institute of Medicine/National Academy of Sciences. Confronting AIDS: Directions for Public Health, Health Care, and Research. Washington, DC: National Academy Press; 1986.

[3] Institute of Medicine/National Academy of Sciences. Confronting AIDS: Update 1988. Washington, DC: National Academy Press; 1988.

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[6] The Action Committee against Narcotics. Hong Kong Narcotics Report 1989. Hong Kong: Narcotics Division Government Secretariat; 1989.

[7] Conceptual Software, Inc. PRODAS Reference Manual. Houston Tex: Conceptual Software, Inc.; 1985.

[8] State of New York. Report issued by New York State Division of Substance Abuse Services. Third Annual Update to the Division of Substance Abuse Services' Statewide Comprehensive Five-Year Plan for 1984–85 through 1988–89, 1986.

[9] Magura S. Goldsmith D. Casriel C. Goldstein PJ. Lipton DS. The validity of methadone clients' self-reported drug use. Int J Addict. 1987; 22:727–749.

[From the American Journal of Public Health, September 1991]

INTERIM METHADONE CLINICS: AN UNDERVALUED APPROACH

(By Vincent P. Dole, M.D.)

The study of Yancovitz et al. entitled "A Randomized Trial of an Interim Methadone Maintenance Clinic" is a significant addition to the list of controlled clinical trials on the effectiveness of methadone. It also is a study that is unlikely to be repeated. It shows that the medically supervised administration of a daily dose of methadone to heroin addicts on the waiting list for conventional treatment reduces heroin consumption even in the absence of the usual supporting services (intensive counseling, social assistance, supplementary medical care). By reducing intravenous drug use this minimal treatment, when combined with providing free condoms and counseling on risk behavior, also reduces the risk of acquiring or transmitting AIDS.

The importance of this finding is more practical than theoretical because the phenomenon of pharmacological blockade with methadone, and the attendant reduction of craving for opiates, has been documented by many studies during the past 25 years. Not surprisingly, the purely pharmacological effects of methadone are invariant over a wide range of cultural and economic conditions.

However, the full value of pharmacological support with minimal social services needs to be tested by additional controlled studies under field conditions. The present study was only a preliminary test of feasibility, which involved many administrative questions. To have a significant impact at the public health level, any program needs to be both effective and capable of expansion to reach a substantial percentage of the addicts in a community. Additional variates are acceptability of the procedure to previously unmotivated addicts and compatibility with the work of affiliated health professionals in the area. The present study unexpectedly provided information on these points. As it turned out, this was the most informative part of the result.

Consider the dimensions of the problem in New York: According to best available estimates, about 250,000 persons are using heroin regularly, injecting themselves at least weekly, and in many cases, several times per day. At the present time at least half of the addicts are infected with the human immunodeficiency virus (HIV) (as judged by testing on admission to treatment programs). The deteriorated homeless addicts, unreached by any treatment program, almost surely have a higher rate of infection because needles are shared by large groups of destitute persons. Once infected, an addict becomes a vector for transmitting the disease to other addicts, to sexual partners, and to offspring. In New York City today, addicts are the major vectors responsible for the spread of the epidemic.

On the control side, education of the public to the dangers of drug abuse and education of addicts on the avoidance of risk behavior are worthy efforts, which must be continued; but in truth it is difficult to find any evidence of efficacy on limiting the spread of AIDS. Other measures directed to prevention include the improvement of social conditions in inner cities, sex education in the schools, general counseling of the public on risk behavior, and efforts to monitor the epidemic by testing programs. All these are well intended, but they fail to address the question of what to do about the existing population of infected persons. Unlike in previous plagues, in which transmission could be interrupted by controlling rodents and insects, in this case the vectors are human beings. They cannot be exterminated. Moreover, the AIDS epidemic apparently does not generate a pool of recovered subjects who, being immune, dilute the pool of susceptibles and thus extinguish the spread. This malignant infection appears to be uniformly fatal—or nearly so—in the long run. Meanwhile the infected subjects remain capable of transmitting the disease over a period of years. Despite much effort directed at the development of an immunizing vaccine, there is at present no sign of near-term success on this front.

Thus the hope of effective intervention in the near future comes down to the feasibility of large-scale treatments for intravenous drug abusers—a conclusion reached by several commissions reviewing the problem. Among the treatments for heroin addiction, by far the most thoroughly evaluated, large-scale treatment is methadone maintenance. In fact, it is the only available modality capable of sufficient expansion in the foreseeable future to have a public health impact on the AIDS epidemic. Although methadone programs are potentially only a partial answer to the drug problem because methadone does not block cocaine, well-run maintenance programs also make a significant contribution to the reduction in nonopiate drug abuse. In fact, the long-term reduction in use of cocaine after admission to a methadone program is comparable to the reduction achieved by programs specifically directed against cocaine abuse.

The quantitative aspects of the problem are staggering when viewed from a treatment prospective. There are currently about 36,000 patients in maintenance programs in the New York City area. To have a decisive impact on the drug epidemic and on the associated spread of AIDS, treatment capacity would have to be doubled or tripled without sacrifice in efficacy. But most existing clinics already are operating near or over their rated capacity. Despite pleas for expansion of treatment services by almost every committee that surveys the problem, local opposition has prevented the opening of any new maintenance clinic for more than 15 years. Moreover, the state has recently announced its intention to reduce next year's budget for the maintenance treatment of drug addicts. New admissions to programs therefore will be virtually limited to replacing persons leaving established clinics. Since the release rate of dropouts is about 80% after they leave the programs (maintenance treatment controls, but does not cure, narcotic addiction), the net public health benefit of current administrative policy is negligible.

This is the background against which the present study was planned. Ironically, from the time of its first proposal the concept of minimal-service, low-cost clinics was vigorously attacked by supporters of methadone maintenance as well as by the usual opponents of this modality—both sides apparently fearing the political consequences if the clinics succeeded. Proponents of maintenance treatment were concerned (understandably) that even partial success would serve as an excuse for further budget cutting, leading eventually to the elimination of full-service clinics. Opponents of the modality, including neighborhood groups who rejected plans for any additional treatment of addicts and others who were concerned that massive outlays for maintenance clinics would drain resources from other essential services, joined forces to oppose minimal-service maintenance clinics.

The net effect of these pressures was the development of a modest study plan intended to avoid these large implications. There are two critical questions with respect to the AIDS epidemic: (1) Could an immediately available, nonpunitive maintenance program attract into treatment a significant number of presently unmotivated addicts and reduce their risk behavior? (2) If a large number responded, could clinics of this kind expand fast enough to meet demand, while keeping a balance with other programs providing full service? The authors approached these questions by restricting the study group to addicts on the waiting list of an established full-service, program, with the understanding that they would be released from the study when an opening became available in the conventional program.

Even with this reduction in scope, the study was vigorously opposed by the treatment community and by the New York State Division of Substance Abuse Services—a result that provided an unequivocally negative answer to the question of feasibility. Although in principle it might be argued that addicts are a heterogeneous mixture of persons with widely different social needs and therefore that a range of different programs (including special facilities for pharmacological induction and social evaluation during the first month of treatment) are needed for the efficient use of resources, the treatment community and governmental administration have spoken with a virtually unanimous voice: Minimum-service programs will be prohibited, even as preliminaries to full-service programs.

On May 23, 1991, the U.S. Public Health Service working group on methadone treatment rescinded plans for a regulatory change that would have permitted the operation of interim facilities for addicts on waiting lists of licensed clinics. The goal for the future, apparently, is to eliminate the embarassment of waiting lists by discouraging narcotic addicts from applying for treatment.

Mr. Speaker, I want to stress that States and individual programs are not required by this legislation to provide interim methadone services. Rather, the conferees intend that the Federal Government allow interim methadone services to be carried out only if the State wishes to do so. Furthermore, interim services are an adjunct, not a substitute for comprehensive methadone treatment. The report provides that no State may provide this option if to do so would cause a reduction in the availability of comprehensive methadone treatment capacity.

Mr. Speaker, some have argued that interim methadone services are not as good as comprehensive treatment services. The conferees would have preferred that all individuals seeking treatment services be given full and comprehensive services. Were this possible we would have no need for waiting lists. But waiting lists are the reality. Skyrocketing increases in HIV infections among IV drug abusers demand change in the status quo. For people awaiting treatment we can do more. At a minimum we can take necessary steps to keep them healthy, stop their reliance upon crime, and reduce the risk of their contracting HIV or transmitting the virus to their sexual partners and their children.

Robert G. Newman, president of the Beth Israel Medical Center in New York City noted in a recent letter:

It must be emphasized that interim methadone treatment is just that: interim! No one has proposed that the comprehensive supportive services which federal and state regulations currently require of all methadone treatment programs are unnecessary or ineffective * * *. The interim model offers an alternative to the addicts who otherwise will continue to shoot dope several times a day, for many months, while they languish on waiting lists * * * nothing can be as counterproductive and harmful to the individual and to the community than sending addict-applicants back to the streets.

I ask that a complete copy of Dr. Newman's letter be printed in the RECORD at this point.

BETH ISRAEL MEDICAL CENTER,
New York, NY, May 27, 1992.

Re S. 1306.

Congressman HENRY WAXMAN,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN WAXMAN: I am writing to express my very strong support for the ADAMHA Reorganization Act (S. 1306), and in particular wish to applaud the interim methadone treatment provisions referenced in Sections 1923, 1927 and 1976. Permitting the establishment of interim maintenance treatment for intravenous heroin users, as detailed in Section 1976, will demonstrate the responsiveness of our Congressional leadership to the urgency of the related epidemics of drug abuse and AIDS, and the tragic inadequacy of drug treatment capacity. These provisions will:

Narrow the unconscionable gap which exists throughout our nation between the de-

mand for narcotic treatment, and the immediate availability of that treatment;

Benefit addict/patients, their families and their sexual partners, in addition to the general community; these benefits will be measured in the saving of lives as well as dollars.

My assessment is based on more than two decades of personal involvement in the effort to contain the scourge of drug addiction in the United States and overseas. In the early 1970's, I planned and directed methadone maintenance and ambulatory detoxification programs which served 30,000 (!) patients annually within three years of implementation. I have played a direct role in the expansion of methadone treatment in Australia, Hong Kong and Germany. My own hospital, Beth Israel Medical Center, was the worldwide pioneer in introducing methadone maintenance treatment and today, more than 25 years later, continues to operate 23 clinics with a current enrollment of almost 8,000 patients.

Despite my pride in these accomplishments, I am frustrated by the continuing plight of those to whom treatment is denied. The proposed bill enhances the likelihood that all forms of treatment for addiction will be expanded by focussing attention on the problem of "waiting lists" for existing programs. The interim methadone treatment provision, however, does more than that: It will make it possible for help to be offered promptly to many tens of thousands of motivated addicts throughout the country, who simply will not survive until the necessary resources are allocated for massive increase in comprehensive treatment services.

It must be emphasized that interim methadone treatment is just that: interim! No one has proposed that the comprehensive supportive services which federal and state regulations currently require of all methadone treatment programs are unnecessary or ineffective. The imperative need for interim treatment is to provide at least some clinical contact and medical support for addicts who apply for help in giving up a lethal pattern of behavior, and to whom overfilled treatment programs can now offer nothing. The interim model offers an alternative to the addicts who otherwise will continue to shoot dope several times a day, for many months, while they languish on "waiting lists." The appropriateness of this objective seems self-evident. Equally self-evident is the premise upon which the proposal rests: That nothing can be as counterproductive and harmful to the individual and to the community than sending addict-applicants back to the streets.

One need not depend on intuition alone to embrace the concept of interim methadone treatment for applicants awaiting an opening in a comprehensive program. In a recent issue of the prestigious American Journal of Public Health, Beth Israel Medical Center published its experience with the interim treatment model (a copy of the article, with an accompanying editorial by the co-founder of methadone maintenance, Dr. Vincent Dole, is attached). A reduction by approximately 50 percent in the use of illicit heroin, as confirmed by random urine toxicology, was found, as well as a significantly higher rate of subsequent admission to a comprehensive facility. Directly reducing the highest-risk behavior associated with the spread of AIDS, and ensuring a greater proportion of applicants will actually be enrolled in comprehensive treatment, are obviously benefits of enormous consequence for our society! Accordingly, it is difficult indeed to understand how anyone could argue against interim methadone treatment.

I applaud the members of the Conference Committee for the commitment, compassion and pragmatism reflected in this bill, and sincerely hope that it will receive expeditious approval by their congressional colleagues. Humanitarianism, as well as the self-interest of every American, require such approval now!

I will be pleased to provide any additional information which might be helpful. Thank you for your consideration of these comments and, again, for your concern.

Sincerely yours,

ROBERT G. NEWMAN, M.D.,
President.

Mr. Speaker, the conferees were faced with a difficult choice. Should we allow States the option of providing interim methadone maintenance treatment or simply ignore the problem and leave people on waiting lists.

Waiting lists are no solution.

Countless studies have been conducted which confirm that once addicts are turned away from treatment or placed on a waiting list, they often change their minds about treatment. This was the conclusion of a March 1992 report by the House Select Committee on Narcotics Abuse and Control. The report notes that once placed on a waiting list, only a small percentage of addicts are eventually admitted to treatment. In one study only 30 percent of those placed on a waiting list for detoxification services were finally admitted to treatment; 70 percent of those waiting gave up. From the perspective of public health, this is a missed opportunity the provision of interim services can help remedy. It is hard enough to encourage addicts to seek treatment. If we condone policies that turn the addicts away, the Nation's health care system is courting disaster.

Yet those opposed to State option interim methadone suggest that denial of treatment is preferable to providing lesser, ancillary services—services that may reduce illicit drug use and reduce the risk of AIDS.

Mr. Speaker, even if Congress appropriated hundreds of millions in additional treatment spending, it would take years for new treatment sites to be established and personnel trained. Until that day, States should not be forced to fight both drug abuse and AIDS with one hand tied behind their back. Interim methadone represents a potentially important tool in combating the spread of AIDS among intravenous drug users.

The conferees recognize that this action is not a full or noncontroversial response to the problems of HIV and intravenous drug abuse, but the conferees believe that such actions are the most practical response to the current limits on resources in the face of rising incidence and prevalence of HIV in this population. Interim programs offer a humane and sound public health alternative to waiting lists and the denial of conventional treatment.

Mr. Speaker, let me now address several of the new initiatives contained in the legislation.

In the mental health area a new categorical program is authorized to develop systems of care to assist severely disturbed children and adolescents. The gentleman from California [Mr. MILLER] deserves special recognition for this leadership—and that of the Select Committee on Children, Youth, and Families—in promoting this initiative. Combined with related requirements in the mental health services block grant, the legislation will help put the needs of this vulnerable population back on the national agenda. Under the conference agreement, in each of fiscal year 1993 and fiscal year 1994, States are required to allocate at least 10 percent of their mental health service block grant allotments to expanding—above the level of support available in fiscal year 1992 from State and Federal funds—the availability of systems of care for children. By fiscal year 1995, States will have allocated at least 20 percent of their fiscal year 1993–94 allotments to increase the availability of systems of care for children above that available in fiscal year 1992.

In the substance abuse area I want to highlight provisions, first, establishing treatment programs for pregnant addicts, second, providing financial assistance to trauma centers impacted by drug-related violence, third, establishing a first-rate, national treatment demonstration program in the National Capital area, and fourth, incorporating tobacco control strategies in drug abuse prevention programs targeted to adolescents. The agreement represents the culmination of 3 years of work by many Members and I'd like to recognize several for their contributions.

The gentleman from Illinois [Mr. DURBIN] was of great assistance in advocating establishment of residential treatment programs to help reduce the numbers of infants born exposed to drugs. The agreement responds forcefully to the continuing problem of women being denied access to drug and alcohol abuse treatment programs because they are pregnant. Under the legislation, new residential treatment programs will be established that can provide the child care and prenatal services that these women need. In addition, the legislation prohibits the denial of treatment services to women because of their pregnancy and makes the States responsible—as a condition of receiving block grant funds—for assuring the availability of appropriate care.

Mr. Speaker, it is estimated that between 100,000 and 375,000 infants are born to drug-addicted mothers each year. Thousands more suffer the debilitating effects of alcohol abuse by their mothers. Yet treatment is available to only a small fraction of those in need. Tragically, pregnant women are often refused substance abuse treatment when they seek it. In some cases they are offered waiting lists. In other instances they are prosecuted and jailed. Such policies drive women away from the very services most likely to promote health and recovery.

Mr. Speaker, the abuse of alcohol and other drugs is an intergenerational phenomenon. Substance abuse runs in families, passing from one generation to the next. A treatment system which fails to meet the needs of women, particularly pregnant women and women with children, dooms the Nation to an endless cycle of addiction. Inaction threatens us with the loss of a generation—a generation born with developmental and intellectual handicaps.

Mr. Speaker, I want to call attention to the inclusion of provisions to assist trauma care centers impacted by drug-related violence. On two separate occasions the House has included similar legislation in omnibus crime control bills providing financial assistance to

trauma care centers disproportionately impacted by uncompensated costs from the war on drugs. While these provisions did not become law, they reflected the recognition of Congress that trauma care centers should be considered partners in the drug war. The conference agreement authorizes a new program of grants to assist financially troubled trauma centers, particularly those serving large undocumented populations. The gentleman from Texas [Mr. COLEMAN] and the gentleman from California [Mr. LOWERY] were strong advocates for this much needed program.

The conference agreement also includes provisions requiring the Department of Health and Human Services to allocate $25 million over 3 years in additional funds to better organize and improve the availability of drug treatment in Washington and the surrounding jurisdictions of Maryland and Virginia. The legislation owes much to the efforts of the gentleman from Virginia [Mr. MORAN], first as mayor of Alexandria, and later as our colleague, who provided eloquent testimony of the need for the Federal Government to channel new drug treatment resources into the National Capital area to make it an example of interstate cooperation and quality for the Nation.

Mr. Speaker, finally I want to single out the important contributions of the gentleman from Oklahoma [Mr. SYNAR], who was instrumental in the inclusion of provisions requiring substance abuse prevention programs to include strategies discouraging tobacco and alcohol use by underage youth. It has become increasingly clear that tobacco is a powerfully addicting drug. The use of tobacco by underage youth is a serious risk factor in the use of illicit drugs. In this regard, continued use of tobacco by youth undermines the Nation's battle against other drug use. The conference agreement reflects the recommendations of the National Commission on Drug Free Schools which observed in its final report that "the Nation's illegal drug problems will not be eliminated until the gateway drugs—alcohol and tobacco—are dealt with more effectively." Developing innovative strategies to discourage tobacco and alcohol use provides a more effective and comprehensive approach to reducing the adverse health effects of substance abuse on our young people.

Mr. Speaker, passage of the conference report will also implement the recommendations of the President's national drug control strategy. In addition to recognizing the importance of recognizing the role of tobacco and alcohol as gateway drugs for young people, the legislation, first, establishes a new substance abuse treatment capacity expansion program, and second, provides greater State accountability for the use of Federal substance abuse block grant funds through the preparation of State substance abuse prevention and treatment plans.

Mr. Speaker, the conference report was reported with the unanimous support of both House and Senate conferees.

I urge support for the conference agreement.

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

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

Mr. Speaker, I rise in support of the conference report.

The centerpiece of the conference report is the reorganization of ADAMHA. This is one of the administration's top legislative priorities. The legislation transfers the three research institutes to the National Institutes of Health. The remaining agencies are reconstituted as the Substance Abuse and Mental Health Services Administration, with the responsibility for Federal treatment and prevention programs. Also, a new center for mental health services has been created.

For the first time we will have an agency that is solely focused on providing treatment and prevention services for mental health diseases and addictive disorders. The national research agenda will also be strengthened by moving research on mental illness and addictive disorders into the mainstream of biomedical and behavioral research at the NIH.

We are now considering this legislation for the third time. I am confident that the primary objection to the legislation on the previous two occasions has been remedied.

That primary objection was that the bill removed the prohibition against the use of block grant funds for clean needles. Mr. Speaker, the motion to recommit which sent us back to conference instructed the conferees to insert a comparable provision which was in the Senate bill. That provision states that:

> None of the funds provided under this act shall be used to provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs, unless the Surgeon General determines that a demonstration needle exchange program would be effective in reducing drug abuse and the risk that the public will become infected with the etiologic agent for acquired immune deficiency syndrome.

This language is incorporated by reference in section 1931(a)(1)(F) of the legislation. Mr. Speaker, inclusion of this provision removes the final administration objection to the legislation and will result in the President signing an ADAMHA reauthorization which we have been trying to pass for several years.

I urge my colleagues to support the conference report.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. LEWIS].

Mr. LEWIS of Florida. Mr. Speaker, I rise in strong opposition to S. 1306, the conference report on the Community Health and Substance Abuse Services Improvement Act.

When the formula block grant for alcohol, drug abuse, and mental health funding was allocated last year, eight crucial antidrug States will lose over $30 million for drug abuse and mental health treatment. Three of these States contain our Nation's high intensity drug trafficking areas.

Florida, a microcosm of the Nation's drug problems and antidrug successes, will lose $16½ million in critically needed substance abuse and mental health funding unless implementation of this bill is delayed.

This loss will devastate a State that continues to lead the Nation in innovative substance abuse and antidrug programs.

This bill will rob Florida's 12th Congressional District alone of almost half a million dollars of allocated Federal treatment funding.

This means over 3,200 substance abusers who reached out for help, and 1,600 mentally ill patients receiving treatment will be abandoned because Congress changed its mind.

As a member of the Select Committee on Narcotics, I am painfully aware our Nation's drug problem exists in every State and community, and I understand this bill's attraction to the Members who represent those districts.

But I also understand the need to prioritize our funds in these times of fiscal crisis. By forsaking our Nation's front lines, those front lines move closer to your communities. By reclaiming money promised to 8 States today, Federal funding for the other 48 falls into jeopardy tomorrow.

This conference report represents a betrayal, not only of those drug-plagued communities who trusted Congress to keep its word, but a betrayal of our Government's commitment to the war on drugs.

If this Chamber passes this bill, our most decorated antidrug soldiers will become the next helpless victims of friendly fire, disarmed in the middle of battle in the war on drugs.

Oppose this travesty, and oppose S. 1306.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I would like to voice my strong support for passage of the Alcohol, Drug Abuse and Mental Health Administrative Reorganization Act. The action we take here today is long overdue.

I rise today to offer not only my own personal congratulations to the conferees for their outstanding work on S. 1306, but also to the 140,000 family members of the National Alliance for the Mentally Ill [NAMI] which includes 7,000 NAMI families in the State of California.

NAMI members are families of persons with severe mental illnesses and long-time advocates of the need to include the National Institute for Mental Health [NIMH] under the auspices of the National Institutes of Health [NIH]. My wife, Norma, is a member of the National Mental Health Council and also a member of NAMI. She has testified before House and Senate committees for improved care for the mentally ill and for increased research on mental disorders.

By placing NIMH in this new setting, I am confident there will be more emphasis on research in this decade of the brain. This legislation also calls for a new agency, the Substance Abuse and Mental Health Services Administration [SAMHSA] which will be charged with providing services for those suffering from severe mental illness as well as to providing treatment and rehabilitation services to deal with alcohol and drug abuse.

I am pleased that Congress is finally acknowledging the tremendous impact which mental illnesses have on society. The transfer of NIMH to NIH and the creation of SAMHSA recognizes NIMH's role in leadership and vision which extends from basic science to the ultimate use of research. It will also go a long way in removing the stigma of mental illness from those who suffer from it and their families by associating it with other illnesses.

□ 1120

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

Mr. Speaker, I rise in opposition to S. 1306, which, of course, is the conference report on the ADAMHA Reorganization Act. Mr. Speaker, I believe that this bill does implement many new initiatives vital to the field of alcohol, drug abuse, and mental health services. I supported it and voted for it in committee and supported the version that left the House of Representatives. However, I have serious concerns about it now because of the action that took place in the Senate and in conference.

Nine States, Mr. Speaker, Florida, Texas, Nevada, Delaware, Maryland, Virginia, Arizona, Colorado, and California, stand to lose $36,226,806 due to the new alcohol and mental health funding formula included in this legislation which was outside of the scope of the legislation as it left this House. Mr. Speaker, three-quarters of the ADAMHA funds have already been distributed to the States. To force certain States to return these funds this late in the fiscal year is poor public policy and certainly very unjust.

In the past month, Mr. Speaker, I have gone into great detail on the House floor about how the ADAMHA reductions will affect Florida. I believe it is appropriate for my House colleagues to hear about these service reductions once again.

First, there would be a $12½ million reduction for substance abuse services, reductions for substance abuse services. Reductions would be seen in residential services, which include detox, short- and long-term residential facilities, and halfway houses. Outpatient services would also be drastically cut.

Currently, Mr. Speaker, there are over 3,000 clients on waiting lists statewide for residential and outpatient services. As a result of these cuts, statewide waiting lists will increase by over 100 percent. Mr. Speaker, the legislation was initially designed to help those suffering from substance abuse. In Florida, Texas, Virginia, and six other States those people needing help will be hurt instead, and that is the point. They will be hurt instead.

In adult mental health services Florida will see a $4 million reduction. The block grant reduction will affect adult mental health's ability to provide the following services: assessment day and night, intervention services in the jails, outpatient treatment, overlay services to nursing homes, and adult congregate living facilities, and all levels of community residential services. Additionally, most adult mental health initiatives will be set back, so again, Mr. Speaker, in Florida, Texas, Virginia, and the other above-named States, those needing mental health assistance will instead be hurt.

I have been in Congress for 10 years and I do not believe the Congress has ever approved legislation, since I have been here, that so blatantly takes away Federal dollars that have already been appropriated to States through current law.

This legislation is not only unfair, it would also cause irreparable harm to State budgets. Further, my State of Florida is currently experiencing a severe budget crisis—this legislation will only add to the State's fiscal problems, and, even though Florida will lose $16½ million as a result of this legislation, the end result will be even more financially devastating. This legislation also includes new and expensive mandates, new and expensive Federal mandates—these mandates would have a detrimental effect on all States, not just Florida, all States, even those that gain Federal dollars through this legislation.

In fact, Mr. Speaker, the National Governors Association has repeatedly urged Congress, as we know, but we seem to conveniently forget, not to implement new Federal-State mandates due to the financial hardships these mandates inflict on States. Not only are Federal mandates expensive, but they also take away States' authority to make spending decisions.

In other words, instead of allowing States to spend money where they believe it is needed, States are forced to spend money on programs which this ivory tower up here, which the Federal Government, believes is in their best interests. This philosophy is wrong, Mr. Speaker. States are perfectly capable of making these important decisions without the interference of the Federal Government.

Another issue which is of great concern to me is the provision allowing the Health and Human Services Secretary to issue regulations permitting methadone maintenance treatment programs. Basically, this provision provides for interim maintenance treatment to certain narcotic addicts seeking assistance when programs cannot admit addicts into treatment programs. While this has had some success, interim maintenance, while well-intended, puts treatment quality at risk.

The chairman, the gentleman from New York [Mr. RANGEL], last night around midnight expressed this point very, very well, much better than I ever could, so, before my colleagues cast their vote on this legislation, I urge them to carefully evaluate the benefits of the interim maintenance provision.

I, therefore, urge my colleagues to vote against this bill for the following reasons, to summarize: No. 1, to strip the methadone interim maintenance provision from the conference report and at least let the full Congress decide whether that is appropriate rather than a few people in a conference committee; No. 2, to eliminate or modify the problematic entitlement language mandates that places undue hardships on States. We have all heard from our Governors and States in this regard. And, third, to preserve funding levels for loser States like Florida, Texas, Virginia, and the six others, including California.

By voting against the legislation my colleagues will be voting against bad public health policy and against the rule, against the rule which does not allow House Members to raise objections to certain provisions which are out of the scope of the bill. By voting in favor of this legislation my colleagues will be voting, in my opinion, irresponsible public health and drug abuse policy. I urge my colleagues to vote against it and say, "Let the members of the conference committee know you will not support legislation that does more harm than good."

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

Mr. Speaker, I want to comment about the allocation of block grant funding to the States.

Both the House and Senate conferees acted to minimize program disruptions. All States, including Florida, were given protections.

The conference agreement includes provisions that protect for fiscal year 1992, 1993, and 1994 any State allocation from falling below the fiscal year 1991 level. No State will receive a decrease in Federal funding compared with last year. This was a critically important provision to the Senate. In the absence of this provision, Mr. Speaker, the funding received by the States of Massachusetts, Ohio, Rhode Island, Indiana, Hawaii, Mississippi, New York, and Maine would have declined in fiscal year 1992.

Mr. Speaker, the House conferees would have preferred that the new formula begin in fiscal year 1993 rather than the fourth quarter of 1992. On this

point our colleagues in the other body were insistent. The Senate approved the conference report by a vote of 86 to 8.

Now the gentleman from Florida [Mr. BILIRAKIS], my good friend, read off a list of nine States he said were unhappy. One of those States is the State of California. I do come from the State of California and want to indicate from our State's perspective that we are supporting this legislation. I understand there are other States as well, on that list of nine who are not urging a negative vote on the conference report.

But for the other 41 States, they are, I would gather, supporting this legislation. We cannot make all 50 States happy. If some want more money, then other States are going to end up with less money. We did the best we could. If there are 9 that are aggrieved, that means there are 41 that are happy, and, of the 9, I think we are talking about relatively few of them that would go so far as to say that they would urge Members who represent those States to vote against this bill.

Mr. Speaker, if the conference report is rejected, the whole report is rejected. We end up with no legislation whatsoever, and, on behalf of those who are supporting this bill, including the Bush administration, we urge an "aye" vote.

□ 1130

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

Mr. Speaker, I agree with what the gentleman from California [Mr. WAXMAN] has said. Yes, my State gets less money, but I still think that this bill, with the reorganization of ADAMHA, is most important to this country, and if we go back, we are going to have other States that are upset. Therefore, I think we should go ahead today and approve this conference report.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. GINGRICH], the Republican whip.

Mr. GINGRICH. Mr. Speaker, I rise in very strong support of this conference report. I want to commend the Members of the House who served on this conference.

We had one specific disagreement where the House instructed that the clean needle provision be dropped so that the Federal Government would not be paying for clean needles. The conferees met that requirement and did exactly the right thing. I think it was a refreshing change from some of the conferences we have engaged in to have the conference members take seriously the position of the House on clean needles and block the distribution of free needles by the Federal Government.

I want to thank both the gentleman from California [Mr. WAXMAN] and the gentleman from Virginia [Mr. BLILEY] for the kind of effort they made to get us a bill we can all support strongly.

I believe that the provisions that move research on mental health, alcoholism, and drug addiction into the National Institutes of Health, with the effort being made by Dr. Sullivan, the Secretary of Health and Human Services, who, himself, is a biomedical researcher by background, to ensure that the most modern breakthroughs in biotechnology and in genetic studies can be brought to bear, and that we can bring together the most dramatic advances in biology with the concern we have for drug addiction, mental health, and alcoholism, is a very major step forward toward the kind of research that will improve our chances of dealing with these problems in the future.

In addition, I believe the reorganization to strengthen the Federal Government's role in dealing with alcoholism and drug addiction and mental health will in fact lead us to a better administered program on the service delivery side.

I know from personal conversation that Secretary Sullivan is very strongly supportive of this bill. He regards it as a very major building block to improve Health and Human Services as a delivery institution to help the American people.

Mr. Speaker, again I want to commend the conferees, and I urge a very strong "yes" vote on what I regard as a very important reform bill.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I want to thank my distinguished colleague, the gentleman from Florida, for yielding this time to me.

Mr. Speaker, once again this conference report on the Alcohol, Drug Abuse, and Mental Health Reorganization Act is before us. And once again, I stand in strong opposition to this report, as do many of my Florida colleagues, because it spells disaster for the State of Florida. The retroactive loss of $16.5 million in critical grant funding for alcohol, drug abuse, and mental health services is wrong. These funds were granted to the State and now it is told it must return the money in compliance with a new grant formula. This is not fair. The devastating impact of the loss of these funds will be felt everywhere in the State.

A reduction in funding for residential and outpatient substance abuse services will cause the number of those clients in need of these critical services to double to 6,000 in a State that is currently struggling to deal with an enormous drug problem.

In the mental health area, this loss in funding will cause a cut in 86,358 service units, leaving over 3,400 individuals unserved.

In addition, this block grant reduction could place the State of Florida's Department of Health and Rehabilitation out of compliance with previous agreements and negotiations thus resulting in a Federal court takeover of adult mental health services, resulting in a multimillion dollar additional cost to the State's taxpayers.

I strongly urge my colleagues to reject this report.

Mr. WAXMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GREEN] for the purposes of engaging in a colloquy.

Mr. GREEN of New York. Mr. Speaker, I thank the gentleman for yielding time to me.

I understand that the interim methadone provision was intended by the conferees to permit States the option of providing such services to individuals awaiting vacancies in conventional drug treatment programs.

Although the States would be the sole determinant of whether interim methadone would be provided, the conference agreement does provide the Secretary with authority to specify quality control mechanisms such as urinalysis screening or permitting take home dosages. Is that correct?

Mr. WAXMAN. Mr. Speaker, if the gentleman will yield, let me say that the gentleman is correct. The conferees expect the Secretary to issue guidelines that will maximize the effectiveness of this service. For example, patients enrolled in interim methadone programs will be assured of admission to full service treatment programs within 120 days or as soon as vacancies become available.

Mr. GREEN of New York. Mr. Speaker, is it the gentleman's intent that by providing services of this kind individuals who have been denied treatment will reduce serious risks to their health in contrast to those who when denied treatment give up and drift back to the illicit drug culture?

Mr. WAXMAN. The gentleman is absolutely right. This is the reason the National Commission on AIDS has endorsed this program. It is also consistent with research, published in the American Journal of Public Health which documented that interim methadone programs can "reduce heroin use among persons awaiting entry into comprehensive treatment and increase the percentage entering treatment."

I want to add that it has been well established that when people seeking help are turned away from drug treatment programs, they often change their minds about seeking treatment. These are lost opportunities that in an era of AIDS we cannot afford to miss.

Mr. GREEN of New York. Mr. Speaker, if I might also inquire of the chairman are there circumstances when interim methadone programs would not be necessary or should be prohibited?

Mr. WAXMAN. The conference agreement is specific on this point and reflects the concept that interim methadone is a supplement to, not a replace-

ment of, the existing treatment system. Clearly, such services would not be necessary if sufficient treatment services were available. In this regard, the legislation specifies three circumstances under which the Secretary may prohibit the availability of such services.

First, if it is determined that the risk of transmission of HIV disease pursuant to the intravenous abuse of drugs is minimal;

Second, if it is determined that conventional, full service methadone maintenance is not an effective method of reducing dependence on heroin; and

Third, if it is determined that conventional treatment programs have sufficient capacity to admit intravenous drug abusers within 14 days of seeking services.

The legislation further requires that in evaluating these issues, the Secretary consult with the National Commission on Acquired Immune Deficiency Syndrome [AIDS].

Mr. GREEN of New York. Mr. Speaker, I want to thank the chairman of the subcommittee. I have been deeply troubled over the years about the problem of people being turned away from drug treatment when treatment slots are not available because of funding shortages and winding up on the streets and getting no treatment. This is not the perfect solution. Obviously, if we had sufficient drug treatment facilities that could take people in on demand, that would be ideal. But I think, faced with the limitation of funding, that this is a realistic and useful solution to the problem, and I want to commend the conferees for arriving at this solution.

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

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I appreciate having this opportunity to speak, and I thank the gentleman very much for yielding me this time.

For the third time now I have risen to support this bill, and I do it again to talk about one aspect of it. Obviously, there are a number of things, but one of the problems we have, I think, in the Congress in almost every activity is making something flexible enough so it fits in large places as well as small ones.

I am particularly pleased that the committee has made an effort in this case, speaking particularly of intravenous drug users, to allow the flexibility for small States like Wyoming, where that particular problem is not the prevailing problem, to use these moneys and to use these programs with more flexibility.

So, Mr. Speaker, I urge my colleagues to vote "aye." Let us finally get this baby out so we can get it going in our States.

Mr. BILIRAKIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding time to me. I realize that time is valuable, and I may not use all of my time.

Let me just say that there are a lot of meritorious things in this bill. The Republican whip spoke just a few moments ago about a few of them. I agree that there are some real needs that need to be met. However, we have a real fiscal problem facing this Nation, as has been brought up on the floor and brought to the attention of my colleagues many times. The deficit is $400 billion, the debt is $4 trillion, and the interest alone is $300 billion plus.

□ 1150

If we do not get control of spending, we are going to have a real problem.

All I want to point out here is that last year we appropriated $2.4 billion for the programs, many of which are in this bill. This is $3.4 billion, which is about a third more than last year. That is a 33-percent increase. We need to get control of spending. Otherwise, in my view, we are going to have hyperinflation at some point in the future because the Federal Reserve Board will monetize part of the debt because the cost of interest in servicing the debt is going to be so high. At that point people on fixed incomes, senior citizens and people on welfare and so forth, will have money but it will not buy anything because we will have gone the way of Germany and Brazil and other countries.

I just admonish my colleagues to think very clearly about what we are doing, when we vote for these authorization and appropriation bills. This is a 30-percent increase over last year. Many of these things are needed. I am not discounting the need for these things. I am just saying that we have to prioritize around here. Otherwise we are going to have fiscal chaos down the road.

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

I just want to point out to my friend from Indiana, for whom I have the greatest respect, that this bill is strongly supported by the administration. And some of the additional funding was urged and recommended and asked for by the administration. The administration feels so strongly about this bill that the Secretary of HHS himself called me, when I was in my district during one of our district work periods, and interrupted a meeting that I was having to urge me, as a conferee, to support this legislation.

If we go back to conference and massage it and massage it, we will never get a bill that is completely satisfactory to 435 Members of this House. But we do have a conference report that I firmly believe that the overwhelming majority of this conference can, should, and will support.

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

Mr. WAXMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS. Mr. Speaker, I thank the chairman for yielding time to me. I thank him for his time and his leadership and all that he has done in this very important area.

Regrettably, once again, I rise in opposition to the precise nature of what he is trying to do here and in opposition to this conference report.

Mr. Speaker, this conference represents a problem that must be confronted by this Congress and one that we simply refuse to confront. We have limited resources. And the truth is that our limited resources are not going where they are most needed.

My State of Florida, Mr. Speaker, ranks 50th among the 50 States per capita in what we get back from Washington as opposed to what we Floridians, as taxpayers, send to Washington. For every $1.61 that we send in our taxes to our Nation's Capital, we get $1 back. We rank at the bottom in education. We rank at the bottom in child care. We rank below several different territories in transportation, and we rank at the bottom, too, in social services.

Mr. Speaker, Florida ranks first among the States in the crime-per-capita rates, first among the States in cocaine traffic, second among the States in pediatric AIDS cases, and third among the States in cumulative AIDS cases. And yet we have a bill like this, a bill like this that not only does not give Florida its fair share of what we are entitled to as Americans and as citizens but actually requires us to give back to the Federal Government $16.5 million that has been appropriated previously for us and that we have already spent.

Mr. Speaker, that is simply wrong.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise today in opposition to the conference report on S. 1306. As it now stands, the funding formula changes in the bill would greatly affect the State of Nevada which I represent. More specifically, Nevada would lose approximately 5 percent of its funding for mental health services and alcohol and drug abuse services.

A 5-percent decrease is a large amount of funding to the people in Nevada. In fact, it means that approximately 200 Nevadans would not be able to access alcohol and drug treatment and over 1,000 will be denied alcohol and drug prevention activities because of these cuts. Mental health services, too, would suffer losing $106,639.

The biggest problem with the conference report is not the funding de-

crease, but that the formula change becomes effective immediately and is retroactive to October 1, 1991. Since three quarters of these funds have already been allocated to States and used by some States like Nevada, these States would be required to return these funds. Surely this would cause irreparable harm to Nevada which is already under financial distress.

Nevada cannot withstand such stress. Already it is reported that Nevada ranks second in the Nation in the number of hardcore cocaine addicts and over 50 percent of Nevada sixth graders report the use of alcohol and other drugs. The numbers are quite startling.

Mr. Speaker, we cannot let drug and alcohol and mental health statistics get worse. The conferees must reconsider this report so that States' awards for this fiscal year are held harmless and the formula is not implemented until October 1992. I urge my colleagues to vote to recommit this legislation and to vote against the conference report.

Mr. BILIRAKIS. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in opposition to this conference report. My opposition comes from the failure of the committee to recognize the funding needs of those States with the greatest burden.

Florida, my State, is the fourth largest State in the Union, a fast-growing State undergoing massive change, including the great influx of immigration.

From personal experience, I have seen the increased need for programming for individuals suffering from mental health and drug abuse problems. Florida has already used in rehab programs for these people $16.5 million that this bill forces my State to return to the Federal Government. This action is unprecedented.

Florida has done what it was asked to in good faith by providing this professional programming. We are talking about real pain to people here, Mr. Speaker. It must be fixed.

I strongly urge by colleagues to reject this conference report at this time.

Mr. BILIRAKIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida [Mr. JAMES].

Mr. JAMES. Mr. Speaker, I rise today in strong opposition to S. 1306, the conference report on alcohol, drug abuse and mental health reauthorization.

Mr. Speaker, Florida, with the Nation's fourth largest population, stands to lose a disproportionate share of Federal dollars should this measure pass.

We have a population of 13 million, and routinely absorb and are responsible for more than our share of immigrants. Yet this bill cuts Florida out of $16.5 million retroactively.

Mr. Speaker, this money is being taken back from Florida with just 4 months left in the grant year. This is $16.5 million we've been literally told to spend, and now it's gone. This is an unfair and unsound financial practice.

Mr. Speaker, I and my Florida colleagues want to pass a good bill. This one is simply unfair.

The impact on those in need in my home State will be devastating; 1,300 inpatient clients will be taken off the rolls and put out in the street; 2,400 will get no more outpatient care.

We will be forcing these people to give up their treatment cold turkey.

And Mr. Speaker, some 64 percent of these clients are referred by the criminal justice system. Without the availability of treatment, we can safely assume that they will resume criminal activity to support their habits. And sooner or later, they'll end up in prison, which will cost the taxpayers many times the price of drug rehab.

Mr. Speaker, how can we turn these people away and expect them to mend their ways and become productive members of society? The answer, Mr. Speaker, is that we cannot.

This conference report is unfair to the State of Florida, and I urge my colleagues to do the right thing and oppose it.

□ 1150

Mr. BLILEY. Mr. Speaker, I rise strongly again to support this conference report. I have no further requests for time, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume, just for a quick summary and to remind my colleagues, through the chairman, there have been words used here about how the conferees massaged and massaged and remassaged. The distinguished minority whip rose and spoke about the positives in this bill, and, of course, the gentleman from Virginia [Mr. BLILEY] and the gentleman from California [Mr. WAXMAN] before him also did the same thing, and there are positives. I voted for this legislation in committee, I supported it every time it has come up over the years in committee. Money has been spent on these programs all through the years, even though the Congress has failed to reauthorize this legislation for the last number of years, so there has not been any interruption as far as that is concerned.

I guess the question is, "Why did the conferees feel it was imperative that they massage and remassage, for crying out loud?" Why did the conferees feel that they had to go outside the scope of the legislation as it left the House of Representatives and left the Senate? Why did the conferees feel that they had to decide in their own ivory tower that they must determine that the interim treatment must include methadone or go into the methadone interim treatment? Why did the conferees decide they had to mandate additional entitlement mandates to the States without the appropriate dollars going down, the things we all complain about?

The gentleman from California [Mr. WAXMAN] has talked about 41 States probably supporting this legislation. I suggest to the Members that when all 50 States find out what additional mandates we are imposing upon them and the additional financial burdens, that all 50 States would have opposed that portion of this legislation, and obviously affecting the formula on a retroactive, ex post factor basis, is about as unfair as anything can be.

States that have received the money have been told how to use it, have already used much of it, and now are going to be required to go into their pockets, their very limited pockets, with already negative budgets in order to return those dollars. That is terribly unfair, Mr. Speaker. That is the whole point about it all.

The fact of the matter is the basic foundational pieces of the legislation that the administration and others have supported, they are good and I support those, too, but the conferees went outside the scope of their function.

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

Mr. Speaker, in closing, before I yield back the balance of my time, I want to indicate that the conferees did the best we could. We could not, evidently, satisfy the State of Florida in the allocation of dollars. We regret that. However, we have achieved a bill that has bipartisan support, the administration's support, all of the conferees urged the Members to support this legislation, and if this conference agreement is defeated there will be no legislation on this subject. I think that would be a real shame for the Nation. I urge an "aye" vote and I yield back the balance of my time.

Mr. RAMSTAD. Mr. Speaker, I rise in support of the conference report.

For the last 1½ months, I have spoken out against the conference report for S. 1306, primarily because it permitted the use of Federal funds for needle exchange programs.

I am certainly pleased to see that the conference committee had the wisdom to follow the instructions of the House and reinstate the prohibition on needle exchange programs.

I am, however, still concerned about other aspects of the bill that were not addressed by the conference committee, in particular, interim methadone maintenance programs.

I was disappointed to find that the rule on this bill did not allow our distinguished colleague, CHARLIE RANGEL—the chairman of the Select Committee on Narcotics Abuse and Control—to raise this very legitimate drug abuse issue as a point of order against the bill.

In a very comprehensive "Dear Colleague" letter of May 18, Chairman RANGEL pointed

out the dangers of interim methadone maintenance programs:

Interim maintenance is not treatment. It is the antithesis of treatment. S. 1306 puts the Government's stamp of approval on a policy that says the mere distribution of a highly addictive substitute for heroin is an adequate response to addiction.

Like needle exchange programs, interim methadone maintenance purports to save lives by reducing the spread of the HIV virus among intravenous drug users. Instead, such programs will end up destroying lives by increasing drug abuse in America.

Given this information, I found it unbelievable that the chairman of the Narcotics Committee would be blocked by parliamentary procedures from bringing this critical drug abuse issue to the floor. I hope that Congress will see it fit to review this policy at a later date.

I do, however, urge my colleagues to vote for the conference report today. While it is not perfect, it is important to the 5.5 million Americans who are chemically dependent.

One of the most important programs that ADAMHA has funded in the past is the consolidated chemical dependency treatment fund in Minnesota.

This program pools together Federal, State, and local assistance to provide more effective and cost-efficient treatment services for those who need them. Such programs cannot be abandoned, and I strongly urge the new, reorganized ADAMHA to continue supporting this excellent program.

Mr. Speaker, there is no question that substance abuse is one of the most urgent issues facing our Nation today. Former Health Secretary Joseph Califano called addiction, "Our country's No. 1 health problem." And he's right.

Congress must act now to improve treatment services for the chemically dependent. Private groups, like the Society of Americans for Recovery chaired by former U.S. Senator Harold Hughes, have been leading the way on these issues, and it is the responsibility of the Federal Government to supplement these efforts with public support.

S. 1306 is a step in the right direction. I urge my colleagues to support this measure today.

Mr. DURBIN. Mr. Speaker, I would like to call to the attention of my colleagues the provision of this conference report that establishes a new grant program to provide comprehensive residential treatment services to substance abusing pregnant and postpartum women and their children.

It has been my pleasure to work on this provision with the chairman of the subcommittee, Mr. WAXMAN, and I would like to thank him for his support.

Mr. Speaker, 375,000 babies are born each year in the United States who were exposed to illegal drugs before birth—1 out of every 10 newborns. The cost of caring for them is enormous: hundreds of millions of dollars in hospital costs each year just to stabilize them immediately after birth, and billions of dollars annually for health care, foster care, special education, and other social services they will need as they grow up.

For many addicted pregnant women, only a longer term residential treatment program can provide the services they need, including counseling, child care, room and board for the women and their children, and other services. Many women need to be able to get away from the environment that nurtures their drug use. A residential treatment program provides the support system they need to stop their drug use and focus on their recovery.

According to the Institute of Medicine, the clients of longer term residential treatment programs end virtually all illicit drug taking and other criminal behavior while in residence. They also demonstrate lower drug use and criminal activity and greater social productivity after discharge than they did before admission and than other individuals who did not receive similar treatment. As a result, the Institute of Medicine included residential treatment programs for pregnant women and their children in its core strategy for addressing our Nation's drug treatment needs.

Unfortunately, many of our Nation's residential treatment programs currently refuse to serve pregnant women or refuse to make provision for their children. As a result, pregnant women who desperately need treatment languish on the waiting lists for the few programs that are available. While they look for a program that has an opening and will accept them, they and their children suffer the continuing effects of their addiction.

This measure will help change that tragic reality, by establishing a grant program offering to addicted pregnant women and their children the opportunity for comprehensive treatment in a residential setting in which the children are allowed to reside with their mother.

The legislation spells out the comprehensive list of services that must be provided, so that programs will deal with the women and children's full range of needs. For example, services for women must include health care, AIDS and domestic violence counseling, training in parenting, involvement of other family members as appropriate, counseling on obtaining employment, and planning and counseling to assist reentry into society both before and after discharge. Similarly, services for children must include health care, child care, counseling as appropriate, and other social services to help them overcome the effects of maternal addiction.

This residential treatment grant program and a related outpatient program for pregnant women are jointly authorized at a funding level of $100 million in 1993, and such sums as necessary in 1994. Emphasis is given to the residential treatment program, including additional funding from the block grant and potential funding from the special drug asset forfeiture fund. It is my hope that we will soon see many women and their children given a new lease on life because of the residential treatment services authorized in this program.

Ms. PELOSI. Mr. Speaker, today we consider legislation which would provide the necessary framework for community mental health and substance abuse services. This conference report responds to the input of experts in the fields of mental health and substance abuse treatment—and responds directly to the input of the Institute of Medicine.

The legislation begins the planning process for comprehensive treatment of pregnant women and injection drug users.

This legislation is also essential to improve our national response to the HIV epidemic. Years of prevention research sponsored by Federal agencies have been converted into HIV prevention services which will make a difference in rates of new HIV infections in this country. We cannot wait any longer to authorize these vital programs.

Each day that we wait will be counted in increased cost to the Government and—more importantly—increased number of lives needlessly lost to AIDS.

I commend Chairman DINGELL and Chairman WAXMAN on this conference report. I urge my colleagues to agree to the conference report.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to commend my colleagues for speaking out about the negative impact that the bill has on the mental health funding of certain States.

I urge the Members of the House to vote against this bill because of the disproportionate impact these cuts in funding will have in many areas, including my own area of Miami, FL.

If we pass this conference report, the State of Florida will lose approximately $16.5 million. The county I represent, Dade County, stands to lose $7 million under this plan.

In the State of Florida, these cuts will effect the help and care given to early 30,000 clients. This report will cost 300 mental health care providers their jobs.

I have received many calls from constituents who fear both the immediate shock and the long term damage of these cuts. With so much of our mental health system's resources already stretched too far, the effect of these cuts will be devastating.

I urge this body to reject this conference report.

The SPEAKER pro tempore (Mr. MONTGOMERY). Without objection, the previous question is ordered on the conference report.

There was no objection.

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

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

Mr. BILIRAKIS. 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 358, nays 60, not voting 16, as follows:

[Roll No. 253]

YEAS—358

Abercrombie	AuCoin	Boehner
Ackerman	Ballenger	Borski
Alexander	Barrett	Boucher
Allen	Beilenson	Brewster
Anderson	Bentley	Brooks
Andrews (ME)	Bereuter	Broomfield
Andrews (NJ)	Berman	Browder
Annunzio	Bevill	Brown
Applegate	Blackwell	Bruce
Aspin	Bliley	Bunning
Atkins	Boehlert	Byron

Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carr
Chandler
Clay
Clement
Clinger
Coble
Coleman (MO)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Dreier
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fawell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hyde
Inhofe
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Leach
Lehman (CA)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Scheuer
Schiff
Schulze
Schumer
Serrano
Sharp
Shays
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walker
Walsh
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Zeliff
Zimmer

NAYS—60

Allard
Andrews (TX)
Archer
Armey
Bacchus
Barton
Bateman
Bennett
Bilbray
Bilirakis
Bryant
Burton
Carper
Chapman
Coleman (TX)
Combest
Crane
Dannemeyer
DeLay
Dickinson
Doolittle
Dornan (CA)
Duncan
Edwards (TX)
Fascell
Fields
Gibbons
Goss
Hall (TX)
Hancock
Hefley
Herger
Hunter
Hutto
Ireland
James
Johnson (TX)
Johnston
Laughlin
Lehman (FL)
Lewis (FL)
McCollum
Murphy
Peterson (FL)
Ros-Lehtinen
Roth
Sarpalius
Schaefer
Schroeder
Sensenbrenner
Shuster
Smith (FL)
Smith (TX)
Solomon
Stearns
Stump
Vucanovich
Washington
Young (AK)
Young (FL)

NOT VOTING—16

Anthony
Baker
Barnard
Bonior
Boxer
Bustamante
Cox (CA)
Dymally
Gekas
Hefner
Perkins
Richardson
Shaw
Tallon
Torres
Traxler

□ 1218

Messrs. HALL of Texas, WASHINGTON, and LAUGHLIN changed their vote from "yea" to "nay."

Mr. MCEWEN and Mr. PETRI changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 5517, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1993

Mr. DIXON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 102-638) on the bill (H.R. 5517) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

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

□ 1220

WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 5488, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1993

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 505 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 505

Resolved, That during consideration of the bill (H.R. 5488) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes, all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning on page 47, line 10, through line 25; beginning on page 65, line 24, through page 66, line 12; and beginning on page 75, line 24, through page 76, line 17. The amendments en bloc specified in the report of the Committee on Rules accompanying this resolution to be offered by Representative McDade of Pennsylvania or his designee may amend portions of the bill not yet read for amendment, shall be considered as read when offered, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The amendments en bloc specified in the report to be offered by Representative Dorgan of North Dakota or his designee may amend portions of the bill not yet read for amendment, shall be considered as read when offered, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Such amendment en bloc and any amendments thereto shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent. Points of order under clause 2 of rule XXI against the amendment specified in the report to be offered by Representative Hoagland of Nebraska or his designee are waived. Such amendment and any amendments thereto shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentlewoman from New York [Ms. SLAUGHTER] is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, I yield the customary 30 minutes of debate time to the gentleman from Tennessee [Mr. QUILLEN], 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 505 is the rule providing for the consideration of H.R. 5488, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President and certain independent agencies for the fiscal year 1993.

Since general appropriations bills are privileged, the legislation will be considered under the normal legislative

process for consideration of appropriations bills. The time devoted to general debate will be determined by a unanimous-consent request. The bill will be open to amendment under the 5-minute rule. Any amendment which does not violate the rules of the House or is printed in the Rules Committee report will be in order.

The rule waives points of order clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in general appropriations bills, against the provisions of the bill except for three specified sections. The waiver is required because authorization bills have not yet been enacted for a number of programs in the bill including the U.S. Customs Service, the U.S. Mint, and the Federal Elections Commission.

The three sections of the bill exempted from this waiver are:

First, section 9 of the general provisions for the General Services Administration, which provides that revenues from energy savings or material recycling be available for certain GSA programs;

Second, section 528, which requires the U.S. Postal Service to pay $315 million to fund health insurance premiums and retirement COLA's for certain annuitants; and

Third, section 536, which authorizes the Bureau of Alcohol, Tobacco, and Firearms to prevent the use as a brand name of the name of any prominent deceased individual, if the use of the name would degrade or disparage the individual's reputation.

In each case, the chairman of the authorizing committee having jurisdiction over these legislative provisions objected to their inclusion in the appropriations bill and requested that points of order against the provisions not be waived.

The rule provides for two sets of amendments, one to be offered by Representative MCDADE and one to be offered by Representative DORGAN, to be offered en bloc. These sets of en bloc amendments, printed in the report to accompany the rule, shall be considered as read when offered and are not subject to a demand for a division of the question.

In addition, the rule waives points of order under clause 2 of rule XXI against the Hoagland amendment printed in the report to accompany the rule. Clause 2 of rule XXI prohibits unauthorized appropriations or legislative provisions in general appropriations bills and restricts the offering of limitation amendments in such bills.

The amendments printed in the report, and any amendments to those amendments, shall be debatable for the time specified in the report.

Mr. Speaker, H.R. 5488 appropriates $22.8 billion in fiscal year 1993 for the activities of the Treasury Department, the Executive Office of the United States, and certain independent agencies, as well as payments into the postal fund of the U.S. Postal Service. This rule will allow full and fair debate on the provisions of this important bill.

I ask my colleagues to support the rule so that we may proceed with consideration of the merits of this legislation.

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

Mr. Speaker, the gentlewoman from New York [Ms. SLAUGHTER] has fully explained the provisions of the rule. The waivers are necessary because not all of the necessary authorization bills have worked their way through the legislative process. I want to reiterate that under the normal Rules of the House, amendments which do not violate any House rules can be offered to the bill under the proposed rule. I am concerned, however, that there were a few amendments offered at the Rules Committee which were not made in order under the rule. I believe these Members should have been given the opportunity to offer their amendments since others were provided with the necessary waivers.

This legislation appropriates $22.8 billion in new budget authority for the U.S. Treasury, U.S. Postal Service, Executive Office of the President and 14 independent agencies. This is $2.9 billion more than last year and $275.7 million less than requested by the administration.

Mr. Speaker, I would like to address one particular provision in the legislation which requires the Postal Service to pay $315 million to the Treasury for retiree health benefits and cost-of-living adjustments. I am opposed to such a provision because I believe it would have a disastrous effect on the financial health of the Postal Service and would likely prompt a rate increase. Such a payment would also have an adverse effect on volume and cause massive layoffs of postal employees. Fortunately, Mr. Speaker, this rule does not provide for the necessary waiver needed and the provision is, therefore, subject to a point of order.

Mr. Speaker, the statement of administration policy points out that the administration has serious concerns about several aspects of the bill. In particular, the President's senior advisers would recommend that the President veto the bill if it contains language approved by the Appropriations Committee that prohibits use of funds in the bill for the President's Council on Competitiveness or any successor organization.

Mr. Speaker, I have stated my concerns with the rule but I believe we must move forward and get down to the business at hand.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 5 minutes to the gentleman from Colorado [Mr. SKAGGS].

□ 1230

Mr. SKAGGS. I thank the gentlewoman for yielding this time to me.

Mr. Speaker, I urge my colleagues to support the rule to bring up the Treasury, Postal appropriations bill for fiscal year 1993.

I think it provides reasonable terms for debate. One of the provisions in the rule provides for consideration of an amendment expected to be offered by the gentleman from Pennsylvania [Mr. MCDADE], the ranking member on the full committee. I just wanted to address myself briefly to that.

There is a lot of discussion among Members about the issue of the so-called Council on Competitiveness that the Bush administration established a couple of years ago.

I think it is useful, before we get further into the debate on this bill, to understand what this is about and what it is not about.

It is suggested, I think incorrectly, that this is about regulatory reform. It is not about regulatory reform and coordination. The bill that will be taken up under the rule provides $5 million for the Office of Information and Regulatory Affairs in the Office of Management and Budget, a very healthy appropriation, to fund the activities in what is known as OIRA, that are explicitly intended to address regulatory coordination across the board in the administration. This is a useful function, one that no one quarrels with and one that OIRA does in compliance with basic principles of open government and disclosure.

This is not an issue about Presidential prerogatives. We are not talking here about Presidential policy making or policy coordination, but about rulemaking. And rulemaking is a delegated, quasi-legislative function in which this Congress has a particular right to take special concern and pay special attention, which is what we are doing.

This is not about what all recent Presidents have done. you will hear that President Carter had something just like this. The critical distinction here is that the office that President Carter established did not intervene in regulatory matters before the fact and in order to make changes. It developed efforts after regulations were in place at a general policy level to look at the overall regulatory philosophy of that administration.

President Reagan then established what is now the Office of Information and Regulatory Affairs in OMB. And when that operation came under appropriate criticism for operating in the dark back in the early eighties, reforms were instituted. The Reagan administration agreed to put the OIRA operation on top of the table rather than underneath it, with requirements for disclosure of communications and general compliance with the same prin-

ciples that apply in the Administrative Procedures Act.

This is not an issue having to do with any gratuitous attack on the Vice President of the United States. It is about following the law and observing the central concepts of open government in a democracy.

This is not a debate about competitiveness. We are all for competitiveness and for eliminating unnecessary burdens on industry and business in this country and making our economy as competitive as possible.

What this is about is special deals for special friends of the administration, worked out in secret, in an unaccountable fashion.

Most of what they do, and I think almost all of how they do it, is just plain wrong. They refuse to come up to this Congress, to several authorizing committees and subcommittees to even testify about their work. They have essentially refused to provide any substantive information about their work to the Subcommittee on Treasury, Postal, General Government of the Committee on Appropriations.

We simply should not be a party, as a Congress, to this kind of unaccountable, secretive and basically irresponsible behavior on the part of a small group within the administration.

So when the McDade amendment is before us, I would certainly urge my colleagues to vote "no."

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, the Skaggs amendment is basically a killer amendment, it is a killer amendment. We should listen to it carefully as we begin the debate.

Mr. SKAGGS talked about a special-interest group and "friends of the administration." Let me read you a letter from some of the "friends of the Administration." And this is from the Alzheimer's Research Foundation:

DEAR MR. VICE PRESIDENT: I was pleased to learn that one of the items being considered by the Council on Competitiveness is the accelerated approval for Alzheimer's disease drugs.

The United States has one of the longest drug approval times and apparently does not rely on outside use. Those of us involved in the Alzheimer's program, and I have been very active working with the Alzheimer's individuals in my district, we helped with the establishment of a day care center for Alzheimer's patients so their loved ones have a place where they can go during the day. Let me continue:

Those of us involved in the Alzheimer's program are continually dismayed by the cumbersome nature of drug approval. I would earnestly hope that Members of Congress who have indicated their concerns about the activities of the Council on Competitiveness are aware that the council's various initiatives are basically building upon programs begun by the Administration's Task Force on Regulatory Relief, chaired by then-Vice President Bush, and the President's cancer panel in the FDA. The French Foundation for Alzheimer's research is deeply concerned about these attacks upon the goals.

This is a killer amendment. I will tell you there is nothing worse than having Alzheimer's disease, both the individual who has it and the families who suffer, and suffer deeply. The Competitiveness Council reduced the drug approval time from 9 to 4½ years.

Let me read another letter from the "friends, the special secret friends of the administration."

DEAR MR. VICE PRESIDENT: I want to thank you for recommending changes to the drug approval process at the Food and Drug Administration. I have enrolled in a clinical trial to test the effectiveness of a new orphan drug, DNase. I felt better almost immediately, as I am less winded climbing stairs. I hope this new drug can be approved quickly to be made available for more people with cystic fibrosis.

Mr. Speaker, the people with cystic fibrosis do not support the Skaggs amendment, they support the McDade amendment because if you have cystic fibrosis, the work of the Competitiveness Council and the work of the Vice President has brought this drug, whereby people can use it.

Let me read another letter from the "special friends of the administration."

DEAR MR. VICE PRESIDENT: Thank you for your efforts on drug approval acceleration. Our daughter suffers from asthma, and it is important to us that she has access to needed drugs as soon as possible.

Another letter, and this letter, I believe, is from Florida:

DEAR MR. VICE PRESIDENT: It's about time someone took the FDA's bull by its horns to make available drugs which will prolong and restore health to those in need. My wife Bernice has had ovarian cancer for over a year now.

And it goes on.

My mom died of cancer. My dad died of cancer. In fact, my dad had had cancer, he had lymphoma. In 1982, my first term in the House, I remember every weekend, I went back up to Philadelphia. When we found out that he had lymphoma, the doctor said—

If there is one type of cancer that we think we can treat, it is this type of cancer. I think your dad will be okay.

My dad was dead in 4 months. Today there are drugs out on the market that could have perhaps saved my dad. If somebody has lymphoma or other form of cancer or Alzheimer's disease, by expediting, expediting the drug by 4½ years you may be able to save them. Something like this, had the Vice President's Council been in effect in 1982, maybe, maybe my dad would have been saved.

I remember when he left the Congress, Senator Tsongas came by and I spoke to him. In fact, I have great admiration for Senator Tsongas. He would have been a great person for your party, frankly, to put up as candidate for President.

I remember he made the comment. He said he went out to Great Falls Park in my district and he looked out, and he was on the rocks and he looked back and he saw his children. He said he left Congress because he wanted to spend his last days with his children. He thought at that time that lymphoma was a killer disease.

He also made the classic comment that he never heard anyone on his deathbed say, "I wish I had spent more time with my business." And, frankly, none of us is going to say, "I wish I had spent more time in the House Chamber." they would say, "I wish I had spent more time with my family." Lymphoma was a killer disease.

□ 1240

Mr. Speaker, in 1982, when Senator Tsongas left here, lymphoma was a killer disease, and now we can save people with lymphoma and keep them alive, and I thank the good Lord for that.

Let me read one or two more letters. This is from Miami, Coral Park Senior High School. This is from the principal.

DEAR MR. QUAYLE: My son has cystic fibrosis. Please do not delay the new drugs that are being developed here from other countries. The clock is ticking, and we are in a life and death race. Please help us.

And then I could read many more. The NFIB has a letter.

Those Members in this body who contacted the Competitiveness Council who are concerned about the wetlands issues—hundreds of Members contacted the Competitiveness Council on the wetlands issue. They were the ones who said this is not good.

Lastly, and let me just end on this. This amendment is partisanship at a very high level. I made a comment today in the full Committee on Appropriations hailing the gentleman from Florida [Mr. LEHMAN] on his retirement, and also the gentleman from Pennsylvania [Mr. COUGHLIN] on his retirement. We do not have partisanship. It is probably the last bastion of nonpartisanship or bipartisanship in the Congress. This is a direct attack on the office of the Presidency and on the Vice Presidency. The interest groups, and I can name one or two—and I will not do it—have been behind this. Really, this is a killer amendment with regard to them.

How angry would this body be if the President were to veto the legislative appropriations act? This Congress would be up at arms. We would be angry. I say to my colleagues, "You are inviting a veto. This will kill this bill. This will kill a good bill that the chairman, the distinguished chairman, has put a lot of time into."

We will have more time to get into this. The McDade amendment is a good amendment, and I say to my colleagues, "If you were concerned about wetlands, support the McDade amend-

ment. If you're concerned about cancer drugs that get to the market faster to save lives, support the McDade amendment. If you're concerned about cystic fibrosis, support the McDade amendment. If you're concerned about Alzheimer's disease, that you have a mom, or a dad, or a husband, or a wife, or somebody in your family with Alzheimer's, support the McDade amendment because these groups support it. It is a good amendment. We're fighting over $86,000."

The McDade amendment does not add any more money. He shifts it across. It is a good amendment. It is the right thing to do. It restores the bipartisanship of the Committee on Appropriations, and I strongly urge Members on both sides, when they get a chance, to go with the McDade amendment.

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

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

Mr. SKAGGS. Certainly no Member is going to quarrel with the virtue in speeding up drug approvals in appropriate ways. Precisely the sort of function, would the gentleman agree, that the Office of Information and Regulatory Reform and OMB is supposed to perform and do so in an accountable fashion——

Mr. WOLF. Absolutely not, and I will tell the gentleman why. Let me tell the gentleman why.

I used to work for Cabinet officer, Secretary Rogers C.B. Morton, who was one of the more revered Members of this House. What the Secretary used to resent was having to go over to the Office of Management and Budget and deal with a low level person, who used to knock him around. He wanted to deal with the other Cabinet officials.

What the Competitiveness Council is, the opportunity for different Cabinet officials to sit around and resolve disputes. Otherwise they deal through OIRA. They have a Secretary dealing with the GS-15, and that is not the way that it should work.

No, this is the way to do it, and frankly, no one tells the Speaker how he should run the Office of the Speaker. No one tells the Speaker who ought to be on the whip list and who ought to be at the meetings. No one should tell the President, nor Vice President, how they can set up their meetings where Cabinet officials can come in, and negotiate and talk these things through head to head, Cabinet official to Cabinet official.

Mr. SKAGGS. Does the gentleman from Virginia [Mr. WOLF] then believe that the President has a special right to intervene in rulemaking outside the bounds of regular law?

Mr. WOLF. Absolutely not.

Mr. SKAGGS. That is what is going on.

Mr. WOLF. They do this based on the record, based on the Administrative Procedures Act, and the decisions are on the record of those who testify before it and against it.

Mr. SKAGGS. Why can we get no record of the proceedings on the Council of Competitiveness?

Mr. WOLF. They go to the——

Mr. SKAGGS. They will not disclose a thing.

Mr. WOLF [continuing]. Record of those who have filed views both for and against, and in closing I ask my colleagues, "Don't do it. Don't let this partisanship—I know this has been whipped, and some have talked about it. The McDade amendment is a good amendment. It is an amendment that will support acceleration of drugs to treat these critical diseases. It is the most important amendment that will be offered today. The fact is, if the McDade amendment goes, so goes the bill. McDade goes down, the bill goes down; we have no bill. It would be bad for the country."

Mr. Speaker, the McDade amendment is a good amendment, and I hope and pray that all Members will put aside the partisan differences and will support the amendment by the distinguished gentleman.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I am sorry that I am out of breath because I did not realize this bill was coming up this quickly, and as I walked into my office, I saw the debate going on the television, and I saw the gentleman from Colorado [Mr. SKAGGS] on the floor and, subsequently, the gentleman from Virginia [Mr. WOLF], and I think that the Members should understand, as gentlemanly as it has been presented, that this is a malicious attack on the Vice President of the United States with absolutely no foundation whatsoever. This is partisanship in its worst form.

Mr. Speaker, what is at issue here is: Does the President of the United States have the ability, or the authority, to pull people that work for him closely, Cabinet level people and people in the office in the White House, can he pull them together to review regulations that are being promulgated by overzealous agencies or agencies imposing regulations that are ridiculous? Does he have that ability?

The gentleman from Colorado [Mr. SKAGGS] says, "Well, Carter did it, but he didn't do it just exactly like Bush did it, and Reagan did it, but he didn't do it exactly like Bush did it," and they base their entire discussion on secret meetings.

Now the gentleman just stood up. Let me ask the gentleman, if I may, "Has the gentleman been having any secret meetings with groups on this particular issue, and could he enumerate the groups that he has been meeting with?"

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

Mr. DELAY. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Speaker, the gentleman from Texas [Mr. DELAY] is well aware——

Mr. DELAY. Mr. Speaker, I yielded to the gentleman to answer my question.

Mr. SKAGGS. The law is very clear about the kind of disclosures and public rules that apply to rulemaking——

Mr. DELAY. Reclaiming my time, Mr. Speaker. Regular order. I will be glad to yield to the gentleman to answer my question.

Mr. SKAGGS. Mr. Speaker, I will be glad to answer the gentleman's question if the gentleman would answer it posed to himself.

Of course I meet in private with lots of people about the business of my office. However, there is no law that requires me to do otherwise. There is such a law that applies to the rulemaking activities of the Federal Government, and we ought to follow it.

Mr. DELAY. Mr. Speaker, there is no law, there is absolutely no law, that requires the President of the United States to have his Cabinet level people reveal who they are meeting with, why they are meeting. But let us take that issue on its face, and the gentleman from Colorado [Mr. SKAGGS] obviously does not want to list the people he has been meeting with on this particular occasion.

We all know who he has been meeting with. It is people who do not like the kind of reasonableness that is being brought to regulations being promulgated by agencies of this Government. They are behind this, plus partisan attacks on the Vice President. Has nothing to do with secret meetings of the President of the United States.

The Council on Competitiveness, before they take any action whatsoever, they refer back to the agency that is involved in this particular regulation they are questioning, or they file their comments in the Federal Register, or they follow the Administrative Procedures Act of notice and comment.

What they want is a witch hunt. They do not like what the President is doing. They do not like his policies, and this is a way to get at it in a very partisan way, and I just think it is really unfortunate, and they lay it all off on OIRA, say, "Well, we got OIRA over here, the Office of Information and Regulatory Affairs. They should be taking care of that."

Yet these same people took OIRA to court and removed one-third of their review powers through a court decision. That is what generated the President to put it together, his own panel to review the kinds of regulations that they were doing. OIRA cannot even do it.

But even at that, the other body is holding OIRA hostage. They will not reauthorize it, and they will not confirm a director of OIRA, and we have not had a director of OIRA since Bush has been President.

We all see what is going on here. We understand what is going on here. I think it is really unfortunate that we are fighting this battle on the floor of the House in this manner. It is blatant partisan politics that is going on here. They were talking about people would not come up and testify before the witch hunting committees that wanted to pull in people that work in the White House.

□ 1250

We all know that people that work in the White House cannot testify before committees of the House. They are not confirmed by the Senate and they are not allowed to testify before committees of the House. That is why Al Hubbard and David McIntosh, the two directors of the Council, cannot testify before this body. People in the White House cannot testify before committees.

Mr. Speaker, so we all understand what is going on here. I hope when Members come to this body under the McDade amendment that they will look at it in a rational way and understand what is going on and support the McDade amendment.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. QUILLEN. 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 397, nays 11, not voting 26, as follows:

[Roll No. 254]

YEAS—397

Abercrombie	Aspin	Berman
Ackerman	Atkins	Bevill
Alexander	Bacchus	Bilbray
Allen	Ballenger	Bilirakis
Andrews (ME)	Barrett	Blackwell
Andrews (NJ)	Barton	Bliley
Andrews (TX)	Bateman	Boehlert
Annunzio	Bellenson	Boehner
Applegate	Bennett	Borski
Archer	Bentley	Boucher
Armey	Bereuter	Brooks
Broomfield	Grandy	McGrath
Browder	Green	McHugh
Brown	Guarini	McMillan (NC)
Bruce	Gunderson	McMillen (MD)
Bryant	Hall (OH)	McNulty
Bunning	Hall (TX)	Meyers
Burton	Hamilton	Mfume
Byron	Hammerschmidt	Michel
Callahan	Hancock	Miller (CA)
Camp	Hansen	Miller (OH)
Campbell (CA)	Harris	Miller (WA)
Campbell (CO)	Hastert	Mineta
Cardin	Hatcher	Mink
Carper	Hayes (IL)	Moakley
Carr	Hayes (LA)	Molinari
Chandler	Henry	Mollohan
Chapman	Herger	Montgomery
Clay	Hertel	Moody
Clement	Hoagland	Moorhead
Clinger	Hobson	Moran
Coble	Hochbrueckner	Morella
Coleman (MO)	Holloway	Morrison
Coleman (TX)	Hopkins	Mrazek
Collins (IL)	Horn	Murphy
Collins (MI)	Horton	Murtha
Combest	Hoyer	Myers
Condit	Hubbard	Nagle
Conyers	Huckaby	Natcher
Cooper	Hughes	Neal (MA)
Costello	Hutto	Neal (NC)
Coughlin	Hyde	Nichols
Cox (IL)	Inhofe	Nowak
Coyne	Ireland	Nussle
Cramer	Jacobs	Oberstar
Cunningham	James	Obey
Darden	Jefferson	Olin
Davis	Jenkins	Olver
de la Garza	Johnson (CT)	Ortiz
DeFazio	Johnson (SD)	Orton
DeLauro	Johnson (TX)	Owens (NY)
DeLay	Johnston	Owens (UT)
Dellums	Jones (GA)	Oxley
Derrick	Jones (NC)	Packard
Dickinson	Jontz	Pallone
Dicks	Kanjorski	Panetta
Dingell	Kaptur	Parker
Dixon	Kasich	Pastor
Donnelly	Kennedy	Patterson
Dooley	Kennelly	Paxon
Doolittle	Kildee	Payne (NJ)
Dorgan (ND)	Kleczka	Payne (VA)
Dornan (CA)	Klug	Pease
Downey	Kolbe	Pelosi
Duncan	Kolter	Penny
Durbin	Kopetski	Peterson (FL)
Dwyer	Kostmayer	Peterson (MN)
Early	Kyl	Petri
Eckart	LaFalce	Pickett
Edwards (CA)	Lagomarsino	Pickle
Edwards (OK)	Lancaster	Porter
Edwards (TX)	Lantos	Poshard
Emerson	LaRocco	Price
Engel	Laughlin	Pursell
English	Leach	Quillen
Erdreich	Lehman (CA)	Rahall
Espy	Lehman (FL)	Ramstad
Evans	Lent	Rangel
Ewing	Levin (MI)	Ravenel
Fascell	Levine (CA)	Ray
Fawell	Lewis (CA)	Reed
Fazio	Lewis (FL)	Regula
Feighan	Lewis (GA)	Rhodes
Fields	Lightfoot	Rinaldo
Fish	Lipinski	Ritter
Flake	Livingston	Roberts
Foglietta	Lloyd	Roe
Ford (MI)	Long	Roemer
Ford (TN)	Lowery (CA)	Rogers
Frank (MA)	Lowey (NY)	Rohrabacher
Franks (CT)	Luken	Ros-Lehtinen
Frost	Machtley	Rose
Gallegly	Manton	Rostenkowski
Gallo	Markey	Roth
Gejdenson	Martin	Roukema
Gephardt	Martinez	Rowland
Geren	Matsui	Roybal
Gibbons	Mavroules	Sabo
Gilchrest	Mazzoli	Sanders
Gillmor	McCandless	Sangmeister
Gilman	McCloskey	Santorum
Glickman	McCollum	Sarpalius
Gonzalez	McCrery	Sawyer
Goodling	McCurdy	Saxton
Gordon	McDade	Schaefer
Goss	McDermott	Scheuer
Gradison	McEwen	Schiff
Schroeder	Stark	Volkmer
Schulze	Stearns	Walker
Schumer	Stenholm	Walsh
Serrano	Stokes	Washington
Sharp	Studds	Waters
Shaw	Sundquist	Waxman
Shuster	Swett	Weber
Sikorski	Swift	Weiss
Sisisky	Synar	Weldon
Skaggs	Tanner	Wheat
Skeen	Tauzin	Whitten
Skelton	Taylor (MS)	Williams
Slattery	Taylor (NC)	Wilson
Slaughter	Thomas (CA)	Wise
Smith (FL)	Thomas (GA)	Wolf
Smith (IA)	Thomas (WY)	Wolpe
Smith (NJ)	Thornton	Wyden
Smith (OR)	Torricelli	Wylie
Smith (TX)	Towns	Yates
Snowe	Traficant	Yatron
Solarz	Unsoeld	Young (AK)
Solomon	Upton	Young (FL)
Spence	Valentine	Zeliff
Spratt	Vander Jagt	Zimmer
Staggers	Vento	
Stallings	Visclosky	

NAYS—11

Allard	Dreier	Shays
Baker	Hefley	Stump
Crane	Savage	Vucanovich
Dannemeyer	Sensenbrenner	

NOT VOTING—26

Anderson	Dymally	Perkins
Anthony	Gaydos	Richardson
AuCoin	Gekas	Ridge
Barnard	Gingrich	Riggs
Bonior	Hefner	Russo
Boxer	Houghton	Tallon
Brewster	Hunter	Torres
Bustamante	Marlenee	Traxler
Cox (CA)	Oakar	

□ 1310

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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 917

Ms. HORN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 917.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

REPORT ON H.R. 5518, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. LEHMAN of Florida, from the Committee on Appropriations, submitted a privileged report (Rept. No. 102-639) on the bill (H.R. 5518) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

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

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1993

Mr. ROYBAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5488) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1993, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Virginia [Mr. WOLF] and myself.

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

There was no objection.

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

The motion was agreed to.

□ 1315

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5488, with Mr. STUDDS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from California [Mr. ROYBAL] will be recognized for 30 minutes, and the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. ROYBAL].

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

Mr. Chairman, the Treasury, Postal Service, and general Government appropriations bill provides $22.8 billion in recommended appropriations for 1993 for both mandatory and discretionary items. The bill before the Committee is $276 million below the budget request, and slightly below the level provided in the 602(b) allocation for both discretionary budget authority and for outlays.

Because the 602(b) allocations this year were very low, the committee would have to make reductions below the President's budget request for almost every agency in the bill. In almost all of the domestic discretionary accounts we have been able to provide sufficient funds only to maintain the 1992 levels of operation. We have provided for pay increase costs and some mandatory inflationary increase costs. We have been able to provide for program increases in only a few very important and noncontroversial law-enforcement-related areas.

For the Customs Service we have allowed program increases to stop the flow of illegal drugs into our country, and to help process more expeditiously American citizens returning home from abroad and people from other nations visiting our country.

We allowed the President's request and added an additional $7 million to a budget of $1.5 billion. It is truly not an increase, but it does allow Customs to hire an additional 75 employees to process the increased flow of people and goods entering the country. As I stated before, this also helps stop the flow of illegal narcotics.

For the Internal Revenue Service we have allowed most but not all of the program increases requested by the President. We cut IRS by $35 million below the President's request, but we did allow a program increase for the tax systems modernization program.

The Internal Revenue Service's automated data processing system, the system that they have now, is far behind the technology which is currently available. The current IRS system is old and there is a very real danger that our failure to fund the modernization program could very well result in this old system simply being overwhelmed in the next few years.

In addition to collecting the major portion of Federal revenue, the IRS also performs very important law enforcement activities, such as criminal violation of the Tax Code and money laundering investigations. We have allowed program increases in the Bureau of Alcohol, Tobacco and Firearms, and have funded in this bill program increases in the Armed Career Criminal Enforcement Program. This program is dedicated to getting violent, repeat criminal offenders off the street, and is, in my view, one of the most effective enforcement programs in this country.

In addition to its highly important law enforcement activities, I think I should remind the House that the ATF also collects approximately $14 billion annually for the Government. It is a revenue-producing bureau of the Federal Government.

This bill includes a provision, section 537, which was presented to and approved by the full committee. This section prohibits the use of funds for the Vice President's Council on Competitiveness or any successor organization. Additionally, the committee has reduced the request for the Vice President's office of $86,000, the estimated salaries for the two full-time equivalent positions on the Council.

□ 1320

For the Postal Service, the bill includes $200 million for revenue forgone. I would like to call to the attention of the Committee that this is a reduction of $281 million below the budget request from the Postal Service.

Mr. Chairman, section 201 prohibits the Postal Service from increasing the rates of postage for nonprofit rate mailers. It is our understanding that the Committee on Post Office and Civil Service is developing legislation to reform the revenue forgone authorization.

Since that committee expects that this reform will be completed during the coming year, section 201 of this bill is included only as an interim measure. May I emphasize the fact that the nonprofit mailers support our bill because this provision freezes rates in the 1993 appropriation at the 1992 level.

For the Treasury Department's departmental account, this bill provides $10.2 billion in new budget authority. This is a reduction of $41.2 million below the request and an increase of $570 million over 1992.

For the Executive Office of the President, this bill provides $269 million. This is a reduction of $11.8 million below the budget request, and a reduction of $29.4 million below 1992.

For independent agencies covered by this bill, such as GSA, the Office of Personnel Management, the Tax Court and others, $12.1 billion is included, which is an increase of $59 million above the estimates, and an increase of $2.6 billion above 1992.

I must point out the fact that of this increase, $2.5 billion is in mandatory payments to the civil service fund.

In summary, Mr. Chairman, the bill before the Committee recommends funding for almost all of the agencies at the levels below those requested in the President's budget. For most agencies this bill provides only increases for inflation or for pay raise costs. Because of the very low 602(b) allocation, we were not able to fund any of the many requests for grants that we received, and we received many of them. They were all very meritorious, but we could not possibly, under the allocation, honor any of them.

We were also forced to make other reductions in accounts we would have liked to fund at higher levels, but that again was not possible.

I would like to take this time, Mr. Chairman, to commend the ranking minority member, the gentleman from Virginia [Mr. WOLF] for the great job that he has done, for his patience, his support, and for his cooperation. I would also want to appreciate the good work of all of the members of the subcommittee, the gentleman from Maryland [Mr. HOYER], the gentlewoman from California [Ms. PELOSI], the gentleman from Texas [Mr. COLEMAN], the gentleman from Colorado [Mr. SKAGGS], the gentleman from Indiana [Mr. VISCLOSKY], the gentleman from Iowa [Mr. LIGHTFOOT], and the gentleman from Kentucky [Mr. ROGERS]. I

would like to thank each and every one of them for the cooperation that they have personally given me as chairman of this subcommittee, and for their willingness to discuss things, to talk about the needs, and in many instances compromise, as we all have to do in this bill.

This is a bill, Mr. Chairman, that provides a level of funding which will allow most agencies, again, I repeat, to operate at the fiscal year 1992 level. I think that this is an excellent bill and one that should definitely be approved. I urge, Mr. Chairman, the support of all Members for this piece of legislation.

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

□ 1330

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

Mr. Chairman, I want to commend Chairman ROYBAL on a good bill and draw to Members' attention section 627 of the bill, included at the suggestion of HAL ROGERS, which recognizes the appreciation of members of the subcommittee for the efforts of Chairman ROYBAL. As you know, this is the last time that the chairman will be bringing this bill to the Committee and to the floor. He has done a good job, and all of the members of the subcommittee appreciate his leadership.

SEC. 627. SENSE OF THE HOUSE.—It is the sense of the House that—

(a) Whereas

(b) Congressman Edward R. Roybal has shown leadership, dedication, and diligence as Chairman of the House Subcommittee on Treasury, Postal Service, and General Government;

(c) Congressman Edward R. Roybal has inspired a spirit of cooperation and consensus among the members of his Appropriation's Subcommittee during difficult deliberations; and

(d) Congressman Edward R. Roybal has demonstrated patience, good humor, professional courtesy as a Member of the House of Representatives, as Chairman of the Select Committee on Aging, and as Chairman of the House Treasury, Postal Service, and General Government Subcommittee on Appropriations.

Resolved, That the House of Representatives commends Representative Edward R. Roybal for his record of distinguished service.

The bill stays within the limits of the Budget Act and our 602(b) allocation. The bill recommends new budget authority of $22.7 billion, a reduction of $275 million below the President's budget request for obligational authority.

Because of the budget caps, the Treasury subcommittee faced an outlay problem this year. Because of this the bill includes cuts in most accounts. The U.S. Postal Service, in particular, will have added costs: the bill shifts costs associated with OBRA to the Postal Service; it also requires the Postal Service to carry some of the costs of giving charitable organizations preferred mailing rates.

On that issue, Members should be aware that the bill prevents the Postal Service from raising rates for nonprofit and charitable mailers. It also includes, in the report to the bill, language instructing the Postal Service that changes to the revenue forgone account should not adversely impact the rates for second-class mailers who are receiving preferred postal rates, such as rural, in-county newspapers.

The bill does a good job directing limited resources to critical needs. Funds provided in this measure will ensure the soundness of Federal agencies that are important to the American public. There is something in the bill that every Member of this body can support. Within the Treasury Department, several of the agencies—such as the Customs Service, the Internal Revenue Service, and the Bureau of Alcohol, Tobacco and Firearms—produce revenue to fund the operation of the Federal Government. By providing adequate funding for these agencies, the bill would allow these agencies to continue to carry out important law enforcement and revenue collection activities. It will also allow the Customs Service to maintain its role in facilitating trade, which is critical to the competitiveness of the United States.

One account for the Treasury Department that I want to mention is funding for IRS tax systems modernization. The bill provides full funding for tax systems modernization This will allow the IRS to avoid what would be a potential collapse of the tax and information processing systems, and should improve the IRS's interaction with taxpayers while increasing revenue collection.

For the second year in a row, there were not private grants in the bill. This year there were requests for appropriations for private grants of more than $80 million from worthy causes. I believe that keeping private grants out of the bill, especially in times of fiscal constraint, makes sense.

Briefly, I want to mention some specific provisions in the bill, which I was pleased that the committee included at my request. A provision which Congresswoman PELOSI and I offered which would increase the penalties for the importation of goods made with forced labor from $1,000 to $50,000. A provision allowing the Department of the Interior to transfer land in Shenandoah National Park to the Customs Service, which is now using the land for a canine training center, and funds for improvements to that center.

A provision for which Congresswoman KAPTUR deserves credit would allow the IRS to hire expert attorneys in litigation with foreign-controlled corporations which have avoided taxes through transfer pricing. A provision clarifying the law governing child day care in Federal facilities, which former Senator Trible and I authored several years ago. A provision for which Congressman HOYER deserves credit, directs the GSA to establish flexiplace work and telecommuting centers. Language in the report to the bill urging OPM to proceed with implementing recommendations made in a work and family study requested by the committee last year. And a provision which allows the Virginia inland port to maintain its port of entry status.

I also want to call Members' attention to the provision in the bill, section 537, which would prohibit the use of funds for the Council on Competitiveness or any successor organization. I will speak at greater length on this provision in a moment when Mr. MCDADE offers his amendment, but I do want to mention that I strongly oppose the provision. If it is included in the final version of this legislation, the measure will be vetoed.

I urge my colleagues to support the McDade amendment when it comes up. I read it before, and I will not take much of the Committee's time, but we received a number of letters from individuals who are very strongly in support of the work of the Competitiveness Council, because it has basically expedited the approval time for drugs from the current 9 years to the current 4½ to 5 years.

There were a couple of letters that I read. One said,

It is about time someone took the FDA's bull by the horn to make available drugs which will probably restore health to those in need. My wife, Bernice, has had ovarian cancer for over a year.

We had a letter from the French Foundation on Alzheimer's Research out in Los Angeles, CA, which goes on to say,

I earnestly hope that Members of Congress who have indicated concerns about the activities of the Council on Competitiveness are aware that the Council's various initiatives are basically building upon programs begun by the administration's Task Force on Regulatory Relief chaired by then Vice President Bush. The President's cancer panel, and then Vice President Bush's cancer panel and the FDA, the French Foundation for Alzheimer's Research is deeply concerned that these attacks on the Council on Competitiveness particularly as related to Alzheimer's disease

And there is not much worse than having Alzheimer's disease for the one who has it and for their loved ones—

will slow down and distract from the need and sense of urgency that the drug approval process demands.

Here is a letter with regard to cystic fibrosis, a letter from Florida, a letter, another letter, and I go on and on with that.

I also have a letter from the NFIB, the representatives of small business, that says

A recent NFIB survey placed unreasonable Government regulations and Federal paperwork among the top problems. Offices such as the Council on Competitiveness and the

Office of Information on Regulatory Affairs are among the few real options for small business * * *

And they go on, and again, NFIB in support of the McDade amendment.

So as those who come to the floor when the votes begin, the McDade amendment is the amendment to help those, I think, with cystic fibrosis, cancer, Alzheimer's disease, and small business, and also those who have agriculture in their district. There was an open letter to the House of Representatives that said,

In fact excessive regulation hurts consumers more than industry. The reason is that the bulk of regulatory burdens are simply passed through to the consumer in the form of higher prices. The results of the Skaggs amendment would be to invite more regulatory excess which in turn would mean higher prices for consumers.

Skaggs, higher prices for consumers, a more limited product and service selection, less product, less service, higher unemployment. We are all concerned about unemployment.

"We urge you to oppose the Skaggs initiative," and this is signed by the American Farm Bureau for those interested in agriculture: the National Association of Barley Growers, the National Association of Manufacturers, the National Cattlemen's Association, the National Federation of Independent Business, the National Pork Producers, and others.

And, lastly, we have a letter in support of the McDade amendment from the U.S. Chamber of Commerce, a letter from the office of the mayor of Columbus, OH, where he said,

Dear Mr. President Bush: In less than 9 years, the city of Columbus will be forced to pay more than $1.6 billion to comply with just current State and Federal environmental regs. We need your help

He goes on to say,

The enclosed report represents compliance costs only for Columbus. Imagine these costs multiplied across Ohio and the United States. Please help us to restore common sense to the process of protecting our health and environment.

Again, the McDade amendment deals with those issues.

The very last issue the committee was kind enough, both the subcommittee and the full committee, to put language in which would allow the Congress and BATF to deal with the issue of Crazy Horse malt liquor. Crazy Horse, as the Congress may or may not know, was an Indian chief who urged his people not to use alcohol, and yet a company has come along and has developed what they call Crazy Horse malt liquor.

I bring this to the Members' attention. Keep in mind, Crazy Horse was against the use of alcohol, and some despicable company, I might say, then takes "Crazy Horse" and uses it as a marketing tool. We had an amendment, and the committee was very kind both at the full committee and subcommittee. This amendment was supported by: the Lakota Times of Rapid City, SD; HONOR of Milwaukee, WI; United National Indian Tribal Youth [UNITY] of Oklahoma City, OK; the All Indian Pueblo Council of Albuquerque, NM; the National Congress of American Indians; the First American Prevention Center; the Chippewa Tribe; the Ottawa Indians; the Cheyenne River Sioux Tribe and tribal council; the Oglala Sioux Tribe; the Native American Indian Association of Nashville, TN; Floyd Red Crow Westerman, of "Dances with Wolves", the movie, and many others.

The Surgeon General, Dr. Novello, testified at the hearing before the gentlewoman from Colorado [Mrs. SCHROEDER] for bringing this to the attention of the Congress. Had it not been for the select committee, we would not know about this. The Surgeon General testified and said this disrespectful product comes along at a time when we know that native Americans suffer from over 5 times the rate of alcohol-related accidental death, double the rate of alcohol-related homicidal death, nearly double the rate of suicide, and up to 20 times the rate of fetal alcohol syndrome as the general population.

The provision will allow BATF the authority to prohibit the use of a brand name which disparages the name of a deceased individual of public prominence or disparages the reputation of such individual. It would not cover Samuel Adams beer. It would not cover that. It would only cover what was used in a disparaging way.

Someone told me, and I doubt that it is true, but there may be an objection by somebody with regard to this. I would hope that is not the case. If, by the slightest chance that there is an objection, I would hope that the authorizing committee would then take this language back and pass a bill, because this is being marketed in such a way that it is destructive. It is destructive to young people. It is destructive to different Indian groups. It is destructive to the reputation of Crazy Horse and, frankly, to name this under the current law, you could also have an alcohol named after any prominent person who died. I think that would be a mistake. So I would hope that would not be objected to.

I want to commend Chairman ROYBAL for his hard work and fairness. I want to thank him for his leadership, and for the spirit of bipartisanship that he promotes on the subcommittee. I also want to thank the other members of the committee and the staff.

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

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN of Texas. Mr. Chairman, I rise in support of the Treasury, Postal Service, and general Government appropriations bill for fiscal year 1993.

First, I would like to commend the distinguished gentleman from California, Chairman ED ROYBAL, and my colleagues on the subcommittee for their hard work in bringing forward this bill. This is my chairman's last year at the helm of this subcommittee, and his service and leadership over the years has benefited Federal employees across the country and left its mark on diverse items such as international ports of entry, child care facilities, and policy in our Nation's war against drugs.

The fiscal year 1993 appropriations bill contains items of critical importance to Federal civil service employees, Federal construction projects, and overall funding for Treasury, Postal Service, and general Government programs.

It includes funding for the U.S. Customs Service, an agency which generates revenues for our Nation and which deserves our support so that it can continue to effectively carry out its mission. The changing nature of our society has also increased the mission of the Customs Service by directly involving it in our Nation's war against drugs at the front lines of that war, at the borders of our country. Customs agents stationed at our international borders and airports place their lives at risk on a daily basis, and we need to ensure that they are well-trained, well-equipped, and work in facilities which are clean, safe, and secure.

I was pleased that the subcommittee recognized the critical need for additional Customs agents along the United States-Mexico border, and directed the Agency to report on its staffing needs in the Southwest in general and to give high priority to filling positions in the El Paso Customs District in particular.

Additionally, agents of the Bureau of Alcohol, Tobacco and Firearms and postal service employees are deserving the full congressional support for the critical jobs that they perform for our nation. They, too, put their lives at risk in the daily performance of their jobs. I have received several communications from postal workers' organizations concerning the funding level for the Postal Service in this year's bill, and I pledge to work with my colleagues in Appropriations and with the authorizing committees to ensure that its funding needs are met without disrupting the workforce or service to Postal Service customers.

On behalf of the congressional border caucus, I was pleased to offer language to the report directing the General Services Administration to assess the capital improvement needs of international ports of entry throughout the southwestern border with Mexico. The language highlights priority projects identified by members of the caucus and border experts organized by the Border Trade Alliance. Regardless of the ultimate fate of the North American Free-Trade Agreement, these projects are required to keep pace with the current projections for the level of commercial and pedestrian traffic across the United States-Mexico border.

I would like to express my appreciation to the chairman, the subcommittee, and its staff for including projects critical to my congressional district in El Paso including the construction of hazardous materials containment facilities at the Ysleta/Zaragosa port of entry and at the Bridge of the Americas and moneys

for the purchase of additional land at Ysleta to enhance commercial activities at this port.

I urge my colleagues to support this important bill.

Mr. ROYBAL. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I rise today to commend our chairman, ED ROYBAL, for the outstanding job that he and Mr. WOLF, our ranking member from northern Virginia, have done this year in putting this bill together.

Mr. Chairman, this bill is fiscally responsible and prudent in its application of taxpayers funds. The committee has recommended reductions from the President's request that total over $275 million. The majority of the increases the subcommittee provided, $2.4 billion, are mandatory expenditures for payments to the civil service retirement and disability fund and for Government health benefits. The remaining increases are for the Internal Revenue Service for computer systems modernization and for two key law enforcement agencies involved in the war on drugs, Customs and the Bureau of Alcohol, Tobacco and Firearms.

Each of these increases is required to sustain the important missions of each of these agencies. One of the easiest agencies in Government to attack is the Internal Revenue Service. It is the agency everyone loves to hate. But make no mistake about it—it is an agency that is trying to improve its relationship with the taxpayer. The new Commissioner, Shirley Peterson, is committed to making the IRS responsive to taxpayers questions, improving their accuracy and turn around time—all of which are critical to voluntary compliance on which we so heavily rely. To do this, and to ensure that taxpayers can receive their refund checks in a reasonable time, the IRS needs new automation equipment. Currently, it is operating with 1960's technology and its system capacity is approaching overload.

It is important for my colleagues to recall what happened in 1985 when the Philadelphia computer system collapsed and thousands of taxpayers refunds were delayed and the costs to the Government in interest on delayed payments were both excessive and unnecessary.

We cannot and should not shortchange the future. It is imperative that we make investments in computerization and this bill recognizes that simple truth.

A vote for this bill is a vote to continue the strong antidrug and anticrime programs carried out by the Department of the treasury's law enforcement agencies. One of the most effective law enforcement programs is carried out by the Bureau of Alcohol Tobacco and Firearms. It is the armed career criminal program that seeks to target repeat violent offenders who use firearms to commit crimes. If they are caught by BATF, they go to jail under Federal mandatory sentences—and the conviction rate by the BATF is one of the highest of all Federal law enforcement agencies.

Finally, Mr. Chairman, I want to take this opportunity to congratulate our chairman, ED ROYBAL, who is bringing this bill to the floor for the last time this year. Chairman ROYBAL has served as the chairman of the Treasury Subcommittee since 1982, and he has shepherded this bill through many rocky waters over many years. He has done this with evenhandedness, and fairness to every member regardless of party, that is second to none. And his quiet forcefulness has preserved the House's position more often than not, once we have gone to conference with the Senate.

Mr. Chairman, I know that all of my colleagues will join with me in honoring the work of Chairman ROYBAL and his contributions to our country that he has made year after year. I commend the chairman for his work and urge the House to support the bill.

□ 1340

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Chairman, I rise to offer my strong commendation to the distinguished gentleman from California [Mr. ROYBAL] and to my dear friend, the gentleman from Virginia [Mr. WOLF] for the work that they have engaged in to produce this bill before us, the fiscal year 1993 Treasury, Post Office, and general Government appropriations bill.

It is no secret, of course, that I have strong exception to one provision in the bill and that I intend to attack it later. I hope to get it out of the bill. For now, I want to take the time to point out to the Members of the House that this bill contains a sense-of-the-House resolution commending the distinguished gentleman from California for his career in public service. I am pleased to join in that commendation and to wish him well in what we know will be a new and fruitful life. This will be a lesser place because of his absence, but the world will continue to be enriched by his presence, and we wish him well.

Mr. Chairman, I rise to commend my distinguished colleagues, Chairman EDWARD ROYBAL and Mr. FRANK WOLF, for their fine work on the bill before us, the 1993 Treasury, Postal Service and general Government appropriation bill.

With the exception of the provisions relating to the President's Council on Competitiveness, this is a fair and responsible measure. I will address my concerns on the Competitiveness Council later.

I would note that this is the last time that my distinguished friend, Mr. ROYBAL will bring this bill before us. I rise to congratulate my colleague on his retirement. I am pleased to see that the bill includes sense of the House language commending the chairman for his record of distinguished service to both this committee and the House of Representatives. I support this commendation.

As reported to the full committee, this bill is within its section 602(b) allocation for domestic discretionary programs within its jurisdiction. The subcommittee exceeds its allocation for mandatory programs but it is my understanding that this excess is based on technical estimates for the civil service retirement and disability fund.

Overall, the subcommittee recommends $22.4 billion in budget authority for the Department of Treasury, the U.S. Postal Service, the Executive Office of the President, and other independent agencies within its jurisdiction.

For domestic programs, the subcommittee is above the 1992 enacted level by $345 million in budget authority and $824 million in outlays but below the President's request by $591 million in budget authority and $687 million in outlays.

I know that my colleagues on this subcommittee received an allocation well below what they would have wished for. In order to accommodate the very important programs within its jurisdiction, my colleagues made some very tough choices.

I understand that several of the provisions effecting the U.S. Postal Service have raised serious concerns among various groups. I would like to repeat that the provision included in this bill for the Postal Service revenue forgone appropriation is one that is supported by both the House Committee on Post Office and Civil Service as well as the administration. It is my understanding that legislation reforming the Postal Service revenue forgone appropriation will be considered by the appropriate authorizing committee in the near future.

Mr. Chairman, I would be remiss if I did not express my extreme reservations about provisions in this bill which effectively terminate the President's Council on Competitiveness. The administration has indicated that the President's senior advisers will recommend a veto if these provisions are retained. I will support the President's veto.

Mr. Chairman, I would hope that we could work out a compromise to this very serious objection. If funds are restored for the Council, I will support this bill. Excluding those provisions for the Council, the bill before us is a responsible measure. But, if they are retained, I would urge my colleagues to vote "no" on passage of this bill.

Mr. ROYBAL. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time.

I also thank the chairman, the gentleman from California [Mr. ROYBAL] and the ranking member, the gentleman from Virginia [Mr. WOLF] for their leadership in bringing this legislation to the floor.

As we know, Mr. Chairman, this has been a very difficult time with less and less money and more and more de-

mands. I commend both gentlemen for their fine work.

I wish to associate myself with the remarks of the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from Maryland [Mr. HOYER] in commendation to our great leader, the gentleman from California [Mr. ROYBAL], for bringing this last Treasury, Postal Service bill to the floor, and for his leadership over the years. In our proceedings in the committee, he has always conducted the proceedings in a fair and open manner and it has been an honor to serve with him there and in this body.

Mr. Chairman, I also rise to commend the gentleman from Virginia [Mr. WOLF] for his leadership on the legislation, and the amendment concerning prison labor coming into the country. The gentleman from Virginia [Mr. WOLF] has explained what the amendment did, which was to raise the penalty from $1,000 to $50,000 for those who bring goods made with slave labor into the country.

I would only like to add that this is the first time there has been an adjustment in that penalty since the 1930's, and businesses have come to believe I think that $1,000 is just the cost of doing business and therefore have ignored the concerns of American workers and our own American law regarding the prison labor issue. On that I agree with the gentleman from Virginia [Mr. WOLF].

On another subject, I do not, and that is the McDade amendment, and I rise today to urge my colleagues to oppose the McDade amendment which would restore the funds for the Vice President's Council on Competitiveness and to support the action of the Appropriations Committee in regard to the Council. This unauthorized Council continues to play hide-and-seek with the Congress as it pursues its mission of eroding environmental health and safety regulations, placing short-term economic goals ahead of long-term public protection.

Industry does not like the Clean Air Act? No problem.

Mr. Speaker, the Council stripped the heart out of the enforcement mechanism.

Not enough? The Council blocked more than four dozen proposed regulations to implement the new law.

Remember the controversy over the Nation's fragile wetlands? It was the Quayle Council that pressured the EPA until it agreed to eliminate protection for more than 50 percent of the wetlands.

A humiliating incident took place in Rio, Mr. Chairman, earlier this month where the Vice President's operatives moved to block a possible agreement on biodiversity to protect endangered species and habitat.

There is evidence, convincing evidence that the Vice President's men leaked the contents of a confidential communique between the EPA Director and the White House. This was a move that was an embarrassment to our country, to the President and to our delegation in Rio.

All these activities are undertaken by a White House sanctioned unit that ignores requests for information and refuses to reveal anything about its structure, its purpose, or its actions.

I commend the gentleman from Colorado [Mr. SKAGGS] for his courage in bringing this amendment to the attention of the body and for striking the $86,000, that is all that is being struck, from the Competitive Council.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DELAY] to respond.

Mr. DELAY. Mr. Chairman, I want to commend the gentlewoman from California, because she is being honest about this issue. The gentlewoman from California is opposed to some of the actions taken by the Council and the Council has tried to bring reasonableness to the Clean Air Act, to the wetlands issue, and the gentlewoman has a very reasonable and legitimate difference of policy here with actions taken by the President and the Council. I want to commend her for being honest and straightforward about that; but the whole point, and that is the point to the Council on Competitiveness, the President has a different view as to how to interpret and implement these regulations passed by the Congress. That is his prerogative and he has the prerogative to put together the mechanism by which he reviews those regulations. They may be regulations that the gentlewoman from California disagrees with, but she is being honest about it. Others are not being honest about it, Mr. Chairman, in that this is a blatant attack on the President of the United States.

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa [Mr. LIGHTFOOT], a member of the committee.

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding this time to me.

I, too, would like to offer my thanks to the gentleman from California [Mr. ROYBAL] for his leadership. When I first came here in 1985 and served on the Aging Committee, he was very gracious, always fair. I am one Republican who will miss his presence around here.

As is being noted by others here today, this bill contains no new funding for outside projects or grants. It is below the administration's request in funding levels. It is also below the subcommittee's 602(b) allocation and it barely meets current services budgets in some areas; and most increases that you might find in it, although very few, are necessitated by rent and salary requirements of the agencies.

The measure is a responsible approach to an extremely tight fiscal situation we face this year. It is generally a good piece of legislation, with one exception, that being the Skaggs amendment which relates to the Vice President's Council on Competitiveness.

Mr. Chairman, the President of the United States, whoever he or she might be, is the only person at the Federal level who is elected by everyone in this country, unfettered by congressional districts, gerrymandering, or any of the other tricks that get played in politics. The President of the United States again, whoever he or she might be in the future, should have the right to have oversight on behalf of the people over the bureaucrats who rule our lives day after day.

Why are people angry in this country? Could it be because a small volunteer fire department in my State was fined $13,000 because their boots were muddy? Could it be because of a young man with three employees who was repairing homes and was fined $20,000 because one of his employees brought a tube of caulking compound on to the job site and did not fill out a piece of paper? Should those people be angry?

How about the people in the health care profession? Nurses who spend 6½ hours of an 8-hour shift doing nothing but filling out burdensome, mandated, bureaucratic, government paperwork.

□ 1350

Physicians who spend over 4 hours filling out papers just to deliver 1 hour's service, all mandated by the faceless bureaucrats in this town.

How about the union worker who loses 40 percent of his or her paycheck because it goes for taxes of some kind at the State, Federal, or local level? Again, that is administered by faceless bureaucrats without an oversight.

I think these people are entitled to oversight, they are the American public and they pay our wages.

Not too long ago I had an opportunity to visit with a young man who, at that time, was from the then-Soviet state of Georgia. He was in Iowa studying agriculture with the idea of taking some of that knowledge back to his country which is now, hopefully, emerging into freedom.

As we were riding down the road in a car, he said, "Can I ask you something?" And I said, "Sure, George." Now, keep in mind this is a bright, young, well-educated man who grew up in a socialistic country ruled by communism.

I think if he sees it, he ought to recognize it.

His comment was, "Why is America rushing headlong toward the type of government we just had a revolution to get away from so that we could be like America used to be?"

My friends, there is a terrible message in that. The U.S. Government now, since the so-called Evil Empire has dissolved in Moscow, has now

moved to Washington, DC. The evil empire that we face as a Nation now is the bureaucracy in this town which is stifling growth, which is burdening small business with overregulation, a bureaucratic overburden that is dragging us down. Why is the economy not picking up? It is pretty easy to answer that question.

Ross Perot thinks he has the answer because he wants to come here and eliminate the bureaucracy. He is right. But what he is going to find if he should be elected President with these kinds of amendments, he will be emasculated in a moment, neutered and be sent back to Texas as ineffective as any President we have ever had.

This does not have anything to do with George Bush or DAN QUAYLE, it has to do with the executive branch of this country, the only individual elected unfettered, having oversight in behalf of the American people.

Mr. ROYBAL. Mr. Chairman, I yield 20 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding so that I may respond to the remarks of the gentleman from Texas [Mr. DELAY], in which he characterized my opposition to the Competitive Council.

My opposition is based on the fact that it is a Council which ignores requests for information, refuses to reveal anything about its structure, its purpose, and its actions. And Mr. SKAGGS is very courageous in therefore calling for the defunding of this Council.

Mr. ROYBAL. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. I thank the gentleman for yielding this time to me.

Mr. Chairman, I would like to engage our friend and distinguished subcommittee chairman, the gentleman from California [Mr. ROYBAL], the manager of this bill, in a colloquy. I would like to also engage the ranking member of the Committee on Government Operations, the gentleman from New York [Mr. HORTON].

We are very concerned about the provision in the bill that requires mandatory use of the FTS 2000 by Federal agencies in most circumstances to meet their telecommunications requirements. I want to thank the Committee on Appropriations and the chairman of its subcommittee for their continued support of FTS 2000. It is clear that the committee shares a common view in the Congress that the Government receive the highest quality communications service at the lowest possible price. FTS 2000 has been and remains a good deal for the agencies it serves and the American taxpayer as well.

Mr. Chairman, the support of the gentleman from California [Mr. ROYBAL] is especially critical this year. I understand that the mandatory-use provision requires Federal agencies to procure telecommunications services under the FTS 2000 contracts to the extent the agencies' requirements can be met under those contracts. This provision has been included in the appropriations bill every year since 1987, and it consistently has been the position in the Congress that full participation in the FTS 2000 procurement by all Federal agencies is essential to the success of that procurement.

I yield to the gentleman from California [Mr. ROYBAL], the chairman of the subcommittee.

Mr. ROYBAL. I would be happy to discuss the FTS 2000 provision with the distinguished gentleman and also the ranking member of the Committee on Government Operations.

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

Mr. CONYERS. I yield to the gentleman from New York [Mr. HORTON].

Mr. HORTON. I thank the gentleman for yielding.

Mr. Chairman, Chairman CONYERS just addressed a request to the chairman of the subcommittee, and I would hope that the chairman of the subcommittee would indicate that Mr. CONYER'S statement is correct. Is that correct?

Mr. ROYBAL. That is correct.

Mr. HORTON. Thank you.

Mr. CONYERS. My recollection is that the FTS 2000 contracts were awarded in 1988 after intense competition. The mandatory-use provision was conceived in the midst of this competition when one of the competing contractor teams complained that the cost of preparing a bid and the risks inherent in the FTS 2000 contracts—in which prices paid by the Government could only go down but not up, were too high without some assurance of an adequate return. The Committee on Government Operations and the Committee on Appropriations agreed that the widest possible use of the program was essential to its success. Accordingly, for that and other reasons, Congress enacted the mandatory-use statute. This statute represented Congress' commitment to the competing vendors that Federal agencies would make full use of the contracts through the life of the program. The best and final offers of the vendors were formed on the basis of this commitment.

Mr. Chairman, I yield to the chairman, the floor manager.

Mr. ROYBAL. Mr. Chairman, the gentleman's recollection is consistent with mine.

Mr. CONYERS. Further, the gentleman will recall the distinguished former chairman of the Committee on Government Operations, the gentleman from Texas [Mr. BROOKS], worked very closely with the gentleman from New York [Mr. HORTON] on this issue. It is my understanding that renewal of the mandatory-use language has been requested by the President of the United States in his budget submission.

I further understand that the General Accounting Office, in a letter to the Committee on Appropriations' subcommittee earlier this year, specifically recommended the renewal of the mandatory-use language.

I yield to the floor manager for affirmation of that statement.

Mr. ROYBAL. Well, I have the same understanding of this requirement, I share the gentleman's hope that GSA will seek input from all interested parties in developing this report.

Mr. CONYERS. And finally, I understand that the language included in the bill this year differs slightly from previous years in that it requires the Administrator of General Services to report not later than March 1, 1993, affirming that FTS 2000 is continuing to produce prices that allow the Government to satisfy its requirements in the most cost-effective manner. We hope that the General Services Administration will work closely with the Congress and with other parties interested in FTS 2000 while developing this report.

Mr. Chairman, I yield to my friend, the gentleman from California [Mr. ROYBAL]. Prior to that, I wish along with all those who have already done so, to commend the gentleman from California for his excellent leadership and service in the Congress during his tour here in the House of Representatives.

Mr. HORTON. If the gentleman would yield, I understand the gentleman from California [Mr. ROYBAL] has the same understanding and shares Mr. CONYERS' hope that the GSA will seek input from all interested parties, as I understand it. Is that correct?

□ 1400

Mr. ROYBAL. That is correct, sir.

Mr. HORTON. Mr. Chairman, I want to join with the others who have been praising the gentleman from California [Mr. ROYBAL]. I say to the gentleman, as a matter of fact, you and I came here together to this Congress in the 88th Congress in January of 1963. So, together we've served 15 terms for 30 years here, and I want to commend you on the tremendous amount of service and the work that you've done in the House of Representatives over that period. I also want to take just a minute to commend your staff person, Tex Gunnels, who I think is one of the outstanding staff people in the House of Representatives.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. CONYERS] has expired.

Mr. ROYBAL. Mr. Chairman, I yield 20 seconds to the gentleman from New York [Mr. HORTON].

Mr. WOLF. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. HORTON].

The CHAIRMAN. The gentleman from New York [Mr. HORTON] is recognized for 1 minute and 50 seconds.

Mr. HORTON. Mr. Chairman, I would like to include in the RECORD at this point a letter dated June 3, 1992, to the chairman signed by the distinguished chairman of the Committee on Government Operations and also our distinguished friend and former chairman, the gentleman from Texas [Mr. BROOKS], chairman of the Committee on the Judiciary. A similar letter was sent to the gentleman from Mississippi [Mr. WHITTEN].

The letter referred to is as follows:

COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC, June 3, 1992.

Hon. EDWARD R. ROYBAL,
Chairman, Subcommittee on Treasury, Postal Service, General Government, Appropriations Committee, House of Representatives, Room H164, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: For the past several years, the Treasury, Postal appropriations bill has included FTS 2000 "mandatory use" language. This Committee has supported this language because it is a narrowly-drawn provision that complements and reinforces the terms of the FTS 2000 contracts, and has been important to the success of the program. We write to inform you that we would again support the inclusion of this narrow language in this year's appropriations bill.

Congress originally enacted this statute to reduce the risks inherent in the FTS 2000 program, to ensure the economy and efficiency of the new network, and to eliminate unnecessary duplication of capabilities and possible incompatibility among government telecommunications systems. It consistently has been the position of the Congress that full participation in the FTS 2000 procurement by all Federal agencies is essential to the success of that procurement.

Abandoning "mandatory use" would seriously damage the FTS 2000 program and endanger the overall, government-wide savings that FTS 2000 is already producing for the taxpayers. It is true that in some specific cases, a particular agency may be able to procure a particular telecommunications service at a price lower than that offered on FTS 2000. Such "lower prices," however, do not take into account the overall, government-wide savings under FTS 2000 and may disregard FTS 2000 advantages in procurement costs and administrative and billing costs. The Government Operations Committee firmly believes that failure to vigorously implement mandatory use would cost the taxpayers money in the long run.

Since we last wrote to you on this issue, significant progress has been made in correcting pricing and other problems that once threatened the FTS 2000 program. Through intensive oversight over the past year, the Government Operations Committee (in close cooperation with the Appropriations Committee and Senator Glenn's Governmental Affairs Committee) has forced significant changes that have resulted in better management and dramatically lower prices. For example, the General Services Administration has made substantial progress in implementation of the FTS 2000 contract "PAPCap" provisions, which provide for a ceiling price on certain FTS 2000 services and which have already saved the taxpayers millions of dollars. Additionally, GSA Administrator Austin appointed a new Associate Administrator for FTS 2000 and significantly improved the FTS 2000 management structure.

In addition, recompetition between the two incumbent vendors is taking place this year. The Government Operations Committee, when FTS 2000 originally was structured, insisted that recompetition take place at years four and seven of the contracts to ensure the lowest possible prices. GSA, in its recompetition document, requires that the vendors maintain their prices at or below commercial prices. This recompetition provides the Government with three options: (1) award to the best offeror 40 percent of the other offeror's FTS 2000 business; (2) award to a single offeror if the prices are not within a reasonable range; or (3) maintain the existing 60/40 split if the prices are sufficiently close. Of course, if neither offeror submits sufficiently low prices, the government has the right to cancel the contract altogether. Recompetition is clearly a "can't lose" situation for the taxpayers.

Accordingly, we believe that FTS 2000 is fulfilling its goal of providing high quality, low cost telecommunications services to Government agencies. In a November 21, 1991 letter to the Government Operations Committee, the General Accounting Office concluded that "GSA's stated approach for conducting price redetermination is both reasonable and appropriate, and should result in prices lower than those for comparable commercial services." GAO continued:

"The actions taken by your Committee, as well as those undertaken by the Senate, have put the FTS 2000 program back on track, which should allow it to fulfill its intended objective of providing high-quality telecommunications services at a competitive price. Specifically, we believe that GSA's objective—stated both in its draft recompetition document and in Congressional testimony—of obtaining prices, inclusive of any value-added services, below the lowest possible commercial price, is appropriate. Further, GSA's plans to obtain services will ensure that prices remain at or below commercial prices over the lives of the contracts. If GSA meets these objectives, FTS 2000 will clearly represent a good deal for the government." (Emphasis in original.)

Continuation of the "mandatory use" language, however, is critical if we are to keep FTS 2000 "on track." It ensures the success of the recompetition by guaranteeing the vendors that low prices will be rewarded with ample traffic volume. Continuation of the "mandatory use" language, therefore, is important to reinforce what is sure to be vigorous price competition between the two vendors, resulting in "rock bottom" prices for the taxpayers.

GAO agrees with our view in this matter. The most recent GAO report on this issue, a February 28, 1992 letter to you, advises that the "mandatory use policy should continue" and that "attempts to change the mandatory use provision of the contracts at this critical juncture could seriously disrupt the price redetermination [recompetition] process and jeopardize GSA's efforts to obtain favorable prices." GAO also advised that "GSA's stated approach for conducting price redetermination is both reasonable and appropriate, and should result in prices lower than those for comparable commercial services."

Nonetheless, the highly-successful FTS 2000 program, which by the end of this year will have saved the taxpayers more than $500,000,000 over the old FTS system it replaced, has been the subject of one of the most impressive negative lobbying efforts that we can recall. We would like to take this opportunity to set the record straight on some issues raised by opponents of FTS 2000 and "mandatory use."

To understand the "mandatory use" debate, it is necessary to review some of the history of the FTS 2000 program. The FTS 2000 contracts were awarded in 1988 after an intense competition. The "mandatory use" provision was conceived in the midst of this competition when one of the competing contractor teams complained that the costs of preparing a bid and the risks inherent in the FTS 2000 contracts (in which prices paid by the Government could only go down, not up) were too high, without some assurance of an adequate return. The Government Operations Committee and the Appropriations Committee agreed that the widest possible use of the program was essential to its success. Accordingly, for that and other reasons, Congress enacted the "mandatory use" statute. This statute represented Congress' commitment to the competing vendors that Federal agencies would make full use of the contracts through the life of the program. The "best and final offers" of the vendors were formed on the basis of this commitment.

Ironically, the vendor which had proposed the "mandatory use" provision has become its chief opponent in the years since its enactment. The central argument raised by those opposing "mandatory use" has been that "choice in the competitive marketplace" should be the Government's strategy for meeting its telecommunications requirements. We agree. But the FTS 2000 contracts were awarded after just such a competition. Without doubt, there will be a similar spirited competition a few years down the road for the contracts that replace FTS 2000. Additionally, we note that approximately 83 percent ($3.1 billion) of the Government's telecommunications requirements is not covered by FTS 2000 and is subject to competition from all responsible vendors.

Finally, we want to thank the Appropriations Committee for its continued support of FTS 2000. It is clear that the Appropriations Committee shares our determination that the Government receive high quality telecommunications services at the lowest possible price. FTS 2000 has been and remains a "good deal" for the agencies it serves and the American taxpayer as well. Your support is especially critical this year. If we can answer any questions, please contact either of us directly.

With warmest personal regards,

Sincerely,

JOHN CONYERS, Jr.,
Chairman, Government Operations Committee.

FRANK HORTON,
Ranking Minority Member.

JACK BROOKS,
Chairman, Committee on the Judiciary.

Mr. Chairman, I would like to confirm my understanding that the analysis and report by the Administrator of General Services under the mandatory use provision in the bill shall be accomplished on a governmentwide basis. This study should be conducted by the GSA itself, or at least at the direction of GSA, and particularly should not be delegated to any Federal agency or any contractor associated with any Federal agency. I believe that it is the intent of this provision that GSA take into consideration the many unique circumstances of the FTS 2000 procurement and the services provided under

FTS 2000. It should certainly take into consideration the costs of each agency running a separate procurement for telecommunications services. The study should compare FTS 2000 to truly comparable services in the private sector. Such comparative analysis should be fair and balanced.

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

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

Mr. ROYBAL. Mr. Chairman, again, in order to close this discussion, I would like to state that I agree with the comparative analysis, that it should be fair, and it should be balanced and that the study should not be completely delegated to any one single Federal agency.

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky [Mr. ROGERS], a member of the committee.

Mr. ROGERS. Mr. Chairman, much has been said here, and I want to associate myself with those who have been commending Chairman ROYBAL for his distinguished service, mainly as the chairman of this subcommittee, but also for his long service in the U.S. Congress.

Yogi Berra is reputed to have said one time that one could observe a lot just by watching, and we have all observed Chairman ROYBAL over these years with his quiet demeanor and his studied practice of politics and the making of legislation, and he has been a joy to work with and under on that subcommittee on the two different occasions that I have had the pleasure of doing so. So, we wish to Chairman ROYBAL all of the great pleasures of life for the rest of his life.

And to our ranking Republican on the subcommittee, the gentleman from Virginia [Mr. WOLF], he is a joy to work with, a person who is dedicated to the American family, family life everywhere, and to FRANK WOLF I say, "Thanks for a great job again this year."

Mr. Chairman, this bill provides $22.8 billion in fiscal year 1993 for the Treasury Department, Postal Service, the Executive Office of the President, and various independent agencies. The bill's total is 1 percent, or $276 million below the budget request.

Needless to say Mr. Chairman, the subcommittee worked within tight spending constraints to produce a fair and balanced bill. I especially wish to commend Chairman ROYBAL for his tireless efforts, and Mr. WOLF, our ranking member for his invaluable contributions to make this bill a much better document.

I want to call my colleagues' attention to a couple of key provisions in this year's bill. First, there is a continued emphasis on strengthening law enforcement activities in this bill.

The measure before us targets resources to fight tax fraud, counterfeiting activities, money laundering, and beefing up the IRS so they can collect taxes owed by U.S. subsidiaries of foreign controlled corporations. For the IRS alone, the subcommittee provides a $534 million increase above last year's levels. This represents a substantial commitment to strenghtening tax enforcement.

Through the targeted increases in the IRS, and Financial Crimes Enforcement Network, U.S. Customs Service, the Bureau of Alcohol, Tobacco and Firearms, the subcommittee provides needed resources to combat white collar crime and illegal drug activities.

Finally, Mr. Chairman, I want to say a few words about what we did not do in this bill. We did not give the Postal Service an opportunity to increase postage rates for organizations that receive a preferred postage rate through the revenue foregone account. Second, we did not give the Postal Service a chance to furlough employees, or close rural post offices as a result of the shortfall in the revenue foregone account.

The revenue foregone account was a very difficult issue for the subcommittee to resolve. But, I believe that we have dealt with the issue in a way that does not harm nonprofit organizations, rural newspapers, or postal employees. It is not a perfect solution, but it protects the ratepayer, the nonprofit organizations, and the postal employees. I believe we have done our best in that regard.

I hope that the committee will support the McDade amendment that will remove a purely political part of this bill so that we can all support the bill on final passage. This bill does not contain political statements except for the so-called Skaggs initiative. It is pure politics. It does not belong in this bill.

My colleagues, leave that for another debate. Leave it for the ballot box. But do not mess up this important bill that appropriates funds for these very important agencies with a purely political statement.

Mr. ROYBAL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, I rise in strong support of the provision defunding Vice President QUAYLE's Council on Competitiveness.

The question we are deciding today is not about partisan politics. And it is not about whether you like or dislike the policies advocated by Mr. QUAYLE. And it is not about whether you think we are over-regulated or under-regulated.

The question is much more important than that. The issues raised by the Competitiveness Council go to the heart of our democratic system. The secretive and illegal activities of the Council are inconsistent with the basic constitutional principle that the executive branch must faithfully execute the laws enacted by Congress.

Let me state at the outset that I respect the President's right to consult—in secret or in public—with whomever he wants when the President is developing legislative proposals or formulating foreign policy.

The problem is, the Competitiveness Council is not an advisory body on domestic legislation or foreign policy. Its mission is regulatory review. The Council has assumed the role of final arbiter of regulatory policy on issues from clean air, to worker protection, to drug review.

There are certain fundamental responsibilities that come with being a regulator. You have to implement the law as written by Congress—you have to comply with the public disclosure rules of the Administrative Procedure Act and the Freedom of Information Act, you cannot give regulatory breaks to major campaign contributors, you have to avoid conflicts of interest, you have to be accountable to Congress.

The Council deliberately violates each of these principles. That is why we have no choice today. If we value our constitutional system of government, we must stop this dirty tricks team at the White House. We must defund the Competitiveness Council.

The Health and the Environment Subcommittee, which I chair, has held six oversight hearings into the activities of the Competitiveness Council. I want to tell you what we have found.

First, we have found that the Council has no respect for the law. When Congress debated the Clean Air Act 2 years ago, Congress decided that major polluters could not increase emissions without public notice.

The administration did not like this provision and fought against it. Indeed, the Vice President presided over the debate in the Senate when an amendment gutting the notification provision was narrowly defeated. Ultimately, however, the President lost, Congress enacted a strong permit program that requires public notice, and, to his credit, the President chose to sign the law, rather than veto it.

At this point, the obligation of the Competitiveness Council is clear: the Council must uphold Congress' duly enacted law, regardless of its view about the merits of the congressional policy.

This is not how the Council sees its function, however. Last week, it succeeded in forcing the Environmental Protection Agency to issue a permit rule without the required public notice. In other words, it deliberately used the regulatory process to rewrite the law passed by Congress.

Today's New York Times carried an editorial about this action. The Times called the Council's intervention, quote, "plainly illegal." And it said the Council is, quote, "twisting the regulatory process against the express wishes of Congress."

The subcommittee also learned that the Council has no respect for limitations on conflicts of interest.

The subcommittee learned, for instance, that last October the Council's then Executive Director, Allan Hubbard, overruled EPA on an acid rain rule that directly affected a utility company in which he owned over $15,000 in stock. The subcommittee also learned that Mr. Hubbard participated in 20 White House meetings involving the Clean Air Act, despite his ownership of a chemical company that emits smog-forming, toxic, and ozone-depleting chemicals.

Indeed, at one subcommittee hearing, the former chairman of the Committee on Disciplinary Standards of the Federal Bar Association called Vice President QUAYLE's actions the common alley cat breed of conflict of interest. The witness was referring to Mr. QUAYLE's intervention to quash a newspaper recycling proposal that adversely affected the Quayle family trust.

I could go on. I could talk about the illegal secret procedures followed by the Council. I could talk about the six different times the Council refused to send a witness to testify at subcommittee hearings. But I think my basic point is clear.

The Council is a rogue agency. It is a domestic version of National Security Council during the Iran-Contra scandal. It flouts the law, conflicts of interest limitations, and open-government procedures.

It deserves to be defunded.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON. Mr. Chairman, I, first of all, want to thank my friend and colleague for allowing me this opportunity to address the committee, as well as the chairman of this committee for allowing me to offer an amendment that I will be proposing later on this afternoon. The amendment will allow this body to go on record in strong opposition to the planned expense by the Postal Service, at a minimum cost to the taxpayers of $440,000, to send 171 corporate executives at taxpayers' expense to the Barcelona Olympics. I say at a minimum cost because, when I go into the amendment, I will go into the detailed cost figures associated with what in fact has been a reservation of a block of 300 rooms for a time period from July 25 through August 4 which the taxpayers of this country are responsible for through the Postal Service.

□ 1410

We have only been able to figure out the cost of one seminar that will be running during that time period which amounts to $440,000.

I would like to be able to offer an amendment to strike that amount of money from this bill, but because of the way that we appropriate dollars for the Postal Service, we cannot do that. But we all have a chance to go on record opposing this gross expenditure of taxpayer money.

Mr. ROYBAL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, later on today we will be asked to strike the actions of the language which was to delete the funding for the Council on Competitiveness run by the Vice President, DAN QUAYLE. I would hope that we would resist that effort and continue to delete that fund as the committee has, since this clearly is a Council that is not acting in the best public interest.

I find it rather ironic that after 12 years of Republican control of the administration, that their only answer to burdensome regulation as they see it or inefficiencies in regulation as they see it or wasteful regulations as they see it is to do all of this in secret, rather than to come out into the public and discuss those regulations they do not agree with, take testimony, and put forth a new set of regulations, whether it has to do with the environment, housing, or whatever the areas of concern are.

Instead, what have they done? Rather than engaging in an open debate on wetlands or housing for the disabled or the Clean Air Act, they have created a star chamber. They have created a backdoor to the White House, the backdoor that leads to the Vice President's office, where campaign contributors, powerful people in this country, can come and get a private hearing and then can get regulations changed in their favor.

When you ask them how is that going to be done, they will not provide the evidence, they will not provide the testimony that they have received, they will not take scientific testimony to rebut the scientific testimony put forth by their own Cabinet Secretaries, by their own regulators, by their own administrators, by the appointments of this President.

No, in secret they will make a decision, and that will be that. The tragedy is that that is contrary to the interests of the public. It is contrary to the role of Government and open Government.

It is Government by star chamber; it is Government by privilege; it is Government by power; it is Government by contribution. But it is not Government by the people. It is contrary to everything we say we stand for in this House, and we ought to reject the motion to strike that provision.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to say thank you to our chairman who will be leaving us. Several years ago I served on this subcommittee with the chairman, although he was not chairman at that time, and Tex Gunnels, the only two I think that are left on this committee.

I regret today I must rise in opposition to this appropriations bill, for several reasons. First, the significant, dramatic reduction in the payment to the Postal Service, over a 50-percent reduction. That is going to have to be made up from consumers or some other source, because the Postal Service expected this money to come in from revenue foregone and other sources.

As has been discussed, I object to the cut of funds to the executive branch, thus violating a rule of comity that this House has always exercised. I am really shocked that this committee that I once served on has gone this far and has cut funds, which is strictly political. There is no other reason whatsoever. I do not care how you put emphasis on it, any other way, this is a political strike.

Back years ago when I served on this subcommittee I recall there was a move in this subcommittee to strike funds available to the Secret Service to protect the two children of former President Jack Kennedy. I, as a Republican, helped fight successfully to defeat that effort which was strictly political. It was wrong to violate those children's protection that they were entitled to under the law. Politics entered into it and we rejected it.

Mr. Chairman, I hope common sense will come today and we will reject politics once again.

Mr. ROYBAL. Mr. Chairman, might I inquire how much time we have left?

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] has 5 minutes remaining, and the gentleman from California [Mr. ROYBAL] has 2 minutes and 40 seconds remaining.

Mr. ROYBAL. Mr. Chairman, because we seem to be more popular than we have been in the past and there are more requests for time than we have time for, I was just wondering if perhaps some accommodation could be reached with the other side of the aisle where the gentleman from Virginia [Mr. WOLF] could make it possible, if the gentleman does not have a request for time, to grant us an additional 2 minutes of his time.

Mr. WOLF. Mr. Chairman, I would ask unanimous consent that the gentleman from California [Mr. ROYBAL] have an additional 3 minutes.

The CHAIRMAN. That request is not in order. The time for general debate has been set by the House in the adoption of the rule.

Mr. WOLF. Mr. Chairman, I would yield 1 minute to the gentleman from California [Mr. ROYBAL]. I would hope that the Members speaking would not come out against the Competitive Council.

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] yields 1

minute to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman from California [Mr. ROYBAL], who will be leaving, as I will be, this Congress this year. The gentleman has done a magnificent job during his tenure.

Mr. Chairman, I came to the floor to support this bill and all aspects thereof, but I especially wanted to point out to my colleagues one provision I find very compelling and very much I think a reason to vote for this bill, and that is the provision in here which prevents the Bureau of Alcohol, Tobacco and Firearms from spending $4 million a year, which they are currently doing, to investigate applications made by convicted felons for the purpose of having their gun ownership rights restored to them.

The chairman in his wisdom and others on the committee have decided they are going to end this disgrace once and for all. Convicted felons should not be getting their guns back with the help of the U.S. Government, and the chairman has done a wonderful job putting this kind of thing in and in the process saving $4 million which BATF wants to save into the bill.

Mr. Chairman, I commend this bill to all Members. I think it is a good bill, and I am sure it will pass. I am sure this provision will help.

Mr. Chairman, I again commend the gentleman from California [Mr. ROYBAL] for all the work he has done for the people of the United States through this Congress. We will miss him.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. RAVENEL].

Mr. RAVENEL. Mr. Chairman, I rise in support of the Skaggs initiative to defund the Council on Competitiveness.

Mr. Chairman, the very name of the Council is misleading. It ought to be called the Council for Pandering to Special Interest Lobbies. This so-called Council, never authorized by Congress and never specifically funded, is constantly engaged in undermining the implementation of sound legislation passed by this Congress and signed into law by the President.

Currently the Council is blocking, delaying, and gutting the very Clean Air Act that Mr. Bush has taken so much pride in. In these outrages it is operating like some secret and sinister task force, whose mission is the frustration of our Nation's environmental progress.

Mr. Chairman, let us cut their money off.

Mr. WOLF. Mr. Chairman, I yield myself 1 minute to respond to that.

Mr. Chairman, if Members could only read all these letters. Let me read a letter from a dad. He said:

> It is about time someone took the FDA's bull by the horns to make available drugs which will prolong and restore health to those in need. My wife Bernice has had ovarian cancer for over a year. This Council has cut through the waste.

Mr. Chairman, people with cystic fibrosis, people with AIDS, people with Alzheimer's disease, this Council has helped save lives. This Council has saved money, which is important, but it has saved lives.

All this talk about star chambers and secretness is a bunch of baloney. This Council has saved lives.

Mr. Chairman, if Members have anyone in their districts who are concerned about Alzheimer's disease, vote for the McDade amendment; anyone with AIDS, vote for the McDade amendment; anyone with cancer, vote for the McDade amendment. My mom and dad both died with cancer. I wish there had been a Competitiveness Council there to expedite the drugs so they could have lived.

Mr. Chairman, vote for the McDade amendment. It is a good amendment. This language and this talk is, I think, off base.

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Mr. ROYBAL. Mr. Chairman, I yield 1 minute and 10 seconds to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, we have contained in the bill or in the report language a request for a committee study for operations of the White House. Having examined the expenditures of travel, it is surprising that we are talking about $85,000 for the Competitiveness Council and $4 million for something else.

My subcommittee has discovered that the travel of the President, the Vice President, and the staff of the White House may be costing the American people nearly $300 million, nearly $1 million a day.

This committee has called for a study of the White House to give a consolidated report of just what it is costing.

Mr. Chairman, along those lines, if I could, I would like to engage the gentleman from California, the distinguished chairman of the Subcommittee on Treasury, Postal Service, General Government Appropriations, in a colloquy.

As I read the committee report, it is my understanding that in the report which the committee is directing OMB to prepare, the committee intends for OMB to include the costs which other Federal agencies incur to support the travel and transportation of the President, the Vice President, and staff of the Executive Office of the President. Is this correct?

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

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

Mr. ROYBAL. Mr. Chairman, the gentleman is correct.

Mr. KANJORSKI. Mr. Chairman, could the gentleman tell us what other agencies will be considered and what information will be garnered by that report as the intention of the committee?

Mr. ROYBAL. Mr. Chairman, if the gentleman will continue to yield, the subcommittee has been told that money which has been appropriated to other agencies, such as the Department of Defense and the Department of State, is in reality being expended by those agencies to support the travel of the President, the Vice President, and the staff of the Executive Office of the President.

Mr. KANJORSKI. Is it, Mr. Chairman, the intention of the committee to have OMB provide the Congress with a thorough accounting of these expenditures in the report called for in the committee report accompanying this bill?

Mr. ROYBAL. Mr. Chairman, the gentleman is correct. That is the expectation of the committee.

Mr. KANJORSKI. Mr. Chairman, the bill before us begins to address several important concerns regarding the funding and operations of the Executive Office of the President. It recognizes that during these times of growing Federal deficits, the President, who prepares and presents the Federal budget plan, cannot continue requesting more and more money for the growth of his own staff.

In cutting $10,000 from the entertainment budget of the White House Office, in cutting $2,000 in subsidies to the athletic center in the Old Executive Office Building, in cutting $150,000 from the President's request for official and ceremonial functions at the White House, and in cutting $23,500 from the requested increase in travel funds for the Vice President, the Appropriations Committee has taken important symbolic steps in making the President understand that the ever-increasing amount of money spent by the White House is contributing to the Federal deficit.

In my opinion, we could reasonably consider actual reductions in funding, as opposed to the lower growth than requested by the President contained in this bill. Yet, given the secretive approach adopted by the White House regarding how much it spends, it is difficult today to say with any certainty exactly how much money really goes to support the activities of the President, the Vice President, and the staff of the Executive Office of the President.

It is no secret that a substantial amount of money is taken out of other agencies' budgets by the White House to pay for White House activities. What apparently is a secret, however, is exactly how much money the White House is diverting and from which agencies. For this reason, I was particularly pleased to note that the committee report directs the Office of Management and Budget to submit a

report to Congress identifying all Federal agencies which provide staff and/or financial support to the President and Vice President.

From my work as the chairman of the Subcommittee on Human Resources, which has jurisdiction over the White House Personnel Authorization Act, I can assure my colleagues that this committee report language is vitally necessary.

Mr. Chairman, as many of my colleagues are aware, last year I directed the staff of my subcommittee, the Subcommittee on Human Resources, of the Post Office and Civil Service Committee, to begin work for the reauthorization of the 1978 White House Personnel Authorization Act. Beginning earlier this year, the subcommittee began holding hearings with an aim to answer one basic question: How many people and how much money does it take for the White House to efficiently and cost-effectively carry out the responsibilities of the President and the Vice President.

The closer we examined the budgets submitted by President Bush, as well as those submitted by predecessor President Reagan, the answer to this basic question became murkier and murkier. You certainly cannot look solely to the appropriations bill before us today to find the answer.

This bill, like those for the last number of years, appropriates $100,000 for traveling expenses of the President. In fact, if you look at the President's budget proposal for this year, you will see that the President has told us that of the $100,000 appropriated in fiscal year 1991, he only spent $29,000. These are simply not credible numbers.

For example, according to Air Force data, the cost of flying Air Force One in fiscal year 1991 was $34,434 per hour. We know that the President flew more than 50 minutes during all of fiscal year 1991 in Air Force One. Yet, if the President truly only spent $29,000, he could not have flow more than 50 minutes.

There is not any great mystery here; the Air Force pays the cost of the President flying on Air Force One. Similarly, the Air Force pays the cost of the Vice President flying on Air Force Two; and the Air Force pays again every time White House staff utilize, or authorize the use of, the planes in the 89th Airlift Wing.

Having reviewed the flight records for the use of the 89th Wing from January 1989 through March 1991, let me assure my colleagues that the President, the Vice President, and White House staff make frequent use of the 89th Wing's airplanes.

How much does it cost the American taxpayers for the travel of the President, the Vice President, and White House staff? My subcommittee has developed estimates of the following travel components:

According to OMB's budget analysis of travel for fiscal year 1993, the Executive Office of the President receives $5 million. That is the piece that we see in the budget.

In addition, based on OMB's analysis, there is another $67 million in travel funds under the category entitled "Funds Appropriated to the President."

Based on GAO data, the White House's use of the airplanes of the 89th Wing is at least another $63 million. Based upon the preliminary work done by my subcommittee staff, I expect that number to increase dramatically.

For fiscal year 1993, the President has requested an additional $11.7 million for the operation of his personal helicopter, Marine Corp 1.

Just these travel components allowed total nearly $150 million, and they do not tell the whole story.

A substantial amount of additional travel costs are incurred whenever the President goes anywhere because the White House routinely authorizes the flight of two C–141 cargo planes to transport the President's helicopter and cars to each location he is about to visit. The 89th Wing does not have C–141's and this significant cost was therefore not included in GAO's analysis.

In addition, the Army provides most of the vehicles in the White House motor pool. We currently do not have any estimates of these costs.

Whenever the President goes abroad, he always travels with a large entourage of staff, in some cases numbering in the hundreds of people. The State Department pays for all foreign travel costs for the White House. So, for each foreign trip the State Department absorbs hundreds of hotel rooms, travel expenses, meals, and other travel costs of the President and his entourage.

Mr. Chairman, we know of at least $150 million per year, and we have strong reason to believe that the actual number may be closer to $300 million per year for White House travel. Nobody in Congress knows the answer to this question.

What is really starting to disturb me is that I am beginning to doubt that anyone at the White House knows the answer to the question. Not that they could not find out if they wanted to know, but at least until my subcommittee began to ask, I am increasingly skeptical that anyone at the White House had ever bothered to ask how much its travel actually cost the American taxpayers.

Mr. Chairman, this is a very serious matter. If the President and his top aides do not know how much it actually costs to operate the White House, if they do not know how much they spend in taxpayers dollars to fly around the country, if they do not truly know the overall cost to the Government for the scores of individuals detailed from other agencies to work at, and for, the White House, then how can we and the American people have any confidence that they can develop realistic and effective proposals to cut spending.

If the President and his top aides are not setting the example for more responsible Federal spending, then the Congress must insist that they provide the information necessary to make the choices on behalf of the American people. That is why the report called for in the committee's report is so crucial.

It is my hope that this will be the first step in the development of a completed and thorough consolidated accounting statement for the Executive Office of the President. As my colleagues know, in a private business the chief operating officers utilize consolidated accounting to cut across individual department budgets to obtain a complete picture of their bottom line. They can tell you what it takes to accomplish the mission of each part of the operation.

Today, we do not have a consolidated accounting system for the Executive Office of the President. This is obvious from the budget requests submitted by the President. Yet, if we are really serious about cutting the deficit, this is precisely the type of management tool which would allow the White House to come up with real proposals.

I congratulate the Appropriations Committee for insisting that the White House submit the full and complete accounting to answer the basic question which my subcommittee has been working to answer: How many people and how much money does it take for the White House to efficiently and cost effectively carry out the responsibilities of the President and the Vice President?

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. THOMAS].

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

I rise to join the gentleman in being surprised at the way the Vice President's Competitiveness Council has been portrayed here today. We sound like it is some kind of undercover group lurking in the basement of the Old Executive Office Building.

That is not the case at all.

I have had some experience with it this year, working on some things on the FDA.

As a matter of fact, the policy recommendations were designed to speed up the approval of new drugs for patients. They were designed to help people who are victims of AIDS and cystic fibrosis and Alzheimer's and heart disease.

All of the recommendations that were put forth last year have at one time or another been recommended by some other independent agency and all of them were subsequently put through the regulatory process. So to suggest that this is a secret idea that is emerging somewhere in the smoke of the White House is absolutely absurd.

Mr. ROYBAL. Mr. Chairman, I yield 40 seconds to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, my compliments and commendations to the gentleman for his service, to the House and to the Nation.

The fulminations of the distinguished gentleman from Virginia are impossible to believe. What this outlaw operation of the Vice President's Council on Competitiveness is a shell game to collect money for the Republican Party. They travel around the country, coordinate their activities with fundraising efforts and say, "Come, tell us what you want us to do," at the same time endangering the health and well-being of the American public.

The fact is that the FDA is charged with the responsibility of approving drugs. They already allow in life-threatening diseases to have early and preliminary evidence of safety and effectiveness suffice to approve drugs. That includes Alzheimer's, that includes AIDS and that includes cancer.

This is a lot of hogwash, it is a red herring to permit the undermining of the legitimate regulatory agencies.

Mr. WOLF. Mr. Chairman, I yield 45 seconds to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I will tell my colleagues what is endangering the health of the people of this country. That is the overregulation of the economy by this body and the other body. It is killing, it is strangling the free enterprise system.

The only ray of hope on the horizon is the Competitiveness Council that the Vice President chairs. They want to do away with it. They want to keep all the power here so they can continue to regulate and regulate and regulate and take away any ability we have to compete in the rest of the world.

Why do my colleagues think we cannot compete with Japan and the Germans and the English and the European Common Market? It is because this place is strangling the free enterprise system with more and more regulation. They wanted 5,000 additional regulations over the last 5 years. Thank God we stopped most of them. But we have got to stop this. We have got to be more competitive.

The Vice President is right on the right track.

Mr. ROYBAL. Mr. Chairman, I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I yield myself the balance of my time.

In closing, let me just say how when we go home to our district and tell somebody with cancer, with AIDS, with cystic fibrosis that we voted to kill the Council that shortens the time for drug approval from 9 years to 5 years and is trying to work it to even shorten it more to save lives, the McDade amendment will save millions and millions of lives. The Skaggs amendment is a killer amendment. The McDade amendment is an amendment for life.

Mr. PANETTA. Mr. Chairman, I rise in support of H.R. 5488, the Treasury, Postal Service and General Government appropriations bill for fiscal year 1993. This is the sixth of the 13 annual appropriations bills to be considered by the House.

The bill provides $11.170 billion in discretionary budget authority and $11.957 billion in discretionary outlays, which is the same as the 602(b) spending subdivision for this subcommittee in budget authority and $1 million below in estimated outlays.

I commend the chairman and ranking member of the subcommittee for bringing this bill to the floor in a timely fashion.

As chairman of the Budget Committee, I will inform the House of the status of all appropriations bills compared with their 602(b) subdivisions as they are considered on the House floor.

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

FACTSHEET

H.R. 5488, TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS BILL, FISCAL YEAR 1993 (H. REPT. 102–618)

The House Appropriations Committee reported the Treasury, Postal Service and General Government Appropriations Bill for Fiscal Year 1993 on Thursday, June 25, 1992. This bill is scheduled to be considered by the full House on Tuesday, June 30, 1992, subject to a rule being adopted.

COMPARISON TO THE 602(B) SUBDIVISION

The bill provides $11,170 million of discretionary budget authority, the same as the Appropriations 602(b) subdivision for this subcommittee. The bill is $1 million under the subdivision total for estimated outlays. A comparison of the bill with the funding subdivisions follows:

[In millions of dollars]

	Treasury, Postal Service and Gen. Government appropriations bill		Appropriations Committee 602(b) subdivision		Bill over (+)/ under (−) committee 602(b) subdivision	
	BA	O	BA	O	BA	O
Discretionary	11,170	11,957	11,170	11,958	.....	−1
Mandatory[1]	10,783	10,621	10,783	10,621	.....	.....
Total	21,953	22,578	21,953	22,579	.....	−1

[1] Conforms to the Budget Resolution estimates for existing law.
BA=New budget authority.
O=Estimated outlays.

Following are major program highlights for the Treasury, Postal Service and General Government Appropriations Bill for fiscal year 1993, as reported:

PROGRAM HIGHLIGHTS

[In millions of dollars]

	Budget authority	New outlays
Treasury Department:		
Internal Revenue Service	7,208	6,344
Customs Service	1,484	1,252
U.S. Secret Service	470	395
Financial Management Service	214	186
Bureau of Public Debt	198	164
Bureau of Alcohol, Tobacco, and Firearms	355	313
Payments to the Postal Service Fund	200	200
Other Agencies:		
Executive Office of the President	218	183
Federal Building Fund limitation	.....	(4,820)
GSA Management and Administration	35	31
National Archives and Records Administration	163	130
Office of Personnel Management S&E	121	113

The House Appropriations Committee filed the Committee's subdivision of budget authority and outlays on June 11, 1992. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102–529, the conference report to accompany H. Con. Res. 287, Concurrent Resolution on the Budget for Fiscal Year 1993, as adopted by the Congress on May 21, 1992.

Mrs. MINK. Mr. Chairman, I rise in strong support of the ban on further funding for the White House Council on Competitiveness as mandated in H.R. 5488, the Treasury-Postal Service-general government appropriations bill for fiscal year 1993, and in opposition to the amendment offered to eliminate this prohibition.

This so-called Quayle Council is the very embodiment of the cozy, preferential treatment the administration has extended to its inner-circle, bottom-line buddies of big business.

Who else would presume to assemble this star chamber to advise and influence Federal regulations and rulemakers through the back door of the White House, but an administration bent on escaping the legal statutes of our sunshine laws through executive privilege?

Who else but an administration too accommodating to special interests and profiteers, and hostile to regulations for clean air, for safe, tested drugs, for priceless wetlands, for safer working conditions and other crucial issues, would leave Federal agency rules to a secret club?

If we must live with this executive council that hides behind the shadows of the White House, there is no reason why this Congress has to appropriate public moneys for its political and self-interested mischief.

Mr. Chairman, it is against all principles of open government that a tribunal such as the White House Council on Competitiveness is allowed such influence over Federal policy without accountability, without conflict of interest safeguards, indeed, without any of the hard-earned protections installed throughout the Federal Government that assure all citizens that decisions are being discussed and made without prejudice or secrecy.

I urge my colleagues to put an end to this arrogance and to vote against the McDade amendment.

Mr. RANGEL. Mr. Chairman, the bill we are considering today provides appropriations to continue important law enforcement and antidrug programs of the U.S. Customs Service and the Office of National Drug Control Policy [ONDCP]. It also provides funding for the special forfeiture fund in ONDCP. The Customs Service plays a vital role in making drug smuggling costly and dangerous for those who chose to engage in it, and ONDCP performs an important public service in preparing the annual national drug control strategy report and coordinating overall Federal antidrug programs.

Regarding the Customs Service, H.R. 5488 provides $1,331,070,000 for fiscal year 1993 and caps annual Customs overtime at $30,000 per year, per employee. The bill appropriates $136,783,000 to remain available until expended for operation and maintenance of Customs air and marine interdiction programs. The bill prohibits the Treasury Department from transferring aircraft and related equipment to other Federal agencies during fiscal year 1993.

Mr. Chairman, H.R. 5488 provides $60,251,000 for the special forfeiture fund. From the amount in the special forfeiture fund, $34,701,000 shall be transferred to the Alcohol, Drug Abuse and Mental Health Administration.

Section 1005 of the Anti-Drug Abuse Act of 1988—Public Law 100–690—permits the classification of "any specified area of the United States as a high intensity drug trafficking area" [HIDTA]. In January 1990, New York City, Los Angeles, Miami, Houston, and the Southwest border were designated as HIDTA by the Office of National Drug Control Policy. The five areas are to receive assistance through a variety of programs and Federal, State, and local cooperative efforts. The purpose being the identification of those areas experiencing the most serious drug trafficking and the implementation of a strategy to combat the problem.

H.R. 5488 appropriates $67,348,000 for the Office of National Drug Control Policy, of

which $50,000,000 shall be available for drug control activities which are consistent with the approved strategy of the high intensity drug trafficking areas which shall be transferred to Federal agencies and departments within 90 days of enactment of this act, and shall be obligated by the end of fiscal year 1993. Since the inception of the program the administration has failed to recognize the crucial role that State and local law enforcement agencies play in the HITDA Program. They refuse to provide funding for State and locals in the program. The Congress, understanding the crucial role that the State and local law enforcement agencies play, has year after year provided additional resources for the specific purpose of assisting State and local law enforcement agencies in undertaking activities which are consistent with the adopted HIDTA strategies.

Nonetheless, the fiscal year 1993 ONDCP budget request and drug control strategy omits direct HIDTA funding to State and local initiatives and unfortunately the House Appropriations Committee because of budgetary constraints was unable to add the funding. It is my hope that when this bill goes into conference with the Senate version that funding for State and local law enforcement agencies will be added, at least to the fiscal year 1992 level, which was $36 million.

These areas have been designated because of the seriousness of their drug trafficking problems and the effects that drugs flowing through these areas have on other parts of the country. It is here at the State and local level where the bulk of drug enforcement occurs. It is here where we need to increase, directly, the level of funding.

Mr. Chairman, because H.R. 5488 provides funding for the U.S. Customs Service and Office of National Drug Control Policy, and the special forfeiture fund which is vitally important in America's antidrug policy, I support passage of the bill.

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 5488, the bill which makes appropriations for the Department of the Treasury, the U.S. Postal Service, and general government for fiscal year 1993. The Appropriations Committee has continually been more responsive than the Bush administration in addressing the pressing fiscal constraints facing our country. H.R. 5488 is in keeping with the committee's record in this regard. H.R. 5488 calls for a reduction in spending that is nearly $276 million less than the President's request, and results in about $372 million less in overall budget expenditures for next year.

H.R. 5488 also calls for needed changes in Internal Revenue Service [IRS] operations. It directs the IRS to begin training its employees in taxpayer rights, cross cultural relations, and courteous and cooperative customer interaction. This bill also initiates a General Accounting Office investigation into taxpayer abuse and harassment.

I also want to express my support for the provision in the bill which deletes funding for the salaries of the staff of the Council on Competitiveness. The Competitiveness Council, run by Vice President DAN QUAYLE, has come under fire for its single-handed dismantling of regulations on a whole range of public health and safety issues. This regulatory intervention has delayed or weakened regulations covering issues such as Clean Air Act permitting, nutrition labeling, recycling, and airline noise to name a few.

The Competitiveness Council operates with taxpayer dollars, it considers public policy issues, it changes regulatory practices and policies, and it impacts the implementation of laws enacted by Congress. Yet, the Council is not accountable to anyone. Its deliberations are not made public. The Council does not permit public participation.This is a rogue organization that is inconsistent with the democratic principles of our country.

Let me just give a few examples of how the Competitiveness Council's intervention has impacted my constituents. I currently have a lot of people in my district who are concerned about airport noise. We have been working long and hard on a solution to this problem both locally and on a national basis.

Last September, however, the Competitiveness Council intervened to delay FAA implementation of national noise standards for the airlines. These regulations are critical to mitigating what has become a tremendous burden on people who live near airports throughout the country. The Competitiveness Council unilaterally reversed the direction that Congress said we should take. It did so without any input from the general public.

In another example, California orange growers have overwhelmingly supported the marketing order for navel oranges. It provides price support and distribution efficiencies without any financial support from the Government. The benefits of the marketing order filter down directly to the individual grower and his or her employees. They are small businesses in most cases.

The USDA's own study in 1985 found that in a normal supply season grower revenue would fall by approximately $12.7 million if the marketing order was not used. That is money directly out of the pockets of growers. Yet, earlier this year, the Competitiveness Council in conjunction with the USDA terminated the marketing order. They went against the wishes of orange growers in California who overwhelmingly voted to retain the marketing order.

The White House does not need the Competitiveness Council. The administration already has a regulatory review process in place within the Office of Management and Budget [OMB]. The OMB operation has the power to do everything the Competitiveness Council is doing. The difference is that OMB must follow the principles of public disclosure.

OMB is required to disclose all written material received from interested parties concerning agency rules. OMB is required to disclose all meetings with interested parties concerning agency rules. OMB is required to disclose all agency rules it reviews. And, OMB is required to disclose all written recommendations it makes to the rulemaking agency.

Mr. Chairman, I am not opposed to streamlining the Federal regulatory process or restructuring regulations to give businesses the flexibility they need to comply with the law. What I am opposed to is the unilateral dismantling of public policy by a very unpublic entity. I am opposed to the Competitiveness Council being the lobbyist for the few, privileged interests that have access to the Vice President and this administration.

Mr. Chairman, I would like to take advantage of this opportunity to acknowledge the contribution of Chairman ROYBAL, who has announced his retirement, effective at the end of this session of Congress. Chairman ROYBAL, as well as the members and staff of the Subcommittee on Treasury, Postal Service and General Government, is to be commended for his efforts in bringing H.R. 5488 before us today. Over and beyond this bill, however, during the three decades that the Chairman has served here in Congress, his presence has enhanced both this institution and the State of California. Mr. ROYBAL's presence and influence will be sorely missed.

In closing, I would reiterate that H.R. 5488 is a fair and balanced bill. I urge my colleagues to support its passage.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendments en bloc specified in House Report 102-629 to be offered by the gentleman from Pennsylvania [Mr. MCDADE] or his designee, and the amendments en bloc to be offered by the gentleman from North Dakota [Mr. DORGAN] or his designee, may amend portions of the bill not yet read for amendment, shall be considered as read and shall not be subject to a demand for a division of the question. The amendments en bloc and any amendments thereto shall be debatable for the time specified in House Report 102-629, equally divided and controlled by the proponent and an opponent of the amendment.

The amendment to be offered by the gentleman from Nebraska [Mr. HOAGLAND] or his designee, and any amendments thereto, shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

The Clerk will read.

The Clerk read as follows:

H.R. 5488

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; not to exceed $25,000 for official reception and representation expenses; not to exceed $235,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not less than $2,522,000 and 40 full-time equivalent positions for the Office of Foreign Assets Control; not to exceed $1,971,000 to remain available until expended, for systems modernization require-

ments; not to exceed $320,000, to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex; $71,950,000.

AMENDMENTS OFFERED EN BLOC OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. PENNY:

Page 2, line 23, strike "$71,950,000" and insert "$68,238,000".

Page 3, line 13, strike "$33,902,000" and insert "$33,325,000".

Page 11, line 19, strike "$53,808,000" and insert "$52,450,000".

Page 12, line 4, strike "$198,233,000" and insert "$189,000,000".

Page 22, line 20, strike "$35,584,000" and insert "$34,885,000".

Page 23, line 11, strike "$332,000" and insert "$324,000".

Page 23, line 23, strike "$3,014,000" and insert "$2,932,000".

Page 24, line 5, strike "$3,403,000" and insert "$3,345,000".

Page 24, line 10, strike "$3,842,000" and insert "$3,701,000".

Page 24, line 20, strike "$53,188,000" and insert "$51,934,000".

Page 26, line 8, strike "$3,108,000" and insert "$3,058,000".

Page 26, line 19, strike "$67,348,000" and insert "$66,348,000".

Page 42, line 18, strike "$35,346,000" and insert "$31,155,000".

Page 51, line 5, strike "$121,269,000" and insert "$117,593,000".

The CHAIRMAN. Pursuant to the rule, the gentleman from Minnesota [Mr. PENNY] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. PENNY].

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

Mr. Chairman, with our colleagues BYRON DORGAN, DAN GLICKMAN, and BARBARA BOXER, I rise to offer a single en bloc amendment consisting of 14 amendments to the Treasury-Postal Service Appropriations Act for Fiscal 1993.

The amendments we offer would make administrative reductions in the Department of Treasury, title I, the Executive Office of the President, title III, and independent agencies, title IV of approximately $26 million. By and large, the amendments freeze administrative funding at current-year funding levels. We feel this is consistent with our past efforts to reduce administrative funding in other appropriation bills brought to the floor. In preparing these amendments, we have been careful to avoid any cuts in income producing activities—the IRS, for example, or law enforcement agencies and activities funded by H.R. 5488.

Mr. Chairman and Members, there is not an agency funded by any appropriations bill that cannot withstand a freeze in administrative funding. And here in the legislative branch we have cut below a freeze level in most areas of our own operations. The amendments we submit today are well crafted, reasonable, and responsible given the very need to reduce the budget deficit.

The task force on Government waste chaired by BYRON DORGAN has looked at overhead costs and administrative spending in many agencies. We poured over inspectors general reports, we look at GAO reports, in some cases we did our own investigations. In all cases, we found fat. We found Cabinet officials with special assistants and drivers assigned to cook their meals, we found an awful lot of clean desks in government agencies, we generally found that a 5- to 10-percent reduction in overhead costs could easily be achieved. We don't come to this floor today with this amendment to interfere with the legitimate operations of the agencies affected, we come here today with amendment with the knowledge that a lot bigger reduction than the one we propose today could be achieved. This $26 million is in a $22 billion bill. That's not a big cut, but because it is carefully crafted, it is responsible—and the very least we should do to restrain spending growth and reduce the budget deficit.

I urge adoption of the amendment.

□ 1430

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

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

The CHAIRMAN. The gentleman from California [Mr. ROYBAL] is recognized for 15 minutes.

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

Mr. Chairman, I am opposed to this amendment because it trivializes the work of the members of the subcommittee. We sat in hearings for several months, sifted through hundreds of pages of budget materials, and printed over 4,600 pages of testimony and justifications.

This subcommittee has devoted many hours to studying the valid requirements of the agencies under our jurisdiction. We reduced the funding for many agencies under our jurisdiction providing no program increases, but only inflationary costs in most cases. We are reporting to the House a good bill which in our judgment funds only the basic needs of most agencies. The increases support law enforcement and revenue generating agencies.

The way I think that our legislation system is supposed to work is that the House delegates to the Appropriations Committee the responsibility for determining the appropriate level of funding for Government agencies. Sometimes the Appropriations Committee members differ and when we do, as we have on the Competitiveness Council, we bring these differences to the floor where we can let the House decide. But all the accounts which this amendment would reduce were unanimously—all Democrats and all Republicans—agreed upon. Even the administration has commended the committee for adequately funding several important government functions. So if you vote for this amendment, you are voting against the collective judgment of both the Appropriations Committee and in this case against the administration as well.

I hope that you will vote to support the committee and vote against this amendment. It is the responsible vote.

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

Mr. WOLF. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, let me make a couple of comments. These selected cuts strike at personnel. They are personnel-intensive accounts which have very tight budgets and have already been drastically cut back by the committee. Almost every account being cut by this amendment the subcommittee already took below the President's request, so Members should be aware that the amendment cutting programs were already cut once.

Second, I want to bring special attention to the Office of Management and Budget. OMB will never win a popularity contest in Washington, but the employees there do a professional and an excellent job. The authors of this amendment mention the legislative branch appropriation. The Members should be aware if they just listen to this, because we went through this last week on legislative appropriations, OMB, which plays a role in the executive branch that parallels the GAO, OMB's entire budget this year, the entire budget this year is smaller than the increase requested by GAO, smaller than the entire increase requested by GAO.

Lastly, as a big issue last Congress, Congress placed new duties on OMB, such as the coordinating of the Governmentwide applications of the Chief Financial Officers Act, which will save millions of dollars, and Congress has to be prepared to fund the effort. This was a major battle. It went on for weeks around here. Now the money that OMB would have had to fund this CFO Act that saves money will not take place.

Also, and perhaps I will not dwell too much on the impact on the White House, the impact on the White House would be heavy. It would halt the conversion of detailees, and over and over every year I hear people talk about the detailees. This would halt the conversion of detailees, an effort expressly desired and urged and encouraged by Congress.

Equipment purchases could not take place down there. It also is a shot at

the official residence of the Vice President, the Office of Policy and Development, the Office of Drug Control. Every time we talk about drug control.

I would hope this amendment could be rejected, and I rise in strong support, with the chairman, in opposition. I support the chairman's position in opposition to the amendment of the gentleman from Minnesota [Mr. PENNY], who is a good, good Member of Congress.

Mr. PENNY. Mr. Chairman, I yield 4 minutes to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, I appreciate the gentleman yielding time to me.

Let me again characterize the amendment, Mr. Chairman. What we are discussing here in this particular appropriations bill, and a particularly large appropriations bill that includes funding for a lot of agencies here in Washington, DC, and around the country, we have suggested that we cut back in a number of areas back to a hard freeze at budget authority numbers for last year. We think that is an appropriate thing for us to do.

We have a $470 billion operating budget deficit this year. My friend, the gentleman from Indiana [Mr. BURTON] sometimes says $400 billion, but it is actually $470 billion, if we do not dishonestly subtract the Social Security surplus from that. We are sinking in debt. We have a real serious fiscal policy problem.

Is part of the solution to cut spending? You had better believe it is. How do we cut spending? It is hard to do. We have had a number of bills on the floor. We had the legislative appropriations bill on the floor. That was agony for a lot of people. We cut it. We cut it back to a 1-percent cut in BA, and nearly a 6-percent cut in outlays. It was cut.

It seems to me, and this is not a shot at any one of these agencies, it seems to me, and the gentleman from Minnesota [Mr. PENNY] said it well, we have to take a look at all of these areas and say to them, "Look, you are running a bureaucracy here." I say that not in a pejorative way. You are running a bureaucracy. We simply want you to tighten the belt and run it with the same money you ran it with before, run it with the same money you ran it with a year ago. We are just asking you to stay in place for a while, because we have to cut spending. We are not suggesting we cut programs, we are just saying we have to hold back some spending increases that we see time and time again as these bills are brought to the floor.

This amendment says in a number of these areas for departmental offices, internal affairs, the Mint, the public debt, the White House, the Council on Economic Advisers, the Office of Policy Development, the Office of Management and Budget, it says, "We want you to live with the same amount of budget authority that you had last year."

My friend from Virginia [Mr. WOLF], who I think is an excellent Member of Congress, he stood up and gave some support to the Office of Management and Budget. If I had my way we would probably eliminate the whole thing. I would probably want to get rid of the OMB. You cannot do anything in Washington, nobody can do anything, without running the paper through OMB first. It is not just funding, it is every conceivable policy. Somebody down there in some corner or some nook and cranny of OMB has to pass judgment on it. I would probably prefer we just get rid of it and restructure a little bit.

All this does to OMB is to say, "We would like you to live with what you had last year." It says the same to the Office of the Secretary of the Treasury. It says the same to GSA, to the Office of Personnel Management. I know it is portrayed as draconian by everybody, but it is not. It is not. It is going to give them more money than the legislative branch got. That is fine. Let me just say, the chairman of this subcommittee does an excellent job. The subcommittee does a good job.

□ 1440

But there are times when the will of the House, it seems to me, is to say look, times are tough, we are in a rut, we have real problems in spending, and the will of this House is to start tightening our belt and holding appropriations and holding spending at where it was last year. And I think that is the will of the House. We will see.

But the gentleman from Minnesota [Mr. PENNY] has been at this a long, long time. And I think he does a service to the House. I am pleased to join him in suggesting that in a number of these areas we can start holding the line. This is the thing for us to do at this point, and it is a small step, but every journey begins with a small step. We are taking small steps on every one of these pieces of legislation, and maybe cumulatively we will see some progress on finally dealing with the spending side that I think causes a major part of the problem with respect to the Federal debt and the yearly Federal deficit.

Mr. Chairman, I rise in support of the en bloc amendment to freeze administrative expenses for several accounts in the fiscal year 1993 Treasury-Postal-General Government appropriations bill. The amendment will save about $26 million.

I join my colleagues, Mr. PENNY, Mrs. BOXER, and Mr. GLICKMAN, in seeking support for this cost-cutting amendment. The amendment represents another effort on our part to reduce spending on overhead and indirect costs of government such as printing and photocopying, utilities, communications, office space, travel, transportation of things, and office supplies and materials.

In prior actions, we froze administrative spending in the Department of Energy and reduced overhead in foreign aid, military construction and legislative appropriations bills. The legislative branch appropriations bill actually cut funding below the present level. We only demand in our amendment that Treasury, White House, and Office of Management and Budget appropriations be held at the current level.

Private sector businesses cut administrative costs first when company budgets are tight. The Federal Government should do the same. We want to apply this rule-of-thumb to the Treasury-Postal appropriations bill, H.R. 5488.

As reported from the Appropriations Committee, the bill increases funding above the fiscal year 1992 level for nearly every administrative account. Our amendment says that we must hold the line on administrative costs as part of overall efforts to cut the deficit. We firmly believe that virtually every Government agency can improve its efficiency without hurting essential services and projects.

The freeze we propose will hold the salaries and expenses in 14 different accounts in the bill at fiscal year 1992 levels. These include the U.S. Mint, Bureau of Public Debt, Department of the Treasury, Presidential policy offices, and the General Services Administration. Funding is not reduced for crime prevention or revenue collection agencies such as the Federal Law Enforcement Training Center or the U.S. Customs Services.

I join my three colleagues in urging support for our amendment.

Mr. ROYBAL. Mr. Chairman, I have no requests for time, and I reserve the balance of my time.

Mr. PENNY. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, first of all I approach this amendment with a little bit of trepidation, because I am obviously a supporter of the White House and the administration. But I think the time has come when we have to look at every single area of government and try to cut and economize wherever we can in order to get control of this deficit. It ill behooves any of us to say that any part of our budget should be exempt from these cuts.

We have a $400 billion, $470 billion, if you will, deficit. We are spending so much more money than we take in that it is not funny. We have gone from $500 billion in tax revenues to $1.3 trillion, and we are still $470 billion short.

So I can go along with and support this Penny-Dorgan amendment.

But I would like to say to my colleagues, the gentleman from North Dakota [Mr. DORGAN], and the gentleman from Minnesota [Mr. PENNY], we have had three appropriation bills and one authorization bill in the last 2 days. The Alcohol, Drug Abuse, and Mental Health authorization bill increased spending by $1 billion. The Agriculture bill yesterday was a $6.5 billion appropriation increase. Interior was a $416 million increase. The Postal and Treas-

ury Service is going to be a $2.9 billion increase.

So I would just like to say that in this committee I am willing to support this cut, but I would ask my colleagues to please talk to their other colleagues on that side of the aisle and tell them to start looking at these other appropriation bills and make some hard decisions so that we can get control of this spending. We need to work together. We need to rise above partisan politics and get down to the business of really coming to grips with this budget deficit.

Mr. PENNY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Chairman, I thank my friend for yielding time to me. I am inclined to support this amendment too.

There were a number of questions which we raised with the gentleman up in the Rules Committee and that I specifically asked him when we had the hearings on the rule for this bill. I would like to pose a couple of those questions again to the author of the amendment.

In the past we have seen my friend come forward, and I have consistently supported the across-the-board cuts, and I should say that I have drafted an across-the-board amendment myself that I still may offer to this appropriation bill. I would like to know why it was that the gentleman from Minnesota decided not to offer the across-the-board cut as opposed to moving in and micromanaging and specifically making a determination that overhead, and I agree with what my friend from North Dakota [Mr. DORGAN] said in the Rules Committee, that overhead is the first area where we do want to make cuts. But it seems to me that across-the-board cuts would provide a greater degree of latitude to the executive branch to make those kinds of decisions rather than having the House of Representatives, the Congress impose that on the executive branch.

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

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

Mr. PENNY. Mr. Chairman, in response to the gentleman I would say I am perfectly willing to look at across-the-board cuts, and would likely support most of those amendments, if offered, at some point during the appropriation cycle this year.

The reason I have narrowed my focus to administrative budgets is because our review on the task force that the gentleman from North Dakota [Mr. DORGAN] chaired, indicated that this was an area of specific concern. There has been a significant growth in administrative budgets throughout the bureaucracy, and we felt that a 1-year freeze at the very least could be easily accommodated. In fact, we estimated through our task force work that perhaps as much as a 5- or a 10-percent cut in these administrative accounts could be easily accommodated.

Second, we did not remove all flexibility for the departments and agencies to implement this freeze. They do have authority to figure out how to apply the freeze.

The CHAIRMAN. The time of the gnetleman from California [Mr. DREIER] has expired.

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

Mr. Chairman, these executive agencies can apply this freeze any way they want within their administrative account.

In addition, we exempted some of the higher priority items. The revenue-generating items like the IRS are exempted from this particular freeze amendment, and some of the law enforcement functions have also been exempted. So we did try to apply some judgment as to which areas would be pinched, frankly, if we asked them to take a cut in their accounts.

I think that particularly in a budget that affects the White House that it is important for us to call on the President to set an example within his own budget, just as he is asking the country and the Congress to get behind the notion of a balanced budget amendment. We did take a cut here on Capitol Hill in our legislative budget. This simply asks the President to freeze his administrative office accounts, and for several of the other agencies within this appropriation bill to do the same.

Mr. DREIER of California. Mr. Chairman, will the gentleman yield?

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

Mr. DREIER of California. Mr. Chairman, I thank my friend for yielding. I simply would like to say that I do appreciate the fact that there is concern for ensuring that there is some latitude at the executive branch rather than our micromanaging. And I think based on what we saw last night on the vote on a similar amendment that was offered by the gentleman from Texas [Mr. SMITH], I suspect that we will see this amendment passed.

I am just concerned that we are heading down the road of maybe involving ourselves too much in this particular area rather than providing the kind of latitude necessary.

Mr. PENNY. I appreciate the gentleman's observation.

Mr. DREIER of California. If my friend will yield for just one more point, and I thank him, the only thing I would like to say is in the statements that were made before the Rules Committee both gentlemen indicated that they had taken testimony primarily from inspectors general. My request was that you look further and talk to others within the executive branch who may be able to provide a little more insight to your task force.

Mr. PENNY. Again I thank the gentleman for his suggestion, and I expect that the interests of this task force will continue into the future, and we will take that suggestion to heart.

Mr. DORGAN of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. PENNY. I yield to the gentleman from North Dakota, chairman of the task force.

Mr. DORGAN of North Dakota. I thank the gentleman for yielding.

Mr. Chairman, in response to the comments of the gentleman from Indiana [Mr. BURTON], as the gentleman knows, last night I stood and supported the initiative by the gentleman from Texas [Mr. SMITH] on a 10-percent cut in overhead or indirect costs, and I frankly do not think that is micromanaging, I say to my friend from California. I think it allows some flexibility on exactly where there is wasteful overhead or wasteful indirect costs, and where there are essential needs that they need to protect and continue. It allows the administrators of these areas to make those judgments.

We simply say here is all the money you have to work with. Now you make the decisions about how you get your job done, and get rid of the waste, and keep what is essential. So I think there does need to be a certain spirit of cooperativeness on these issues, and I hope that both the gentleman from Minnesota [Mr. PENNY] and I represented that yesterday with our standing in support of the Smith amendment. And I want to compliment him for the work that he has done in this area.

Mr. PENNY. Mr. Chairman, might I inquire of the Chair how much time I have remaining?

The CHAIRMAN. The gentleman from Minnesota [Mr. PENNY] has 1 minute remaining.

Mr. PENNY. Mr. Chairman, I yield that 1 minute to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman for yielding me the time. First of all I would like to thank my particularly able colleague from Minnesota [Mr. PENNY], and my particularly able colleague from North Dakota [Mr. DORGAN], for their efforts in cutting excessive Government spending.

Mr. Chairman. I rise today to say a few words in support of the Dorgan-Penny-Boxer-Glickman amendment.

It is time that we take a hard look at the spending habits of the Government. For too long, indirect, or overhead costs, have risen faster than inflation.

This amendment is an important step in the right direction.

If we are going to be serious about reducing the deficit and improving the efficiency of Government, we must start with those who run it.

Last week, we passed a legislative appropriation bill that cut overhead spending for the House by 19 percent.

The bill was an example of our commitment to improving our own spending habits.

It is appropriate that we now seek to make similar cuts in the administrative branch.

Yesterday, we approved a measure I offered to cut overhead spending in the Agriculture appropriation bill.

The amendment before us would cut funds in 14 of the accounts in the bill.

The cuts it makes are responsible and important.

It does not take a blind, across-the-board, meat-ax approach.

It is carefully crafted and would not affect services or projects.

Mr. Chairman, I urge all of my colleagues to support this amendment and continue along the path toward a more efficient Federal Government.

□ 1450

Mr. ROYBAL. Mr. Chairman, I yield back the balance of my time.

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

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

RECORDED VOTE

Mr. PENNY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 388, noes 27, not voting 19, as follows:

[Roll No. 255]

AYES—388

Abercrombie
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Flake
Foglietta
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Goodling
Gordon
Goss
Gradison
Grandy
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry
Herger
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Rose
Rostenkowski
Roth
Roukema
Rowland
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Weber
Weiss
Weldon
Wheat
Williams
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—27

Alexander
Broomfield
Carr
Coleman (TX)
Dixon
Dwyer
Early
Ford (MI)
Gilman
Gonzalez
Green
Hammerschmidt
Hertel
Hoyer
Lowery (CA)
McDade
Michel
Miller (OH)
Moran
Natcher
Pelosi
Perkins
Pickle
Quillen
Rangel
Roybal
Wolf

NOT VOTING—19

Ackerman
Barnard
Bonior
Boxer
Bustamante
Dymally
Fish
Gekas
Hefner
Levine (CA)
Richardson
Ros-Lehtinen
Schroeder
Tallon
Torres
Traxler
Waxman
Whitten
Wilson

□ 1511

Mrs. VUCANOVICH changed her vote from "no" to "aye."

So the amendments en bloc were agreed to.

The result of the vote was announced as above recorded.

Mr. ROYBAL. Mr. Chairman, I ask unanimous consent that the balance of title I of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the balance of title I is as follows:

INTERNATIONAL AFFAIRS

For necessary expenses of the international affairs function of the Departmental Offices, including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,000,000 for official travel expenses; not to exceed $73,000 for official reception and representation expenses; not to exceed $942,000, to remain available until expended, for systems modernization requirements; $33,902,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, hire of passenger motor vehicles; not to exceed $2,000,000 for official travel expenses; not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; $31,459,000, of which $1,300,000 shall remain available until expended for the Inspectors General Auditor Training Institute.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; not to exceed $4,000 for official reception and representation expenses; $19,087,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including purchase (not to exceed fifty-two for police-type use) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and

participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $7,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: *Provided*, That the Center is authorized to accept gifts: *Provided further*, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further*, That funds appropriated in this account shall be available for State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: *Provided further*, That the Director of the Federal Law Enforcement Training Center shall annually present an award to be accompanied by a gift of intrinsic value to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, to be funded by donations received through the Center's gift authority: *Provided further*, That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center; $41,236,000.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $10,886,000, to remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $214,146,000, of which not to exceed $10,900,000, shall remain available until expended for systems modernization initiatives.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed six hundred and fifty vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; and services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $10,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement; provision of laboratory assistance to State and local agencies, with or without reimbursement; $355,419,000, of which $19,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1993 and, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which $650,000 shall be available solely for improvement of information retrieval systems at the National Firearms Tracing Center; and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in drug-related joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided*, That no funds appropriated herein shall be available for administrative expenses in connection with consolidating or centralizing within the Department of the Treasury the records of receipts and disposition of firearms maintained by Federal firearms licensees or for issuing or carrying out any provisions of the proposed rules of the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, on Firearms Regulations, as published in the Federal Register, volume 43, number 55, of March 21, 1978: *Provided further*, That none of the funds appropriated herein shall be available for explosive identification or detection tagging research, development, or implementation: *Provided further*, That not to exceed $300,000 shall be available for research and development of an explosive identification and detection device: *Provided further*, That this provision shall not preclude ATF from assisting the International Civil Aviation Organization in the development of a detection agent for explosives or from enforcing any legislation implementing the Convention on the Marking of Plastic and Sheet Explosives for the Purpose of Detection: *Provided further*, That funds made available under this Act shall be used to achieve a minimum level of 4,109 full-time equivalent positions for fiscal year 1993, of which no fewer than 1,127 full-time equivalent positions shall be allocated for the Armed Career Criminal Apprehension Program: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c).

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of up to 1,000 motor vehicles of which 960 are for replacement only, including 990 for police-type use and commercial operations; hire of motor vehicles; not to exceed $20,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; $1,331,070,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations, not to exceed $4,000,000, to remain available until expended, for research: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That none of the funds made available by this Act shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of $30,000: *Provided further*, That the Commissioner or the Commissioner's designee may waive this limitation in individual cases in order to prevent excessive costs or to meet emergency requirements of the Service: *Provided further*, That the United States Customs Service shall hire and maintain an average of not less than 17,411 full-time equivalent positions in fiscal year 1993, of which a minimum level of 960 full-time equivalent positions shall be allocated to air interdiction activities of the United States Customs Service, and of which a minimum level of 10,480 full-time equivalent positions shall be allocated to commercial operations activities: *Provided further*, That no funds appropriated by this Act may be used to reduce to single eight hour shifts at airports and that all current services as provided by the Customs Service shall continue through September 30, 1993.

OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the hire, lease, acquisition (transfer or acquisition from any other agency), operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs; $136,783,000, to remain available until expended: *Provided*, That no aircraft or other related equipment shall be transferred to any other Federal agency, Department, or office outside of the Department of the Treasury during fiscal year 1993.

CUSTOMS FORFEITURE FUND

(LIMITATION ON AVAILABILITY OF DEPOSITS)

For necessary expenses of the Customs Forfeiture Fund, not to exceed $15,000,000, as authorized by Public Law 100-690, as amended by Public Laws 101-382 and 101-508; to be derived from deposits in the Fund.

CUSTOMS SERVICES AT SMALL AIRPORTS

(TO BE DERIVED FROM FEES COLLECTED)

Such sums as may be necessary, not to exceed $1,500,000, for expenses for the provision of Customs services at certain small airports or other facilities when authorized by law and designated by the Secretary of the Treasury, including expenditures for the salary and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary of the Treasury pursuant to section 236 of Public Law 98-573 for each of these airports or other facilities when authorized by law and designated by the Secretary of the Treasury, and to remain available until expended.

UNITED STATES MINT

SALARIES AND EXPENSES

For necessary expenses of the United States Mint; $53,808,000, including amounts for purchase and maintenance of uniforms not to exceed $285 multiplied by the number of employees of the agency who are required by regulation or statute to wear a prescribed uniform in the performance of official duties; and of which $2,085,000 shall remain available until expended for expansion and improvements.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States; $198,233,000.

INTERNAL REVENUE SERVICE

ADMINISTRATION AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; executive direction, management services,

and internal audit and security; including purchase (not to exceed 125 for replacement only, for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $157,368,000, of which not to exceed $25,000 for official reception and representation expenses; and of which not to exceed $500,000 shall remain available until expended for research.

PROCESSING TAX RETURNS AND ASSISTANCE

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; statistics of income; providing assistance to taxpayers; hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $1,648,960,000, of which $3,100,000 shall be for the Tax Counseling for the Elderly Program, no amount of which shall be available for IRS administrative costs.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; tax and enforcement litigation; technical rulings; examining employee plans and exempt organizations; investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; the purchase (not to exceed 451, for replacement only, for police-type use), and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner: *Provided*, That additional amounts above fiscal year 1992 levels for international tax enforcement shall be used for the establishment and operation of a task force comprised of senior Internal Revenue Service attorneys, accountants, and economists dedicated to enforcement activities related to United States subsidiaries of foreign-controlled corporations that are in non-compliance with the Internal Revenue Code: *Provided further*, That additional amounts above fiscal year 1992 levels for the information reporting program shall be used instead for the examination of the tax returns of high-income and high-asset taxpayers; $3,835,192,000.

INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including: returns processing and services; compliance and enforcement; program support; and tax systems modernization; and for the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $1,566,909,000, of which not less than $612,692,000 is for tax systems modernization, and of which not to exceed $60,000,000 shall remain available until expended for other systems development projects: *Provided*, That of the amounts provided for tax systems modernization not to exceed $125,000,000 shall remain available until expended, of which up to $15,000,000 is for the establishment of a federally funded research and development center and may be utilized to conduct and evaluate market surveys, develop and evaluate requests for proposals, and assist with systems engineering, technical evaluations, and independent technical reviews in conjunction with tax systems modernization: *Provided further*, That of the amounts authorized to remain available until expended, $11,100,000, shall not be obligated prior to September 30, 1993.

ADMINISTRATIVE PROVISION—INTERNAL REVENUE SERVICE

SECTION 1. Not to exceed 8 per centum of any appropriation made available to the Internal Revenue Service for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations.

SEC. 2. The Internal Revenue Service shall institute and maintain a training program to insure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed three hundred and forty-three vehicles for police-type use for replacement only and an additional seventy-five police-type vehicles) and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; and for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act: *Provided*, That approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $12,500 for official reception and representation expenses; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; $470,372,000, of which not to exceed $300,000 shall be made available for the protection at the one nongovernmental property designated by the President of the United States and $70,000 at the airport facility used for travel en route to or from such property under provisions of section 12 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note).

DEPARTMENT OF THE TREASURY—GENERAL PROVISIONS

SECTION 101. Of the funds appropriated in this or any other Act to the Internal Revenue Service, amounts attributable to efficiency savings for fiscal year 1993 as estimated by the Commissioner shall be withheld from obligation unless the estimated savings are not achieved: *Provided*, That 50 per centum of the actual efficiency savings shall lapse or be deposited into miscellaneous receipts of the Treasury with the exception of amounts in special or trust funds, which shall remain in such funds and be available in accordance with and to the extent permitted by law: *Provided further*, That notwithstanding any fiscal year limitations on the availability of appropriations, the remainder of the actual efficiency savings shall be made available in fiscal year 1994 for cash awards to IRS employees, as authorized by sections 4501–4505 of title 5, United States Code, and for future efficiency improvements to carry out those purposes authorized by law: *Provided further*, That none of the funds shall be made available for the program without the advance approval of the House and Senate Appropriations Committees.

SEC. 102. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitation for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 103. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1954 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection complies with subsection (a) of section 805 (relating to communications in connection with debt collection), and section 806 (relating to harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692).

SEC. 104. Not to exceed 2 per centum of any appropriations in this Act for the Department of the Treasury may be transferred between such appropriations. No such transfer may increase or decrease any appropriation in this Act by more than 2 per centum and any such proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 105. Notwithstanding any other provision of law, beginning October 1, 1992, and thereafter, the Financial Management Service (FMS) shall be reimbursed by the Internal Revenue Service (IRS) and the Department of Agriculture, National Finance Center (NFC), for the postage costs the FMS incurs to make check payments on behalf of the IRS and the NFC.

This title may be cited as the "Treasury Department Appropriations Act, 1993".

The CHAIRMAN. Are there any points of order to the remainder of title I?

If not, are there any amendments to the remainder of title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II

POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsection (c) of section 2401 of title 39, United States Code; $200,000,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That six-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided*

further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1993.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

For payment to the Postal Service Fund for meeting the liabilities of the former Post Office Department to the Employees' Compensation Fund pursuant to 39 U.S.C. 2004, $38,614,000.

POSTAL SERVICE—GENERAL PROVISION

SECTION 201. (a) Except as provided in subsection (b), no change in the rate of postage for any class of mail may take effect, pursuant to section 3627 of title 39, United States Code, during fiscal year 1993.

(b) The rates for reduced rate third-class pieces other than letter shape may be increased pursuant to section 3627 of title 39, United States Code, so as to recover as nearly as possible, in fiscal year 1993, the difference between the sum requested for fiscal year 1993 in respect of mail under former sections 4452(b) and 4452(c) of such title as calculated under section 2401(c)(ii) of such title, and the sum that would have been requested for fiscal year 1993 in respect of such mail if clause (ii) of such section 2401(c) had not been enacted.

This title may be cited as the "Postal Service Appropriations Act, 1993".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that the title be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to title II?

If not, are there any amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102; $250,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31 of the United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration; $24,328,000, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles.

THE WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed $20,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $35,584,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President; $7,499,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; $332,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; $3,014,000.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021); $3,403,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; $3,842,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109; $5,971,000.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109; $53,188,000, of which not to exceed $5,000,000, shall be available to carry out the provisions of 44 U.S.C. chapter 35: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committee on Appropriations or the Committee on Veterans' Affairs or their subcommittees: *Provided further*, That this proviso shall not apply to printed hearings released by the Committee on Appropriations or the Committee on Veterans' Affairs: *Provided further*, That none of the funds made available by this Act or any other Act shall be used to reduce the scope or publication frequency of statistical data relative to the operations and production of the alcoholic beverage and tobacco industries below fiscal year 1985 levels: *Provided further*, That none of the funds appropriated by this Act shall be available to the Office of Management and Budget for revising, curtailing or otherwise amending the administrative and/or regulatory methodology employed by the Bureau of Alcohol, Tobacco and Firearms to assure compliance with section 105, title 27 of the United States Code (Federal Alcohol Administration Act) or with regulations, rulings or forms promulgated thereunder.

OFFICE OF FEDERAL PROCUREMENT POLICY

SALARIES AND EXPENSES

For expenses of the Office of Federal Procurement Policy, including services as authorized by 5 U.S.C. 3109; $3,108,000.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to title I of Public Law 100–690; not to exceed $8,000 for official reception and representation expenses; for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement; $67,348,000, of which $50,000,000 shall be available for drug control activities which are consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas which shall be transferred to Federal agencies and departments within 90 days of enactment of this Act and shall be obligated by the end of fiscal year 1993: *Provided further*, That notwithstanding any other provision of law, the Department of the Treasury and the Department of Justice are authorized to transfer funds to other Federal drug control agencies: *Provided further*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 100–690, $60,251,000, to be derived from deposits in the Special Forfeiture Fund; of which $2,150,000 shall be transferred to the Immigration and Naturalization Service for the purchase of helicopters and replacement vehicles; of which $3,000,000 shall be transferred to the United States Marshals Service for expenses and equipment related to the apprehension of Federal, State, and local fugitives wanted or involved in drug-related crimes; of which $2,000,000 shall be transferred to the

Drug Enforcement Administration for replacement vehicles, firearms training equipment, and an El Paso Intelligence Center expansion study; of which $2,800,000 shall be transferred to the Financial Crimes Enforcement Network for software development; of which $5,600,000 shall be transferred to the United States Customs Service: *Provided*, That of this amount, $1,000,000 shall be for crate and container inspection equipment and $4,600,000, to remain available until expended, shall be for K-9 facility construction; of which $34,701,000 shall be transferred to the Alcohol, Drug Abuse, and Mental Health Administration: *Provided further*, That $4,700,000 of the $34,701,000 transferred to the Alcohol, Drug Abuse, and Mental Health Administration, shall be transferred to the San Francisco Department of Health: *Provided further*, That $14,701,000 of the $34,701,000 transferred to the Alcohol, Drug Abuse and Mental Health Administration shall be made available to the Office of Substance Abuse Prevention for Community Partnership grants, and: *Provided further*, That $20,000,000 shall be made available to the Office of Treatment Improvement for the drug treatment Capacity Expansion Program; and of which $10,000,000, to remain available until expended, shall be made available to the Counter-Drug Technology Assessment Center of the Office of National Drug Control Policy.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year; $800,000.

This title may be cited as the "Executive Office Appropriations Act, 1993".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title III of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to title III?

If not, are there any amendments to title III?

AMENDMENTS EN BLOC OFFERED BY MR. MCDADE

Mr. McDADE. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. McDADE: Page 23, line 23, strike "$3,014,000" and insert "$3,100,000".

Page 29, line 9, strike "$2,314,000" and insert "$2,228,000".

Page 76, strike lines 18 through 20.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Chairman, I ask unanimous consent, in view of the Penny amendment which was just adopted, that my amendment be conformed. The numbers are slightly askew and deal with the across-the-board cut which just occurred. I ask unanimous consent to conform those amendments.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendments en bloc offered by Mr. McDADE: Change $3,100,000 to $3,018,000.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that the amendments en bloc be modified?

There was no objection.

The text of the amendments en bloc, as modified, is as follows:

Amendments en bloc, as modified, offered by Mr. McDADE: Page 23, line 23, strike "$3,014,000" and insert "$3,018,000".

Page 29, line 9, strike "$2,314,000" and insert "$2,228,000.

Page 76, strike lines 18 through 20.

(Mr. McDADE asked and was given permission to revise and extend his remarks.)

Mr. McDADE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

PARLIAMENTARY INQUIRY

Mr. McDADE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McDADE. Mr. Chairman, I am correct, am I not, that this side has the opportunity to close debate?

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that that depends on which Member rises in opposition.

Mr. McDADE. Mr. Chairman, last week, as we all know, the full committee of the Committee on Appropriations voted to delete funding for the President's Council on Competitiveness and to prohibit the use of funds in this bill for that Council or any successor organization.

My colleagues, by adopting the amendment, we have not only restricted a core function of the Presidency but we have eliminated a crucial element of democratic government: an avenue to debate issues. If we were to be in another room, we might want to engage in a game of Trivial Pursuit, and if we asked the question, "What is the most frequently seen phrase on any public law?", we might say, "Be it enacted in the Senate and House of Representatives of the United States in Congress assembled."

Well, if we said that, we would be wrong. The most repeated phrase in a public law is, and I quote, "The Secretary shall issue such regulations as he or she deems necessary or appropriate to effect the purposes of this act."

We delegate massive authority time after time after time to departments and agencies of the executive branch.

No one would suggest no regulation at all. That would be anarchy. But, my friends, nor would anybody suggest a total and complete regulation. That would be authoritarianism; that would border on fascism.

What we need is balance. We need some regulation, but the key words, Mr. Chairman, are some regulation and balance.

The Council on Competitiveness is no more than a regulatory review group charged with deliberating proposed rules and regulations. This deliberation is necessary to assure that proposed rules balance both legislative and administrative's intent.

The Council simply provides a forum to hear another side of the argument, to listen to competing views in a pluralistic and democratic society, and to make balanced judgments on what ultimately is best for the people we are here to serve, the American people.

Yet, Mr. Chairman, the President is being criticized because outside interests, special pleaders have access to the Council. In reality, these outside interests are crucial to any deliberation.

They provide insight to us in competing interests. Anybody who has served here knows that to be the case. They give the other side of the story. They provide the expert testimony that often tips the balance wheel and they necessitate that that process continue.

□ 1520

Mr. Chairman, we do not live in a simple world. Time after time, as we have our hearings, witness A comes up and says, "This is the way to achieve the Holy Grail." This is followed by witness B who says, "This is the way to achieve the Holy Grail." The facts are complicated. The issues are difficult. They demand our attention, and they necessitate that we, as Members of this body, leave ourselves open to criticism when we choose either side. Virtually any side is debatable anymore.

But, Mr. Speaker, we have an obligation to make these choices. We cannot please all the people all the time. No, we cannot please all the people all the time, but we can make rational policy decisions that benefit all Americans. The Council provides a forum to debate these benefits. They are necessary to our democratic process and part of our regulatory process.

Let me underline that the Council does not have any power to publish final regulations, absolutely none. Any regulation that becomes final has to work its way through a incredibly complex administrative process consistent with the Administrative Procedures Act. Any regulation, before it becomes final, Mr. Chairman, must be published in the Federal Register where the public has complete and full opportunity to review and comment, including those regulations which have been suggested by the Council.

Mr. Chairman, in 1990, the American public spent 5.4 billion hours meeting Federal paperwork requirements. The Council has been instrumental in relieving this regulatory burden. Let me just try to point out a couple of examples.

The gentleman from Virginia [Mr. WOLF], my friend, who manages this

bill made an eloquent statement about the FDA's progress in getting drugs to the market that are life-threatening. He pointed out that people without hope now have hope because they have cut the time to get new drugs on the market by 4 years.

Listen to this one: Truckers. There are 52,000 people engaged in trucking in this country. They used to have to keep three sets and books, one for their taxes, one for their financial records, and one regulatory book exclusive for the ICC. Well, this Council intervened, and the ICC said, "We don't need separate regulatory books." Does this regulation result in savings in man-hours, lower costs, benefits to the consumer? I say to my colleagues, "You bet."

Anytime you buy a food product, I say to my colleagues, you pay for the label. The Council intervened for mom-and-pop small businesses, simplifying the requirements of labeling for mom-and-pop products and small businesses.

Listen to this one: We passed the Americans With Disabilities Act for all Americans. We all voted for that bill. It was one of the great moments of the Congress. The regulators from the Department of Housing and Urban Development got involved. What did they do? They said that every multifamily unit home in the country shall be equipped to provide for citizens affected by the Disabilities Act. Every single unit. Certain groups started to get involved. They said, "Hey, wait a minute. How about need? How about if we look at whether or not we need to build 100 percent of these units for handicapped accessibility? Maybe there aren't 100 percent applying."

So, the regulatory council intervened and the regulations now allow us to retrofit units as needed. We saved billions of dollars and lowered the cost to the American consumer to buy a properly equipped unit to live in. The Paralyzed Veterans of Americans, those suffering spinal cord injuries, led the fight to get that change through the Council.

Litigation? Oh, my, do we live in a society that litigates. The estimated cost is $300 billion a year. Here is what I always thought as a former practicing lawyer:

"If you had an expert witness, he got paid by the hour, or she got paid by the hour."

We had testimony in the Defense Subcommittee of the Defense Department paying a doctor $4,000 an hour to give expert testimony. I was shocked. We were all shocked.

Well, guess what it is worth now? They are paid contingent fees. They take an expert witness, and they trot him into court and say, "Oh, yeah, we want you to give impartial testimony, but, by the way, your fee is contingent. You might get 20 percent of the verdict."

Mr. Chairman, the Council proposes to knock this abuse out, and the American public is the beneficiary of it.

Mr. Chairman, there are two sides to this story. One can make enemies, and the Council had made enemies. But every President for the past five administrations has recognized the significance of regulatory review. It is fundamental to good government, and, as a forum for debating the issues, it is fundamental to democracy.

I ask my colleagues, Why would we kill free speech in this bill? Why are we giving every agency and every department that incredible grant of authority that I mentioned, "such regulations as you think are necessary," but, when we get to the appropriations bill, we rip out the authority to have comment on them?

My colleagues, I think the case is clear. I have a fundamental disagreement with the gentleman from Colorado, my friend. I ask that this amendment be adopted.

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

Mr. McDADE. I yield to the gentleman from Illinois.

Mr. YATES. In the debate on this amendment in our committee I asked the gentleman who the members of the Council were, and I think the gentleman replied that they were the various Secretaries of the Department. Does that mean there are no private citizens who are members of this Council?

Mr. McDADE. Let me reply to the gentleman from Illinois [Mr. YATES], my friend, by taking him back to our good friend, Rogers C.B. Morton, as Secretary of the Interior. His greatest complaint was, when he went over to talk to OMB, he met a GS-12 or a GS-13, and he never felt, as a Cabinet officer, that he got to sit and air his views on a controversial issue. This Council includes Cabinet officials, rotating, and, from time to time, bringing in outside witnesses in the various fields, whether they are lawyers or pharmacists or whether they are foresters. They are simply people who can talk with some insight on the issues at stake.

Mr. YATES. If the gentleman would further yield, is there any reason why the proceedings of this Council should not be in the open?

Mr. McDADE. Let me say to my friend that they are in the open. Let me say to my friend they are as open as any meetings are in this town. And let me say to my friend that nothing can become regulation without going through the entire process. And, it is totally public.

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

Mr. ROYBAL. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Pennsylvania [Mr. McDADE].

Mr. Chairman, the issues surrounding the Council on Competitiveness were discussed in the subcommittee. The full committee and the Council is unauthorized in the sense that it is not specifically authorized by law, nor are the two staff people authorized for this purpose. The Council has been in operation since March 1989, and was funded by appropriations made to the Vice President who chairs the Council. The Council on Competitiveness does not receive oversight from Congress and has not complied with the requests to submit to oversight.

Now, during this time since this passed the House, I have been looking around to find out what the situation really is. I have been unable to find any newspaper, for example, and most organizations, which are in favor of the Competitiveness Council.

The Wall Street Journal, this morning, incidentally, was very critical of the work that the Council is supposed to be doing. The Los Angeles Times some time ago in the editorial page stated that the Council on Competitiveness has steadily built its reputation by working behind the scenes to undermine health, safety, and environmental regulations, and then it goes on to say that from the Clean Air Act to nutrition labeling the Quayle Council on Competitiveness has covertly intervened in the normally open regulatory process on behalf of big businesses, and then it goes on to say that the Council has consistently refused to disclose, on even the most basic information, about who it meets with and what its agenda is.

□ 1530

What is important is that the staff has repeatedly declined to answer Freedom of Information requests from the public.

The Council is unwilling to testify before any committee. It is my understanding that, when called before the committee, they will not even release any kind of information whatsoever.

The most recent example of the Council's back door maneuvering, as stated in the Los Angeles Times, surfaced at the Earth summit in Rio, where Council staff succeeded in averting U.S. support for the Biodiversity Treaty supported by other participating nations.

Mr. Chairman, that is going a little too far, but these are apparently the facts.

The article in the Los Angeles Times ends by saying it is time to shut the Competitiveness Council's back door and restore accountability to the regulatory process.

Mr. Chairman, I include for the RECORD the entire article.

[From the Los Angeles Times, June 24, 1992]

DEFUND QUAYLE'S AUTOCRATIC COMPETITIVENESS COUNCIL

(By Nancy Watzman and Christine Triano)

For the past two years, taxpayers have financed the shadowy activities of Vice President Dan Quayle's Council on Competitiveness. In this time, the council has steadily built its reputation by working behind the scenes to undermine health, safety and environmental regulations. This week, the House Appropriations Committee will consider a measure to strip the council of its funds and bring accountability back into the regulatory process. It could mark the beginning of major battle between Congress and the President over the shape of federal regulation.

From the Clean Air Act to nutrition labeling, the Quayle Council on Competitiveness has covertly intervened in the normally open regulatory process on behalf of big-business interests. "Now is your chance. Come and tell us what regulations and what rules are burdening the business sector," Quayle told business leaders recently. Meanwhile, the council has consistently refused to disclose even the most basic information about who it meets with and what its agenda is. What's more, Quayle and his staff have repeatedly declined to answer Freedom of Information Act requests from the public. The council is equally contemptuous of Congress; neither Quayle nor his staff will testify before committees with oversight over the agencies whose regulations they meddle with. More than once, members of Congress have been forced to subpoena even basic documents.

By acting as a superagency, with the power to review all regulations, the Quayle council not only adds another layer to an already lengthy process, it defines the basic principles upon which the regulatory edifice is built. When a federal agency writes rules, it is required by law to hear from all sides, make decisions only on the merits and make communications available at a public docket where anybody can look at them. The Quayle council does not follow any of these open-government standards.

The most recent example of the council's backdoor maneuvering surfaced at the Earth Summit in Rio, where Competitiveness Council staff succeeded in averting U.S. support for the biodiversity treaty supported by other participating nations. Lobbied heavily by biotechnology groups, such as the Industrial Biotechnology Assn. and Genentech, council staff were highly critical of the treaty. Meanwhile, press accounts reported that John Cohrssen, a council staffer, leaked the draft agreement in order to raise the ire of biotechnology companies and sink the treaty.

With such examples of dirty dealings, how is it that the Quayle Council on Competitiveness continues to exist? The answer: creative budgeting. The vice president's office simply shuffles funds around to pay for the council's operations. After all, Congress never authorized the Council on Competitiveness; no funds have ever been specifically appropriated to pay for it. In fact, the formation of the council was quietly announced by President Bush in a cursory June, 1990, memo sent only to agency heads.

Now Congress has the chance to cut off funding of this shady entity. An amendment is before Congress that would forbid the use of any of the vice president's funds to pay for the Competitiveness Council. The amendment has the support of a broad coalition of consumer, environmental and labor groups. Intriguingly, this coalition is now being joined by businesses opposed to the way Quayle doles out "regulatory favors." Two weeks ago a new group, Businesses for Social Responsibility, was announced to advance a socially responsible agenda. Among the group's 55 members are such success stories as Reebok, the Body Shop and Stride Rite. The first item on the agenda: undoing the Quayle Council on Competitiveness.

The defunding amendment comes up for hearing Thursday by the House Appropriations Committee, where Rep. Ed Roybal (D-Los Angeles), chairman of the Treasury subcommittee, has a key vote. A "yes" vote on the legislation would send a message to the Administration that it's time to end the council's abuse of power. Indeed, after so many of the Quayle council's misdeeds have been exposed, Congress would be committing its own breach of responsibility if it allows the funding to continue.

It's time to shut the Competitiveness Council's back door and restore accountability to the regulatory process. The taxpayers—who not only pay regulators' salaries but are affected profoundly by the regulations that they write—deserve nothing less.

Mr. Chairman, I want to read this into the RECORD because at the time that this matter was passed before the full committee it had not been made available. As chairman of this subcommittee I must protect and defend the position taken by the full committee. I realize there are problems involved with this and there are differences of opinion, but I bring this to the floor because I think we must decide here on the floor just what it is that the Members of Congress want to do with regard to this subject matter.

Mr. Chairman, I am opposed to this amendment.

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

Mr. McDADE. Mr. Chairman, I am delighted to yield 3 minutes to the distinguished gentleman from Indiana [Mr. MYERS].

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. MYERS of Indiana. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of the amendment.

The last five Presidents of both parties have had a White House level policy review of regulations. Even Democratic nominee Bill Clinton has acknowledged the importance of maintaining this important function.

We are all aware of the important action announced by our President to put a moratorium on new Federal regulations. This action is critical to lowering the almost $4,000 per year that every American family pays for Federal regulation.

Our Nation's Federal bureaucracy is churning out regulations at a rate of almost 70,000 pages per year. It is absolutely crippling our small business in this Nation, and making us less competitive in the world.

But this Nation has much more fundamental liberty at stake if we do not check the excesses of a bureaucracy out of control. I speak quite simply of our cherished right of private property. If you need an example of a bureaucracy trampling on peoples' property rights you need only look at our wetlands system under section 404 of the Clean Water Act.

The Supreme Court spoke very eloquently yesterday in Lucas versus South Carolina Coastal Council upholding the fundamental rights of property owners. The Competitiveness Council has worked hard to ensure that Federal regulators give the type of respect for private property that the Supreme Court endorsed yesterday.

At a time when the former Soviet Union is desperately trying to own private land our Federal bureaucracy is trying to use section 404 to take land from private property owners for a public purpose. What is even more outrageous is that they aren't willing to pay for what they are taking.

The current wetlands system is totally the creation of the bureaucracy. The only statutory basis refers to placement of fill in the waters of the United States. We now have a system where we have cactus growing in the waters of the United States. If the regulation did not have such a dire impact on the property owners who happen to own 75 percent of the wetlands in this country, the current system would be funny. Unfortunately, it destroys peoples' property values and prevents them from achieving their dreams. If we had the work of the Competitiveness Council on this issue before we would not be stuck in the current swamp.

Mr. MYERS of Indiana. I thank the gentleman for his comments.

Mr. Chairman, I am sorry to have to take this position. I am shocked to be here in this posture. I have served a number of years here and served on this subcommittee a good number of years several years ago. As I mentioned earlier, I can recall some political moves to knock money out for Secret Service protection of the Kennedy children, which was strictly political. I had no hesitancy in opposing that.

Mr. Chairman, I am really shocked today that this body would attempt to tell the President how he might organize his Cabinet and how he might carry out the responsibilities that we, as the legislative body, give to him to implement rules to carry out and enforce the laws we pass.

I am just really shocked that we would be taking this action today, and I hope the House will come to its wisdom when we go back into the full House, and even in the Committee of the Whole, and will vote to support this amendment.

Mr. Chairman, this is not Quayle's Council; this is the President's Council on Competitiveness that we have caused him to organize so he might implement the rules to carry out the laws that we have passed. It was not created unlawfully, but by Executive order. The Executive order was issued by the President to implement the laws that we passed that he must carry out as the Executive Officer.

Mr. Chairman, to say it is an unlawful council, maybe this particular council was created 2 years or 3 years

go, but I have gone back, and the last five Presidents—four Republicans and one Democrat—had similar councils. Was it ever challenged before? Was it carried out any differently? The answer to the question is they did exactly the same.

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

Mr. MYERS of Indiana. I yield briefly to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I would just point out to the gentleman from Indiana [Mr. MYERS] that the Carter administration's comparable council did not intervene in regulatory rulemaking.

Mr. MYERS of Indiana. Mr. Chairman, reclaiming my time, then they were not as effective as this council.

Mr. Chairman, let me say that just last night in this very body the gentleman from Mississippi [Mr. MONTGOMERY], when talking about the price-fixing legislation, and there was a lot of discussion then over the regulation of American industry, he indicated that we could not compete even in this country, let alone the rest of the world. The gentleman testified late last night, almost midnight, that he had a small company in his district that was starting a new industry. The owner of that industry, the manager of that industry, said that that industry could compete with the rest of the world, whether it be Japan, whether it be Korea, whether it be Singapore, or any place with so-called cheap labor, he could compete and meet prices any place but for one thing. Speaking again of the gentleman from Mississippi [Mr. MONTGOMERY], he said there was one thing he could not compete with and that is the rules and regulations coming down from Washington. He could not compete when you throw those into the mix.

Mr. Chairman, this is what this is all about. Everyone is concerned with jobs. We should be. But for some reason we want to tie the President's hands and tell him that he cannot be concerned about American jobs, that he cannot help American industry.

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

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

Mr. Chairman, the Quayle Council on Competitiveness is a menace to the health of the American people and should be defunded, so I oppose the McDade amendment.

Mr. Chairman, I chair a Government Operations subcommittee which has oversight jurisdiction of the FDA. The White House has interfered with our investigation of the FDA and the Council on Competitiveness by ordering FDA to withhold several hundred documents from the subcommittee. In November we issued a subpoena for these documents. Only after the subpoena was served did we receive all of the documents we requested from FDA. So do not tell us how forthcoming they are and how public their information is.

Several of the Quayle Council's proposals raise significant public health concerns. Among them a plan to force FDA to approve drugs for any condition, not just life-threatening conditions, based on only preliminary evidence of safety and efficacy. AIDS, cancer, and Alzheimer's disease already have medicines which are preliminarily approved and are being utilized.

Experts in and out of Government are concerned that the public health may suffer if FDA fully implements the Council's reforms. Our investigation suggests that many at FDA also have servious misgivings about these proposals, but have been overruled and gagged by the White House.

The Council's activities are absolutely illegal. No substantive regulatory review authority for the staff of the Vice President exists in any health and safety statute enacted by Congress. In addition, because the Council acts in virtual secrecy, it continually violates the legal requirements of accountability embodied in the Administrative Procedure Act that all other Federal agencies operate under.

Mr. Chairman, for all of these reasons, I urge my colleagues to defeat any attempt to delete from this bill the ban on the use of funds for the Council on Competitiveness. The health of your, and my, constituents is very much at stake.

Mr. ROYBAL. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the distinguished chairman for yielding.

Mr. Chairman, as the author of the provision that would be stricken by the amendment offered by the gentleman from Pennsylvania, I oppose the amendment. I urge my colleagues to support the committee's recommendation to eliminate all funds for the Council on Competitiveness.

The Council on Competitiveness is misnamed. It has nothing to do with restoring our economy or enhancing competitiveness. If it did, I would be the first one up here to defend it.

The Council is, quite simply, an organization created by the Bush administration to give its powerful big business friends a backdoor, off-the-record way to get special breaks they can't get through an open rulemaking process.

This special treatment of powerful special interests is exactly the kind of thing that has made the American people distrust this Government. It's why they are cynical about how the process works and who it really serves. All people—not just big businesses—deserve equal access to the government and its decisionmaking process. But President Bush, who created the council, and Vice President QUAYLE, who heads it, don't see things that way.

The heart of this problem is that the Council operates in secret, not letting the American people or Congress learn even the most basic facts about its activities. The Council refuses to disclose its communications with regulatory agencies—even when explicitly required by law to do so. The Council refuses all requests for materials under the Freedom of Information Act, even though that act explicitly applies to the Executive Office of the President. The Council refuses to testify before Congress. The Council refuses to provide Congress with requested information on its activities.

Why does the Council insist on hiding its actions from public review? The only reason I can imagine is that the administration understands that if the American people knew how the Council gives special breaks to big businesses, the people wouldn't stand still for it.

There is no better example of what the council does than a decision it forced on the Environmental Protection Agency to let large industrial polluters increase their pollution without letting the public know or protest. This Congress decided, in the Clean Air Amendments of 1990, that, before a plant or factory can put out more pollution than allowed under its current clean air permit, there must be public notification and a hearing. Congress made this decision despite industry arguments that pollution increases should be allowed without this public review. President Bush, of course, signed this law.

EPA proposed to write a regulation carrying out the notice-and-hearing decision which Congress made. The Council on Competitiveness, though, listened to big business make the same arguments that Congress had already rejected, and decided to pressure EPA into changing its proposed rule. EPA Administrator William Reilly refused to go along with the Competitiveness Council, saying the law required him to issue the rule the way Congress decided. Legal opinions for EPA, the Department of Justice, and the General Accounting Office all agreed.

The Competitiveness Council went to President Bush, who ordered EPA to write the rule the way the Council wanted. When Mr. Reilly said he wouldn't do so unless the Department of Justice said it would be legal, President Bush ordered the Department of Justice to reach that conclusion.

Just last Thursday, EPA issued the rule demanded by the Council on Competitiveness. That rule lets every big polluters in this country put out an additional half a million pounds of air pollution every year without any notice to the public, much less a public hearing.

In other words, the Council on Competitiveness, and big business, won. EPA, and those of us who breathe, lost.

This is the type of action the Council takes, day in and day out. It blocks regulations to protect wetlands from development. It blocks regulations to control acid rain. It blocks regulations to protect workers from exposure to formaldehyde. It blocks regulations to require access for the handicapped. It blocks regulations to require recycling of solid waste.

The Council does its work in secret. It does its work only on behalf of big business interest. It gets the Government to make decisions it would never make in an open process, either an open process here in Congress or an open process before a regulatory agency.

That is why the White House insists that the Council's actions not be disclosed. That is why the Council staff tells reporters the Council likes to leave no fingerprints.

Now of course the President, and his White House staff, have a fundamental constitutional right and duty to be involved in overall regulatory policy and coordination. The President has a constitutional obligation to "take care that the laws be faithfully executed." In recognition and support of these important principles, the bill before us right now has more than $5 million for the Office of Management and Budget's Office of Information and Regulatory Affairs. OMB is charged by Executive order with ensuring that, when agencies have discretion under the law in the exercise of regulatory authority, that the agencies exercise that discretion in accordance with the President's policies.

There are some real differences, though, between the OMB regulatory affairs office and the Council on Competitiveness.

Under OMB's own rules, it discloses the actions it takes. The Council on Competitiveness brags that it leaves no fingerprints.

OMB makes all its correspondence to and from regulatory agencies open to the public for inspection. The Council on Competitiveness operates in complete secrecy.

OMB makes detailed annual reports on what it does. The Council makes no reports to anybody.

OMB is subject to ethics in Government and conflict-of-interest laws. Vice President QUAYLE gave the former executive director of the Council on Competitiveness a blanket waiver from conflict-of-interest laws so he could be involved in Government decisions directly affecting a chemical company in which he had a major holding—not just a few shares of stock, but enough to give him dividends of over three-quarters of a million dollars a year. And that at the same time he has working to exempt it from Government regulations.

OMB testifies before Congress on its regulatory affairs activities. The Council on Competitiveness refuses to do so, and won't even answer questions submitted to it by congressional committees.

So the question this amendment raises isn't whether there should be a White House office to oversee agency regulations. There is an OMB office that does that. The question is whether there should be a second White House office that does that without following the procedural requirements that the OMB office does.

The defenders of the Council on Competitiveness argue that it's important to let it operate off the record. These people argue that the President's executive privilege exempts the Council from public disclosure requirements. This privilege is based on the reality that in sensitive areas, at least, the President must be able to have confidential conversations with other executive branch officals. But those arguments completely ignore the very real line that Congress has already drawn between policymaking and rulemaking by the executive branch.

On the one hand, the President has inherent policymaking authority under the Constitution. There are no procedural requirements on how the President goes about forming policy, and many of the deliberations among the President and his advisors are subject to a broad executive privilege against disclosure.

On the other side of the line is the entirely different function of rulemaking.

When they are writing rules, regulatory agencies serve in a quasi-legislative capacity, performing precise functions delegated to them by Congress.

Rulemaking procedures are governed by the Administrative Procedures Act, which is designed to ensure that rulemaking is carried out fairly and openly. The act requires agencies to let the public know whenever a rulemaking process is being undertaken. Agencies have to publish proposed rules, to seek public comments on how to write the rules, and to consider those public suggestions.

Public disclosure is required under both the Administrative Procedures Act and other, more specific laws—such as the Clean Air Act. All communications recieved by a regulatory agency from any person or any other Government office on a proposed rule must be open to public inspection.

Rulemaking officials are subject to conflict-of-interest laws.

The Freedom of Information Act makes all files of regulatory agencies, with some exceptions, available to members of the public who request them.

In short, when any office or agency in the executive branch crosses the line from policymaking to rulemaking, there are a number of procedural requirements which Congress has set up to keep the process fair and open.

If President Bush and Vice President QUAYLE want to set policy, they can do so without following any procedural requirements.

But if President Bush wants Vice President QUAYLE and the Council on Competitiveness to intervene in the regulatory process, they need to do so on the public record, not in secret—just as the OMB regulatory office, which is also in the Executive Office of the President, does.

There is no more fundamental principle in our democracy than that our Government is open to all, accessible to all, and accountable to all. If you want to restore Americans' faith in their Government, vote against the McDade amendment.

□ 1540

Let me just tell my colleagues, a former Reagan administration lawyer, Mr. Cass Sunstein, put it this way:

> What is not legal is if the Council is actually making the decision, over the disagreement of the agency, or the assumption by everyone that the decision is made by the Council and should be followed by the agency:

And that's exactly what happened to EPA with Clean Air Act regulations.

That is why so many worthy organizations, and let me just name a few, the Academy of Pediatrics, the American Public Health Association, the AFL-CIO, Consumers Union, the American Planning Association, the National Wildlife Federation, and on and on, why so many of these organizations join me in urging my colleagues to vote no on the McDade amendment.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentlemen from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, the gentleman said the Executive Director of the Council on Competitiveness has a conflict of interest. Would the gentleman elaborate on that?

Mr. SKAGGS. Mr. Chairman, he has interests in chemical companies which were affected by regulations delayed by the Council's activities.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will continue to yield, I thought there was not a director right now.

Mr. SKAGGS. Mr. Chairman, it is in OIRA about which there is evidently some question. We are talking about Mr. Hubbard, the Director of the Council on Competitiveness.

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

Mr. SKAGGS. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I cannot believe that the gentleman would make such a statement. Mr. Hubbard was totally investigated by the committees of this Congress and has not been proven to have a conflict of interest.

In fact, to make sure he did not have a conflict of interest, he put all his holdings in a blind trust and removed himself as Executive Director of the Council. For the gentleman to say such a thing is outrageous.

Mr. SKAGGS. Mr. Chairman, reclaiming my time, two very distinguished witnesses before the Committee on Energy and Commerce characterized Mr. Hubbard's conflict of interest as garden variety conflict of interest. They minced no words. This was the chairman of the ABA's Committee on Professional Standards.

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. VISCLOSKY], a member of the committee.

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman for yielding time to me, and I want to follow up on a couple of remarks made by the gentleman from Colorado [Mr. SKAGGS].

The first thing is to note that over $53 million are appropriated in this bill for the Office of Management and Budget, and more than 10 percent of that is set aside for the Office of Information and Regulatory Affairs that is covered by the Administrative Procedures Act.

I think the core of the debate today is, are we talking about duplication in terms of government service.

There has been no indication on the other side that OMB and the Office of Information and Regulatory Affairs are not doing their jobs. Perhaps if the Competitiveness Council is doing such a good job, we ought to eliminate the $5 million from OMB.

The fact is, if they are doing a good job, we ought to make sure that we eliminate the $68,000 in terms of the Office of Competition.

The other point is that five other Presidents have done this. If one makes a mistake four or five times, why should one make it six times? We ought to end the practice. We ought to make sure these decisions are made in the open, and we ought to save the American taxpayer some money.

Mr. ROYBAL. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, what we are going to hear from the other side, and it has already begun, is something like this: The Quayle Council is a benign discussion group, which merely talks about regulatory balance or competitiveness.

I want to tell my colleagues, that is baloney. The Quayle Council is, in fact and instead, a covert command center for a war, a secret war, a war on worker safety, worker health, consumer protection and environmental laws.

This Council takes laws that are publicly debated in the Congress, passed by the Congress, takes implementing regulations by the agencies, which are developed in the sunshine, and then it changes or guts those laws and regulations for fat cats and polluters and potential contributors.

It has watered-down protections against worker exposure to cancer-causing chemicals. It has gutted the Clean Air Act rules. It even killed warning labels on toys made of small parts that young children could swallow. This from a Council headed by DAN QUAYLE, who is known as Mr. Family Values.

But the nub of the issue here is more fundamental than even the substantive things they have done. No records are kept, as the gentleman from Colorado [Mr. SKAGGS] has indicated, of the Council's record in dealing with the special interests that come pleading to it for special favors. No records.

There is no record of anything said in any of its decisionmaking.

Why do my colleagues suppose, why do my colleagues suppose that they do not want written records of the Council's proceedings made public? Do they think it is just because DAN QUAYLE cannot spell? I do not think so.

We know why they do not want it. It is because this Council operates in secret on behalf of a special group of special interests who, having lost their battles within the Congress, now go to the special Council to accomplish there what they cannot accomplish in open government.

The Vice President actually boasted, my colleagues, boasted that the Council leaves no fingerprints. Just the wreckage of laws weakened by loopholes and exceptions for fat cats and for polluters.

My colleagues, there is an anger in this land. If ever there was a time when Government should be a process of public decisions, publicly arrived at, it is now.

Kill the McDade amendment in the interest of open government.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. Chairman, I rise in support of the McDade amendment to restore funding for the President's Council on Competitiveness.

This amendment is about more efficient and effective government. Recent actions taken by the Council will save American consumers and workers between $15 and $20 billion per year.

As a result of the Council's work, for example, people with serious or life-threatening diseases will be able to obtain newly developed drugs sooner. A typical family taking out a $100,000, 30-year mortgage could save $180 in annual mortgage payments. Telephone customers will enjoy lower phone bills as a result of the greater competition among international communications satellite systems that the Council has promoted.

The American people are tied up in government redtape and want relief. That relief will save families money, and will help American companies become more competitive and create new jobs.

The success of the Council is the very reason opponents in this House are so critical of it. It highlights the extent to which this Congress is attempting to regulate every action, every aspect of the lives of the American people. Members of this House can't claim to be against government redtape at the same time they are trying to eliminate the one agency trying to do just that.

It is time for Members of this House to put up or shut up. Vote with the big bureaucracy, or vote with the American people and the small business men and women around the country who are trying to make sense of nonsensical government rules and mandates.

I urge my colleagues to support funding for the Competitiveness Council.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Chairman, I stand in strong support of the amendment.

Mr. MCDADE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Chairman, I think my colleagues on both sides of the aisle know that I have dedicated most of my career in the Congress to defending the Congress against encroachments by the executive branch. I have been outspoken in that regard in writing, in speeches, and I have said that I resist efforts by the administrative agencies, by the President, by others in the executive branch to interfere with the proper prerogatives of the Congress.

But I will say to my colleagues that this move to take out the money for the Competitiveness Council is pure, unadulterated, partisan, outrageous nonsense. This Congress habitually, regularly ignores its responsibility to oversee the rules and regulations that are imposed on the people of this country and says:

> We mandate this and we delegate to the executive branch of government, through the secretary or the head of an agency or the head of a bureau, the authority to determine the rules and regulations which will be imposed on the people covered by this law.

And it is perfectly appropriate, so long as my friends on this side are concerned, as much as they are concerned, it is perfectly appropriate to say:

> If you can put a new regulation on a businessman, if you can put a new tax on a businessman, if you can put a new mandate on a businessman that is going to destroy jobs or destroy profits, then go ahead. You do it. You do it. You the agencies do it.

But if somebody in the executive branch says:

> We want to take a look here and see whether there are too many rules, whether this regulation is counterproductive, whether this mandate creates a harm to the community rather than a benefit.

Then all of a sudden we have discovered this new concern about the buck we passed to the executive agency saying, "Oh, my God, how dare they interfere with our right to regulate small business."

Let me tell my colleagues something, during the debate in the Committee on Appropriations we heard much made about the Administrative Procedures Act.

□ 1550

"The Administrative Procedures Act is being gone around." We cannot go around the Federal Administrative Procedures Act. The Administrative Procedures Act allows anything any bureau or any agency wants to do. They do not have the right to confront their accusers, to cross-examine witnesses.

The Council on Competitiveness does not do anything, anything, that every other regulatory agency and bureau does every single day by the mandate of the Congress. For us to step in here and say to the President of the United States—the secretary who works for him, the Council on Competitiveness works for him, and all these people work for him—and say to the President, "We are now going to interfere, intrude on your right to determine what regulations ought to be placed on business," is nonsense, and the Members know it is nonsense.

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

Mr. EDWARDS of Oklahoma. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, do I understand the gentleman correctly that he supports the proposition that the President should be able to intervene in rulemaking through a secret procedure?

The CHAIRMAN. The time of the gentleman has expired.

Mr. EDWARDS of Oklahoma. Mr. Chairman, I will answer the gentleman in private.

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I oppose the amendment to strike the prohibition on funds for the Council on Competitiveness—the so-called Quayle Council—for several reasons:

First, the Council has not been authorized by Congress, yet it has far-reaching influence across all Government agencies;

Second, the Council operates outside the public view, contrary to normal rulemaking procedures spelled out in law;

Third, the Council intervenes in agency rulemaking, often against congressional intent;

Fourth, the Council's actions often put public safety, and worker and environmental protection, at great risk;

Fifth, the Council refuses to cooperate with congressional committees exercising their constitutional oversight responsibilities; and

Sixth, the Council's former executive director and current Deputy Chief of Staff to Vice President QUAYLE, Allan Hubbard, may have violated the Federal conflict of interest statute.

For several years, the Council has usurped enormous decisionmaking powers given to Federal agencies by Congress. Apart from lacking expertise on many regulations, the Council refuses to follow the normal rules as embodied in the principles of the Administrative Procedure Act and other statutes. It conducts its decisionmaking secretly. It ignores the principle of hearing from all parties before making decisions. And once its interference with a regulation against congressional intent is discovered, the Council refuses to cooperate with committees seeking information about the Council's role in the process.

Regulations the Council has made decisions on are ones of great significance. The Council forced EPA to change a Clean Air Act pollution permit regulation in violation of legislative intent. The Council delayed and sought to weaken new nutrition labeling regulations required by Congress, weakened FDA's drug approval process, delayed medical laboratory standards required by Congress to prevent faulty testing, and blocked an EPA rule banning the burning of lead batteries, the single largest source of lead emissions into the air.

Just yesterday I chaired a Government Operations Committee hearing on Quayle Council interference with a HUD regulation that is critical to providing handicapped people with access to housing. All that people in wheelchairs want is reasonable access to balconies, living rooms, and bathrooms. They should expect no less.

But the proposed HUD regulation, developed after more than a year of extensive consultation with all the affected parties, was opposed by the National Association of Home Builders. When they lost at HUD they used a secret, back door and went directly to the Quayle Council with their case. But guess what—the other groups that supported the regulation weren't invited. They didn't know about the meeting. In the end the Council strong-armed HUD into changing the regulation.

The Home Builders sent a friendly letter to the Vice President's assistant noting, and I quote, "HUD would not have changed its position without the active intervention of the Council on Competitiveness." I will insert in the RECORD an article from yesterday's Wall Street Journal that describes more fully this example of closed-door bullying by the Council.

To some, this dispute between an Assistant Secretary at HUD—Mr. Gordon Mansfield—and the staff of the Quayle Council may appear merely to be a fight between two factions of the Republican party. On the one hand, HUD Assistant Secretary Mansfield was nominated by President Bush and was confirmed by the Senate. He is, I presume, ably helping Secretary Kemp enforce the Fair Housing Amendments Act of 1988. On the other hand, there is the Vice President's Deputy Chief of Staff, Allan Hubbard, forcing Mansfield to change his decision.

In any event, Mr. Hubbard may have his own problems. The Council has refused to allow the Department of the Treasury and the Environmental Protection Agency to turn over to our committee 21 documents that are in the agencies' possession. These documents may shed light on whether Hubbard violated Federal conflict of interest laws. Hubbard reported owning between $18,000 and $65,000 worth of stock in three Indiana banks while he negotiated last year with EPA to ease rules on bank loans to owners of polluted sites. I will insert in the RECORD a June 18, 1992, article from the New York Times reporting on our investigation of Mr. Hubbard.

While I do not quibble with the President's privilege to establish some limited review mechanism for draft Federal regulations, the totally secretive nature that the Council operates under is wholly unnecessary and inconsistent with democratic principles of open government.

The other side will tell us that it is critical that the President have the Quayle Council to coordinate regulatory policies. My friends, the administration already has such a body. It is called the Office of Information and Regulatory Affairs [OIRA] and it's located in the Office of Management and Budget. It has a $5 million appropriation even though its authorization expired some 3 years ago. OIRA operates according to Presidential Executive order, not according to law. Many of its activities too are secret, contrary to the rulemaking procedures spelled out in the Administrative Procedure Act. They provide a backdoor conduit for special interest interference in the regulatory process against the procedures established by Congress. They delay and often gut regulations promulgated pursuant to public law, which this body has spent months and sometimes years deliberating over. Do we need two such rogue bodies?

In order for the Council to continue to receive congressional support through appropriations, I believe that the outstanding matters of openness and accountability should first be resolved with the Congress. It is precisely this kind of secret, unaccountable, special interest governing with which Americans from all quarters are expressing their dissatisfaction.

I urge my colleagues to vote in opposition to the amendment to strike the Appropriations Committee prohibition.

[From the Wall Street Journal, June 30, 1992]

HOME BUILDERS USED QUAYLE COUNCIL TO HELP EASE DISABLED-ACCESS RULES

(By Bob Davis)

WASHINGTON.—Documents uncovered by congressional investigators show how the

National Association of Home Builders enlisted Vice President Dan Quayle's Competitiveness Council to circumvent the normal regulatory process concerning regulations designed to aid the disabled.

After extensive hearings and comment from all parties involved, the Department of Housing and Urban Development was about to adopt final rules in January 1991 covering the design and construction of apartments so that they would be accessible to disabled people. But the home builders decided to make a last stab at easing those rules.

According to a log of contacts the NAHB provided to investigators from the House Government Operations Committee, the builders and a disability group took their case to the Competitiveness Council, which successfully pressured HUD to ease up on the rules.

"HUD would not have changed its position without the active intervention of the Council of Competitiveness," Charles Field, NAHB's vice president, wrote to the Competitiveness Council. The disability controversy will be the subject of a hearing today before the Senate Government Operations committee.

This case will provide more ammunition to the council's critics, who contend that the agency has set up a secretive layer of review on top of regular White House staff.

"The totally secretive nature that the council operates under to decide important questions of public law is inconsistent with democratic principles of open government," charged Rep. John Conyers (D., Mich.), chairman of the Government Operations Committee.

But Jeff Nesbitt, a spokesman for the Competitiveness Council, contended that Rep. Conyers was "cynically" playing politics. "Who has access to calls from Conyers and his staff?" Mr. Nesbitt asked. "Where is the accountability for the manipulation of Congress" by special interests? HUD officials didn't comment on the dispute.

The controversy began in January 1991, when HUD was finishing rules designed to make multi-unit housing accessible to disabled people. Bill Mitchell, director of policy at the National Association of Protection and Advocacy Systems, an umbrella group of state disability groups, said the rules were expected to provide tough standards that would make balconies, living rooms and bathrooms accessible to people in wheelchairs. HUD formally shipped the rules to the White House Office of Management and Budget for review on Jan. 7, 1991.

But shortly before then, according to NAHB logs, Mr. Field phoned the Competitiveness Council. He said he complained about the expected cost of the rules. The home builders' complaints were bolstered by an unusual alliance they struck with one disability group, the Paralyzed Veterans of America.

Kim Beasley, an architect with the veterans' group, said the group decided it was better to work with companies building apartments than to oppose them. Besides, he said, the HUD rules were vague and would discourage developers from building apartments suitable for disabled people. "Most of the disabled community said, 'Don't work with the Home Builders. Let HUD sort it out,' " Mr. Beasley said.

On Jan. 7, NAHB and its ally were invited to meet with the Competitiveness Council staff and explain their concerns. Mr. Field kept up his lobbying with six phone calls over the next two months and a letter inviting the executive director of the council to accompany him to the Harvard Club of Washington. During that time, HUD officials said privately, the agency eased rules concerning the number of apartments covered, how many bathrooms and kitchens in an apartment would have to be accessible, and whether balconies and sunken living rooms would have to be accessible by those in wheelchairs.

Meanwhile, other disability goups that opposed the changes were kept in the dark. "We didn't know at the time that the Competitiveness Council had any role, so we didn't try to contact them," said Mr. Mitchell.

On March 6, 1991, HUD issued its final rules, which NAHB's president praised in a letter to the Competitiveness Council as saving the public "as much as one-half billion dollars per year."

Mr. Beasley said the Competitiveness Council's intervention was crucial. "We just weren't getting anywhere" with HUD, he said. But the official overseeing the rule, Gordon Mansfield, had recently worked at the Paralyzed Veterans of America as associate executive director for government regulations, and used a wheelchair himself.

Mr. Mansfield was traveling and didn't return calls requesting comment.

[From the New York Times, June 18, 1992]

AIDE TO QUAYLE FACES NEW ACCUSATIONS OF CONFLICT

(By Philip J. Hilts)

WASHINGTON.—After putting his stock holdings in trust to avoid conflict-of-interest accusations, one of Vice President Dan Quayle's chief campaign aides is again under investigation for possible violation of criminal conflict-of-interest laws.

The subject of the inquiry is Allen B. Hubbard, an Indiana investor who is deputy chief of staff to the Vice President and the chief organizer of Mr. Quayle's campaign travel.

Representative John Conyers Jr., Democrat of Michigan and chairman of the House Government Operations Committee, which is investigating the matter, says Mr. Hubbard may have violated the Federal conflict of interest law by helping to renegotiate a regulation criticized by the banking industry at the same time he owned stocks in three banks.

Mr. Hubbard owns $18,000 to $65,000 worth of stock in three Indiana banks, financial disclosure reports say. According to documents of the Environmental Protection Agency and the White House Council on Competitiveness, he negotiated last year with the E.P.A. to ease rules on bank loans to owners of polluted sites.

Under E.P.A. regulations, banks that make such loans have to clean up the polluted sites if the owners default on their loans and the banks take over the property. Mr. Hubbard played a major role in persuading the E.P.A. and Treasury Departments to change the regulations to allow banks to lend money to the landowners without sharing liability for a clean-up, documents indicate.

This is not the first time Mr. Hubbard has been accused of Federal conflict-of-interest violations. In December, Mr. Hubbard announced he would set up a blind trust for his stock holdings after Congressional leaders asserted that he might have violated conflict of interest laws by working on pollution regulations that affect companies in which he owned stock.

ASKING FOR DOCUMENTS

Mr. Conyers has asked the Vice President's office to turn over some documents about Mr. Hubbard's involvement in negotiating the relaxation of the rule, but he said today that his committee had received no answer. "What are they trying to hide, and why are they trying to thwart a Congressional investigation of a possible felony?" Mr. Conyers asked.

A spokesman for Mr. Quayle, David Beckwith, said the Vice President's office planned to answer Mr. Conyers' request for documents. Members of the Vice President's staff, speaking on the condition of anonymity, said the matter was purely technical because Mr. Hubbard was intending to get a waiver absolving him of conflict of interest in such matters.

Such a waiver, which he did obtain later from the Vice President, describes his potential conflicts and declares them to be insubstantial. In theory, the waiver protects him from conflict of interest charges, but it is not clear how a court would treat it. It is common practice among businessmen who become high officials in Government to seek such waivers.

However, Mr. Hubbard did not receive the waiver until mid-June 1991, after he had already negotiated the issue of what burden banks must take when they lend money to potential polluters. Thus the waiver would give him no protection from prosecution in that case.

Mr. Conyers said the documents he was seeking dealt "with specific meetings we now know occurred between Mr. Hubbard and senior officials of E.P.A. and the Treasury Department concerning an environmental Superfund regulation that affected the liability of banks, including three banks in which Mr. Hubbard owns stock."

"There is a very real question of whether a felony violation occurred," he went on.

RULE DISLIKED BY BANKS

Although the E.P.A. rule requiring banks to clean up foreclosed property has rarely been enforced, officials say, the banking industry lobbied vigorously to have it changed. The industry feared situations in which a bank that had lent a few hundred thousand dollars would be forced to take on multi-million dollar clean-ups.

Bankers favored changing the rule, part of the E.P.A.'s Superfund regulations, to allow banks to escape liability for a clean-up if they do nothing but hand out the loan and try to resell the property immediately after the loan defaults.

The negotiations on the rule, which was first proposed in 1990, has dragged on for many months because of disputes between the Treasury Department, the E.P.A. and the White House budget office until Mr. Hubbard appeared on the scene. Mr. Hubbard, who became deputy chief of staff to Mr. Quayle in 1990, began work on the issue in 1991 on behalf of the Council on Competitiveness, a Bush Administration panel that seeks to ease the impact of regulations on business. It was Mr. Hubbard's intervention, E.P.A. officials say, that resolved the disputes, and the change went into effect last year.

Environmental groups opposed relaxation of the rule, saying companies would be less likely to clean up their polluted sites if the bankers who lent them money could ignore the state of the site in making a loan. If they had some risks, the lenders might well require the company to take good care of the site, just as they now require borrowers to have fire insurance.

Mr. Hubbard met with Government officials on several occasions to help change the rule on banks' liability. At least four of the meetings were in May and June 1991, before

Mr. Hubbard had relieved a waiver, documents indicate.

NECESSARY PROOF

In an interview, Thomas Zorn of the Office on Government Ethics, an independent Federal agency that oversees governmental ethical rules, said of Mr. Hubbard's role, "There is a potential conflict there."

But there is general disagreement over what would have to be proved against someone accused of a conflict of interest.

Some of the tests of whether Mr. Hubbard's acts were a violation, Mr. Zorn said, would be whether he participated substantially in the decisionmaking, and whether the policy making he was part of would have a "direct and predictable" effect on the banks in question.

Stephen Gillers, an expert in conflict of interest law at New York University, added that the prosecutor in such a case would probably have to show that the Indiana banks in which Mr. Hubbard and his family have stock had loans on the books to businesses with designated Superfund sites.

It is unclear what loans those banks have made. Mr. Conyers's aides say they are still investigating the issue. If, after reviewing the documents, Mr. Conyers suspects a conflict, he may ask the Justice Department to prosecute, his aides said.

Mr. McDADE Mr. Chairman, I yield 4 minutes to my dear friend, the gentleman from New York [Mr. HORTON] the ranking Republican member of the Committee on Government Operations.

Mr. HORTON. Mr. Chairman, first of all let me point out that the Council of Competitiveness is not a rulemaking body. It does not make the rules. The rules are made by the various agencies.

Second, and a very important point, I chaired, as many of the Members know, the Paperwork Commission, which finished its work back in 1977. As chairman of that committee, I presented our findings to President Carter. One of the findings that we made was that most of the paperwork, 80 percent of the paperwork, came from the regulatory process. Regulation is what causes paperwork.

As a result of that, the Committee on Government Operations, on which I serve as the ranking member, and the chairman just spoke a few minutes ago, the Committee on Government Operations created the Office of Information and Regulatory Affairs in 1980 with a level three executive as its administrator, as a means to manage the regulatory agenda of the Federal Government. Agencies were having difficulties working out their problems, so it was our considered judgment that we ought to have an office in the Office of Management and Budget called OIRA, to help keep those regulations on track, to eliminate duplication, and to make sure that the regulations did not result in additional paperwork requirements, and to settle disputes.

I support a strong OIRA. It simply was not created to resolve major policy disputes between the senior officials in government.

Presidents of both parties have established formal or informal mechanisms to resolve these kinds of disputes between Cabinet Secretaries. The Council on Competitiveness would be needed regardless of whether OIRA existed or not. There has been a lot of confusion here with regard to what the Council on Competitiveness is. It is a deliberative forum which serves the President, and that is where senior agency officials can gather to discuss and hopefully resolve policy issues that affect major regulatory proposals, often involving several agencies. It is a Cabinet-level body intended to serve the interests of all Americans by helping to reduce excessive, burdensome, and unnecessary regulation.

It is not the Vice President's council. He is designated by the President to serve as the head of the council. The council was established by the President, President Bush. President Reagan did one, President Carter had something like that, President Ford had another one, and Mr. Clinton, who is running for President on the Democrat side, said if he were President he would have one.

This Council was established on June 15, 1990, by President Bush. I think it is very important that we recognize that this Council does not make decisions, that what this Council does is bring in outside interests.

We had one yesterday before our Committee on Government Operations. The Paralyzed Veterans of America and the National Association of Home Builders were concerned about the inability of homes to be built for paralyzed veterans. The Paralyzed Veterans of America went before the HUD people, who had formed these regulations, and did not get satisfaction. They went to the Council on Competitiveness, the Council on Competitiveness made a report, and ultimately HUD made a decision which gave accessibility at a cost that would provide these facilities for the disabled. That is basically what this council does.

That $86,000 is a very good investment, and I hope that we will support the McDade amendment.

Mr. CONYERS. Will the gentleman yield?

Mr. HORTON. I yield to the gentleman from Michigan if I have time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CONYERS. The gentleman and I have agreed that we would look to legislation for the review process.

Mr. ROYBAL. I yield 30 seconds to the gentleman from New York [Mr. HORTON].

Mr. HORTON. I yield to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I wanted the entire body to hear that the gentleman from New York [Mr. HORTON] and I have agreed that the whole regulatory review process needs to have legislation behind it. It was his idea, and I think we can assure everyone that the Committee on Government Operations is going to reexamine this entire question.

Mr. HORTON. I agree with the gentleman. That is what I suggested, yes. I certainly agree that we can do that and we should do that very promptly.

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. WISE] 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.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1993

The Committee resumed its sitting.

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Mr. Chairman, from the mouths of babes come words that we can ignore only at our peril. Eleven-year-old William Figueroa, of Trenton, NJ, said about the Vice President: "I knew he was wrong." The same can be said about the Council on Competitiveness, chaired by DAN QUAYLE. We know they are wrong. But a lot more is riding on their actions than a spelling bee.

The closed-door deliberations of the Competitiveness Council affect the lives and livelihoods of millions of Americans. But most of us are not permitted access to the proceedings of the Competitiveness Council. The Council meets in secret and refuses to disclose its contacts.

The members of the Council on Competitiveness think they are immune from the law. They answer to a higher calling, the siren song of special interests. Forget the law, forget public participation, they tell us, the elite members of the Competitiveness Council know better than the public.

I urge my colleagues to oppose this amendment. The American people want Government that is open, fair, and efficient. The Competitiveness Council is the Federal equivalent of the old boy network. Deep down, we know they are wrong.

□ 1600

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I thank the chairman of the subcommittee for yielding time to me, and I want to rise in strong commendation for the actions of this appropriation subcommittee in recognizing the tremendous concern that the Congress and the general public have in the creation of this White House Council on Competitiveness and its ability to operate in secret without a public record, without the public really having an opportunity to intervene in the decision making that I know goes on within the council.

I rise, therefore, in opposition to the amendment which seeks to restore this funding. This council has never been authorized by the Congress. It operates in total secrecy.

If it is important for the chiefs in the various departments to get together, certainly there are funds, and mechanisms, and task force operations that could be brought to bear in which these discussions could occur. But this Council has been created as an artificial body that could rise up and refute regulations and rules that we have in important matters dealing with the environment and with health. So I hope these funds will not be restored.

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

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me the time. I have unfortunately not been able to be here for all of the debate. The gentleman from Pennsylvania [Mr. MCDADE] and I have been in a Labor/Health markup. He came up for his amendment and I have just come up to the floor.

But the substance of this debate obviously is the question of is this Council simply carrying out executive oversight, or is it in fact subverting the processes that we have established to ensure that the public knows what its Government is doing, and the public is protected against conflict of interest, the public is protected against in secret doing that which the Government says it is not doing in public.

In addition, I know that there has been a lot of discussion about trying to make America more competitive, trying to make sure that businesses are not oppressed by unnecessary and undue regulations, to make sure that farmers are not made to have a more difficult time because of oppressive government regulations. I think all of us in this House agree with those objectives.

The fact of the matter is, however, there are two institutions of government, two agencies which currently exist. One is OIRA located in OMB which is specifically given the authority and the charge to oversee the implementation and promulgation of regulations to ensure presumably against redundancy, and to make sure that the regulations are themselves not oppressive.

With respect to the Vice President's Council, of course every one of these agencies that issue these regulations operate under a Presidential appointee. The President has full authority right this minute to make sure that his secretaries oversee the proper promulgation and implementation of every regulation.

In addition, to ensure that America is competitive with the rest of the world, we have by legislation provided for a Presidential and Senate and House-appointed Competitiveness Policy Council that is specifically to do some of the things that have been discussed in the debate on this floor. That is to ensure our competitiveness. Fred Bergstem is the chairman of that, and as a matter of fact, Bob Mosbacher, very close to the President, former Secretary of Commerce, now doing something else, is on this council.

So I would suggest that we already do what presumably this council is supposed to do, and we can save some money. But more importantly, we will not be keeping secret the business of this government from the people.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I would only say that when the Council on Competitiveness or any future agency of its type cannot exist, it is outrageous, and this is basically what the Skaggs amendment does; it tells this President or any future President they cannot use their own staff as they see fit, and it is outrageous.

Mr. Chairman, I rise in support of the amendment offered by our ranking member, Mr. MCDADE of Pennsylvania.

I believe the provision we are objecting to today is a dangerous one. The Skaggs provision is, in effect, telling the President of the United States, and in turn the Vice President: That he cannot use his own staff as he sees fit; that he cannot review Federal policy; and that he cannot as Chief of the executive branch, have oversight over that same executive branch.

That is pure partisanship. The Skaggs provision is objecting to the policy conclusions, therefore objecting to the staff that reached them. To say that the Council on Competitiveness, or no future agency of its type, can exist, is outrageous.

Congress has missed the point. Overregulation and bureaucracy are not the friends of the American people. Nearly 170 Members of this body, a bipartisan group, cosponsored legislation sponsored by our colleague from Louisiana [Mr. HAYES] to bring some sense of reason to wetlands policy. All of those Members realized our Federal wetlands regulations were a mess—as did the Council on Competitiveness.

I ask those of you who supported that legislation to let your sense of reason prevail and support this amendment. Let the Council on Competitiveness continue its important role—as an advisory group for the President. The President has that right.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I rise in the strongest possible support of the McDade amendment and in opposition to the ludicrous attempt of my colleague, the gentleman from Colorado, to destroy this effective Council.

This week, an obscure Presidential council is in the limelight for stepping on some big toes in Congress. That Council—the President's Council on Competitiveness chaired by Vice President DAN QUAYLE—has been busy working with Federal agencies to ease the regulatory burden on America's property owners and businesses.

In doing so, this small council with only two staff members has raised the ire of several proregulation Members of Congress. The result has been the targeting of the Council and its members for innuendo, false charges, and, now, elimination.

In my mind, this is just another example of how out of touch the congressional leadership is with the American public. I cannot count the number of homeowners, businessmen, and other people from my district who have contacted me regarding the outrageous demands placed upon them by regulatory agencies. In some cases, these demands have cost them their homes, businesses, retirement savings, et cetera.

What is more, this is a national problem. According to several sources, Federal regulations cost Americans over $400 billion per year. That is $4,000 per American family, or more money than the total income for most of the families in the world.

Despite this incredible burden, Members of this body have voted to kill the one Federal organization dedicated toward cutting the regulatory burden currently shouldered by Americans.

The fact is, this attempt to kill the Council has nothing to do with concerns about the legitimacy of the Council's work. Rather, it's a political battle between proregulation Democrats and the President of the United States. After all, he's the one who created the Council and dedicated its mission.

If those Members who support killing the Council wish to control the executive branch, then I suggest they run for the office themselves. In the meantime, I suggest they get in touch with their constituents, if they are not too buried under Federal regulations to let them know how they feel.

Mr. MCDADE. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Georgia [Mr. GINGRICH], the Republican whip.

Mr. GINGRICH. Mr. Chairman, I thank my friend for yielding me the time.

Let me just say I think this is an amazing situation to be in. Virtually every Congress man and woman goes back home and says, "Oh, I'm against redtape, I am against all of those regulations. I am against all of those bureaucrats. Oh, it's terrible." Dentists come in and explain what OSHA is now doing to them, and I bet almost every

Member of this body has said, "Oh, those are crazy regulations."

People come in who are faced with a need for a brandnew drug. It takes 4 years to get it approved, this brandnew drug. A Congressman gets up and says, "Oh, this is terrible to have that regulation, terrible to have that bureaucracy."

The President of the United States finally says all right, let us set up a council, an administrative Cabinet-level body. Let us cut through the redtape. Let us find a way to help the American people and speed up new drug approval. Let us limit the bureaucracy. Let us weaken the hold of all of those full-time bureaucrats in Washington. Let us give the small businessman and the small businesswoman a chance. Let us give the dentist, and the doctor a chance, and let us give the hospital a chance, and let us give the farmer a chance.

Then what is the first thing the Democratic leadership does? They decide to kill the only agency in Washington which on a full-time basis is trying to cut redtape. Now let us think about it, of all of the Federal executive branch agencies there is one place which in the last 6 months has consistently made headlines cutting redtape. There is one place which has consistently made headlines fighting the bureaucrats, and that is the Competitiveness Council.

What is the answer of the liberal Democrats after every speech to every Rotary Club, after every speech to every chamber of commerce, after every explanation on every local radio station? It is going to be to vote to kill the only agency which is dedicated to cutting redtape, fighting the bureaucracy.

But I just want to make the point over and over so Members can have no doubt about it. Do not go back home and tell small business you are sorry about redtape if you vote against the McDade amendment. Do not go back home and tell your dentists that you are sorry about the stupidity of what OSHA is trying to do if you vote against the McDade amendment. Do not go back home and tell your family farmer how awful that paperwork is if you vote against the McDade amendment. And when some family comes in and desperately needs a new drug, and there is no way to cut through the redtape and help them get that drug, and they are tied up in 4 years of Federal bureaucracy, do not tell them you are trying to help them if you vote against the McDade amendment.

JOE MCDADE has the only amendment on this floor to reestablish the only branch of the Federal Government which is fighting against bureaucracy and redtape, and if Members vote no on that amendment they are voting with the bureaucrats, with the redtape, with the regulations, and they are voting against the farmers, voting against the doctors and the dentists, and they are voting against the small businessman. It is in the end just that simple and just that clear.

Mr. ROYBAL. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, to paraphrase the gentleman who just spoke in the well, do not go home and tell your businessman that he should play by the rules. Do not tell the farmer that he should play by the rules and follow, as the gentleman from Oklahoma [Mr. EDWARDS] said, the requirements of the Administrative Procedure Act, because there is a better way to do it. Get a campaign contributor to put you in touch with the Competitiveness Council, and they will get your opinion on the record without your name being known to anybody. They will find an underground way for you to influence the regulations that are being written without identifying your company or yourself with what you are asking the Government agency to do.

What the agency has turned into is not a group of people who are concerned about competitiveness.

□ 1610

It is a group of people now who are giving a special group of American citizens the backdoor entrance into the rulemaking process in a totally secretive way so that nobody can ever read the RECORD and see who is responsible for the rule.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Pennsylvania [Mr. MCDADE].

I believe H.R. 5488 should strike funding for the Council on Competitivenss headed by Vice President DAN QUAYLE. As chairman of the Education and Labor Committee, I have first hand knowledge of the mischief the Council has been up to in frustrating the Occupational Safety and Health Administration from protecting employee health and safety, as Congress intended. The Council blocks or guts OSHA action to protect working men and women at the behest of businesses seeking to avoid regulation. The Council's activities have undermined the public rulemaking process, by encouraging off-the-record lobbying by those with White House connections.

The Council on Competitiveness' most recent OSHA-related initiative was to argue that reductions in toxic exposures on the job would hurt—not help—employee health and safety. According to the Council, we should continue to allow employees to be poisoned by chemical exposures at work, because if their employers save money, employees might get raises, and wealthy workers are healthy workers. This is ridiculous.

OSHA had already considered this theory and decided that it would be illegal for the Agency to rely on it. But the Council ignores the law. Acting with the Council's support, OMB blocked OSHA regulations to protect construction, agricultural, and maritime workers from exposures to 400 toxic chemicals until OSHA agreed to consider OMB's ideas. Only a cruel hearted administration would argue—as the Council has—that increased exposure to toxins on the job is good for workers.

The Council also intervened in OSHA's decision on whether to modify its formaldehyde standard. When the affected industry could not get what it wanted through OMB, the Council stepped in to ensure that OSHA's actions had business approval. The Council has created a secret court of appeals for industry to curry political favor.

But the Council's most destructive interference in OSHA's rulemaking process is not yet widely known. Published reports indicate that the Council has been actively pushing a draft executive order on risk assessment. Under this draft order, agency scientists would be told what scientific principles are valid and how they are to be applied to interpret technical data. Political operatives at the Council on Competitiveness will call all the shots on issues of toxicology, biochemistry, and biostatistics.

It should come as no surprise that the interpretation of scientific data mandated by this proposed Executive order mirrors the interpretation suggested by business organizations seeking to avoid health and safety regulation. Indeed, the scientific interpretation demanded by the Council has been rejected by every Federal agency that has considered risk assessment issues.

I am distressed that the Council would manipulate the rulemaking process in this way. We expect regulatory agencies to evaluate technical data and draw conclusions about how to protect the public health. But the Council is afraid to let that happen. So the Council will dictate the method that agencies must use to evaluate the risks from toxic substances, and it will demand that an agency follow its rules, even when the scientific data suggests otherwise. Politics, not scientific evidence, will dominate public health decisionmaking.

Why would the Council demand that OSHA rely on risk assessment principles which lack scientific basis? The answer is simple. The Council wants to dictate the result of OSHA's regulatory efforts and make sure that OSHA's analysis shows that toxic substances are not worth regulating. The Council cannot rely on the public rulemaking process to achieve its goal, because available evidence shows that workers need more health and safety protection, not less. The only way the Council can justify this administration's unwillingness to protect worker health is to change the rules of the game. Heads, the Council wins; tails, workers and the public health lose.

There have also been published reports that the Council is considering ways to weaken the Davis-Bacon Act. This is the law which prevents Federal or federally assisted construction activities from disrupting local economies by requiring contractors who successfully bid on these contracts to pay their workers wages that are already prevailing in the locality in which the work is to be done.

President Bush had been considering the advice of some of his top aides to temporarily suspend the Davis-Bacon Act in the mistaken belief that such an action would help turn the

economy around. But more thoughtful advisers prevailed and the President decided not to take such a drastic measure. I am sure his more astute advisers reminded him that in 1971, then President Nixon suspended the Davis-Bacon Act for a year. Subsequent authenticated studies proved that that action had no discernible effect on the economy and did not result in any appreciable savings in Federal construction moneys.

Despite the historical facts showing that the Davis-Bacon Act does not distort the economy or drive up construction costs, the Competitiveness Council, nevertheless, thinks it can defy history and is now thinking up ways to disrupt the salutary effects of this law.

Mr. ROYBAL. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. MOODY].

Mr. MOODY. Mr. Chairman, earlier this week a train derailed in Superior, WI, spilling benzene, causing a huge fish kill in the Nemadji River, and forcing the emergency evacuation of 60,000 residents of that community.

Press accounts of this disaster today are reporting that emergency crews were delayed up to 9 hours because, according to Jane Meyer of the Wisconsin Emergency Response Commission:

> The enforcement of a Federal law that will provide money for [protective suits] and other hazardous spill equipment has been delayed by Vice President Dan Quayle's Council on Competitiveness.

Here we have the administration's view of safety and environmental protections summarized in a nutshell. The administration has used the Quayle Council to make it easier to pollute the environment, easier to put workers in unsafe jobs, and, by coincidence, easier for big business to be irresponsible and to profit from that irresponsibility.

Can industry be trusted, I ask you, to assume the responsibilities of the Council on Competitiveness to seek to protect them from? Can we trust our workers on the railroads and other places to the gentle, tender mercies of big business acting on its own without regulation?

The Associated Press today cites Paul Steadman of the U.S. EPA as saying that the Burlington Northern Railroad has complained that local officials overreacted to the danger caused by the spill and asked that the remaining evacuation order be lifted.

But was this spill of benzene which nearly cost many lives as well as causing incalculable damage, was this preventable?

The tank that ruptured in Superior, WI, was the 111-type tank car, the same type of tank car that ruptured in Dunsmuir, CA, into the Sacramento River last year, effectively killing Lake Shasta. The railworkers have been fighting this tanker since 1978, because it is known to be one of the types of tankers that is most likely to rupture in case of accident. It has ruptured repeatedly in the past, but there is no relief from the Federal Government or from the Association of American Railroads Tank Car Committee.

If we agree this Republic must be ruled by law and not by politics, we must oppose the McDade amendment. This is a case study in which the McDade amendment is unwise and should be rejected.

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

Mr. DOOLITTLE. Mr. Chairman, I strongly support this amendment and the Competitiveness Council.

I rise in strong support of the amendment offered by the gentleman from Pennsylvania [Mr. MCDADE] to restore funding for the Vice President's Council on Competitiveness.

My office has been flooded with mail protesting the elimination of Council funding, all of which made a sound case for the Council's continuance. Citizens for a Sound Economy points out that "unnecessary regulatory burdens may impede the ability of U.S. firms to compete, to create jobs, and to invest in ways that will increase productivity." Opponents argue that the Council intercedes on behalf of business to the detriment of the consumer. That assertion is patently untrue. In truth, excessive and unwarranted regulations are hurting consumers badly. The cost of excess regulations is borne by the consumer, and delays caused by those restrictions keep needed products including life-saving drugs off the market. The Council on Competitiveness has taken meaningful steps to ease the burden of overregulation imposed on businesses and consumers alike.

The effort to eliminate funding for the Council ignores the need to remove impediments to competitiveness, progress and economic growth, choosing instead to strip the executive branch of its ability to eliminate or revise unnecessary and costly regulations. We must not accept this foolish—and dangerous—attack on the Council. Those who advocate stripping funding from the Council on Competitiveness are trying to mislead the American public with irresponsible scare tactics. Let's ensure that they do not succeed by supporting this amendment.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Chairman, I likewise support the McDade amendment.

Mr. Chairman, in a maneuver reeking of election year politics, the Treasury/Postal appropriations bill abolishes the two staffers at the Vice President's Council on Competitiveness and these are the only two staffers in this lean and mean operation. It has saved our economy billions of dollars and helped save American jobs. The Skaggs language to kill the Council would eliminate one of the few Federal programs which is having a positive impact on our economy and creating jobs.

The Council on Competitiveness has helped ease the crippling drain regulations have on our economy. The Council has enjoyed extraordinary success in its reform efforts. With only two full-time staffers trying to monitor 122,000 bureaucrats, this is a prudent investment. Another success of the Council has been to reduce the time it takes to develop breakthrough drugs.

The Council has developed reforms for our civil justice system to reduce excessive litigation which is tying up our courts.

Vice President QUAYLE and the Council on Competitiveness are doing a lot to save Americans from the Federal bureaucratic stranglehold. The Skaggs language would cripple a program which is saving the American people billions of dollars.

The efforts to shut down the Council on Competitiveness is a partisan political ploy. Let us quit playing election year games with the economy and American workers.

I urge my colleagues to support the amendment to strike the Skaggs language.

Mr. MCDADE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. IRELAND], the ranking member of the Committee on Small Business.

Mr. IRELAND. Mr. Chairman, I rise to say a few words on behalf of the 20 million small businesses in America and the over 100 million employees of those businesses.

Mr. Chairman, the debate on the McDade amendment is not a question about the role of government. We are not debating whether or not we need rules and regulations. The debate is about how we achieve the results that we want as expressed in the laws we pass.

Here, the interpretation of the law and the promulgation of the regulations is the responsibility of the executive branch agencies. The Council on Competitiveness is an important part of the executive branch's oversight structure.

Some may not agree with the executive branch's interpretation of the goals of certain regulations. But I would remind you that that is the job of the executive branch.

We should not allow this prerogative to be usurped by the faceless, unelected, unappointed bureaucrats in the agencies working with the staffs of congressional committees acting in secret who hold a different political view.

Now, one thing is clear, and that is that through the Competitiveness Council, the executive branch has stopped or modified countless regulations that would have been devastating to the small business part of our economy, the part of our economy that is providing all of our new jobs, over half of the employment in this country, and most of our gross national product.

In this debate, we have heard the statistics and the horror stories that show why small business needs the Competitiveness Council. A vote for the McDade amendment will save many small businesses and help others provide the jobs we need so badly. A vote against the McDade amendment will be devastating to small business.

My colleagues, I would remind you that it is easy to say you are all for small business, but today it is how you vote that counts.

Mr. ROYBAL. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, the Competitiveness Council operates with taxpayer dollars, it considers public policy issues, it changes regulatory practices and policies, and it impacts the implementation of laws enacted by Congress.

Yet, the Council is not accountable to anyone. Its deliberations are not made public. The Council does not permit public participation. This is a rogue organization that is inconsistent with the democratic principles of our country.

The White House already has a regulatory review process in place at the Office of Management and Budget. The OMB operation has the power to do everything the Competitiveness Council is doing. The difference is that OMB must follow the principles of public disclosure.

OMB is required to disclose all written material received from interested parties concerning agency rules. OMB is required to disclose all meetings with interested parties concerning agency rules. OMB is required to disclose all agency rules it reviews. And, OMB is required to disclose all written recommendations it makes to the rulemaking agency.

I am not opposed to streamlining the Federal regulatory process or restructuring regulations to give businesses the flexibility they need to comply with the law. What I am opposed to is the unilateral dismantling of public policy by a very unpublic entity. I am opposed to the Competitiveness Council being the lobbyist for the few, privileged interests that have access to the Vice President and this administration.

IMPACT ON DISTRICT AND CALIFORNIA

Airport noise:

I currently have a lot of people in my district who are concerned about airport noise. We have been working long and hard on a solution to this problem both locally and on a national basis.

Last September, however, the Competitiveness Council intervened to delay FAA implementation of new noise standards for the airlines. These regulations are critical to mitigating what has become a tremendous burden on people who live near airports throughout the country. The Quayle Council has unilaterally reversed the direction that Congress said we should take. It did so without any input from the general public.

Marketing orders:

California orange growers have overwhelmingly supported the marketing order for navel oranges. It provides price support and distribution efficiencies without any financial support from the Government. The benefits of the marketing order filter down directly to the individual grower and his or her employees. They are small businesses in most cases.

The USDA's own study in 1985 found that in a normal supply season grower revenue would fall by approximately $12.7 million if the marketing order was not used. That is money directly out of the pockets of growers. Yet, earlier this year, the Competitiveness Council in conjunction with the USDA terminated the marketing order. They went against the wishes of orange growers in California who overwhelmingly voted to retain the marketing order.

Fungicide regulations:

EBDC's, a group of fungicides, went through review at EPA, agriculture industry worked on satisfactory compromise with EPA. The EPA was about to issue regulations on EBDC's to enable farmers to plan for the coming season. In comes Quayle Council. They held up the regulations to try to add number of uses to the list. This intervention jeopardized the fragile compromise that EPA and the agriculture industry had reached. Only when the industry pressured the Council to stay away from the issue, did the council relent. Only a weeklong delay, but the untimely, unilateral intervention by the council put the industry in a difficult situation.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, if we are going to cut the redtape, we must begin by cutting the bull.

Mr. Chairman, the marketing order is a government-enforced cartel. In any other industry but the California citrus industry, it would be illegal.

Mr. Chairman, Congress does sloppy work, not by accident, but on purpose.

How many times have we seen the Democrat majority in a committee purposely write laws sloppily and then when we try to clean up and tighten the language tell us that will be done in the courts or that will be done as the bureaucrats write the regs?

□ 1620

That is what makes the Competitiveness Council necessary. The Competitiveness Council makes it necessary, makes it possible, makes it mandatory that the regulations are written with precision, with accuracy, with understandable language that can be followed by the American business sector and by the American people. They clean up the sloppy work of Congress, and that is an inconvenience to Congress and that is why the Democrats want to kill the Competitiveness Council.

Cut the bull and vote "yes."

Mr. McDADE. Mr. Chairman, I am delighted to yield 3 minutes to the distinguished gentleman from Texas [Mr. DELAY], a member of the committee.

Mr. DELAY. Mr. Chairman, I thank my ranking member for yielding me this time.

You know, if you take on something like this and try to disguise it from being a political issue, you ought to know really what you are attacking. You really ought to know something about the Council. The Council has not made one rule. It does not make rules.

The gentleman from Colorado had a nice chart up here talking about the Council's rulemaking versus policymaking. They have never made a rule. They have never taken a rule, never taken action and made a rule. What they do is they intervene and they negotiate with agencies and settle disputes. Then the agency itself has the last rule to make. Then in the open they make the normal noticing comments under the Administrative Procedure Act.

This is a body within the White House, around the President. Even your own Democrat nominee, Mr. Clinton, last week said the President should have a regulatory review panel.

OIRA can do it.

Do you know what the truth is? They will not reauthorize OIRA. A court of law said and took away one-third of the ability to review agencies in the third-party rule and agencies are using that to circumvent, yet they will not reauthorize OIRA and the other body will not even confirm a Director. We have not had a Director in the 4 years of this administration.

Secret and illegal? Prove it. Prove it, because if you really think they are secret, then you are hypocrites, Mr. Chairman. We are all hypocrites because we meet with people all the time with special interest groups. We meet all the time in groups.

Even when I was up in the Rules Committee just the other day the Democrats went off in a room and met secretly and they came out and held a hearing. We do it all the time.

Now, we will not testify. The staff cannot testify, Mr. Chairman. The staff of the White House cannot testify, but even yesterday Government Operations had a hearing called by the Paralyzed Veterans of America and Government Operations refused to bring a Cabinet-confirmed official, the Assistant Secretary of HUD, before the committee to hear what he had to say.

Wetlands, you talk about wetlands, you are mad about what they took on wetlands, and you are hypocrites, because the wetlands were out of the sunshine. The EPA and the Corps of Engineers released a manual in 1989 without any hearings, without any notice, without any comment period and the Council intervened and said, "Wait a minute, whoa, let's bring it out into the sunshine," and demanded and had two comment periods.

So if you are mad about the wetlands, then you are for secrecy, because

that is what the EPA and the Corps of Engineers did.

Now, just look within yourselves at the number of Democrats, 47 of them that have contacted the Council because agencies have been obstinate and capricious.

Mr. ROYBAL. Mr. Chairman, I yield the balance of my time, 3 minutes, to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the distinguished gentleman for yielding, and take this opportunity to thank him for his leadership on the committee on which I am privileged to have served for the last 2 years. We will miss the chairman.

A couple points to clear up. First of all, if anyone is really concerned about where Governor Clinton stands on this issue, he has made it abundantly clear that he does not endorse anything remotely resembling what goes on in the Council on Competitiveness. We have a letter from him for those who may be interested.

Let me also say, in response to the point made by the gentleman from Texas, OIRA lives. It has $5 million in this bill to continue its operations in public, on the record, accountable to the people of the country, as the law provides.

Whose government is this, anyway? Who has been in charge for the last dozen years appointing the agency heads, appointing the administrators, superintending the redtape production? And now, notwithstanding all that they have been in charge of, they still have not gotten it right and have got to go behind the scenes to establish something like the Council on Competitiveness.

Ask Bill Reilly whether there has ever been an intervention, a change made in the rules prescribed by this Congress by the Council.

Ask him why he had to say no to the Council until "you get the Justice Department to tell me otherwise." Then come back and say with a straight face that this Council simply has conversations.

How are we supposed to get the details when they refuse to come up and testify to this Congress and tell us what they do, refuse to disclose anything of the operation, proudly announce that it is a no fingerprints operation? And yet we are to be taken to task because we cannot come up with chapter and verse when they refuse to operate in the open?

I suppose there could be some element of shame in all of this. I would certainly be a little bit ashamed if I had put someone in charge of this operation who had, as was stated before, a garden variety, alley cat variety conflict of interest and yet got a nice exemption by the Vice President of the United States to proceed anyway, perhaps ashamed of the interesting coincidence between the interests that are catered to by the Council and the list of nice campaign contributions and soft money donors going to this administration.

There are any number of reasons why, if this were going on in anybody's administration, they would want it kept behind closed doors, nice and secret, because it simply would be an embarrassment if the people of this country knew what was happening, how it was being done, whose interests were being served, and how the law was being ignored.

PREFERENTIAL MOTION OFFERED BY MR. MCDADE

Mr. McDADE. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. McDADE moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McDADE] is recognized for 5 minutes.

Mr. McDADE. Mr. Chairman, I say to my colleagues it has been an excellent debate and we do not have enough time on this side. The distinguished ranking Member, the gentleman from Virginia, has not been able to be heard on the issues. He should be heard, and I am very pleased to yield to my dear friend, the gentleman from Virginia [Mr. WOLF], the ranking Member of the committee, to close debate on this side of the aisle.

Mr. WOLF. Mr. Chairman, earlier the gentleman from Colorado [Mr. SKAGGS] said the Friends of the Administration—I want to again read the letters from the Friends of the Administration.

The Skaggs amendment in this bill is the killer amendment. The McDade amendment is the life amendment.

Let me read to you, this is from a young lady who has cystic fibrosis, and the age that you live with cystic fibrosis is 28 years old. She says:

DEAR MR. VICE PRESIDENT: I want to thank you for recommending changes to the drug approval process at the FDA. I have enrolled in a clinical trial to test the effectiveness of a new orphan drug, DNase. I felt better almost immediately as I am now less winded climbing stairs.

She went on to say:

I thank you as a member of the Vice President's Competitiveness Council. Today the life expectancy for people with cystic fibrosis is 28. I just turned 28, but I am optimistic about the future. I am working for the CF Foundation, attending law school and recently married.

What would you tell Mrs. Tomlinson? That you do not want to expedite it by 4 more years so she can live?

□ 1630

Here is another letter:

DEAR MR. VICE PRESIDENT: Thank you for your efforts on drug approval acceleration. Our daughter suffers from asthma and it is important to us that she has access to needed drugs as soon as possible.

Four years; asthma; does anyone out here have anyone in their district that has asthma? Four years.

Here is another letter:

DEAR MR. QUAYLE: My son has cystic fibrosis.

This is from a high school principal. Do not forget 28 years is the average life expectancy for a cystic fibrosis patient.

Please do not delay the new drugs that are being developed here and in the other countries. The clock is ticking, and we are in a life-and-death race. Please help us.

If you want to help, vote for the McDade amendment.

Here is another letter:

It's about time someone took the FDA's bull by its horns to make available drugs which will prolong and restore health to those in need. My wife Bernice has had ovarian cancer for over a year now.

Then he ends the letter saying—

So, sir, we sincerely hope your plan to expedite FDA action for the prompt approval of drugs like Taxol will become a reality soon, not only for Bernice's sake but also for the millions of seriously ill Americans in need of hope and promise for good health and fulfillment in this great country. May the blessing of God fill your life.

Then lastly the letter from the Alzheimer's Center.

Let me read you what they say, in summary:

I would earnestly hope that Members of Congress who have indicated their concerns about the activities of the Council on Competitiveness are aware that the council's various initiatives are basically building upon programs begun by the Administration's Task Force on Regulatory Relief, chaired by then-vice president Bush, the President's cancer panel and the FDA. The French Foundation for Alzheimer Research is deeply concerned that these attacks,

And they are attacks—

on the goals of the Council on Competitiveness, particularly as related to Alzheimer disease, will slow down and distract from the needed sense of urgency that the drug approval process demands.

And if you had a loved one, as I said earlier, my mom died of cancer and my dad died of cancer, my dad had lymphoma. The doctor came to us and said, "Your dad has lymphoma, but it is the best kind of cancer, we can cure it." Four months later my dad was dead.

We are talking about cures for people who are loved ones, our moms, our dads, our husbands, our wives, our children, and our constituents.

Mr. Chairman, I hope we will put aside partisanship and go back to bipartisanship.

I strongly urge the Members—and how could you not when you go back to your constituents, when you go back to your family—how can you tell them you voted against it? You cannot.

The letters referred to are as follow:

THE FRENCH FOUNDATION
FOR ALZHEIMER RESEARCH,
Los Angeles, CA, December 5, 1991.

Hon. J. DANFORTH QUAYLE,
Vice President of the United States, The White House, Washington, DC.

DEAR MR. VICE PRESIDENT: As the founder of The French Foundation for Alzheimer Research and as a family member familiar with the devastation of dementia of the Alzheimer type, I have been following with interest the information concerning the Council on Competitiveness programs related to improving the nation's drug approval process.

When my dear husband, Dr. John Douglas French, was stricken with Alzheimer disease, I gave up my career in opera and focused on doing what I could to raise funds for Alzheimer research and the care of patients with this destructive disease. I have been fortunate in being supported by a splendid Board of Directors and by an exceptionally able National Scientific Advisory Board.

One of the issues we have discussed at the French Foundation is the need to develop drugs for Alzheimer disease that are safe and efficacious and to expedite the development of these drugs. As you know, there are more than four million Americans afflicted with dementia of the Alzheimer type, and the National Institute on Aging estimates by the year 2000 there could be as many as seven million victims. I was pleased to learn that one of the items being considered by the Council on Competitiveness is the accelerated approval for Alzheimer disease drugs.

I understand that the United States does not compare favorably with other industrialized countries that have similar standards for safety, efficacy and quality; and that the United States has one of the longest drug approval times, and apparently does not rely on outside review teams as much as other industrialized countries. Therefore, I was also pleased to learn that another key element in your program is the fact that the Administration and the FDA will place a high priority on working with other industrialized countries that will enable the United States government to recognize foreign approval of drugs in order to provide patients with more rapid access to appropriate therapies.

As indicated, we, of course, want to stress that any such drugs approved be thoroughly tested for efficacy and safety, and that all ethical and appropriate clinical standards be maintained; but those of us involved in Alzheimer programs are continually dismayed by the cumbersome nature of drug approval. I have been noting with much interest and support, your remarks relating to the fact that these reforms will save American industry millions of dollars and that these savings could be passed on to the consumer through lower prices, in addition to allowing drugs, appropriately approved, into the system much sooner.

I would earnestly hope that members of Congress who have indicated their concerns about the activities of the Council on Competitiveness are aware that the Council's various initiatives are basically building upon programs begun by the Administration's Task Force on Regulatory Relief, chaired by then-Vice President Bush, the President's Cancer Panel and the FDA. The French Foundation for Alzheimer Research is deeply concerned that these "attacks" on the goals of the Council on Competitiveness, particularly as related to Alzheimer disease, will slow down and distract from the needed sense of urgency that the drug approval process demands.

We are grateful, Mr. Vice President, for your willingness to do battle on behalf of millions of Americans afflicted with numerous diseases and disorders who are literally crying out for drug approval reform.

Sincerely,

DOROTHY KIRSTEN FRENCH,
Founder.

APRIL 15, 1992.

DAN QUAYLE,
Vice President of the U.S.A., Washington, DC.

DEAR MR. VICE PRESIDENT: I read recently that you want to speed up the FDA bureaucracy which slows the process of approval of critical potential life saving drugs so necessary to millions of seriously ill Americans. If this is indeed true. I say God bless you!

It's about time someone took the FDA's bull by its horns to make available drugs which will prolong and restore health to those in need.

My wife, Bernice, has had ovarian cancer for over a year now. Treatment has included two major surgeries, conventional chemotherapy (Platinal and Adromycin) with some adverse side effects. Now she is on Nalvadex (Tamoxifen). She has shown improvement in the past month. Hospital stays, chemo treatments, cat scans, 20 blood transfusions, etc. has cost over $190,000 for 1991. Our insurance company has a cap of $200,000 so thank God, we got through 1991 (with substantial out-of-pocket expenses, too).

Her doctor advised she may need Taxol, as you know its a promising new drug, from tree bark for treatment of ovarian cancer. It is however, in the eyes of the FDA, still experimental and not approved. Our insurance company will not cover expenses for experimental treatment. We are retired and cannot afford that charge.

So sir, we sincerely hope your plan to expedite FDA action for prompt approval of drugs like Taxol will become a reality soon not only for Bernie's sake but also for the millions of seriously ill Americans in need of hope and promise for good health and fulfillment in this great country.

May the blessings of God fill your life.

Sincerely,

RUSSELL FAMULARY.

MIAMI CORAL PARK
SENIOR HIGH SCHOOL,
Miami, FL March 21, 1992.

DEAR MR. QUAYLE: My son has Cystic Fibrosis. He has fought his way physically medically and psychologically through frequent hospitalization intensive medications, daily respiratory therapy and extraordinary human and financial costs.

Please do not delay the new drugs that are being developed here and in the other countries.

The clock is ticking and we are in a life and death race. Please help us.

MARYELLEN STRAUSER.

DEAR VICE PRESIDENT QUAYLE, AND SECRETARY SULLIVAN: Thank you for your efforts on drug approval acceleration.

Our daughter suffers from asthma and it is important to us that she has access to needed drugs as soon as possible.

Sincerely,

KATHY PERSON.

JUNE, 23, 1992.

Hon. J. DANFORTH QUAYLE,
Vice President, Chairman, President's Council on Competitiveness, Washington, DC.

DEAR MR. VICE PRESIDENT: I want to thank you for recommending changes to the drug approval process at the Food and Drug Administration (FDA). I am very optimistic that the latest regulations to streamline the approval of new drugs to treat serious or life-threatening disease will definitely help me and others with serious diseases obtain promising new drugs more quickly.

Since I met with the Council in November, presenting a statement of support from the Cystic Fibrosis Foundation, I have enrolled in a clinical trial to test the effectiveness of a new orphan drug, DNase. I felt better almost immediately as I am now less winded climbing stairs. I hope that this new drug can be approved quickly to be made available for more people with cystic fibrosis, like myself. More importantly, I hope that other drugs now under development to treat cystic fibrosis can take advantage of these new streamlined procedures to become available to all patients in a more timely fashion.

I appreciate your attention to this matter. I am pleased that you and your staff have recognized the urgency that people with cystic fibrosis and other life-threatening diseases feel in obtaining promising new drugs.

Sincerely,

SUZANNE TOMLINSON.

STATEMENT OF SUZANNE TOMLINSON FOR THE VICE PRESIDENT'S COUNCIL ON COMPETITIVENESS

Hello, my name is Suzanne Tomlinson and I have cystic fibrosis. I am here today on behalf of the Cystic Fibrosis Foundation.

I want to thank you and the members of the Vice President's Council on Competitiveness for considering ways to enhance our country's edge in drug development to cure life-threatening diseases.

Today, the life expectancy for people with CF is 28. I just turned 28. But, I am optimistic about my future. I am working for the CF Foundation; attending law school; and recently married.

I have seen and benefited from past research advances. With the recent discovery of the CF gene, science promises a much brighter future. Never before have I dared to think that I may have children and watch them grow old. But, researchers believe we can conquer this disease in the lifetimes of people who have CF now. And, with proper incentives, it will happen in our country. Last month, I attended the Foundation's annual medical conference. I was overwhelmed by the incredible enthusiasm that sparked the hallways as a record number of scientists and doctors discussed new ways to treat people with CF. These doctors and scientists have dedicated their lives to changing the course of this disease. And they rely on our government to provide appropriate incentives to enable them to do so.

The FDA plays a vital role in ensuring that the latest scientific advances are developed into valuable drugs in a timely fashion. Both the timely development and approval of these drugs are essential to people with CF, as people die everyday from this disease.

Bringing drugs to people with CF more quickly can be accomplished in two ways:

1. streamlining the FDA approval process. We urge you to provide sufficient resources to enable the FDA to give orphan drugs the same expedited approval as drugs for diseases like AIDS—allowing an approval of 6 months rather than 3 years.

2. providing incentives to pharmaceutical companies to invest in life saving drugs for people with orphan diseases. Maintaining the current exclusively provisions in the Orphan Drug Act will achieve this result.

Two new orphan drugs that hold tremendous promise for treating CF are under development. These drugs include:

Amiloride—a drug which liquefies the abnormally thick mucus that clogs the airways and leads to lung infections that kill many people with CF. While we respect the FDA's safety concerns, we are disappointed in the 7 years it has taken to bring amiloride—a drug previously approved in another form to the current stage of development.

Just this summer, researchers announced promising results using ATP to enhance the effectiveness of amiloride. This combination now offers greater hope to people with CF. Yet, this hope may be dashed if these drugs take several more years to obtain FDA approval and individuals die waiting.

Another vital drug is:

DNase—a drug which breaks down the thick, infected mucus in the CF lung, making this mucus much easier to remove and preventing fatal lung infections. I am convinced that this drug would not be in Phase II clinical trials now without the incentives of the Orphan Drug Act.

While we at the Foundation are doing everything possible to ensure rapid development of new drugs, we cannot move forward without a strong partnership with pharmaceutical companies. Yet, without the hope of recouping their investment, pharmaceutical companies would not provide the resources to develop orphan drugs.

Already, mere suggestion of change to the Orphan Drug Act is dampening the pharmaceutical companies enthusiasm to invest in orphan drugs. The government must maintain the incentives through the Orphan Drug Act if scientists and pharmaceutical companies are to invest in a cure for CF.

There is no reason why America cannot find a cure for CF. Researchers have devoted their lives to ensure that CF is cured. Our country has invested tremendous dollars in the search for a cure. We have the resources, the knowledge, the manpower—we must ensure that the incentives to bring together these unique resources are established and the cure will follow.

In summary, I urge you to:

provide sufficient resources to enable the FDA to streamline the approval process for vital drugs for people with orphan diseases like cystic fibrosis;

maintain the exclusivity provisions in the current Orphan Drug Act to ensure that pharmaceutical companies will continue to invest in drug for orphan diseases.

These priorities will go far in enabling U.S. scientists to develop a cure for CF. And Americans will be forever grateful as they see their children with CF live longer, healthier lives.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. McDADE] has expired.

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

The CHAIRMAN. The gentleman from California [Mr. ROYBAL] is recognized for 5 minutes.

Mr. ROYBAL. Mr. Chairman, I yield 2 minutes of those minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. I thank the gentleman for yielding.

Mr. Chairman, I just think the argument that we heard about the drug approvals and health research breakthroughs is just so off the point. We do not need a Competitiveness Council to figure out how to move the regulatory process at FDA along. FDA has ideas on how to get these drugs moved more quickly, and they have responded in light of the AIDS epidemic to rethink the way they have handled some of these drug approvals. In many ways, still not fast enough for some of us who would like to see drugs go out to the people who need them.

But the Competitiveness Council is not just looking at ideas for regulatory reform. That would be fine, that is appropriate.

What they are doing instead is trying to act as a regulator. They have intruded themselves in areas where they lawfully do not belong. Giving advice on policy is fine, but what they are doing is trying to act as a regulator, which means they are trying to do the things they would not be permitted to if they were real regulators. They are meeting in secret with industry groups, they are trying to tell the regulatory agencies to go along with proposals that are inconsistent with the law. They are not hearing all sides. They are not making disclosures.

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

Mr. WAXMAN. I yield to the gentleman from Oregon.

Mr. AUCOIN. I thank the gentleman for yielding.

Mr. Chairman, I admire the statement that the gentleman is making, he is right on target. I would just ask the gentleman who handles the committee of jurisdiction on many of these health matters, even leaving those arguments aside, is it not possible for the Quayle council to do the good work just heard in public rather than in secret? Why does it require secrecy, no public documentation, refusal to come to the Congress, in order to do all the good things the gentleman from Virginia suggests?

Mr. WAXMAN. The secrecy part is so offensive when they act as regulators. Then-Vice President Bush was head of a similar review organization in the Reagan administration. He followed the conflict-of-interest laws as opposed to the Quayle Council. They were very diligent—Vice President Bush was very diligent in following those conflict-of-interest laws. There is a complete disregard in this Council on Competitiveness.

The point I want to make is this: If the Council is simply advising on regulations or on policies, they can do it. No one would be concerned about it. That is an appropriate role.

But this Council on Competitiveness has tried to intrude themselves into the regulatory affairs of the EPA and other laws. Look at what they have done on this Clean Air law. The regulation on permits is really an offensive action both in terms of process and in terms of the disregard of the law itself.

The CHAIRMAN. The Chair will advise the gentleman from California [Mr. ROYBAL] that he has 2 minutes remaining.

Mr. ROYBAL. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS], the chairman of the Committee on Government Operations.

Mr. CONYERS. I thank the gentleman for yielding this time to me.

Mr. Chairman, the Wall Street Journal has reported some of the work that the Committee on Government Operations is doing, and they reported that documents uncovered by congressional investigators show how the National Association of Home Builders enlisted Vice President DAN QUAYLE's Competitiveness Council to circumvent the normal regulatory process concerning regulations designed to aid the disabled.

After extensive hearings and comment from all parties involved, the Department of Housing and Urban Development was about to adopt final rules in January of 1991 covering design and construction of apartments so that they would be accessible to disabled people. But the home builders decided to make a last stab at easing those rules. So what they did was contact your friend on the Competitiveness Council, going through the back door, walking around OMB that has exactly those responsibilities.

I think we have heard enough here today, Mr. Chairman. Your committee deserves the commendation of every American who wants to shed light on this regulatory process that has been preventing so many things from happening.

The Quayle Competitiveness Council does not deserve a dime of our money until they agree to cooperate with the Congress.

Mr. COX of California. Mr. Chairman, I rise in support of the McDade amendment.

Mr. Chairman, my colleague, Congressman SKAGGS, would have us decimate the Competitiveness Council to avoid duplication of staff, and because the Competitiveness Council does not compile records of its every thought and share them with Mr. SKAGGS, and because it allegedly meets in secret.

These pretexts are thoroughly bogus. Look closely at what Mr. SKAGGS is doing. You would have this Congress delete a grand total of $86,000 to essentially terminate two people: Dave McIntosh, and John Howard.

That is correct: This entire debate is about Mr. SKAGGS' effort to terminate two people on the President's staff.

As such, it is the most petty, vindicative, partisan, micromanaging, small minded, time wasting, useless, mean spirited, know nothing, ruthless exercise of raw political power that this Member has witnessed in his 4 years in Congress. Mr. SKAGGS and the proponents of this travesty should be ashamed.

Just days ago, I offered an amendment on the floor of this House to reign in just one rogue part of our congressional staff—the GAO. Had my amendment passed, GAO would have been required to live within a budget of one-third of a billion dollars per year. I offered uncontroverted evidence that GAO has so many employees—over 5,000—that it literally loans hundreds of them to con-

gressional committees. You Democrats voted it down.

Yet Mr. SKAGGS would have us believe that his amendment to terminate two men is reflective of his concern about duplication of staff. Hogwash.

Mr. Chairman, no Member of this Congress keeps records of his contacts with regulatory agencies. No Member of Congress maintains public records of his meetings with PAC's. Yet these are the very people who pass not mere regulations, but the actual laws that govern every American's life.

Yet Mr. SKAGGS would have us believe that he is trying to fire these two men because they do not keep records of their meetings in the White House. Nonsense.

Mr. Chairman, the Democratic caucus which runs this Congress, which passes the tax increases and the burdensome regulatory schemes that have for so long harrassed the American people, regularly meets in secret. I repeat: in secret. Not only do these Members of Congress meet in secret vis-a-vis the general public and the press, but they even exclude other Members of Congress: specifically, Republicans. In short, they constantly meet in secret.

Yet Mr. SKAGGS would cut the salaries of two members of the White House staff because they do not always invite Members of the Congress, the public, and the press to their every meeting. That's a whopper suitable for Joe Isuzu.

Mr. Chairman, the two men who are the target of this vicious attack, Dave McIntosh and John Howard, are fine Americans, able public servants, and energetic opponents of bureaucracy. I know Dave McIntosh from our service in the White House together. Dave McIntosh is a friend of mine. And Mr. Chairman, Dave McIntosh is no Ted Kennedy. He hates redtape.

And that is what this assault on the White House is all about. Some Members of Congress are not content to run the legislative branch of Government. They now covet control of the executive branch, and seek to influence regulators through a multitude of daily contacts that are so numerous and burdensome as to actually inhibit the conduct of what little work the Federal agencies might otherwise accomplish. All of these congressional interferences with the regulatory process are done without recordkeeping and in secret. That is exactly the way Members of Congress like it.

Once again, however, Members of Congress wish to exempt themselves from the rules they apply to others. In this case, the hapless victims of their grotesque double standard are two fine men, Dave McIntosh and John Howard.

The policy question at the heart of this matter—if one can dignify the debate by elevating it to the level of policy—is simple: who runs the executive branch? The President, or the Congress? Mr. SKAGGS' power play here would enmesh the Congress deeply in micromanagement of the White House staff itself.

Perhaps the distinguished chairman will appreciate better the importance of adhering to the principle of separation of powers in cases such as this if he considers his likely response if the tables were turned. How would you react, Mr. Chairman, if the President used his veto to force you to fire two people on your staff?

We should all ask ourselves: Why is the entire left-liberal wing of the Congress so afraid of two people?

Even more to the point, why are we even debating this petty $86,000 assassination of two fine men?

Is it because of their outstanding work in speeding up the approval process of life saving drugs?

Is it because of their dogged determination in reducing utility bills for homeowners?

Is it their success in fighting redtape and paperwork that has sent American jobs overseas?

Is it their unabashed support for America's small businesses against the tyranny of faceless bureaucrats?

Mr. Chairman, it is all of these things—but much more: it is a power grab to further diminish the importance of the executive branch of our Government, and strengthen the control by Congress of everything that moves in all facets of government and our lives.

I urge my colleagues to vote in support of the Council on Competitiveness and in support of small business, American consumers, and American workers.

Vote yes on the McDade amendment.

The CHAIRMAN. All time on the preferential motion has expired.

Mr. McDADE. Mr. Chairman, I ask unanimous consent that I be permitted to withdraw my preferential motion.

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

There was no objection.

Mr. SYNAR. Mr. Chairman, the prohibition on funds for the White House Council on Competitiveness should not be stricken from this bill. In fact, I find it a bit surprising that the other side of the aisle wishes to continue such funding for this particular White House Council.

This is a clear waste of taxpayer funds as it is a duplication of effort. We are constantly urged to cut waste and duplication in the Federal Government and this is a perfect opportunity.

In 1988, this Congress approved a Competitiveness Policy Council under the 1988 Omnibus Trade and Competitiveness Act. This Policy Council was specifically set up to address issues purported to be addressed by the Council operated by the White House.

The Competitiveness Policy Council is charged with analyzing information and developing policies regarding the competitiveness of the United States industries and business and trade policy. This is no different than that function claimed to be performed by the White House Council.

Obviously the White House Council is duplicating efforts already recognized by Congress as necessary to business and trade in the United States. Why should we continue to support this imitation effort?

The only reason that the supporters of the White House Council do not want to cut its funds is purely because the Council operates in secret and without the benefit of true public participation.

The White House Council wants to be able to conduct its backroom business without the public knowledge, no regard for conflicts of interest and no accountability.

By contrast, the Policy Council set up by Congress operates in the open, is subject to public accountability, and has a 12-person membership that is balanced and representative of all the group that affect business and commerce.

There is simply no justification for spending taxpayer funds on two separate councils charged with the same responsibilities.

Mr. PENNY. Mr. Chairman, I rise in opposition to the amendment to restore funding for the Competitiveness Council. I oppose the funding for this Council simply because it is not needed and because, unlike other executive agencies, does not operate openly, with proper input from the general public.

The Council is not needed because it is duplicative of the rulemaking and management functions of the Office of Management and Budget. There's not a function the Competitiveness Council has been charged with that OMB cannot already perform. In this time of tight budgets, when we are actually reducing administrative costs in most agencies, the last thing we should be doing is restoring funding for a Council that is entirely duplicative of the work of existing agencies.

Also, let me say that I am troubled by the way this Council operates. It doesn't hold hearings, take comments from the public, and is not accountable to anyone. Yet, within this administration, it is playing a significant policy role, watering down regulations one day and issuing grand policy designs not even supported by Cabinet Secretaries the next.

President Bush appoints the people who run the departments and agencies of this Government. In that sense, he, through his appointees, has a direct opportunity to influence the nature of the rules and regulations adopted to implement the programs and services of Government. In addition, the President, through the Office of Management and Budget, can provide oversight of the rulemaking process within the bureaucracy. The President does not need a third entity—the Competitiveness Council—to carry out administrator policy.

Vote against the McDade amendment.

Mr. OWENS of Utah. Mr. Chairman, I rise in strong opposition to the McDade amendment which would retain funding for the Council on Competitiveness for one primary reason: The Council has managed to gut the implementation of the Clean Air Act at least 35 times over the last 2 years, in clear contravention to congressional intent. What Congress giveth, the Council has taken away. And, when it comes to clean air, that is something neither my district nor my State of Utah can tolerate.

The Council's funding should be eliminated both because its secretive workings are an affront to our democratic processes and because of the Council's devastating impact on essential environmental protections like the 1990 Clean Air Act. President Bush points to this as the most important piece of domestic legislation in his first term. But as he crisscrosses the country singing the praises of clean air, the Council on Competitiveness secretly meets to gut the act.

Over the past 2 years, the Council has acted on 35 separate occasions to weaken the Clean Air Act. The most recent example is of course the permit rule which allows manufacturers to arbitrarily increase their emissions without any public notice. During the rulemaking process, EPA Administrator Reilly supported a strong permit rule, and many observers believe that this rule is the heart of the Clean Air Act. In the end, Mr. Reilly was overruled by the faceless bureaucrats of the Competitiveness Council. The Council meets privately and makes no documentation of its proceedings available to the public, yet it has more influence on the Clean Air Act's rules and regulations than the public's highest appointed environmental official.

This action may not end the Council's operations, but it puts the House on record as opposing a secretive, back room Government in favor of an open and democratic rulemaking process. It is imperative that we act to eliminate this shadow group and preserve the integrity of the Clean Air Act. I urge my colleagues to oppose the McDade amendment and in doing so support the principles of good, open Government and a clean environment.

Mr. EMERSON. Mr. Chairman, I favor enhancing the Vice President's Council on Competitiveness. Much attention has been given lately to this small group of individuals working to rid American consumers and business interests of excessive Government regulations. The Competitiveness Council has been an effective link in the administration's effort to reduce the burden of Federal regulations and increase our domestic and international competitiveness. Plain and simple—excessive regulations cost jobs. The people of southeastern Missouri, my constituency, remind me of this fact daily.

It has been estimated that the President's moratorium on new Federal regulations, spearheaded by the Competitiveness Council, will save an estimated $10 to $20 billion in new Federal spending. In addition, the Council's work on Government takings, civil justice reform, and wetlands has benefited all Americans.

Certainly, one of the primary reasons for the Council is to prevent special interests from using the regulatory process to overreach and reverse legislative intent. Contrary to congressional charges, the Council's membership and staff is completely interdepartmental, made up of Cabinet-level officials and the Vice President.

The current delineations manual is a classic example of the need for the Council and its regulatory oversight mission. The current wetlands delineation manual was conceived and implemented by unaccountable Federal bureaucrats without public notice, without public hearings, and without comment from the many agricultural producers of this Nation who have suffered extreme frustration and economic hardship as a result. Fortunately, due to the Council's effort, we have seen the wetlands manual revisited and an effort made to have the manual reflect a more commonsense approach to this wetlands dilemma.

The role of the Competitiveness Council is simple but extremely important. The Council is committed to regulatory relief by reducing and eliminating excessive, burdensome, and unnecessary regulations wherever possible. Regulatory relief that is vital in our Nation's continued efforts toward economic recovery and prosperity.

The CHAIRMAN. The question is on the amendments en bloc, as modified, offered by the gentleman from Pennsylvania [Mr. McDADE].

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

RECORDED VOTE

Mr. McDADE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 236, not voting 15, as follows:

[Roll No. 256]

AYES—183

Allard	Gunderson	Parker
Allen	Hall (TX)	Paxon
Archer	Hammerschmidt	Petri
Armey	Hancock	Pickett
Baker	Hansen	Pickle
Ballenger	Hastert	Porter
Barrett	Hayes (LA)	Pursell
Barton	Hefley	Quillen
Bateman	Henry	Ramstad
Bentley	Herger	Ray
Bereuter	Hobson	Regula
Bilirakis	Holloway	Rhodes
Bliley	Hopkins	Ridge
Boehner	Horton	Riggs
Brewster	Houghton	Ritter
Broomfield	Huckaby	Roberts
Bunning	Hunter	Rogers
Burton	Hutto	Rohrabacher
Byron	Hyde	Roth
Callahan	Inhofe	Rowland
Camp	Ireland	Santorum
Campbell (CA)	James	Sarpalius
Chandler	Jenkins	Saxton
Clinger	Johnson (CT)	Schaefer
Coble	Johnson (SD)	Schiff
Coleman (MO)	Johnson (TX)	Schulze
Combest	Kasich	Sensenbrenner
Condit	Klug	Shaw
Coughlin	Kolbe	Shuster
Cox (CA)	Kyl	Sisisky
Coyne	Lagomarsino	Skeen
Crane	Lancaster	Skelton
Cunningham	Lehman (CA)	Smith (NJ)
Dannemeyer	Lent	Smith (OR)
Davis	Lewis (CA)	Smith (TX)
DeLay	Lewis (FL)	Snowe
Dickinson	Lightfoot	Solomon
Doolittle	Livingston	Spence
Dornan (CA)	Lowery (CA)	Stearns
Dreier	Marlenee	Stenholm
Duncan	Martin	Stump
Edwards (OK)	McCandless	Sundquist
Edwards (TX)	McCollum	Tauzin
Emerson	McCrery	Taylor (NC)
English	McDade	Thomas (CA)
Erdreich	McEwen	Thomas (GA)
Ewing	McGrath	Thomas (WY)
Fawell	McMillan (NC)	Upton
Fields	Meyers	Vander Jagt
Franks (CT)	Michel	Vucanovich
Gallegly	Miller (OH)	Walker
Gallo	Miller (WA)	Walsh
Gekas	Molinari	Weber
Geren	Montgomery	Weldon
Gilmor	Moorhead	Williams
Gingrich	Morrison	Wolf
Goodling	Myers	Wylie
Goss	Nichols	Young (AK)
Gradison	Nussle	Young (FL)
Grandy	Oxley	Zeliff
Green	Packard	Zimmer

NOES—236

Abercrombie	Annunzio	Bacchus
Alexander	Anthony	Beilenson
Anderson	Applegate	Bennett
Andrews (ME)	Aspin	Berman
Andrews (NJ)	Atkins	Bevill
Andrews (TX)	AuCoin	Bilbray
Blackwell	Hoyer	Payne (NJ)
Boehlert	Hubbard	Payne (VA)
Borski	Hughes	Pease
Boucher	Jacobs	Pelosi
Brooks	Jefferson	Penny
Browder	Johnston	Perkins
Brown	Jones (GA)	Peterson (FL)
Bruce	Jones (NC)	Peterson (MN)
Bryant	Jontz	Poshard
Campbell (CO)	Kanjorski	Price
Cardin	Kaptur	Rahall
Carper	Kennedy	Rangel
Carr	Kennelly	Ravenel
Chapman	Kildee	Reed
Clay	Kleczka	Rinaldo
Clement	Kolter	Roe
Coleman (TX)	Kopetski	Roemer
Collins (IL)	Kostmayer	Rose
Collins (MI)	LaFalce	Rostenkowski
Conyers	Lantos	Roukema
Cooper	LaRocco	Roybal
Costello	Laughlin	Russo
Cox (IL)	Leach	Sabo
Cramer	Lehman (FL)	Sanders
Darden	Levin (MI)	Sangmeister
de la Garza	Lewis (GA)	Savage
DeFazio	Lipinski	Sawyer
DeLauro	Lloyd	Scheuer
Dellums	Long	Schroeder
Derrick	Lowey (NY)	Schumer
Dicks	Luken	Serrano
Dingell	Machtley	Sharp
Dixon	Manton	Shays
Donnelly	Markey	Sikorski
Dooley	Martinez	Skaggs
Dorgan (ND)	Matsui	Slattery
Downey	Mavroules	Slaughter
Durbin	Mazzoli	Smith (FL)
Dwyer	McCloskey	Smith (IA)
Early	McCurdy	Solarz
Eckart	McDermott	Spratt
Edwards (CA)	McHugh	Staggers
Engel	McMillen (MD)	Stallings
Espy	McNulty	Stark
Evans	Mfume	Stokes
Fascell	Miller (CA)	Studds
Fazio	Mineta	Swett
Feighan	Mink	Swift
Flake	Moakley	Synar
Foglietta	Mollohan	Tanner
Ford (MI)	Moody	Taylor (MS)
Ford (TN)	Moran	Thornton
Frank (MA)	Morella	Torricelli
Frost	Mrazek	Towns
Gaydos	Murphy	Traficant
Gejdenson	Murtha	Unsoeld
Gephardt	Natcher	Valentine
Gibbons	Neal (MA)	Vento
Gilchrest	Neal (NC)	Visclosky
Gilman	Nowak	Volkmer
Glickman	Oakar	Washington
Gonzalez	Oberstar	Waters
Gordon	Obey	Waxman
Guarini	Olin	Weiss
Hall (OH)	Olver	Wheat
Hamilton	Ortiz	Whitten
Harris	Orton	Wilson
Hatcher	Owens (NY)	Wise
Hayes (IL)	Owens (UT)	Wolpe
Hertel	Pallone	Wyden
Hoagland	Panetta	Yates
Hochbrueckner	Pastor	Yatron
Horn	Patterson	

NOT VOTING—15

Ackerman	Dymally	Richardson
Barnard	Fish	Ros-Lehtinen
Bonior	Hefner	Tallon
Boxer	Levine (CA)	Torres
Bustamante	Nagle	Traxler

□ 1658

The Clerk announced the following pair:

On this vote:

Ms. Ros-Lehtinen for, with Mr. Bustamante against.

Mr. MURPHY and Mr. MOODY changed their vote from "aye" to "no."

So the amendments en bloc, as modified, were rejected.

The result of the vote was announced as above recorded.

□ 1700

AMENDMENT OFFERED BY MR. WISE

Mr. WISE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WISE: At the end of title III relating to "Executive Office of the President", insert the following paragraph:

REDUCTION IN AMOUNTS UNDER TITLE

Notwithstanding any other provision of this Act, each amount appropriated or otherwise made available by this title that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5.7 percent.

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] will be recognized for 5 minutes in support of his amendment.

Mr. WISE. Mr. Chairman, I yield to the gentleman from California [Mr. ROYBAL], chairman of the subcommittee, who opposes my amendment.

Mr. ROYBAL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes, the time to be equally divided between the gentleman from West Virginia [Mr. WISE] and myself.

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

Mr. WALKER. Mr. Chairman, reserving the right to object, the problem we ran into the last time we had a time limitation on amendments was that we ran out of time on this side and did not have enough time really to get everybody in that wanted to debate.

Has this been checked with both sides to be certain that there is sufficient time on both sides to adequately debate the subject?

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

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

Mr. ROYBAL. Mr. Chairman, it is my understanding that the 30 minutes would be sufficient for both sides. I do not know whether that has been agreed to, but nevertheless 30 minutes would be sufficient.

Mr. WALKER. Mr. Chairman, I withdraw my reservation of objection.

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

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I do not intend to object. I just would like to say that I have an amendment coming up that I think is very important as well. I hope that the body will look favorably upon my request for a little additional time to deal with that problem as well.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] will be recognized for 15 minutes, and the gentleman from California [Mr. ROYBAL] will be recognized for 15 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this amendment is quite simple. It is goose and gander. It is what is good for the goose is good for the gander.

It simply brings fiscal 1993 funding for the White House and the offices in the White House into conformance with the spending policies adopted last week for the legislative branch. It means a 5.7-percent cut imposed by this amendment on the sums contained in the committee bill for the Executive Office of the President to reduce total outlays for that office by 5.7 percent below fiscal 1992 levels.

I know the argument that is coming, so let us get it off the board right now. The argument is, "But wait, Bob, budget authority in this bill for the White House and its offices is 9.9 percent below last year's level."

That is true. But let us look behind it, where that comes from. The bulk of that is that the office of the drug czar is under the White House. The drug czar, at the President's request, moved $30 million in drug-fighting grants, DEA, the other agencies, moved those grants to the Department of Justice so that where there was $30 million being distributed in grants from the office of the drug czar is now being distributed by someone else, and that is the reduction.

If we actually look at the expenditures under the committee bill, we see that the office for the White House itself is up 2 percent. If we look at the Office of Policy Development, it goes up several percent. If we look at the Office of Management and Budget, these are the folks that are supposed to be cutting the budget, they actually went up almost 2 percent.

Indeed, for those basic offices, there is an increase, not a decrease.

I happen to believe that the exercise that the House is going to be going through as it cuts its budget in the upcoming year, similar to what we did several years ago under Gramm-Rudman, is good also for the White House, that very group that says everyone else should be cutting in the same way.

I concede that this amendment will not have the profound effect that I would like because we recognize that the White House has significant detailees. Indeed, many of those, when the GAO did an inquiry under that, it was not able to uncover all of them because some of them are considered to be secret and, therefore, immune from that process. But official appropriations to the Executive Office of the President are only a portion of White House spending.

For instance, the switchboard is paid for by the Army Signal Corps. White House grounds, including the Rose Garden, are cared for by the Park Service. Security, the Secret Service, is provided by the Treasury and would not be affected in any way by this amendment.

Staff travel is paid for by the Department of Defense or other agencies. Detailees from virtually every department in the Federal Government work in Executive Office space. And the gentleman from Pennsylvania [Mr. KANJORSKI] and the gentleman from Virginia [Mr. MORAN] will be discussing that later.

All of that is to say that the White House can certainly absorb the same cut, 5.7 percent below the freeze that the legislative branch adopted for itself last week.

Mr. ROYBAL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in opposition to the amendment. The committee has held extensive hearings on the Executive Office of the President. The budget request for the Executive Offices is for $280.8 million. The committee has recommended total appropriations of $268.9 million. This is a reduction of $11.9 million below the budget request.

The Dorgan-Penny amendment, which was adopted by the House, has already reduced the Executive Office of the President by an additional $3.3 million. This is below the committee's recommendation.

If this amendment were to be adopted, it would be a further reduction of almost $15 million.

□ 1710

The hearings that we held before our committee simply indicate that the money that is in the bill not only can actually be used but is sorely needed by the President's office. Therefore, Mr. Chairman, I oppose any further reductions in the funding to the Executive Office of the President.

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

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

Mr. KANJORSKI. Mr. Chairman, I respect the activities that were undertaken in the Committee on Appropriations, but I think when we are talking about $280 million as a request from the White House, and the actual $269 million appropriated, that is what they show. That is what they show. I would ask the chairman if he is aware of how much transportation is actually shown in the White House budget for the President and his staff.

Mr. ROYBAL. If the gentleman will yield, I am not sure of the exact amount.

Mr. KANJORSKI. Let me give the gentleman an exact amount—$29,000. That is for the total year. The President has enough money in his budget

to allow him to travel about 30 minutes in Air Force One during the entire year.

I would ask the gentleman from California [Mr. ROYBAL] if he knows how much the White House, the Vice President, and staff, actually spend, according to hearings that my committee has undertaken in the last 6 months? It is $300 million, more than $1 million a day; 12 times what the entire Congress, the House of Representatives, the U.S. Senate, and our entire committee staff spend for travel. I reiterate: The White House, the President, the Vice President and his staff spend 12 times as much money as the 535 elected Representatives of the people and their 18,000 employees spend, $1 million a day.

Why do they get away with that? Because it does not show up in their budget. It shows up in the Department of Defense budget. it shows up in the State Department budget. It shows up in the Treasury Department budget.

Mr. ROYBAL. Mr. Chairman, I yield myself an additional minute.

Mr. Chairman, we are not dealing here with the defense budget or any other budget except the budget for the Executive Office of the President. We appropriated an amount that we thought was adequate, even though there was a reduction. I still maintain that the decision taken by the committee is the correct decision, and that everything must be done to accommodate the President in this regard.

I realize that a lot of other moneys are spent from other accounts, but we are not dealing with other accounts, we are dealing just with this single account. This is what I think we should be gearing ourselves to, and not deviate to any other account.

Mr. WISE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. KANJORSKI], who has conducted the oversight hearings on this matter.

Mr. KANJORSKI. Mr. Chairman, I rise and ask my colleagues to support the Wise amendment, not because what is good for the goose is good for the gander. If we make that mistake, that we should to this because we cut back the Congress last week, then we are making a fatal error. We are not going to cut them back but an infinitesimal amount. Mr. Wise's amendment is going to cut back the President's travel about $1,200 to $1,500 a year from $29,000 to $27,000. Hardly are we going to cripple the White House.

I rise and take this opportunity with this appropriation bill today, I challenge anybody in the Congress of the United States to tell me what it costs to operate the White House and the Executive Office of the President. As a matter of fact, I will offer a reward privately of $1,000 to anybody in the Congress who can come within $50 million of the actual cost. That is quite a challenge, is it not? The Members would think that is a pretty easy thing to do.

Is there anybody here from OMB who can get that budget and tell us what these costs are? We have a chart here that shows they spend $140 million. That is not even one-third of what the White House spends.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. KANJORSKI. Surely, I yield for a moment to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I just want to say to my colleague, he knows very well that all of the information, records, and everything else that he asked for was sent down from the White House to him in boxes in some detail, and he did not go through it all.

Mr. KANJORSKI. Reclaiming my time, now I am going to respond here. The gentleman knows full well the White House for the last 4 months has refused to come to our subcommittee with witnesses on two occasions and has sent us only 800 pages of documents that are meaningless and not fully responsive to our interrogatories, and for all intents and purposes have shown us after numerous letters to the President and to OMB that they must not know what it costs to run the White House. Because if they are walking up here with a document saying they need $140 million, when in fact we know their transportation is more than $300 million, they are pretty far-out figures.

Mr. Chairman, the reason I rise is that if we allow this to go without an amendment, just a token symbol of an amendment to cut down, we are missing an opportunity to send notice to the President. The notice we want to send to the President is not to say, "Stay home. Don't you think $1 million a day for travel is a little high, Mr. President?" What we are trying to say is, "Look, Mr. President, if you are serious about balancing the budget you have got to get your house in order and you have got to be able to tell us on a consolidated accounting sheet what it costs to operate the White House and the Office of the President, at least within $50 million of the actual cost. When you can do that, we can sit down and grant that the President gets everything that he needs for travel and entertainment and everything else, but do not come up here to the American people and tell them that you are spending $140 million to run the White House when, in fact, you are spending more than half a billion, and God knows how much you are spending because we cannot find out.

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

Mr. WOLF. Mr. Chairman, the Penny-Dorgan amendment cut many of these accounts a while ago when we had a rollcall vote. This cuts it deeper than the legislative appropriations cut, and I would say to the gentleman in different accounts, and in some of the accounts it goes as deep as 12 percent and 13 percent. It is kind of pile-on day, and I would say, if there is anybody in the White House watching, they ought to veto the legislative appropriation bill the minute it gets down there, because this destroys comity from every point of view. I think it is war.

I am one of the most nonpartisan and bipartisan Members of the House. I have never in 12 years attacked any Member on the floor. I work as closely with the other side as I can possibly do. This is piling on. This is piling on. It is election day time, and frankly, if the President takes this cut and does not veto the legislative appropriation bill, then I think the President will have shown signs of weakness. He should take it and he should veto it, because what this is doing, they have cut this much deeper than the other one.

AMENDMENT OFFERED BY MR. WOLF TO THE AMENDMENT OFFERED BY MR. WISE

Mr. WOLF. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLF to the amendment offered by Mr. WISE: strike out "5.7 percent" and insert "1 percent".

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] still has time remaining.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I just want to clarify one thing. The oversight hearings that our subcommittee had that the gentleman from Pennsylvania [Mr. KANJORSKI] chaired, he indicated a few moments ago that the White House was not cooperative and that they would not send anybody down. The fact of the matter is they were given almost no notice the first time we had a hearing. And the gentleman made a big display about putting their names on the board for the television cameras so that they could see, the cameras could see across the country that the White House was not being cooperative.

Subsequent to that, every time the White House was requested to send people down here, they did. Every time the White House was asked to send documents verifying costs and expenses, they did. They sent down voluminous amounts of records.

The problem is that I believe the gentleman from Pennsylvania [Mr. KANJORSKI], and I believe this sincerely, he is a fine man and I have respect for him, but I believe sincerely he wanted to make a political case and issue out of that. For that reason they were trying to make a show of it. The fact of the matter is, the White House did try to comply. They sent every record that was requested down there. It is just that the staff and the gentleman from

Pennsylvania [Mr. KANJORSKI] did not want to go through those records or take the time to verify what the White House was sending down there.

I think the White House wants to comply. The problem is that they are trying to make politics and play politics with this.

□ 1720

Mr. WOLF. Mr. Speaker, I would reclaim my time and ask Members to support this 1-percent cut.

I would note that if Mr. Clinton were President of the United States today he would not support the 5.7 percent amendment, and I just do not think it is good, and I will end on this. I think it destroys the comity back and forth, and I would hope that we would take the 1-percent cut and move on.

I yield back the balance of my time.

Mr. WISE. Mr. Chairman, how much time is remaining on each side?

The CHAIRMAN. The gentleman from West Virginia [Mr. WISE] has 8½ minutes remaining and the gentleman from California [Mr. ROYBAL] has 6 minutes remaining.

Mr. WISE. Mr. Chairman, I yield myself 1½ minutes in order to respond to the gentleman.

I rise in opposition to his amendment.

Comity, if the gentleman is talking about budget actions, there has been a comedy of errors around here for a number of years. The fact of the matter is the White House sent budgets that assumed $150 million of cuts in the legislative appropriations without checking with the legislative branch committee.

There are a number of agencies under the White House far exceeding the White House itself, the office of the drug czar, for instance, the National Security Adviser, that I think go beyond simple comity. We have the right to check into that.

As far as Governor Clinton goes, he has proposed a 25-percent cut in this account. Ross Perot I assume is going to finance it himself. So certainly President Bush would be amenable to such a cut of only 5.7 percent.

I would also point out that the argument was made that this is a reduction from the President's request. The President requested $225 million last year and this Congress funded $208 million. That would be a $210 million figure given to the White House under this bill. We simply seek to cut it back below freeze level in accordance with other cuts that have been made.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, I would just like to correct the record. The gentleman from Indiana [Mr. BURTON] indicated that we have had cooperation from the White House. We have not.

It is not a question that we want cooperation or not cooperation. What we do not have is a consolidated cost of what it takes to run the Office of the President in transportation or in any other area. What we are doing here is something very serious. If we are really talking about balancing budgets, and if you do not know what it costs to run something, and there is no consolidated accounting system, you cannot begin with an across-the-board cut. This is ludicrous. You are cutting 5.7 percent of $29,000 of the President's travel. That is ridiculous. He is spending $300 million to travel. If you were just trying to cut 5 percent of that you would ask for a $15 million cut.

But because his budget is spread throughout the executive branch, not consolidated, and because they will not disclose it, I will now offer anybody, and I am challenging the informed membership on the minority side who represent the President, I am offering a reward of $1,000 right now, of my own money, to anybody who can tell me the actual cost of operating the White House and the Executive Office of the President. That is including all of the personnel, the travel, and the transportation. I will tell you there is no figure. I do not think that OMB can give us that figure. That is how bad they are. For the last 9 months the White House has not been able to give us a figure.

POINT OF ORDER

Mr. WALKER. Mr. Chairman, I have a point of order.

It is not against the rules, to offer a bribe to Members of the House?

The CHAIRMAN. The Chair has heard no such offer.

Mr. ROYBAL. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding me the time.

Figures have just been given to me that show that the Executive Office of the President is being cut by 9.9 percent this year over last year. It is $281 million. So the executive branch is taking quite a hit.

The Penny-Dorgan amendment which we had just a few minutes ago cut a total of $23 million. We are all for cutting spending and we are all for controlling spending. I and many of my colleagues have been leading the fight to cut out waste and pork in the budgets for a long, long time. But we are now degenerating into a political debate which I think is unseemly at a time when we ought to be addressing the Nation's financial problems.

The executive branch is taking a hit. It has taken a hit. We do not need to go through this more and make a big political debate out of it.

I just urge my colleagues to get on with it. The gentleman from Virginia [Mr. WOLF] has offered a 1-percent cut in a conciliatory way to get this thing behind us. I think we should adopt that 1-percent cut and get on with the business of the day.

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

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, when the rule for my bill was on the floor this morning, the gentleman from Indiana made an eloquent speech about the necessity of cutting the $4 trillion debt. Does this mean the gentleman is opposed to cuts in this bill?

Mr. BURTON of Indiana. If I may reclaim my time, the gentleman did not hear what I said. There has been a 10-percent cut, and in addition to that we had the Penny-Dorgan amendment that cut $23 million more, and there is a point beyond which you do not go if you are going to have sound government.

Mr. ROYBAL. Mr. Chairman, I support the amendment to the amendment.

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

Mr. WISE. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, let me first address the gentleman from Virginia whom I have the utmost respect for. I do believe that he is attempting to achieve what he calls comity. I wish that the leadership of his party had the same kind of constructive attitude toward relationships between the two branches of government.

But the fact is, since I have been elected to this body, the President of the United States has blamed the Congress for virtually all of the Nation's ills. To quote, he "denounced the Congress as a privileged class," that "answers to no one with respect to its budget, its staff, and its perks."

Now we are introducing this amendment because, since the President has operated in the White House, the White House has grown by 8 percent without any authorization. There was an authorization in 1978 for $100,000. But the Executive residence alone of the President has grown to $7.25 million today. During President Carter's term it was $2 million. That is a growth of 300 percent without any authorization. And in fact, the total budget of the executive branch of the President, the Executive Office of the President has grown from $80 million during President Carter's term to $300 million today, and that is a 350-percent increase without authorization.

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

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

Mr. WOLF. The Congress has grown also. And second, I think anyone who supports a 5.7-percent increase in addition to what they did on Penny-Dorgan has a moral obligation to take the

same personal cuts in their offices up here on Capitol Hill.

Mr. MORAN. I am glad the gentleman from Virginia has raised the issue of the legislative branch, because in fact while the executive branch has grown by 8 percent, the legislative branch has shrunk in size by 5 percent during that period of time. And in fact, while the Executive Office of the President has grown by 350 percent, the budget of the legislative branch has grown by 5.4 percent. That is the comparison, and yet we cut the legislative branch, and what we are asking now is to do the same with the executive branch.

□ 1730

But, colleagues, this does not include anywhere near the amount of money, this 350-percent growth. It does not include, for example, the 34 National Park Service people who were taken off their jobs providing for our National Park System and applied to maintaining the swimming pool with its diving board in the White House, the tennis court, the bowling alley, the movie theater, the horseshoe pit, the addition, the new basketball court, and the new artificial turf putting green, all of which is in the Executive residence of the President which is what we are attempting to deal with today with a very minor cut.

There are 93 people who operate the immediate White House staff. It includes five full-time chefs, five curators, four calligraphers, five full-time florists, and this is included within the money that we are providing.

We would never spend the kind of money that is being spent on this in the legislative branch.

Mr. WISE. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I would just say, you know, the President is a captive in the White House. He cannot go out at will. He cannot do certain things.

Mr. WISE. If the gentleman would yield, I appreciate the gentleman for saying that.

Mr. WOLF. I would urge the support of the 1-percent cut and the defeat of the 5.7 percent.

Mr. WISE. Mr. Chairman, I yield myself the balance of my time.

Simply put, I would urge the body to vote no on the Wolf amendment, which is a 1-percent cut. Our amendment is a 5.7-percent cut.

The budget resolution that was adopted by this body had a 5-percent cut for both the legislative branch and the White House. The amendment that I have crafted is now in conformance with the Penny amendment that passed. This is simply to say that the White House, which is supposed to send a message, will follow the same procedures in cutting that it is asking everyone else to.

This is a $15 million cut. And, finally, everyone knows the White House draws vast resources from other agencies of Government, what I call the stealth staff that you never see, that are there.

I would urge and say that I think this is certainly reasonable to ask the White House to do this and ask rejection of the Wolf amendment, which is, I presume, the first vote, and adoption of the Wise amendment, which will follow that.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Virginia [Mr. WOLF] to the amendment offered by the gentleman from West Virginia [Mr. WISE].

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 160, noes 256, not voting 18, as follows:

[Roll No. 257]

AYES—160

Allard	Gradison	Oxley
Allen	Grandy	Packard
Archer	Green	Parker
Armey	Gunderson	Paxon
Baker	Hammerschmidt	Peterson (FL)
Ballenger	Hancock	Pickle
Barrett	Hansen	Pursell
Barton	Hastert	Quillen
Bateman	Hefley	Ravenel
Bentley	Herger	Ray
Bereuter	Hobson	Regula
Bilirakis	Holloway	Rhodes
Bliley	Hopkins	Ridge
Boehlert	Horton	Riggs
Boehner	Houghton	Rinaldo
Bunning	Hubbard	Ritter
Burton	Hunter	Roberts
Callahan	Hutto	Rogers
Carr	Inhofe	Rohrabacher
Chandler	Ireland	Roybal
Clinger	James	Santorum
Coble	Johnson (CT)	Saxton
Coleman (MO)	Johnson (TX)	Schaefer
Combest	Kasich	Schiff
Cooper	Klug	Schulze
Coughlin	Kolbe	Shaw
Cox (CA)	Kostmayer	Shuster
Cunningham	Kyl	Skeen
Dannemeyer	Lagomarsino	Smith (IA)
Davis	Lent	Smith (NJ)
de la Garza	Lewis (CA)	Smith (OR)
DeLay	Lewis (FL)	Smith (TX)
Dickinson	Lightfoot	Solomon
Dixon	Lowery (CA)	Spence
Doolittle	Martin	Stearns
Dornan (CA)	McCandless	Stenholm
Duncan	McCollum	Stump
Early	McCrery	Sundquist
Edwards (OK)	McDade	Taylor (NC)
Emerson	McEwen	Thomas (CA)
Ewing	McGrath	Thomas (WY)
Fascell	McMillan (NC)	Volkmer
Fawell	Meyers	Vucanovich
Fields	Michel	Walker
Franks (CT)	Miller (OH)	Walsh
Gallegly	Molinari	Weber
Gallo	Montgomery	Weldon
Gekas	Moorhead	Whitten
Gilchrest	Morella	Wolf
Gillmor	Morrison	Wylie
Gilman	Mrazek	Young (AK)
Gingrich	Myers	Young (FL)
Goodling	Natcher	
Goss	Nichols	

NOES—256

Abercrombie	Hall (OH)	Pastor
Alexander	Hall (TX)	Patterson
Anderson	Hamilton	Payne (NJ)
Andrews (ME)	Harris	Payne (VA)
Andrews (NJ)	Hatcher	Pease
Andrews (TX)	Hayes (IL)	Pelosi
Annunzio	Hayes (LA)	Penny
Anthony	Henry	Perkins
Applegate	Hertel	Peterson (MN)
Aspin	Hoagland	Petri
Atkins	Hochbrueckner	Pickett
AuCoin	Horn	Porter
Bacchus	Hoyer	Poshard
Beilenson	Huckaby	Price
Bennett	Hughes	Rahall
Berman	Jacobs	Ramstad
Bevill	Jefferson	Rangel
Bilbray	Jenkins	Reed
Blackwell	Johnson (SD)	Roe
Borski	Johnston	Roemer
Boucher	Jones (GA)	Rose
Brewster	Jones (NC)	Rostenkowski
Brooks	Jontz	Roth
Broomfield	Kanjorski	Roukema
Browder	Kaptur	Rowland
Brown	Kennedy	Russo
Bruce	Kennelly	Sabo
Bryant	Kildee	Sanders
Byron	Kleczka	Sangmeister
Camp	Kolter	Sarpalius
Campbell (CA)	Kopetski	Savage
Campbell (CO)	LaFalce	Sawyer
Cardin	Lancaster	Scheuer
Carper	Lantos	Schroeder
Chapman	LaRocco	Schumer
Clay	Laughlin	Sensenbrenner
Clement	Leach	Serrano
Coleman (TX)	Lehman (CA)	Sharp
Collins (IL)	Lehman (FL)	Shays
Collins (MI)	Levin (MI)	Sikorski
Condit	Lewis (GA)	Sisisky
Conyers	Lipinski	Skaggs
Costello	Livingston	Skelton
Cox (IL)	Lloyd	Slattery
Coyne	Long	Slaughter
Cramer	Lowey (NY)	Smith (FL)
Crane	Luken	Snowe
Darden	Machtley	Spratt
DeFazio	Manton	Staggers
DeLauro	Markey	Stallings
Dellums	Marlenee	Stark
Derrick	Martinez	Stokes
Dicks	Matsui	Studds
Dingell	Mavroules	Swett
Donnelly	Mazzoli	Swift
Dooley	McCloskey	Synar
Dorgan (ND)	McCurdy	Tanner
Downey	McDermott	Tauzin
Dreier	McHugh	Taylor (MS)
Durbin	McMillen (MD)	Thomas (GA)
Dwyer	McNulty	Thornton
Eckart	Mfume	Torricelli
Edwards (CA)	Miller (CA)	Towns
Edwards (TX)	Mineta	Traficant
Engel	Mink	Unsoeld
English	Moakley	Upton
Erdreich	Mollohan	Valentine
Espy	Moody	Vander Jagt
Evans	Moran	Vento
Fazio	Murphy	Visclosky
Feighan	Murtha	Washington
Flake	Nagle	Waters
Foglietta	Neal (MA)	Waxman
Ford (MI)	Neal (NC)	Weiss
Ford (TN)	Nowak	Wheat
Frank (MA)	Nussle	Williams
Frost	Oakar	Wilson
Gaydos	Oberstar	Wise
Gejdenson	Obey	Wolpe
Gephardt	Olver	Wyden
Geren	Ortiz	Yates
Gibbons	Orton	Yatron
Glickman	Owens (NY)	Zeliff
Gonzalez	Owens (UT)	Zimmer
Gordon	Pallone	
Guarini	Panetta	

NOT VOTING—18

Ackerman	Fish	Richardson
Barnard	Hefner	Ros-Lehtinen
Bonior	Hyde	Solarz
Boxer	Levine (CA)	Tallon
Bustamante	Miller (WA)	Torres
Dymally	Olin	Traxler

□ 1753

Mr. BROOMFIELD and Mr. GONZALEZ changed their vote from "aye" to "no."

Messrs. RITTER, WHITTEN, EWING, SKEEN, KOSTMAYER, and RAY changed their vote from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1800

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. WISE].

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 330, noes 87, not voting 17, as follows:

[Roll No. 258]

AYES—330

Abercrombie
Alexander
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Baker
Barrett
Beilenson
Bennett
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Boehlert
Borski
Boucher
Brewster
Brooks
Browder
Bruce
Bryant
Byron
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fawell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallegly
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Grandy
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry
Herger
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Hoyer
Huckaby
Hughes
Hutto
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCrery
McCurdy
McDermott
McEwen
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Moody
Moorhead
Moran
Morrison
Mrazek
Murphy
Murtha
Nagle
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rohrabacher
Rose
Rostenkowski
Roukema
Rowland
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Schaefer
Scheuer
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Snowe
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walker
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Zeliff
Zimmer

NOES—87

Archer
Armey
Ballenger
Barton
Bateman
Bentley
Bliley
Boehner
Broomfield
Brown
Bunning
Burton
Callahan
Clinger
Combest
Coughlin
Darden
Davis
DeLay
Dickinson
Edwards (OK)
Ewing
Fascell
Fields
Franks (CT)
Gallo
Gillmor
Gilman
Gradison
Green
Hammerschmidt
Hastert
Hertel
Hopkins
Horton
Houghton
Hubbard
Hunter
Inhofe
Johnson (TX)
Kyl
Lagomarsino
Lent
Lewis (CA)
Lightfoot
Livingston
Lowery (CA)
Marlenee
Martin
McCollum
McDade
McGrath
McHugh
Michel
Miller (OH)
Molinari
Montgomery
Morella
Myers
Natcher
Oxley
Paxon
Pickle
Quillen
Regula
Rhodes
Rogers
Roth
Roybal
Saxton
Schiff
Schulze
Skeen
Smith (IA)
Smith (OR)
Smith (TX)
Solomon
Spence
Stump
Sundquist
Taylor (NC)
Vucanovich
Weber
Whitten
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Ackerman
Barnard
Bonior
Boxer
Bustamante
Dymally
Fish
Hefner
Hyde
Olin
Richardson
Ros-Lehtinen
Smith (NJ)
Solarz
Tallon
Torres
Traxler

□ 1803

Messrs. RINALDO, RIGGS, CUNNINGHAM, and HOYER changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there additional amendments to title III?

PARLIAMENTARY INQUIRY

Mr. DINGELL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DINGELL. Mr. Chairman, have we reached title IV yet?

The CHAIRMAN. No. We are on title III.

Mr. DINGELL. I have a point of order when we arrive at title IV.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] will be recognized at the proper time.

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

Mr. Chairman, I have an amendment that I hope to offer later. My understanding is that the Committee may try to rise without me being allowed to offer it.

But the purpose for me introducing the amendment is because I am trying to stop the United Way, the big banks, and big business from destroying the Boy Scouts and the values they promote in young boys. Boy Scouts continue to say, "Our values are not for sale."

Mr. Chairman, why I am offering this amendment, the purpose for the amendment on this appropriation authorization bill, is the fact that United Way depends on the Postal Service. Wells Fargo and Bank of America depend on the Treasury. And we simply want to limit funds to institutions and charitable organizations who want to hold captive organizations like the Boy Scouts of America who, to me, is one of the greatest organizations in the history of our country.

I rise today to speak on the amendment, and I am concerned about America's families and basic American family values. The family is the nuclear backbone of our society, and, if I am the last man in America to make this statement, that family and values are important, so be it.

For that reason, Mr. Chairman, I am here today to publicly criticize the United Way, the big businesses in general, Levi Strauss, Wells Fargo, Bank of America. These corporations are taking this action because of the Boy Scout's position on not allowing openly gay people to serve as Scoutmaster.

The Vice President was right when he said that it was wrong for these big businesses to withdraw support from the Boy Scouts and that we have to stand up for the values of the Boy Scouts of America. After the battering he has taken here in the earlier amendment, I think it is fitting that some

things that he is saying out there are right. The Boy Scouts is one of the last organizations of which I am aware that embodies hardcore values. We have to take a stand on them and for our children.

As a Member of Congress, Mr. Chairman, I am concerned with the apparent decline in the values in our country, and that is why I feel so strongly about protecting the very positive effect that scouting has had on generations of American youth. The Boy Scouts have said that values are not for sale, and thank God they are still standing for that. It is a shame that the same cannot be said for their former supporters in private industry.

I am opposed to homosexuals being Scoutmasters because it sends a wrong signal to the young boys. There have also been numerous examples of sexual molestation of young Boy Scouts by their Scoutmasters, and I have a stack of them in my office, if anyone would care to see them, and that is why it is unacceptable and I am going to fight it to see that it does not happen, if I can possibly do it. We must protect our young Americans and see that they are instilled with the values that helps them to be strong, produce American citizens, good citizens, and it is like having the fox guard the hen house to have homosexuals being Scoutmasters.

I realize that contributions are charitable, but in defunding the Boy Scouts these corporations are placing themselves in opposition to the reverent American institution. We simply cannot allow Boy Scouts' values to be held hostage to special interest groups and misguided American corporations, and I have to say that I hope that this body will reject the Committee when it tries to rise and will give me the opportunity to offer the amendment that I have.

A vote on the motion to rise will be a vote against the Boy Scouts. A vote against it will be a vote that says the Boy Scouts have a right to instill traditional family values in this country for the boys of this country. I hope my colleagues will vote to reject it, if we are allowed to offer this amendment.

□ 1810

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act, as amended (5 U.S.C. 571 et seq.), including not to exceed $1,000 for official reception and representation expenses; $2,314,000.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271-79); $1,891,000, and additional amounts, not to exceed $200,000, collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

CITIZENS' COMMISSION ON PUBLIC SERVICE AND COMPENSATION

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of Section 225 of the Federal Salary Act of 1967, as amended by the Ethics Reform Act of 1989 (2 U.S.C. 351); $250,000, which shall remain available until September 30, 1994.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92-28; $1,653,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended; $20,531,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(LIMITATIONS ON AVAILABILITY OF REVENUE)

For additional expenses necessary to carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), $402,040,000 to be deposited into said Fund. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving Governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of $4,820,209,000 of which (1) not to exceed $684,952,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses) as follows:

New Construction:

California:

San Francisco, U.S. Court of Appeals Annex, $4,400,000

San Francisco, Federal Office Building, $15,000,000

District of Columbia:

Army Corps of Engineers Headquarters Building, $50,000,000

Federal Bureau of Investigation Field Office, $57,690,000

Department of Justice—Offices, Boards and Divisions Building, $43,733,000

Secret Service Headquarters Building, $150,569,000

White House Remote Delivery and Vehicle Maintenance Facilities, $25,531,000

Florida:

Fort Myers, Federal Building and U.S. Courthouse, $27,600,000

Hollywood, Federal Building, $2,000,000

Tampa, U.S. Courthouse, $8,948,000

Georgia:

Atlanta, Centers for Disease Control, site acquisition and site improvements, $34,000,000

Atlanta, Centers for Disease Control, Laboratory, $60,000,000

Atlanta, Centers for Disease Control, $30,000,000

Indiana:

Hammond, Federal Building and United States Courthouse, $51,000,000

Missouri:

Kansas City, Federal Building—U.S. Courthouse, $5,721,000

Nevada:

Reno, Federal Building and U.S. Courthouse, $31,826,000

New Hampshire:

Concord, Federal Building and U.S. Courthouse Annex, $36,576,000

New Jersey:

Newark, Parking Facility, $15,000,000

New Mexico:

Albuquerque, Federal Building and U.S. Courthouse, $3,118,000

New York:

Long Island, Federal Building and U.S. Courthouse, $15,400,000

Oregon:

Portland, Bonneville Power Building, claim, $3,590,000

Texas:

Laredo, Federal Building-Courthouse, $3,000,000

Vermont:

Highgate Springs, Border Station, $250,000

Nonprospectus Construction Projects, $10,000,000:

Provided, That of the funds provided for nonprospectus construction projects $5,000,000 shall remain available until expended for acquisition, lease, construction and equipping of a flexiplace work telecommuting center in southern Maryland, the Eastern Shore of Maryland and in northwestern Virginia and Virginia and may be used for establishment of two additional flexiplace work telecommuting centers: *Provided further*, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but by not to exceed 10 per centum: *Provided further*, That all funds for direct construction projects shall expire on September 30, 1994, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the Secretary of Commerce shall execute such permanent easements as may be necessary to fulfill an agreement between the Department of Commerce and the City of Boulder, Colorado, on the scope of development of the Department of Commerce property at 325 Broadway, Boulder, Colorado: *Provided further*, That claims against the Government of less than $100,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92-313, be liquidated

with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects; (2) not to exceed $583,255,000 which shall remain available until expended, for repairs and alterations: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project as follows, except each project may be increased by an amount not to exceed 10 per centum unless advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount:

Repairs and Alterations:

California:

San Francisco, U.S. Court of Appeals Annex, $91,563,000

Colorado:

Lakewood, Denver Federal Center, Building 56, $4,378,000

Lakewood, Denver Federal Center, Building 67, $3,498,000

Lakewood, Denver Federal Center, Building 810, $9,975,000

Connecticut:

Hartford, A.A. Ribicoff Federal Building and Courthouse, $8,008,000

District of Columbia:

Agriculture Administration Building, $7,195,000

Frances Perkins Department of Labor Building, $8,500,000

Idaho:

Boise, Federal Building and Courthouse, $9,352,000

Louisiana:

New Orleans, Custom House, $5,716,000

Maryland:

Avondale, De LaSalle Building, $9,170,000

Baltimore, Customhouse, $11,878,000

Baltimore, George H. Fallon Federal Building, $21,301,000

Michigan:

Battle Creek, Federal Center, $26,197,000

Detroit, Federal Building and Courthouse, $6,976,000

New York:

New York, Jacob K. Javits Federal Building, (phase 1), $23,438,000

Oklahoma:

Oklahoma City, Federal Building and U.S. Courthouse, $10,366,000

Tulsa, Federal Building, $8,458,000

Rhode Island:

Providence, J. O. Pastore Federal Building and Post Office $5,233,000

Texas:

Austin, Homer Thornberry Judicial Center, $3,186,000

Houston, Custom House, $4,665,000

Utah:

Ogden, IRS Center, $4,884,000

Virginia:

Richmond, Federal Office Building, $24,000,000

Washington:

Seattle, Henry M. Jackson Federal Building, $5,329,000

Capital Improvements of United States-Mexico Border Facilities, $13,500,000 as follows:

Texas:

El Paso, Bridge of the Americas, $3,000,000

Ysleta, $3,000,000

Ysleta, site acquisition and construction, $7,500,000

Minor Repairs and Alterations, $256,489,000: *Provided*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 1994, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided above for Minor Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations"; (3) not to exceed $145,381,000 for installment acquisition payments including payments on purchase contracts; (4) not to exceed $1,898,691,000 for rental of space; (5) not to exceed $1,170,000,000 for real property operations; (6) not to exceed $142,000,000 for program direction and centralized services; and (7) not to exceed $195,930,000 for design and construction services which shall remain available until expended: *Provided further*, That for the purposes of this authorization, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further*, That none of the funds available to the General Services Administration, except for San Francisco, California, Federal Office Building; District of Columbia, Department of Justice—Offices, Boards and Divisions Building; Hollywood, Florida, Federal Building; Atlanta, Georgia, Centers for Disease Control; Atlanta, Georgia, Centers for Disease Control site acquisition and site improvement; Atlanta, Georgia, Centers for Disease Control, Laboratory; Hammond, Indiana, Federal Building and United States Courthouse; Newark, New Jersey, Parking Facility; El Paso, Texas, Bridge of the Americas; Ysleta, Texas, Border Facilities; Ysleta, Texas, site acquisition and construction, shall be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 1993 excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $4,820,209,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

FEDERAL SUPPLY SERVICE

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for property management activities, utilization of excess and disposal of surplus personal property, rehabilitation of personal property, transportation management activities, transportation audits by in-house personnel, procurement, and other related supply management activities, including services as authorized by 5 U.S.C. 3109; $56,070,000.

FEDERAL PROPERTY RESOURCES SERVICE

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to utilization of excess real property; the disposal of surplus real property, the utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property, including services as authorized by 5 U.S.C. 3109; $13,933,000, to be derived from proceeds from transfers of excess real property and disposal of surplus real property and related personal property, subject to the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–5).

GENERAL MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided, for Policy Direction, Board of Contract Appeals, and accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Claims, and services authorized by 5 U.S.C. 3109, $35,346,000, of which not to exceed $1,658,000 shall remain available until expended for major equipment acquisitions and systems development projects: *Provided*, That this appropriation shall be available for general administrative and staff support services, subject to reimbursement by the applicable organization or agencies pursuant to subsections (a) and (b) of section 1535 of title 31, United States Code: *Provided further*, That not less than $825,000 shall be available for personnel and associated costs in support of Congressional District and Senate State offices without reimbursement from these offices: *Provided further*, That not to exceed $5,000 shall be available for official reception and representation expenses.

INFORMATION RESOURCES MANAGEMENT SERVICE

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for carrying out Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related activities, including services as authorized by 5 U.S.C. 3109; and for the Information Security Oversight Office established pursuant to Executive Order 12356; $45,787,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $34,748,000: *Provided*, That not to exceed $10,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500

shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138; $2,183,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

EXPENSES, PRESIDENTIAL TRANSITION

For expenses necessary to carry out the provisions of the Presidential Transition Act of 1963, as amended (3 U.S.C. 102, note), $5,000,000: *Provided*, That the availability of these funds shall be in accordance with sections 3(b) and 4 of the Act.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SECTION 1. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 2. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 3. Not to exceed 2 per centum of funds made available in appropriations for operating expenses and salaries and expenses, during the current fiscal year, may be transferred between such appropriations for mandatory program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

SEC. 4. Funds in the Federal Buildings Fund made available for fiscal year 1993 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

SEC. 5. (a) Notwithstanding any other provision of law, agencies are hereafter authorized to make rent payments to the General Services Administration for lease space relating to expansion needs of the agency and General Services Administration is authorized to use such funds, in addition to the amount received as New Obligational Authority in the Rental of Space activity of the Federal Buildings Fund. Such payments are to be at the commercial equivalent rates specified by section 201(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)) and are to be deposited into the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)).

(b) There are hereby appropriated, out of the Federal Buildings Fund, such sums as may be necessary to carry out the purpose of subsection (a).

SEC. 6. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Norfork Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

SEC. 7. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Bull Shoals Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

SEC. 8. Notwithstanding the provisions of the Act of September 13, 1982 (Public Law 97-258, 31 U.S.C. 1345), any agency, department or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation and subsistence expenses incurred for training classes, conferences or other meetings in connection with the provision of such services: *Provided*, That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 9. Notwithstanding any other provision of law, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), is hereafter authorized to receive any revenues, collection, or other income received during a fiscal year in the form of rebates, cash incentives or otherwise, related to energy savings or materials recycling efforts, all of which shall remain in the Fund until expended, and remain available for Federal energy management improvement programs, recycling programs, or employee programs as may be authorized by law or as may be deemed appropriate by the Administrator of General Services. The General Services Administration is authorized to use such funds, in addition to amounts received as New Obligational Authority, in such activity or activities of the Fund as may be necessary.

SEC. 10. The language providing authority to enter into an agreement for the lease-purchase of a building in San Francisco, California under the heading "Federal Buildings Fund Limitations on Availability of Revenue" in Public Law 100-202 (101 Stat. 1329-405) is amended as follows: delete "of approximately 430,000 office occupiable square feet" and insert "not to exceed 475,000 occupiable square feet": *Provided*, That the $15,000,000 made available in this Act in the Federal Buildings Fund for the San Francisco Federal Office Building may be used to fund this increase in square footage.

SEC. 11. (a) Notwithstanding any other provision of law, the Administrator of the General Services Administration, shall quitclaim without monetary compensation the property described in (b) to the Deganawidah-Quetzalcoatl University. In the event the Deganawidah-Quetzalcoatl University should lose its exemption from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 or a comparable successor provision of Federal law, the property described in (b) shall automatically revert in ownership to the Federal Government.

(b) The real property situate in the County of Yolo, State of California, conveyed from Deganawidah-Quetzalcoatl University to the United States of America by certain Return Quitclaim Deed dated March 10, 1988, and recorded June 20, 1989, as Instrument No. 13383, in the official Records of Yolo County, California.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with National Archives and Records Administration and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $163,045,000, of which $4,000,000 for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, shall remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100-598, and the Ethics Reform Act of 1989, Public Law 101-194, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses; $8,265,000: *Provided*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants to attend an International Conference on Ethics shall be credited to and merged with this account, to be available for carrying out the Conference without further appropriation.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, medical examinations performed for veterans by private physicians on a fee basis, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, not to exceed $2,500 for official reception and representation expenses, and advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended: *Provided*, That notwithstanding 31 U.S.C. 3302, the Director is hereby authorized to accept gifts of goods and services, which shall be available only for hosting National Civil Service Appreciation Conferences, to be held in several locations throughout the United States in 1993. Goods and services provided in connection with the conference may include, but are not limited to, food and refreshments; rental of seminar rooms, banquet rooms, and facilities; and use of communications, printing and other equipment. Awards of minimal intrinsic value will be allowed. Gifts provided by an individual donor shall not exceed 50 percent of the total value of the gifts provided at each location; $121,269,000; and in addition $87,032,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of health benefits printing, for the retirement and insurance programs, of which $3,500,000 shall be transferred at such times as the Office of Personnel Management deems appropriate, and shall remain available until expended for the costs of automating the retirement recordkeeping systems, together with remaining amounts authorized in previous Acts for the recordkeeping systems: *Provided further*, That $1,012,000 of the funds appropriated is available only for the establishment of a toll-free telephone line: *Provided further*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by

section 8348(a)(1)(B) of title 5, U.S.C.: *Provided further*, That, except as may be consistent with regulations of the Office of Personnel Management prescribed pursuant to 5 U.S.C. 8902a(f)(1) and (i), no payment may be made from the Employees Health Benefits Fund to any physician, hospital, or other provider of health care services or supplies who is, at the time such services or supplies are provided to an individual covered under chapter 89 of title 5, United States Code, excluded, pursuant to section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7–1320a–7a), from participation in any program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.): *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during the fiscal year ending September 30, 1993, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission: *Provided further*, That the Director of the Office of Personnel Management may transfer from this appropriation an amount to be determined, but not to exceed $270,000, to the National Advisory Council on the Public Service as established by Public Law 101–363.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles: $4,528,000; and in addition, not to exceed $6,956,000 for administrative expenses to audit the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, $4,149,245,000, to remain available until expended.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, $12,433,000, to remain available until expended.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, not to exceed $6,900,000,000: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended and the Act of August 19, 1950, as amended (33 U.S.C. 771–75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $24,850,000, together with not to exceed $1,950,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), and the Whistleblower Protection Act of 1989 (Public Law 101–12), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $7,949,000.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; $21,637,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109; $32,435,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the "Independent Agencies Appropriations Act, 1993".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

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

Mr. DANNEMEYER. Mr. Chairman, I reserve the right to object.

Mr. DINGELL. Mr. Chairman, I have a point of order to this title.

The CHAIRMAN. The Chair will recognize the gentleman in due course for this point of order.

Mr. DANNEMEYER. Mr. Chairman, reserving the right to object, I would like to be able to hear what the gentleman from California [Mr. ROYBAL] said with respect to his unanimous-consent request.

The CHAIRMAN. The gentleman from California [Mr. ROYBAL] asked unanimous consent that title IV be read and open to amendment at any point.

Mr. DINGELL. Mr. Chairman, reserving the right to object, I have a point of order I would like to offer.

The CHAIRMAN. The gentleman from California [Mr. DANNEMEYER] has the floor under his reservation of objection.

Mr. DANNEMEYER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. ROYBAL] that title IV be considered as read, printed in the RECORD, and open to amendment at any point?

Mr. DINGELL. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The gentleman is recognized under his reservation.

Mr. DINGELL. Mr. Chairman, under my reservation of objection, I have a little point of order which I wish to offer to section 9.

The CHAIRMAN. The Chair will inform the gentleman from Michigan [Mr. DINGELL] that his request is not timely. The rights of the gentleman will be protected. We simply want to dispose of the unanimous-consent request.

Mr. DINGELL. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. ROYBAL]?

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I just want to make sure I understand where we are. The Chairman is about to open title IV for amendment at any point?

The CHAIRMAN. The request of the gentleman from California is that title IV be considered as read and open to amendment at any point.

Mr. BURTON of Indiana. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. ROYBAL]?

There was no objection.

The CHAIRMAN. Are there any points of order against title IV?

POINT OF ORDER

Mr. DINGELL. Mr. Chairman, I have a point of order against section 9.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DINGELL. Mr. Chairman, I make a point of order in accordance with the rule on page 47, line 10, through the period at line 25. My point of order is made under the provisions which relate to legislating in appropriation bills.

The CHAIRMAN. Does the gentleman from California [Mr. ROYBAL] care to be heard?

Mr. ROYBAL. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. STUDDS). The point of order is conceded and sustained. The section is stricken.

Are there additional points of order on this title?

Are there amendments to this title?

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS: page 44, line 7, strike out "$2,183,000" and insert in lieu thereof "$613,200."

Mr. JACOBS. Mr. Chairman, this amendment does not cut any of the incumbent Presidents' public funds. It cuts all of the office funds for the ex-Presidents. It does not cut the ex-Presidents' pensions nor that of Mrs. Johnson. It does not deal at all with Secret Service protection of the ex-Presidents, only what I must call the slush funds.

Now, if a President were just leaving office, I believe that it would be proper to provide office funds for transition for 1 year or 2. But none of them has that status now.

It might seem strange to the American public that an officeholder leaves office only to go into another public office paid by the taxpayers. It has seemed strange to me for a long, long time.

Mr. Chairman, our ex-Presidents are beginning to pile up on us a little bit. We have about four of them now, I think. One, Mr. Nixon, gets $478,000 a year to pay his office expenses for a private office. Ford gets $462,000, Carter gets $466,000, and Reagan is not doing bad, $770,000.

They will tell you these offices are necessary to answer mail that they get, but we have tested that a few times. We have had friends write letters to them, and three of the four did not get an answer at all, and the fourth one had a printed postcard which said he did not have time to answer. These are booking offices for speaker's occasions and that sort of thing.

Mr. Chairman, the former Presidency has become big business. If you are an ex-President of the United States, you are automatically a millionaire. You get an advance, somebody writes a memoir for you, and you are an automatic millionaire.

Mr. Chairman, I think at least these fellows ought to pay their own private office expenses, and that is just about what this comes down to.

The only thing I want to add is that the committee will fire presently a Sidewinder missile at this cut. What it will do is restore about $1 million worth of private office funds for the ex-Presidents.

Mr. Chairman, I ask Members to do just as they did on the previous amendment: Vote no on the Sidewinder missile to shoot this one down, vote no on the cut, and vote yes on the real cut.

When Thomas Jefferson left office as President he said, "I go forth to accept a promotion, from servant to master, a private citizen." There is great dignity in private citizenship.

This is something that has grown and grown over the years. They should have their pensions. Harry Truman did not have one until he was almost dead, and that was the first time they ever voted a Presidential pension, and that was right. But these slush funds have built up, and they ought to be cut.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I think what the gentleman is saying is we just cannot afford former Presidents. So I would suggest the American taxpayer cannot afford to add to that list of former Presidents right now.

Mr. JACOBS. Mr. Chairman, reclaiming my time, they are just piling up on us.

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

Mr. Chairman, this amendment is one that has been offered every year. I always tell the gentleman from Indiana [Mr. JACOBS] that the best thing for the gentleman to do is to go before the authorizing committee and put into law what he is now proposing. Then we would have no problem with it.

What the committee has done is to obey the laws that exist at the present time. This appropriation provides for an office allowance and pensions for former Presidents. It also allows them a staff to perform those functions related to their duties as former Presidents.

They do receive mail. It seems to me that the mail should be answered. They make many public appearances for charity and perform other duties relating to their office.

Mr. Chairman, this is a modest appropriation, and I hope that this amendment will not be agreed to. After debating this year after year, it seems to me that a better solution can be found, and that there is a solution, and that is to go to the authorizing committee and ask them to bring a law that actually permits what the gentleman from Indiana [Mr. JACOBS] is advocating at this particular time.

Mr. Chairman, I am opposed to this amendment, and hope that we can come to a vote immediately.

Mr. WOLF. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, nobody saw fit to offer an amendment to strike the money for former Speakers.

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

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

Mr. JACOBS. Mr. Chairman, as it happens I believe it is correct to say that I am the only Democrat in this House who cast a vote against creating an office for Speaker McCormick when he left office. I might add it was not because I did not like him; I loved him. I just thought that these trinkets ought not be given to ex-officeholders as gifts from the taxpayers. I said if they would pass the hat, I would throw $100 in, but do not impose it on the taxpayers.

Mr. WOLF. Mr. Chairman, reclaiming my time, that is legitimate. But when the Legislative appropriation bill came up, there was not an amendment to cut out the offices for former Speakers.

Second, I wrote Presidents Ford and Carter and I got a response. Perhaps the fact that the gentleman offers this amendment every year is the reason he does not get a response.

Third, I personally think that what Jimmy Carter has done has been very, very positive. Jimmy Carter is a committed Christian. Every year he gives a week of his time for Habitat for Humanity, and gets a tremendous amount of mail as a result of it.

This year he went into Southeast Washington. Through the work of he and his wife and 300 volunteers, where no one got paid, they built 10 homes for individuals. Had the gentleman been here that Friday night when they gave the keys over to the individuals, one woman said this is the first time she ever had a house. He does this every single year.

□ 1820

Jimmy Carter should get the credit as the one who has sensitized this Nation in the area of human rights, from Romania to all these issues, he gets much, much mail on that issue.

I would just end by saying I would hope that the Congress, that the body would vote down this amendment and allow the individuals to continue to answer the mail. If we wanted to freeze it, fine, but they ought not be wiped out because what this amendment would do, the Jacobs amendment, would totally and completely wipe it out. And they would have no money at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JACOBS].

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

RECORDED VOTE

Mr. JACOBS. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 205, not voting 27, as follows:

[Roll No. 259]

AYES—202

Allard	Andrews (TX)	Armey
Andrews (ME)	Anthony	Atkins
Andrews (NJ)	Applegate	AuCoin

Bacchus
Baker
Barrett
Bennett
Bereuter
Bevill
Bilbray
Bilirakis
Blackwell
Browder
Bruce
Bunning
Burton
Camp
Campbell (CA)
Carper
Carr
Chandler
Clement
Coble
Coleman (MO)
Combest
Condit
Conyers
Cooper
Costello
Cox (IL)
Cramer
Crane
Dannemeyer
Darden
DeFazio
DeLauro
DeLay
Donnelly
Doolittle
Dorgan (ND)
Duncan
Durbin
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans
Ewing
Fawell
Feighan
Fields
Foglietta
Ford (TN)
Frank (MA)
Gallegly
Gaydos
Gekas
Geren
Gilchrest
Gingrich
Glickman
Goodling
Goss
Grandy
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harris
Hefley
Henry
Herger
Holloway
Horn
Hubbard
Huckaby
Hughes
Hutto
Inhofe
Jacobs
James
Jefferson
Jenkins
Johnson (SD)
Jontz
Kaptur
Kasich
Kildee
Klug
Kolbe
Kopetski
Kyl
Lancaster
LaRocco
Leach
Lehman (CA)
Levin (MI)
Lewis (GA)
Long
Lowey (NY)
Markey
Martinez
Mavroules
Mazzoli
McCloskey
McCrery
McDermott
McEwen
McMillen (MD)
Meyers
Mfume
Miller (CA)
Miller (WA)
Molinari
Moody
Moorhead
Moran
Morrison
Neal (MA)
Nichols
Nowak
Nussle
Olver
Ortiz
Orton
Owens (NY)
Pallone
Pastor
Patterson
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Poshard
Pursell
Rahall
Ramstad
Rangel
Reed
Riggs
Rinaldo
Ritter
Roemer
Rogers
Rohrabacher
Roth
Rowland
Sanders
Sangmeister
Santorum
Sarpalius
Scheuer
Schroeder
Schumer
Sensenbrenner
Sharp
Shays
Sikorski
Slattery
Slaughter
Smith (OR)
Snowe
Staggers
Stallings
Stark
Stearns
Stenholm
Studds
Stump
Sundquist
Swett
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (WY)
Torricelli
Towns
Upton
Valentine
Vento
Visclosky
Volkmer
Weldon
Wise
Wyden
Yates
Yatron
Zimmer

NOES—205

Abercrombie
Alexander
Allen
Anderson
Annunzio
Archer
Aspin
Ballenger
Barton
Bateman
Bellenson
Bentley
Berman
Bliley
Boehlert
Boehner
Borski
Boucher
Brewster
Brooks
Brown
Bryant
Byron
Callahan
Campbell (CO)
Cardin
Clay
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Coughlin
Cox (CA)
Coyne
Cunningham
Davis
de la Garza
Dellums
Derrick
Dickinson
Dicks
Dixon
Dooley
Dornan (CA)
Downey
Dreier
Dwyer
Early
Edwards (TX)
Engel
Espy
Fascell
Fazio
Flake
Ford (MI)
Franks (CT)
Frost
Gallo
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Gradison
Green
Hammerschmidt
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hobson
Hochbrueckner
Horton
Houghton
Hoyer
Hunter
Ireland
Johnson (CT)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Kanjorski
Kennedy
Kennelly
Kleczka
Kostmayer
LaFalce
Lagomarsino
Lantos
Laughlin
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lowery (CA)
Luken
Machtley
Manton
Marlenee
Martin
Matsui
McCandless
McCollum
McCurdy
McDade
McHugh
McMillan (NC)
McNulty
Michel
Miller (OH)
Mineta
Mink
Moakley
Mollohan
Montgomery
Morella
Mrazek
Murtha
Myers
Nagle
Natcher
Neal (NC)
Oakar
Oberstar
Obey
Owens (UT)
Oxley
Packard
Panetta
Parker
Paxon
Payne (NJ)
Payne (VA)
Perkins
Pickett
Pickle
Porter
Price
Quillen
Ravenel
Ray
Regula
Rhodes
Ridge
Roberts
Roe
Rose
Rostenkowski
Roukema
Roybal
Russo
Sabo
Savage
Sawyer
Saxton
Schaefer
Schiff
Schulze
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Solomon
Spence
Spratt
Stokes
Swift
Synar
Taylor (NC)
Thomas (GA)
Thornton
Traficant
Unsoeld
Vander Jagt
Vucanovich
Walker
Walsh
Waters
Waxman
Weber
Weiss
Wheat
Whitten
Williams
Wilson
Wolf
Wolpe
Wylie
Young (AK)
Young (FL)
Zeliff

NOT VOTING—27

Ackerman
Barnard
Bonior
Boxer
Broomfield
Bustamante
Chapman
Dingell
Dymally
Fish
Gillmor
Hefner
Hopkins
Hyde
Kolter
Lehman (FL)
McGrath
Murphy
Olin
Richardson
Ros-Lehtinen
Serrano
Solarz
Tallon
Torres
Traxler
Washington

□ 1840

Messrs. DELLUMS, RIDGE, SISISKY, BATEMAN, and DREIER of California changed their vote from "aye" to "no."

Messrs. GALLEGLY, BEVILL, FORD of Tennessee, EMERSON, STEARNS, JEFFERSON, TOWNS, AND LEWIS of Georgia changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 31, line 21, strike "$4,820,209,000" and insert "$4,805,209,000".

Page 31, line 21, strike "$684,952,000" and insert "$669,952,000".

Page 33, strike lines 17 and 18.

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

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

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, let me just say to my colleagues, especially my colleague up here in the front that there is a $4 trillion national debt. I did not want to let the gentleman down by not stating that, and we need to deal with the fiscal problems facing this country in a responsible manner.

Toward that end I would like to point out to my colleagues that over the past 2 days we have passed an Agriculture bill that has $6.5 billion above last year's spending level, an Interior bill that was $416 million above last year's spending level, and this Post Office and Treasury Service bill is going to be $2.9 billion above last year's spending level. And we passed an authorization bill earlier on Alcohol, Drug Abuse, and Mental Health that was $1 billion above last year's spending level.

Let me just say to my colleagues that we have talked day in and day out about the deficit and what that portends for the economic well-being of the United States in the future. I have an amendment that I am proposing right now that I hope my colleagues will look on in a favorable way. We are trying to cut waste and pork out of the spending bills facing this body in order to get control of spending.

This bill contains eight new Federal building construction projects which were not requested by the administration, and these projects cost $212 million, and they are not needed by Federal agencies. Five of the eight projects are not authorized, they are unauthorized, and they cost $141 million.

The worst abuser of these five is the project in Newark, NJ. It is a nine-story parking garage, and it was not requested by the administration, and they did not get any authorization whatsoever. It is totally unauthorized. This will cost the taxpayers of the United States for this parking garage in Newark $15 million.

Now the city of Newark is going to pay $30 million for their part of the project, but this is an economic development project, not part of the Federal Government's responsibility. This is the equivalent of a joint venture for the Federal Government, and the Federal Government does not normally do this. There is no assurance that the interests of the Federal taxpayers will be protected.

If the Federal facilities in downtown Newark really need additional parking, we should let the city pay the entire cost of the building of this garage and let the Federal Government lease back the part that they need.

The real purpose of this project, Mr. Chairman, is economic development in downtown Newark. The adjacent Federal office facilities are being used as a convenient excuse to bring home $15 million in pure pork.

According to the committee report language, this project would greatly enhance the effective functioning of the entire Federal complex, including

past, present, and future government facilities as well as surrounding municipal, cultural, and other activities. I do not know how a new parking garage is going to help the effective functioning of past government facilities.

The opponents of the balanced budget amendment said that we need to find the courage, the courage to make the tough choices so that we can balance the Federal budget. It should not take much courage to cut out $15 million for a nine-story parking garage that the Federal Government does not want or need in Newark, NJ.

If we cannot cut this project, where are we going to cut? This is pork, pure and simple. The Federal Government should not be dealing with this or paying for it.

I apologize to my colleagues from Newark, but the project is in their district and it is pure pork, and the Federal Government and the taxpayers should not be paying for it, especially in view of the fact that we have a $470 billion deficit this year alone, and a $4 trillion national debt. The interest is $300 million plus on the national debt, and by the year 2000 the personal income taxes, if we keep spending the way we are, will not even pay the interest on the debt.

If we care about the future economic well-being of this country, we should pass amendments like this, and make dramatic cuts to get control of our appetites on spending.

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

The General Services Administration is now completing construction of the Federal courts building in the heart of Newark, NJ, which will open this spring. The new Federal building will function as a courthouse and as an administrative office adjacent to other Federal properties in downtown Newark. With the building's opening, over 6,000 Federal employees will work in the center of downtown Newark. More than 3,000 municipal employees, combined with a broad range of private business enterprises also work in this same area.

With the development of the Federal courts building, certain existing surface parking was eliminated, and the combined impact of this infusion of new Federal employment, the loss of existing surface parking to accommodate the plan, and the growing vitality of private employment in Newark's downtown will create a severe parking problem.

The construction of a garage is desperately needed to address the pressing parking shortage, as well as to enhance the effective functioning and role that this Federal facility can play in the city of Newark. This Federal complex can be a critical factor in the continued emergence of this area and its rich base of cultural, artistic, community, public and private facilities; the garage needed is an especially important factor.

□ 1850

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

Mr. Chairman, and Members, at the conclusion of the Committee's consideration of this bill, our colleague, the gentleman from Louisiana [Mr. HOLLOWAY], will seek to offer an amendment that relates to the Boy Scouts of America.

If a motion is made for the Committee to rise, we will ask for a rollcall vote on that motion for the Committee to rise. And bear in mind that the essence of that vote will be whether or not this House goes in support of affirming the Boy Scouts of America. That will be the vote.

Because what is happening in my State of California and other States in the Union is that certain banks and other businesses in that State are saying to the Boy Scouts of America, "We are no longer going to give money to you when you honor traditional family values and how we bring up our kids," in this instance because the Boy Scouts in California and throughout the United States have said very clearly they are not going to have homosexuals as Scout masters or in charge of boys in the Boy Scouts of America.

This amendment will reach that, because it will say to any bank in this country that as a member of the Federal Reserve Board that has money on deposit with the Federal Reserve System that if there is a change in reserve requirements lowering those reserve requirements, the Federal Reserve will thereby be remitting money back to that bank. And if one of these banks, the Bank of America and Wells Fargo in California are currently doing this, if they are discriminating against the Boy Scouts of America in their ability to raise kids in traditional family values, then they are not going to get their money back. That is the hook.

We are going to ask the Members in this House today by a rollcall vote, if the motion is made for the Committee to rise, to vote for the Boy Scouts of America, and I hope that you will, because believe me, it is an institution of which we Americans can be proud, that raises boys in this country for God and country, for discipline, for recreation, for advancing the preservation of the environment.

I can speak as a former Eagle Scout, as a Scoutmaster, as a Cub Scoutmaster. I have had the privilege of working on some fund drives in my home county in Orange County, CA, to help out with the Boy Scouts of America.

Let us vote for the kids of America. Let us vote to affirm the Boy Scouts.

Mr. PAYNE of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Burton amendment to strike funding for an important element of Newark's urban redevelopment.

Yesterday, I attended a hearing where the distinguished Secretary of Housing and Urban Development, my friend Jack Kemp, talked about the Bush administration's strong support of enterprise zones, a concept designed to target assistance to distressed urban and rural areas.

Now, I find it ironic that my colleague from Indiana, the home State of our Vice President, is attempting to sabotage a facility that will enhance economic development in a city making a strong comeback despite the fact that it was absolutely devastated by the civil disorders of the 1960's. We, in Newark, are proud of the progress we have made in the years since that turbulent period.

We have an outstanding mayor, Sharpe James, and a dedicated municipal council working together. We have a strong community with successful public-private partnership working to create jobs in America and stimulate economic development.

I believe our success is reflected in the fact that Newark remained calm in the wake of the Rodney King verdict while violence erupted in Los Angeles and many cities around the country. We are proud of that fact and the progress that we are making.

The parking facility we are seeking will help the working people of my city by alleviating a serious parking problem. We will be taking our share of the financial responsibility for the project at the local level, with the Newark Parking Authority raising the balance of the needed funds for this operation.

This is an indication that our city is ready to deal with the problem and come up with the funds that we need.

I also want to stress that this facility is an essential extension of the previously authorized Martin Luther King, Jr., Federal courthouse complex. Unfortunately, existing surface parking was eliminated by construction of the new courthouse building.

With the building's opening later this year, there will be 6,000 Federal employees working in the center of downtown Newark which we are proud of, as well as 3,000 municipal employees and scores of other private sector workers.

The Prudential Insurance Co. is interested now in additional redevelopment in our city, third oldest in the United States, and a proud city.

We are attempting to encourage additional Federal agencies and businesses to return to Newark, so that we can continue to reverse the exodus from the city that occurred many decades ago.

As I said, construction of the garage will help the working people of Newark. We hear a lot about the impor-

tance of creating jobs in urban America, about the importance of helping working families and promoting family values.

I fail to see the justification for eliminating a project in Newark, NJ, once one of America's most prosperous cities that now has a chance to make a comeback, both economically and from a social and cultural standpoint.

Mr. Chairman, I believe that if the Federal Government had not turned its back on our urban cities some years ago, the cities and our urban centers would not be like they are today. So I believe the project is economically sound, and an investment in our cities is the kind of urban investment that can put our country back on the right track.

I urge my colleagues to oppose the Burton amendment.

Mr. GALLO. Mr. Chairman, I move to strike the requisite number of words.I11Mr. Chairman, I want to rise in support of the gentleman from New Jersey [Mr. PAYNE] and the parking garage and in opposition to the Burton amendment.

With this building, this Federal court, it will not only house some 700 or 1,000 employees, but 700 new employees, as indicated by the gentleman from New Jersey [Mr. PAYNE].

The building, as it goes up, will eliminate parking that is already there, and this is a self-help situation, too, because we are talking about an investment that Newark is making of some $30 million of which $15 million will come as an added amount from the Federal Government.

I believe there is some Federal responsibility when you are placing a Federal court in a city, no matter what that city is, to be able to take care of the needs of the parking.

It has been estimated that there will be over 1,226 parking spots needed at peak times. Those spots might not have been needed if, in fact, it did not have a Federal building that was being constructed there.

This is certainly a legitimate cost and also a cost-sharing situation.

I take exception to the gentleman from Indiana singling out the State of New Jersey on a particular project where there is self-motivation by the city in the fact that it is coming up with almost $30 million.

□ 1900

So I stand in opposition to the amendment of the gentleman from Indiana [Mr. BURTON] and in support of my colleague, the gentleman from New Jersey [Mr. PAYNE].

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

Mr. Chairman, I rise to support the gentleman from New Jersey, because an authorizing resolution in this matter was approved by the Public Works and Transportation Committee on October 24, 1985, upon the favorable recommendation of the Subcommittee on Public Buildings and Grounds, which I currently chair.

That resolution authorized construction of a Federal building-courthouse, now named for Dr. Martin Luther King, Jr., on a parking lot adjacent to a post office-courthouse and the Rodino Federal Building.

It is my understanding that provision for additional parking was contemplated by that resolution because parking space was consumed by the authorized building construction, and because it is necessary and routine policy for the General Services Administration to provide adequate parking for new construction. After all, such Federal buildings service the public and are open to the public.

All such construction projects, mind you, as this should be authorized before there is appropriation proposed, and even in cases such as this one, I hope it will not occur again; yet at least by implication, the parking facility for which we are asked to appropriate today was contemplated by the authorization in 1985 of the building's construction.

Therefore, as chairman of the Subcommittee of Jurisdiction, I do not oppose this appropriation.

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

Mr. Chairman, the gentleman from Louisiana and the gentleman from California both pointed out what is coming up relative to the Boy Scouts of America. In order for that amendment to be offered, which I think is very important to consider, we have to defeat the motion to rise.

Relative to the Boy Scouts of America, I would like to draw the attention of the Members to a memo dated June 19 from Ben H. Love, chief Scout executive, to the Scout executives throughout the United States.

As you may know, this is the largest youth development organization in the country with 4.1 million young people and 1.2 million volunteer adult leaders.

This is what the memo says to the Scout executives around the country:

It is important that you know that special interest groups led by the Gay and Atheist Communities are intent on destroying the Boy Scouts of America as we know it today. They are systematically attacking the values upon which the Boy Scouts of America is based. This attack on our principles and methods of delivery is deliberate and well-organized.

Consider the following actions that are being orchestrated by the special interest groups:

Money: They are going directly to the heart of Boy Scouts of America funding from companies. They are using "Civil rights discrimination" as their major method of attack. This is not a civil rights issue; it is a value issue.

Membership: The special interest groups are seeking to cut off the Boy Scouts of America from the youth of this nation by disallowing Scouting's access to children in the nation's schools. They are also seeking to place a wedge between the Boy Scouts of America and our chartered partners by asking church bodies to disallow units to be chartered to their individual churches.

Manpower: Through actions with the United Way of the Bay Area and other United Ways, they are attempting to weaken our delivery system in schools and with our chartered partners. If the actions by special interest groups are not addressed, they threaten the very survival of our Movement.

Mr. Chairman, this again was a memorandum from the chief Scout executive, dated just June 19 to all Scout executives throughout the country. There is a sustained attack on the Boy Scouts of America. Today, this evening, we will have a chance to express ourselves on this. In order to do that, you must vote down the motion to rise so that we can consider the amendment of the gentleman from Louisiana which he will offer.

I want to draw the attention of the body to this very important amendment and urge you to please come and be prepared to vote no on the motion to rise so that we can have the debate and the vote.

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

Mr. Chairman, I would like to get back to the issue before us, which is the motion made by the distinguished gentleman from Indiana, and advise you that he is just dead wrong. His facts are incorrect and he is dead wrong.

This Congress in 1989 voted for $250,000 to do the planning and site preparation for this particular project. They have already voted for it. The leadership of this committee, whether it be ROE or HAMMERSCHMIDT or my good friend, the gentleman from Pennsylvania [Mr. SHUSTER] or the chairman of the subcommittee know that this is a program that has been planned for a long time.

This is a very unique thing. Let me set the case, and then of course the gentleman can take another 4 hours. We have been at this 4 hours already.

It is interesting to me as the distinguished chairman of our subcommittee said we had when this Federal building was built, it was built on a parking lot. They took the parking lot away. Ordinarily you would include the parking in building a building that needed this kind of parking facilities.

Now, it is interesting to note, I did a little checking on Indiana, very interesting thing. I talked to some of the good folks in Indiana. Now, is it not interesting in Indiana in the Indianapolis Federal Office Building, the Minton-Capehart Building which we built recently or a few years ago, we have made arrangements for a parking facility in Indiana, in your great State, for 468 cars. We included that in there, and the Federal Government paid for it, so did the citizens from New Jersey.

We in this program that we are doing in the city of Newark in an urban enterprise zone, I may call to your attention, which our good President speaks to, we are providing of the $35 million involved, the city of Newark are taxing their people for $20 million. That really was not quite the same thing that we did in Indiana. We are a little bit more georgous.

Then as chairman of this committee, working with all of your colleagues, both Democrats and Republicans, very interesting to me, as we are now doing the water resources bill we have 16 projects that we are working with the people of Indiana on to try to help the people with their water supply, their flood control, the things they need.

In the bill that we are working on now, which we are 95 percent through, which has to do with the technical corrections bill, the State of Indiana is after us, including your Governor and your Members, asking this very same committee to be kind and cordial to the people of the State of Indiana.

I would like to say tonight, hey, brothers and sisters, ladies and gentlemen, for God's sake, stop the nonsense. If we are going to be around nitpicking here and there and destroying each State, I am not going to say one bad thing about the people of Indiana. They are lucky they have you here, but by God, in New Jersey if the vote came in New Jersey, sir, you would not be coming to this body.

Now, be that as it may, let us start looking at the facts. Let us start doing the right thing.

□ 1910

There is nobody in this building who is trying to hurt somebody or hurt any State, let alone us. So, by God, this is a just project. It should be done, and it is the right thing to do for the State of New Jersey.

I urge you to vote this amendment down.

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

Mr. Chairman, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. You know, Shakespeare talked about "the slings and arrows of outrageous fortune," and I want you to know in my 10 years here I have felt a number of them. And my colleague from New Jersey, his comments were very eloquent and they did sting, and I appreciate the position and where he is coming from. But the fact of the matter is every time I come down to this well and I attack a football stadium or a bicycle path or a parking garage someplace in this great land of ours that the Federal Government is asked to pay for, that the taxpayers around this country are asked to pay for, somebody from some committee comes down here and says, "But it is so important for the people of my State. It is so important for the people of my district."

Of course it is. But that does not alter the fact that it is pork.

Now let me ask you a question: Do you want to put a parking garage in every single city in this country that has a Federal courthouse? Do you know how much money that will cost? We do not have it.

Let me—you know, sometimes, I know what the Christians felt like in the Roman arena.

Let me, Mr. Chairman, just say that all kidding aside, the deficits that we are experiencing are going up and not down. We are $470 billion short this year, and every single appropriation bill that has come before this body this week has been higher than last year, every one of them. And we are not doing anything to get control of spending.

I have said on the floor of the House the last couple of weeks that I have a book that I wish everybody would read. It is called the Coming Economic Earthquake, by Larry Burkett. He is going to be here next week, and for those of you who are interested, I would love to have you come and meet this guy and talk about his economic projections. He is a good man. I want to say to my colleagues tonight, bicycle paths, parking garages, football stadiums paid for by the taxpayers in other parts of the country are wrong, just wrong, whether it is in Indiana or New Jersey.

I am saying to my colleagues tonight, if we do not get control of spending in this body, the kids of this country, the future generations, are going to curse us because of the economic problems they are going to face. And before the next decade is out, in all probability we are going to have economic chaos. We are not going to have a major depression like you would traditionally think of a depression; what we are going to do is we are going to see the Federal Reserve Board inflate the money supply, print money to cover the debt. Do you know why they are going to do that? I will tell you why they are going to do that: Because the interest on the debt is going to exceed the tax revenues coming into the treasury. And when that happens, the Federal Reserve Board unilaterally can monetize the debt. If we have a $10 trillion national debt and we cannot pay the interest on it, and they print $5 trillion to pay off the debt so we do not have to service it, then we are going to have hyperinflation. And you Social Security recipients and your welfare recipients and your people on fixed incomes are going to really suffer because they will have money but it will not buy anything because we were not fiscally responsible today.

Parking garages, whatever you want to talk about, we have got to get control of spending around here or there is going to be an economic calamity and everybody knows it.

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

Mr. Chairman, I know some of our colleagues are confused. Mr. DANNEMEYER has risen and spoken about the Boy Scouts, and we are concerned about this garage. I want Mr. DANNEMEYER to know that any Boy Scout who comes to Newark, NJ, is welcomed in our parking garage.

Mr. Chairman, several years ago this House made a judgment to build in Newark, NJ, a Federal courthouse. It was a good judgment. An old city in severe economic trouble, to rebuild its heart; that project has worked. Six thousand employees will come to the heart of Newark each day and bring it new life. The city of Newark contributed millions of dollars of its own money.

Now, with the project near completion, we are told that half of the project, the parking deck to go with it, should be removed. It is as if with half of the Golden Gate Bridge built 50 years ago, you were to come to this floor and ask that it not be completed. This project made sense when you authorized it, when you appropriated it, and now it makes sense to complete it.

I know how easy it is to come here against one State and one project. But the people of Newark have built part of their future on the faith of this institution keeping its own word. You began it, it made sense, we relied upon it, and now it is keeping that faith and good economic sense to complete it.

We ask that this Congress keep its word to the people of Newark who contributed their money and built their hopes. I ask you to vote with DONALD PAYNE and with our State and to defeat this amendment and get the job done that we began.

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

Mr. TORRICELLI. I will be happy to yield to the gentleman from Florida.

Mr. SHAW. I thank the gentleman for yielding.

Mr. Chairman, I would like to say to the gentleman—and I have the greatest respect for my colleague, the gentleman from Indiana [Mr. BURTON], and I agree with what he said with regard to pork and everything else. This is not pork, however. I was the ranking member on the Subcommittee on Public Buildings and Grounds during the planning stage for this courthouse.

As a former mayor, I know of the importance of building up the inner city. And you can take these type of projects, which are sorely needed, to be occupied by the Federal Government and to be owned by the Federal Government, not leased by the Federal Government, you are doing more for the inner city and taking care of the needs of the Federal Government. I do not consider a parking lot for the Federal employees in a downtown area adjacent to a Federal courthouse as pork. It is a necessity.

I would urge defeat of this amendment.

Mr. TORRICELLI. I thank the gentleman for his comments and our colleagues for their support. Newark is coming back, this is working, you made a good investment. Please stay with us. We thank the committee for their support.

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

Mr. Chairman, I rise in strong support of the Burton amendment.

I would say to my friend from New Jersey [Mr. ROE], any statement where he said this Congress voted, that is the key for this project. This Congress, just like earlier in the week, voted $19 million for a road in Mississippi for the Army that the Army did not even want, but because the chairman wanted it, it was pork. Mr. BURTON fought that as well.

I would not be surprised if we do not get overridden on this bill as well. It is pork. You cannot keep blaming—I watched on the Senate last night, and they were pointing out how the cost has gone up under the Reagan-Bush administrations. They do not control the spending. This Congress does. Most of us supported the cuts even against the administration.

I would ask my colleagues to vote against this. I have a hard time thinking that a parking garage in Newark is an enterprise zone. If the gentleman, Mr. ROE, or the gentleman from New Jersey [Mr. PAYNE], would like to support an enterprise zone for business or the gentleman from Texas [Mr. WASHINGTON] or the gentleman from California [Mr. COX], sponsoring a bill on turbo enterprise zones that help business within the inner cities, I will support it. But I have a difficult time seeing how a parking garage in Newark fits that bill. I would hope that Members do not support it.

I would also like to ask that the Members vote, or at least hear a bill that has been discussed describing the Boy Scouts of America; why are the special interests fighting the Boy Scouts of America? Because they pledge their duty to God.

On my honor, I will pledge my duty to my God and my country, to keep myself physically strong, morally awake and morally straight.

But America does not want our Judeo-Christian values taken out of the Boy Scouts of America. We want to support these groups because they support those Judeo-Christian values. Those interest groups are trying to take it out, Mr. Chairman.

□ 2040

Please. I would ask, do not vote to rise before the Holloway amendment is accepted.

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

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

Mr. MFUME. I yield such time as he may consume to the distinguished chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, I do not want to drag this out, but, by God, it has got to be said.

I wonder about the gentleman from San Diego, who just spoke so eloquently, when he came to this committee and asked us to help in the Ice-T bill, to help San Diego with a cover for a tunnel they needed, and I wonder if that was pork.

I ask my colleagues: Why don't we stop it? Why don't we stop one thing here tonight? Why don't we have the guts to stand up and stop one thing: pork, pork, pork? You are trying to subvert the American people away from things that the people of this country need.

Mr. Chairman, every single dollar that this Congress voted for in the capital improvement of this country is worth at least $10, or more, in improving the capital base of this country to provide the resources to do the things we are trying to do for the people. I say to the gentleman, If you had your way, we would stop construction in the country entirely.

Now, by God, I think it is wrong for any Member, Democrat or Republican, in this room, from whatever State they come from, to sit back and allow this nonsense to continue on while we are going through these appropriations bills. For God's sake stand up like men and women who are for their country. If it is right to do in my State, and it is right to do in San Diego, and it is right to do in Indiana, the gentleman is not going to confuse the people as long as I am here any longer.

And I say to the gentleman: Stop lying to our people that it is pork, pork, pork. You choose to do that because you think that gives you an edge. But it is the needs of the people of this country we should support.

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

Mr. Chairman, as my colleagues know, I think it is somewhat of a shame that what we are doing now when Members offer amendments on the floor to make cuts that they think are responsible is we have now engaged in starting to personally attack them in the context of this.

If the American people wonder why things have gone wrong in the Congress, they need only to listen to this debate, the hooting and the hollering, and listen to the nature of the debate.

I am sure that what the gentlemen from New Jersey say about the project is absolutely right. It is probably a very good project. I think the gentleman from Indiana [Mr. BURTON] though has proven his courage by coming out here time and time again on issues of a similar nature suggesting that at some point we ought to deal with the realities that what we are doing here is spending money that we do not have.

Mr. Chairman, as my colleagues know, there was an awful lot of joy, and hooting and hollering earlier today when we were cutting $15 million out of the White House. That was fun and games. We all had a real enjoyable time, and the people on that side of the aisle just thought that this was wonderful fun, to come out and do that.

The point is that if my colleagues are going to make some cuts and they are going to enjoy doing that, why is it that we do not also make some cuts in other areas that might actually have an impact downstream on the budget?

I think it is wrong to attack the gentleman from Indiana [Mr. BURTON] personally, to attack the gentleman from San Diego, Mr. CUNNINGHAM, personally, who are standing up here and making the point that here is a place we can cut spending. My colleagues can cast their vote any way they want.

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

Mr. WALKER. I will in a minute. But the gentleman from Indiana [Mr. BURTON] is simply suggesting here is a place he found we can cut, and I say to my colleagues, If you don't like it, vote against it. But don't attack him personally on the floor. I just think that that demeans the debate, and in many ways I think it tells the American people exactly why they are mad at this institution.

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

Mr. WALKER. I yield to the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, I thank the distinguished gentleman from Pennsylvania [Mr. WALKER].

Mr. Chairman, I have been here 23 years, and I never attack anybody personally on the floor. It is strange to me, if the gentleman will give me a moment, it is strange to me that it seems when they offer their attack upon the people and their integrity, and they had the temerity the other night to say people acted like Nazis and so forth; that was OK. Was that not a disgrace, to talk about other Members of Congress that way?

Mr. Chairman, I say to the gentleman, "I know you didn't mean it."

Mr. WALKER. Mr. Chairman, I did not say anything——

Mr. ROE. I know.

Mr. WALKER. Mr. Chairman, if the gentleman from New Jersey [Mr. ROE] will allow me to reclaim my time, I did not say anything about any individual Member.

Mr. KOSTMAYER. Mr. Chairman——

Mr. WALKER. The gentleman from Pennsylvania [Mr. KOSTMAYER] always acts this way.

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

Mr. WALKER. I am happy to yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Chairman, the gentleman the other day—is the gentleman yielding to me or not?

Mr. WALKER. Reclaiming my time, Mr. Chairman, I say to the gentleman, "I will in a moment because I just want to say I am happy to yield to the gentleman who has shown tremendous disrespect for me."

Mr. KOSTMAYER. Mr. Chairman, the gentleman from Pennsylvania [Mr. WALKER] made a remark the other day which appeared in newspapers all over the country comparing Members of his party, saying that they have been treated like the Nazis had treated people and like slaveholders. I think that is a very disparaging remark, and I say with all due respect to my friend from Pennsylvania that last night we had the delay on the floor of an hour because the gentleman from Kansas [Mr. GLICKMAN] wanted to offer an amendment. He went one paragraph beyond where it was intended to be offered, and the gentleman held the whole operation up for an hour because of that.

So, Mr. Chairman, I think what is good for the goose is good for the gander.

Mr. WALKER. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. KOSTMAYER] for his point.

Let me say to the gentleman that, No. 1, I did not refer to any individual Member. I referred to a collective kind of——

Mr. KOSTMAYER. The gentleman referred to all of us. The gentleman referred to all of us.

Mr. WALKER. Mr. Chairman, did I yield to the gentleman? The gentleman continuously refuses to obey the rules when it is in his purpose to do so. I have been happy to yield to the gentleman, and now will he allow me to speak?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] controls the time.

Mr. WALKER. Mr. Chairman, I would say to the gentleman that I thought that the collective work of what his party did was similar in nature to other despots, and I made that quite clear. I think that we have had some very bad rulings.

Mr. Chairman, I say to my colleagues, "You know you all have enjoyed today going after the White House. We didn't have the opportunity to go after some of the legislative things because you acted like despots and didn't allow the same kind of rule on the floor that this particular bill has. That's too bad, and that's my point."

Mr. Chairman, what I saw here though was the gentleman from New Jersey [Mr. ROE] specifically attack the gentleman from California [Mr. CUNNINGHAM]. He made a specific attack on the gentleman from San Diego, and that is exactly my concern.

The gentleman then also suggested that anybody who offers amendments like the gentleman from Indiana was a liar. I do not think the gentleman from Indiana is a liar on the floor. He is simply attempting to offer an amendment to cut some spending in one place. I do not see that that is an outrage.

I say to my colleagues, "Vote against him if you want to. Let that demonstrate to the American people that this is a place you don't want to cut. Allow us to demonstrate that maybe there are some places we would prefer to cut in order to try to get the budget deficit that we think is running out of control back into control."

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

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

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. WALKER] for yielding, and in the case of a cover, as the gentleman remembers, we did not get our covers. The gentleman did get the $19 million road, and I am sure he will get this pork.

What we ask for we never get, and they always do because they outnumber us, and then they attack the President for it. We ask all the time, and we do not get it.

Mr. WALKER. Mr. Chairman, I would simply say, "I would hope we will vote for the gentleman's amendment."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 89, noes 313, not voting 32, as follows:

[Roll No. 260]

AYES—89

Allard
Allen
Archer
Armey
Baker
Ballenger
Bilirakis
Boehner
Bunning
Burton
Camp
Campbell (CA)
Chandler
Coble
Combest
Crane
Cunningham
Dannemeyer
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gekas
Gilchrest
Goodling
Goss
Gradison
Grandy
Hancock
Hansen
Hefley
Herger
Holloway
Hunter
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kyl
Lagomarsino
Leach
Lent
Lewis (FL)
Marlenee
McCollum
McCrery
McEwen
Meyers
Miller (WA)
Moorhead
Nussle
Orton
Oxley
Paxon
Petri
Porter
Ramstad
Ridge
Ritter
Roberts
Rohrabacher
Roth
Santorum
Schulze
Sensenbrenner
Smith (OR)
Smith (TX)
Snowe
Solomon
Stearns
Stump
Sundquist
Taylor (NC)
Vander Jagt
Vucanovich
Walker
Weldon
Wylie
Young (FL)
Zimmer

NOES—313

Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barrett
Barton
Bateman
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Bliley
Boehlert
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Byron
Callahan
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCurdy
McDade
McDermott
McMillen (MD)
McNulty
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Oakar
Oberstar
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Rinaldo
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schumer
Serrano
Shaw
Shays
Shuster
Sikorski

Sisisky	Swift	Waters
Skaggs	Synar	Waxman
Skeen	Tanner	Weber
Skelton	Tauzin	Weiss
Slattery	Taylor (MS)	Wheat
Slaughter	Thomas (CA)	Whitten
Smith (IA)	Thomas (WY)	Williams
Smith (NJ)	Thornton	Wilson
Solarz	Torricelli	Wise
Spence	Towns	Wolf
Spratt	Traficant	Wolpe
Staggers	Unsoeld	Wyden
Stallings	Upton	Yates
Stark	Vento	Yatron
Stenholm	Visclosky	Young (AK)
Stokes	Volkmer	Zeliff
Studds	Walsh	
Swett	Washington	

NOT VOTING—32

Abercrombie	Hefner	Riggs
Ackerman	Hopkins	Ros-Lehtinen
Barnard	Horton	Sanders
Bonior	Hyde	Sharp
Boxer	Lehman (FL)	Smith (FL)
Broomfield	Lowery (CA)	Tallon
Bustamante	McGrath	Thomas (GA)
Dymally	McHugh	Torres
Edwards (OK)	McMillan (NC)	Traxler
Fish	Obey	Valentine
Hall (OH)	Richardson	

□ 1946

Messrs. COLEMAN of Missouri, THOMAS of Wyoming, Mr. MARTINEZ, Ms. HORN, Mr. SWETT, Mr. MURPHY, Mrs. PATTERSON, and Mr. DELAY changed their vote from "aye" to "no."

Mr. ZIMMER changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there other amendments to title IV?

AMENDMENT OFFERED BY MR. SAVAGE

Mr. SAVAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAVAGE: On page 32, strike lines 5, 6 and 21.

Mr. SAVAGE. Mr. Chairman, in light of my earlier remarks, this amendment should evidence my evenhandedness. It pleads for Members not to permit blatant violations of the rules or procedures of this House. You see, I do ordinarily oppose legislating through appropriations measures.

Certainly, we must fulfill this responsibility, with understanding, considering implications and contexts. However, this amendment deals with two blatant examples of disregard for the authorizing process, both on page 32 of the bill, H.R. 5488. Yes, cut—but cut where it is reasonable to cut—and here are two good cases. As chairman of the authorizing Subcommittee of Jurisdiction, I just expressed reasonableness in the case of Newark, NJ—yet, unless authorizing committees and subcommittees are to become uninviting doormats, I must strongly object to the projects proposed on lines 5 and 21, respectively, $15 million for an office building in San Francisco and $2 million for one in Hollywood, FL.

As chairman of the Subcommittee on Public Buildings and Grounds, I have worked diligently to expedite action on all Members' requests and struggled to find fair justification for them—and with the cooperation and commitment of Members from the other side, our record would be deemed a success in this regard by any fair-minded person.

Indeed, Mr. Chairman, there are no conceivable reasons for the authorizing process to have been disregarded in these two instances. I ask that they be stricken from this bill. Yet, I assure those primarily concerned that these two proposals shall receive prompt and fair consideration and action by the proper initial authorizing unit of this body.

Finally, may I humbly advise, do not wait until your house is on fire—throw water on your neighbor's house when it is on fire, so yours is not endangered.

Mr. Chairman, I plead for an "aye" vote on my amendment.

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

Mr. Chairman, first of all I would like to thank the gentleman from Illinois [Mr. SAVAGE] for his willingness to take this matter before his subcommittee and immediately bring it back to this Committee. Now, had he made that offer yesterday I would be in agreement with it, but making this offer today would only mean that if he does, in fact, authorize it tomorrow or 7 days from now, he will be at least 1 day too late or maybe even 7.

The truth of the matter is that this bill will end today as far as the vote in the House is concerned. Then we go into conference. Nevertheless, it is something that I cannot agree to because I find no place, no way in which these items can be brought back into this same bill. Therefore, I oppose the amendment on that basis.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment for the following reason: This is not a new project in San Francisco. It is a Federal building that was authorized. There was a need for additional square footage, and that is what the funds in the legislation represent. The first 430 square feet of the building were authorized, and the additional 45,000 square feet are covered by the $15 million, so it is not a new project. It is not one that is not authorized in its entirety. I urge my colleagues to oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. SAVAGE].

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

Mr. SAVAGE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count for a quorum.

One hundred and three Members are present, a quorum.

Mr. SAVAGE. Mr. Chairman, I renew my demand for a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

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

Mr. Chairman, I will not take the 5 minutes. I really want to pose a question to the chairman of the committee concerning the absence in the legislation of any requirement that these buildings be made in an energy-efficient manner; where geothermal might be available, the overhanging construction on the south end to make it more efficient to air condition in the summer and to heat in the winter, and so on.

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

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

Mr. ROYBAL. Mr. Chairman, in answer to the gentleman's question, I firmly believe that all that he says should be done. The truth of the matter is that it comes under the jurisdiction of the Committee on Public Works. I may also say that the GSA is aware of the gentleman's concern. They, too, have the same concern.

Mr. JACOBS. I ask the Chairman, surely he has this interest as well, to save fossil fuel?

Mr. ROYBAL. I have the same concern that the gentleman has, and as long as I am here, and it is going to be until the end of the year, I will do everything I possibly can to see to it that it is done.

The CHAIRMAN. Are there additional amendments to title IV.

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

Mr. Chairman, it has been mentioned before, but I do want to remind the Members that we are headed probably toward final passage of the bill, and before final passage comes there will be a motion to rise. At that point the gentleman from Louisiana will be seeking to defeat the motion to rise so that he may offer an amendment. The nature of that amendment is that it is an attempt to protect the Boy Scouts of America from the attacks that are going on against them across the country.

In this case the attacks are being directed at the Boy Scouts of America largely because in their oath they pledge a duty to God. I would say to the Members that I am concerned about the pattern that we have seen developing in the country over the past several years, first when we removed prayer from the public schools, and most recently when the prayer was removed from graduation ceremonies by the Supreme Court. Those are the public institutions that are involved, and it does involve a question of whether or not we have religion in public life.

In this particular instance, what is happening is that we have now special interest groups that are now reaching in and suggesting that we cannot have religion in private life, either. I think that is a very disturbing trend that moves us well away from the kind of values and value base that this country needs.

One way to speak out on that issue, and to speak out in favor of what the Boy Scouts have provided for this country over a period of almost 100 years, is to vote for the amendment of the gentleman from Louisiana, and by doing so, send a signal to some of these places that we do not appreciate the fact that they are discriminating against the Boy Scouts simply because the Boy Scouts have decided to include religion as a part of their training of young people.

So we will have an opportunity here in the very near future to vote up or down on the motion to rise, and thereby make the question of whether or not the amendments of the gentleman from Louisiana come to the floor a very real one. Understand, the motion to rise then may end up being the vote on the gentleman's amendment, and the vote will be judged on the motion to rise as to whether or not Members are for the gentleman's amendment, because it is the only amendment that I know of that would be subject to the motion to rise here tonight.

□ 2000

So that is the singular issue. Hopefully what we could do is get the chairman to agree not to offer the motion to rise so we simply get the amendment to the floor. It would save some time. But if we cannot do that, we certainly will move on the motion to rise.

I yield back the balance of my time.

The CHAIRMAN. Are there further amendments to title IV?

If not, the Clerk will read.

The Clerk read as follows:

TITLE V

GENERAL PROVISIONS

THIS ACT

SECTION 501. No part of any appropriation made available in this Act shall be used for the purchase or sale of real estate or for the purpose of establishing new offices inside or outside the District of Columbia: *Provided*, That this limitation shall not apply to programs which have been approved by the Congress and appropriations made therefor.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions, or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970: *Provided*, That a factor of 75 per centum in lieu of 50 per centum shall be used for evaluating foreign source end products against a domestic source end product. This section shall be applicable to all solicitations for bids opened after its enactment.

SEC. 505. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any service which, before such date, was performed by individuals in their capacity as employees of the General Services Administration in any position of guards, elevator operators, messengers, and custodians, except that such funds may be obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92-28.

SEC. 506. No funds appropriated in this Act shall be available for administrative expenses in connection with implementing or enforcing any provisions of the rule TD ATF-66 issued June 13, 1980, by the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms on labeling and advertising of wine, distilled spirits and malt beverages, except if the expenditure of such funds is necessary to comply with a final order of the Federal court system.

SEC. 507. None of the funds appropriated in this Act may be used for administrative expenses to close the Federal Information Center of the General Services Administration located in Sacramento, California.

SEC. 508. None of the funds made available by this Act for the Department of the Treasury may be used for the purpose of eliminating any existing requirement for sureties on customs bonds.

SEC. 509. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

SEC. 510. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, Marana, Arizona, and Artesia, New Mexico, out of the Treasury Department.

SEC. 511. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 512. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member or committee of Congress as described in paragraph (1) of this subsection.

SEC. 513. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 514. The provision of section 513 shall not apply where the life of the mother would be endangered if the fetus were carried to term.

SEC. 515. The Administrator of General Services, under section 210(h) of the Federal Property and Administrative Services Act of 1949, as amended, may acquire, by means of a lease of up to thirty years duration, space for the United States Courts in Tacoma, Washington, at the site of Union Station, Tacoma, Washington.

SEC. 516. Funds under this Act shall be available as authorized by sections 4501-4506 of title 5, United States Code, when the achievement involved is certified, or when an award for such achievement is otherwise payable, in accordance with such sections. Such funds may not be used for any purpose with respect to which the preceding sentence relates beyond fiscal year 1993.

SEC. 517. None of the funds appropriated or otherwise made available to the Department of the Treasury by this or any other Act shall be obligated or expended to contract out positions in, or downgrade the position classifications of, members of the United States Mint Police Force and the Bureau of Engraving and Printing Police Force, or for studying the feasibility of contracting out such positions.

SEC. 518. The Office of Personnel Management may, during the fiscal year ending September 30, 1993, accept donations of supplies, services, and equipment for the Federal Executive Institute, the Federal Quality Institute, and Executive Seminar Centers for the enhancement of the morale and educational experience of attendees.

SEC. 519. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of stainless steel flatware not produced in the United States or its possessions, except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of stainless steel flatware pro-

duced in the United States or its possessions, cannot be procured as and when needed from sources in the United States or its possessions or except in accordance with procedures provided by section 6-104.4(b) of Armed Services Procurement Regulations, dated January 1, 1969. This section shall be applicable to all solicitations for bids issued after its enactment.

SEC. 520. The United States Secret Service may, during the fiscal year ending September 30, 1993, accept donations of money to off-set costs incurred while protecting former Presidents and spouses of former Presidents when the former President or spouse travels for the purpose of making an appearance or speech for a payment of money or any thing of value.

SEC. 521. None of the funds made available by this Act may be used to withdraw the designation of the Virginia Inland Port at Front Royal, Virginia, as a United States Customs Service port of entry.

SEC. 522. None of the funds made available to the Postal Service by this Act shall be used to transfer mail processing capabilities from the Las Cruces, New Mexico postal facility, and that every effort will be made by the Postal Service to recognize the rapid rate of population growth in Las Cruces and to automate the Las Cruces, New Mexico postal facility in order that mail processing can be expedited and handled in Las Cruces.

SEC. 523. None of the funds in this Act may be used to reduce the rank or rate of pay of a career appointee in the SES upon reassignment or transfer.

SEC. 524. No funds in this Act may be used to award a Federal agency lease in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, which does not meet the following criteria:

Any Federal agency which leases commercial space in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, when entering into new leases, shall give preference to space available meeting standard government lease criteria, which is offered at the lowest cost per square foot within the geographical area, provided it also meets the occupying agency's mission requirement.

SEC. 525. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 526. None of the funds made available to the United States Customs Service may be used to collect or impose any land border proceesing fee at ports of entry along the United States-Mexico border.

SEC. 527. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools where separately set forth in the budget schedules.

SEC. 528. (a) Not later than September 30, 1993, the Postal Service Fund shall pay into the Civil Service Retirement and Disability Fund, in addition to any other payments required by law, $210,000,000, as a payment toward the residual amount that would have been due under 5 U.S.C. 8348(m) if the provisions of such section as now in effect had been in effect since July 1, 1971.

(b) Not later than September 30, 1993, the Postal Service Fund shall pay into the Employees Health Benefits Fund, in addition to any other payments required by law, $105,000,000, as a payment toward the residual amount that would have been due under 5 U.S.C. 8906(g)(2) if the provisions of such section as now in effect had been in effect since July 1, 1971.

SEC. 529. Section 616 of the Act of December 22, 1987 (40 U.S.C. 490b) is amended—

(1) by amending subsection (a)(2) to read as follows:

"(2) such officer or agency determines that such space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian who is employed by the Federal Government; and";

(2) by amending subsection (b)(3) to read as follows:

"(3) For the purpose of this subsection, the term 'services' includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.";

(3) by redesignating subsection (b)(3), as amended by paragraph (2), as subsection (b)(4), and inserting after subsection (b)(2) the following:

"(3) If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may pay accreditation fees, including renewal fees, for that center to be accredited by a nationally recognized early-childhood professional organization, and travel and per diem expenses for attendance by representatives of the center at the annual General Services Administration child care conference."; and

(4) by adding at the end the following:

"(c) Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to Federal agencies for the development of child care centers to promote the provision of economical and effective child care for Federal workers.".

SEC. 530. Section 532 of the Act of November 5, 1991 (104 Stat. 1470; Public Law 100-509), is amended—

(1) by inserting "(a)" immediately before the first sentence inside the quotation marks; and

(2) by adding before the close quotation marks at the end the following new subsection:

"(b) The Internal Revenue Service may use competitive procedures or procedures other than competitive procedures to procure the services of attorneys for use in litigating actions under the Internal Revenue Code to which a foreign-controlled corporation is a party. The Internal Revenue Service need not provide any written justification for the use of procedures other than competitive procedures when procuring attorney services for such cases and need not furnish for publication in the Commerce Business Daily or otherwise any notice of solicitation or synopsis with respect to such procurement.".

SEC. 531. (a) None of the funds made available by this Act may be used to implement, administer, enforce, or otherwise carry out any change in the terms or conditions governing benefits under chapter 89 of title 5, United States Code, if, or to the extent that, such change would—

(1) affect only enrollees (including covered dependents) in health benefits plans who are (or, on proper application, would be) eligible for benefits under title XVIII of the Social Security Act, or are within any subset of that class of individuals; and

(2) with respect to any enrollees described in paragraph (1)—

(A) eliminate, in whole or in part, the responsibility of any carriers to provide payment or reimbursement for that portion of nonparticipating Medicare providers' allowable charges which exceeds the Medicare payment for participating Medicare providers; or

(B) eliminate, in whole or in part, the waiver of deductibles, coinsurance, or copayments with respect to prescription drugs.

(b) The changes with respect to which subsection (a) applies include both of the changes which the Office of Personnel Management proposes, in its Carrier Letter 92-04, to effect administratively.

CONVEYANCE OF LAND TO ANNE ARUNDEL COUNTY, MARYLAND

SEC. 532. (a) CONVEYANCE OF LAND.—Notwithstanding any other provision of law, upon the release of possessory interests in the property described in subsection (c) that are held by any person other than the United States on the date of the enactment of this Act, the Administrator of General Services shall convey the property to Anne Arundel County, Maryland, by quitclaim deed and without monetary consideration.

(b) TERMS AND CONDITIONS.—The deed of any conveyance under subsection (a)—

(1) shall provide that the property shall be used and maintained for public park or public recreation purposes in perpetuity, and that in the event the property ceases to be used or maintained for such purpose, all or any portion of the property shall in its then existing condition, at the option of the United States, revert to the United States; and

(2) may contain such additional terms, reservations, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States.

(c) DESCRIPTION.—The real property referred to in subsection (a) is property located in the County of Anne Arundel, Maryland, which—

(1) contains 35 acres, more or less, according to a description prepared by McCrone, Inc., in May 1985 without benefit of a field survey;

(2) is all that lot of ground which, by quitclaim deed dated July 3, 1985, and recorded among the land records of Anne Arundel County, Maryland, at Liber 3947, folio 191, was granted and conveyed by the Board of

Education of Anne Arundel County, Annapolis, Maryland, to the United States of America; and

(3) is more particularly described as follows:

Beginning for the same at a point located on the south side of Boundary Road, said beginning point being the same as that in a Quitclaim Deed from the United States of America to the Board of Education of Anne Arundel County, Annapolis, Maryland, dated March 19, 1969, and recorded among the Land Records of Anne Arundel County in Liber 2252 page 200, and running from said beginning point so fixed and with the west and south lines of a 50-foot right-of-way south 39 degrees 41 minutes 01 seconds west 383.42 feet to a point and south 50 degrees 18 minutes 59 seconds east 50.0 feet to a point located in the right-of-way line of the Baltimore-Washington Parkway, thence with said right-of-way lines of said Parkway south 39 degrees 41 minutes 01 seconds west 27.0 feet to a point and south 43 degrees 29 minutes 51 seconds west 350.18 feet to a point, thence leaving said Parkway and running with part of the south outline of the whole tract south 89 degrees 46 minutes 32 seconds west 1,610.22 feet to a point, thence leaving said outline and running for a new line of division through the whole tract north 00 degrees 13 minutes 28 seconds west 786.38 feet to a point located in the south right-of-way line of Boundary Road, thence with the same north 89 degrees 46 minutes 32 seconds east 2,233.11 feet to the place of beginning.

SEC. 533. (a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior may transfer certain land located in the Shenandoah National Park and described in subsection (c) to the Secretary of the Treasury for use by the Secretary of the Treasury as a United States Customs Service Canine Enforcement Training Center.

(b) CONDITIONS OF TRANSFER.—

(1) PROTECTION OF THE PARK.—An agreement to transfer pursuant to subsection (a) shall include such provisions for the protection of Shenandoah National Park as the Secretary of the Interior considers necessary.

(2) CONSIDERATION.—A transfer made pursuant to subsection (a) shall be made without consideration or reimbursement.

(3) ABANDONMENT.—If the land referred to in subsection (a) is abandoned by the Secretary of the Treasury at any time, administrative jurisdiction of the land shall revert to the Department of the Interior.

(c) DESCRIPTION OF THE LAND.—The land referred to in subsection (a) is a plot of fenced land equaling 9.888 acres containing buildings, structures, fixtures, equipment, and other improvements affixed to or resting upon the land, and has the following legal description:

The tract of land located just west of Road No. 604 about one mile south of Front Royal, Warren County, Virginia, and bounded as follows:

Beginning at (1) a monument in the line of the land of Lawson just west of Road No. 604; thence with the land of Lawson, and then with a new division line through the land of Shenandoah National Park north 59 degrees 45 minutes 38 seconds west 506.05 feet to (2) a Concrete Monument set, said point being north 59 degrees 45 minutes 38 seconds west 9.26 feet from a monument to a corner to the land of Lawson; thence with another new division line through the land of Shenandoah National Park north 31 degrees 31 minutes 00 seconds east 1206.07 feet to (3) a Concrete Monument set in the line of the land of the United States Government; thence with the land of the United States Government for the following two courses: south 07 degrees 49 minutes 31 seconds east 203.98 feet to (4); thence south 09 degrees 10 minutes 06 seconds east 27.79 feet to (5) a corner between the land of the United States Government and the land of United States Customs Service Detector Dog Training Center; thence with 282.896 acre tract of land of United States Customs Service Detector Dog Training Center for the following six courses: south 10 degrees 38 minutes 32 seconds east 152.47 feet to (6); thence south 00 degrees 48 minutes 32 seconds west 127.52 feet to (7); thence south 08 degrees 24 minutes 46 seconds west 422.15 feet to (8); thence south 14 degrees 37 minutes 16 seconds west 106.47 feet to (9); thence south 27 degrees 13 minutes 28 seconds west 158.11 feet to (10); thence south 38 degrees 17 minutes 36 seconds west 146.44 feet to the point of beginning, containing 9.888 acres, more or less.

SEC. 534. (a) CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF CANDIDATES WHO ARE ELIGIBLE TO RECEIVE AMOUNTS FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND.—Section 9003 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(e) CLOSED CAPTIONING REQUIREMENT.—No candidate for the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner which ensures that the commercial contains or is accompanied by closed captioning of the oral content of the commercial to be broadcast in line 21 of the vertical blanking interval, or is capable of being viewed by deaf and hearing impaired individuals via any comparable successor technology to line 21 of the vertical blanking interval.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts made available under chapter 95 or 96 of the Internal Revenue Code of 1986 more than thirty days after the date of the enactment of this Act.

SEC. 535. (a) Section 1761(a) of title 18, United States Code, is amended—

(1) by striking "$1,000" and inserting "$50,000"; and

(2) by striking "one year" and inserting "two years".

(b) Section 1762(b) of title 18, United States Code, is amended by striking "$1,000" and inserting "$50,000".

SEC. 536. Section 105(e) of the Federal Alcohol Administration Act (27 U.S.C. 205(e)) is amended—

(1) by redesignating clause (5) as clause (6);

(2) by inserting after clause (4) the following new clause: "(5) as will prevent the use of a trade or brand name that is the name of any deceased individual of public prominence, or is a name that is in simulation or is an abbreviation thereof, and as will prevent the use of a graphic, pictorial, or emblematic representation of any such individual, if the use of such name or representation is likely to degrade or disparage the reputation of such individual;";

(3) in the first proviso of clause (6) (as so redesignated), by inserting "and clause (5)" after "That this clause; and

(4) in the second proviso of clause (6) (as so redesignated), by inserting "or in clause (5)" after "That nothing herein".

SEC. 537. No part of any appropriation made available in this Act may be used to fund the Council on Competitiveness or any successor organization.

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title V be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title V?

POINTS OF ORDER

Mr. ALEXANDER. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ALEXANDER. Mr. Chairman, section 536 as reported in the bill proposes to change existing law and constitutes legislation on an appropriation bill in violation of rule XXI, clause 2.

Rule XXI, clause 2 states that:

No amendment to a general appropriation bill shall be in order if changing existing law.

Section 536 amends the Federal Alcohol Administration Act by imposing additional limits on the use of trade or brand names for alcoholic beverages. The language in the bill as adopted in committee would "prevent the use of a trade or brand name that is the name of any deceased individual of public prominence * * * if the use of such name or representation is likely to degrade or disparage the reputation of such individual."

Current law prohibits only the use of living individuals of public prominence as a trade or brand name. This proposed language clearly changes existing law and, therefore, is in violation of rule XXI, clause 2.

While I am sympathetic to the concerns of the proponents of the section, I object to the language because it proposes legislation on an appropriations bill, and I ask the Chair for a ruling on this point of order.

The CHAIRMAN. Does the gentleman from Virginia [Mr. WOLF] wish to be heard on the point of order?

Mr. WOLF. Mr. Chairman, I wish to speak on the point of order.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. WOLF. Mr. Chairman, the language has been put in because this brewer has developed an alcoholic beverage called Crazy Horse. Crazy Horse was an Indian chief who was known for urging his people not to drink alcohol.

They are promoting this around Indian reservations and in large cities, and almost every Indian tribe has come out in support of this. And I just wonder if the chairman of the full Committee on Energy and Commerce could take a look at this.

The CHAIRMAN. The Chair controls the time on the point of order, and are there other Members who wish to speak to the point of order?

Mrs. SCHROEDER. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentlewoman from Colorado is recognized to speak on the point of order.

Mrs. SCHROEDER. Mr. Chairman, I would like to speak on the point of order. I think we really are splitting hairs here. I would hope that the gentleman could withdraw his point of order if at all possible, because we have a law that you cannot do this if a person is living, and this is a person who has died. I find it very offensive that someone for financial reasons can capitalize using their name when the family does not want that, when the whole culture does not want that. It just seems to be very tragic to allow that to happen.

So it is such a minor technicality, the difference between whether or not someone can name something after you after you die when they could not when you are alive; I just find it very, very surprising, and I would hope we could solve this without having to do major legislation.

I think it was just an oversight at the time we did "living only," and that concerns me very much.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. ALEXANDER], wish to be heard further on the point of order?

Mr. ALEXANDER. Mr. Chairman, I ask for a ruling on the point of order.

The CHAIRMAN (Mr. STUDDS). If no further Members wish to be heard on the point of order, the Chair is prepared to rule.

The section that is the subject of the point of order is clearly legislation on an appropriation bill. It is not protected by the rule and the Chair, therefore, sustains the point of order, and the section is stricken.

Are there other points of order to this title?

Mr. CLAY. Mr. Chairman, I raise a point of order against language contained in section 528 on page 65 and 66 of the bill.

The point of order is, I object to that language on the ground that such language constitutes legislation on an appropriation bill.

Mr. ROYBAL. Mr. Chairman, if the gentleman will yield, I concede the point of order.

The CHAIRMAN. Does the gentleman from California [Mr. ROYBAL] wish to be heard on the point of order?

Mr. ROYBAL. Mr. Chairman, we concede the point of order.

The CHAIRMAN (Mr. STUDDS). The point of order is conceded and sustained, and the section in question is stricken.

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

Mr. CLAY. Mr. Chairman, the Committee on Post Office and Civil Service is opposed to requiring the Postal Service to pay amounts above those established in the Omnibus Budget Reconciliation Act of 1990 for past retiree cost-of-living adjustments and health benefit premiums.

Mr. Chairman, section 528 of the Treasury-Postal Service-general Government appropriations bill, which has just been stricken from the bill, would have required the U.S. Postal Service to pay $315 million in fiscal year 1993 to fund health benefit premiums and retirement cost-of-living adjustments for postal annuitants. Under the President's fiscal year 1993 budget proposal, upon which this section was based, this payment would have been only the first of three equal annual payments by the Postal Service—bill of almost $1 billion.

The Committee on Post Office and Civil Service is unalterably opposed to requiring the Postal Service to make such payments. The Omnibus Budget Reconciliation Act of 1990 was passed requiring the Postal Service to pay a total of $4.7 billion to the Treasury for the same purposes. Previous steps were taken in the Omnibus Budget Reconciliation Act of 1985, 1987, and 1989. Together, these acts will require payments by the Postal Service of over $9 billion by the end of fiscal year 1995.

The 1990 legislation represented the last step in eliminating the hidden personnel subsidies allegedly received by the Postal Service. In 1990, then Chairman FORD of the Post Office and Civil Service Committee described the provisions in the Omnibus Budget Reconciliation Act of 1989 concerning the Postal Service as follows:

> [A]s part of the committee's contribution to the Omnibus Budget Reconciliation Act of 1989, the United States Postal Service was held accountable for its appropriate share of annuitant COLAs and retiree health insurance premiums. This action addressed and finally settled the issue of what had been viewed as indirect subsidies to the Service.

In the Omnibus Budget Reconciliation Act of 1990, the Postal Service was held accountable for its share of annuitant COLA's and retiree health insurance premiums for all postal retirees as if the 1989 act had been applicable since 1971. At a markup of the Committee on Post Office and Civil Service, Chairman FORD discussed the proposal. The proposal "requires the U.S. Postal Service to make payments in each fiscal years 1991 through 1995 to reflect payments which would have been required if the USPS had been liable for COLA's and FEHB premiums in prior years."

The Committee on Post Office and Civil Service fully considers the Omnibus Budget Reconciliation Act of 1989 and 1990 as the final steps toward eliminating any hidden subsidy for postal retirees. The conference report on the 1990 act states that the funds the Postal Service must pay "are calculated to satisfy the liabilities which the Service would have incurred * * *". Those liabilities will be discharged in 1995 when the Postal Service makes its final payment required by the Omnibus Budget Reconciliation Act of 1990.

The additional $315 million required by the stricken section of this appropriations bill was over and above any alleged liabilities owed by the Postal Service. That section was simply an attempt to have postal rate payers help reduce the Federal deficit.

AMENDMENT OFFERED BY MR. HOAGLAND

Mr. HOAGLAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is this the amendment provided for in the rule?

Mr. HOAGLAND. It is, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Amendment No. 3 offered by Mr. HOAGLAND: Page 64, line 12, insert after "criteria, which" the following: "affords maximum accessibility to the greatest number of members of the public served by the Federal agency, is in close proximity to the greatest number of current and potential employees of the Federal agency, and".

The CHAIRMAN. Pursuant to the rule, the gentleman from Nebraska [Mr. HOAGLAND] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. HOAGLAND].

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. WALKER. Mr. Chairman, does this amendment come in the section of the bill we are now considering?

The CHAIRMAN. It does come in the title of the bill.

Mr. WALKER. In the title of the bill. I thank the Chair.

MODIFICATION TO AMENDMENT OFFERED BY MR. HOAGLAND

Mr. HOAGLAND. Mr. Chairman, let me indicate from the outset that we have an agreement here. I filed with the Clerk the amendment that was just read and made in order under the rule and printed in the report of the Committee on Rules. Yesterday and today, through consultations with the gentlemen from Iowa, Mr. SMITH and Mr. LIGHTFOOT, we have reached an agreement on a similar amendment, and this amendment has been cleared by the floor managers on both sides.

Mr. Chairman, I ask unanimous consent that the compromise amendment on which we have reached agreement be considered in lieu of the amendment filed.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

> Amendment, as modified, offered by Mr. HOAGLAND: Page 64, strike out lines 8 through 15 and insert: "Any Federal agency which leases commercial space in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, when entering into new leases, shall give preference to space available meeting standard government lease criteria, provided the space also meets the occupying agency's mission requirement. The agency shall give priority consideration to space offered at the lowest cost per square foot within the geographical area, provided

that the space under consideration also affords accessibility to the greatest number of members of the public served by the Federal agency, and to other factors set out in the applicable statutes and regulations."

The CHAIRMAN. The gentleman from Nebraska [Mr. HOAGLAND] is recognized for 10 minutes.

Mr. HOAGLAND. Mr. Chairman, my effort in the last few days has been to bring fairness and balance to the award of Federal leases for space in the Omaha-Council Bluffs area. The bill, coming to the House from the Appropriations Committee, includes language superceding current standard Government leasing criteria and directing GSA to give priority to properties offered at the lowest price. My amendment, as filed, would have added, in addition to best price, convenience for the public served and proximity to current and prospective employees.

The compromise reflects the concerns of my colleagues from Iowa and addresses the concerns of my constituents who use Federal services, like the Social Security Administration and the IRS.

There is no question that we must get the most for the taxpayer's dollar and we have retained the language toward that end. But it is important to make Federal services as accessible as possible and to adhere to standard, competitive procurement practices. Furthermore, I think a large-scale move of 23 leased spaces and potentially several thousand employees would be very costly and would negate any cost savings achieved by the low-cost leasing requirement.

I want to thank the gentlemen from Iowa and the chairman of the subcommittee, Mr. ROYBAL, for their help and support. I particularly want to thank members of the Rules Committee for making my amendment in order.

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

Mr. HOAGLAND. I yield to the gentleman from Iowa.

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

Mr. Chairman, we have reached a compromise on this particular amendment. It is a unique situation that we have with a river separating two communities, and basically in two States. The gentleman from Nebraska and I meet at the center of the river, and the Federal offices, the majority of which are located in Omaha, NE, serve people both in eastern Nebraska and western Iowa.

I think that the amendment that has been offered now addresses the concerns that both my colleagues and I have about federally leased space.

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I would merely like to point out that the original provision included in the bill was to bring some cost-effectiveness to Federal leasing in the metropolitan area. In these times of difficult budgetary constraints, I believe we must look closely for ways to reduce expenses.

I also understand the concerns my colleague had about the proximity of Federal agencies to their employees and to the public which they serve.

So I think the compromise we have agreed upon addresses the issue very well without negating the cost-savings impact of the bill as approved by the subcommittee. I have absolutely no objection to the compromise.

Mr. HOAGLAND. Mr. Chairman, I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Nebraska [Mr. HOAGLAND].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title V?

If not, the Clerk will read.

The Clerk read as follows:

TITLE VI

GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SECTION 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1993 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Notwithstanding any other provision of law, a Federal employing agency shall make the deposit from existing appropriations into the Federal Employees Compensation Account of the Unemployment Trust Fund, as required by section 8509 of title 5, United States Code, not later than thirty days after the Department of Labor has billed the agency for the amount to be deposited.

SEC. 604. Notwithstanding the provisions of the Act of September 13, 1982 (Public Law 97-258, 31 U.S.C. 1345), any agency, department or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences or other meetings in connection with the provision of such services: *Provided*, That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 605. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses and ambulances), is hereby fixed at $7,100 except station wagons for which the maximum shall be $8,100: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than five percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

SEC. 606. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travels or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-24.

SEC. 607. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, or the Baltic countries lawfully admitted to the United States for permanent residence, or (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975, or (6) nationals of the People's Republic of China protected by Executive Order Number 12711 of April 11, 1990: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

SEC. 608. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and fa-

cilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 609. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 611. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided*, That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 612. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 613. Funds made available by this or any other Act to the "Postal Service Fund" (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 614. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 615. No part of any appropriation contained in, or funds made available by, this or any other Act, shall be available for any agency to pay to the Administrator of the General Services Administration a higher rate per square foot for rental of space and services (established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended) than the rate per square foot established for the space and services by the General Services Administration for the fiscal year for which appropriations were granted.

SEC. 616. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal years ending September 30, 1993, or September 30, 1994, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code, or any employee covered by section 5348 of that title—

(1) during the period from the date of expiration of the limitation imposed by section 616 of the Treasury, Postal Service, and General Government Appropriations Act, 1992, until the first day of the first applicable pay period that begins not less than ninety days after that date, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 616; and

(2) during the period consisting of the remainder, if any, of fiscal year 1993, and that portion of fiscal year 1994, that precedes the normal effective date of the applicable wage survey adjustment that is to be effective in fiscal year 1994, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) of this subsection by more than the overall average percentage adjustment in the General Schedule during fiscal year 1993, under section 5303 of title 5, United States Code.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, may be paid during the periods for which subsection (a) of this section is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purpose of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule that was not in existence on September 30, 1992, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1992, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) The provisions of this section shall apply with respect to pay for services performed by any affected employee on or after October 1, 1992.

(f) For the purpose of administering any provision of law, including section 8431 of title 5, United States Code, or any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit, that requires any deduction or contribution, or that imposes any requirement or limitation, on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section may be construed to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 617. None of the funds made available in this Act may be used to plan, implement, or administer (1) any reduction in the number of regions, districts or entry processing locations of the United States Customs Service; or (2) any consolidation or centralization of duty assessment or appraisement functions of any offices in the United States Customs Service.

SEC. 618. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate.

SEC. 619. (a) Notwithstanding the provisions of sections 112 and 113 of title 3, United States Code, each Executive agency detailing any personnel shall submit a report on an annual basis in each fiscal year to the Senate and House Committees on Appropriations on all employees or members of the armed services detailed to Executive agencies, listing the grade, position, and offices of each person detailed and the agency to which each such person is detailed.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

(c) The exemptions in part (b) of this section are not intended to apply to information on the use of personnel detailed to or from the intelligence agencies which is currently being supplied to the Senate and House Intelligence and Appropriations Committees by the executive branch through budget justification materials and other reports.

(d) For the purposes of this section, the term "Executive agency" has the same meaning as defined under section 105 of title 5, United States Code (except that the provisions of section 104(2) of title 5, United States Code, shall not apply) and includes the White House Office, the Executive Residence, and any office, council, or organizational unit of the Executive Office of the President.

SEC. 620. No funds appropriated in this or any other Act for fiscal year 1993 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form or agreement if such policy, form or agreement does not contain the following provisions:

"These restrictions are consistent with and do not supersede conflict with or otherwise alter the employee obligations, rights or liabilities created by Executive Order 12356; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents), and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. section 783(b)). The definitions, requirements, obligations, rights, sanctions and liabilities created by said Executive Order and listed statutes are incorporated into this Agreement and are controlling.".

SEC. 621. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

SEC. 622. (a) None of the funds appropriated by this or any other Act may be expended by any Federal agency to procure any product or service that is subject to the provisions of Public Law 89-306 and that will be available under the procurement by the Administrator of General Services known as "FTS2000" unless—

(1) such product or service is procured by the Administrator of General Services as part of the procurement known as "FTS2000"; or

(2) that agency establishes to the satisfaction of the Administrator of General Services that—

(A) the agency's requirements for such procurement are unique and cannot be satisfied by property and service procured by the Administrator of General Services as part of the procurement known as "FTS2000"; and

(B) the agency procurement, pursuant to such delegation, would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 procurement.

(b) After March 1, 1993, subsection (a) shall apply only if the Administrator of General Services has reported that the FTS 2000 procurement is producing prices that allow the government to satisfy its requirements for such procurement in the most cost-effective manner.

SEC. 623. (a) No amount of any grant made by a Federal agency shall be used to finance the acquisition of goods or services (including construction services) unless the recipient of the grant agrees, as a condition for the receipt of such grant, to—

(1) specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and

(2) express the amount announced pursuant to paragraph (1) as a percentage of the total costs of the planned acquisition.

(b) The requirements of subsection (a) shall not apply to a procurement for goods or services (including construction services) that has an aggregate value of less than $500,000.

SEC. 624. Notwithstanding section 1346 of title 31, United States Code, or section 611 of this Act, funds made available for fiscal year 1993 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

SEC. 625. Notwithstanding any provisions of this or any other Act, during the fiscal year ending September 30, 1993, any department, division, bureau, or office participating in the Federal Flexiplace Project may use funds appropriated by this or any other Act to install telephone lines, necessary equipment, and to pay monthly charges, in any private residence or private apartment: *Provided*, That the head of the department, division, bureau, or office certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

SEC. 626. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 627. SENSE OF THE HOUSE.—It is the sense of the House that—

(a) Whereas

(b) Congressman Edward R. Roybal has shown leadership, dedication, and diligence as Chairman of the House Subcommittee on Treasury, Postal Service, and General Government;

(c) Congressman Edward R. Roybal has inspired a spirit of cooperation and consensus among the members of his Appropriation's Subcommittee during difficult deliberations; and

(d) Congressman Edward R. Roybal has demonstrated patience, good humor, professional courtesy as a Member of the House of the Representatives, as Chairman of the Select Committee on Aging, and as Chairman of the House Treasury, Postal Service, and General Government Subcommittee on Appropriations.

Resolved, That the House of Representatives commends Representative Edward R. Roybal for his record of distinguished service.

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title VI of the bill, through page 95, line 8, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order?

AMENDMENT OFFERED BY MR. WELDON

Mr. WELDON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . SENSE OF THE HOUSE.—

Whereas the United States Postal Service will spend $440,000 to send 171 of their "customers" to Barcelona, Spain for the 1992 Summer Olympics;

Whereas the Postal Service will pay for travel expenses, hotel costs, daily tickets to events, ground transportation, receptions, and meals for 171 individuals;

Whereas the Postal Service expects to spend $122,000,000 for its sponsorship of the Olympics;

Whereas in 1991 the Postal Service raised first-class postal rates 16 percent from 25 cents to 29 cents when the inflation rate was under four percent; and

Whereas the Postal Service recorded a $1.5 billion debt in 1991 and has been in debt for the past five years: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the funding by the United States Postal Office of trips to the Olympics for high volume mailers is an excessive and inappropriate expense to American taxpayers who partially support such service financially; and

(2) the United States Postal Service should limit expenditures to improve delivery of the mail.

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

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

There was no objection.

Mr. ROYBAL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California [Mr. ROYBAL] reserves a point of order on the amendment.

Mr. WELDON. Mr. Chairman, earlier in the discussion on this legislation, I mentioned I would be offering an amendment, an amendment that I offer without full enthusiasm.

I would like to be offering an amendment at this point in time to cut at least $440,000 from the Postal Service budget, but because the Congress only appropriates funding for postal subsidies and postal employee pension benefits, I cannot offer the amendment as I would like.

Therefore, this amendment is a sense of the House that will express our outrage at the upcoming activity that the Postal Service is sponsoring in sending 171 corporate executives from this country to Barcelona for the Olympics.

Mr. Chairman, what has happened that I think is outrageous is that 2 years ago the Postal Service reserved 300 rooms at Barcelona for the purpose of the Olympics. These rooms were supposed to be sold off for other vendors from other countries, and we were not, in fact, to have to absorb this cost. Because they were not able to secure the commitment from other nations and other postal services, we and the taxpayers of this country, in fact, have to bear the responsibility for the cost of those 300 rooms.

Now, to partly offset this cost, the Postal Service has established a 5-day conference in which they are sending 171 corporate executives at our taxpayers' funding to Barcelona where they will talk about our Postal Service.

The American taxpayer will pick up the meals, the lodging, the transportation, and at a cost that has been estimated by the Postal Service to be $400 per day per person for a total cost of $440,000. That is the baseline cost for this 300-room commitment for a period of 14 days.

In fact, if you use the figures given to us by the Postal Service in their justification for this expenditure and multiply the 300 rooms times $400 a day times 14 days, the total potential liability of the taxpayers of this country is $1.7 million.

I will admit that the Postal Service has said that they will make money from their sponsorship of the Olympics, but that has been subject and called into question by the GAO.

The GAO, in response to a Senate inquiry, has, in fact, questioned whether or not the Postal Service will realize the profit they have told the American people and this body they would make. Be that as it may, the GAO has also said that the $27 million of anticipated revenues that the Postal Service will receive from sponsoring the Olympics would have come in anyway whether or not they had sponsored the international Olympics in Barcelona.

The bottom line is the American taxpayer is hung out there. We are hung out there for at least $440,000, and potentially as high as $1.7 million.

The Postal Service tried desperately yesterday and today to get me not to offer this amendment, because they said it would prove to be embarrassing to them. Well, I say to the American people and to this body that they have every reason to be embarrassed, to go out on a limb and to subject the taxpayers of this country to an expense of approximately $440,000 at a minimum, up to $1.7 million, which is absolutely outrageous.

This amendment expresses the sense of this body that we are outraged at this particular expenditure, and that we expect the Postal Service to be held accountable for this.

I would ask both the committee and the GAO, which I will follow up with a letter, to fully investigate and provide an accounting to us as to the actual cost of not just the Barcelona extravaganza but also the entire sponsorship of the Olympics.

I thank the chairman of the committee and the ranking member for cooperating with me on this amendment. I hope they will allow this amendment to be acted upon by this body to send a clear signal that this body is outraged at an expenditure of this amount to send corporate executives over to an international Olympics competition in Barcelona, Spain.

The CHAIRMAN. Does the gentleman from California [Mr. ROYBAL] insist upon his point of order?

Mr. ROYBAL. Mr. Chairman, I withdraw the point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman withdraws his point of order?

Mr. ROYBAL. Yes; I withdraw the point of order.

The CHAIRMAN. Does the gentleman wish to speak on the amendment?

Mr. ROYBAL. Mr. Chairman, because of the lateness of the hour, I will not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WELDON].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments?

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUG: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this or any other Act may be used by a Federal agency to pay or reimburse an employee to participate in fitness activities during duty time or to pay a membership or user fee at a private health facility or to reimburse an employee for such a fee unless—

(1) the guidelines established by the Office of Personnel Management are followed; or

(2) participation in physical activities is required by an agency head to assist employees in meeting job-related medical or physical requirements.

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

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

There was no objection.

Mr. ROYBAL. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

Mr. KLUG. Mr. Chairman, slightly more than a year ago, I was approached by a member of the Treasury Department concerned that the Internal Revenue Service was about to make a rather large purchase of private health club memberships for IRS employees at an IRS facility at L'Enfant Plaza.

To make this even more incredible was the fact that at that time the employees of the IRS already had the ability to use Government health club facilities located on just the other side of the Mall. But, instead, the General Accounting Office discovered after my request that the IRS, indeed, was going to purchase private health club memberships for 125 of its employees at a cost of more than $85,000.

At that time I asked the General Accounting Office to do a survey of Federal offices across the country, and they produced a report released this spring which indicated that there were roughly another million dollars in private health club memberships out there which the Federal Government was paying for on a routine basis. These were not memberships, I might add, for FBI agents, Secret Service agents, or ATF agents, all of whom have to be in shape as a matter of business. These were private contracts in force for secretaries and bureaucrats to work out at the expense of the taxpayers.

I am delighted to tell the Members tonight that the IRS several months ago decided to back off the proposal, and a number of the other contracts across the country are under review by my office, by the General Accounting Office, and also by OPM.

Also, in the GAO report was another discovery that in some ways is even more frightening, that a number of departments and agencies allow the use of administrative time, excuse absences without loss of pay or charged to personnel leave for physical fitness activities, and if just 5 percent of Federal employees would be granted this leave, it could cost taxpayers up to $189 million annually. If 10 percent of Federal employees abused this practice, the cost is well over $380 million.

The amendment does several things. First of all, it would indicate that funds in the present appropriations bill cannot be used to offset exercise activities by Federal employees. I would have liked to have done this as part of the authorizing practice. Unfortunately, there has not been an authorizing bill since the GAO report was released, and so there is no other vehicle to place this amendment.

Finally, while OPM itself has developed guidelines as prohibitions to this

practice, the OPM office and General Accounting Office indicate to my office that it is simply not enough to have guidelines and, instead, we need statutory language to guarantee that these kinds of funds are not used by Federal employees across the country.

If they want to do situps and they want to do pushups, that is fine with me. Just do not do it on the time of the Federal taxpayers.

Mr. Chairman, I urge my colleagues to support this amendment.

The CHAIRMAN. Does the gentleman from California [Mr. ROYBAL] insist on the point of order?

POINT OF ORDER

Mr. ROYBAL. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "No amendment to a general appropriation bill shall be in order if changing existing law * * *"

The amendment imposes additional duties on executive officers and modifies existing power and duties.

I ask for a ruling from the Chair.

□ 2020

The CHAIRMAN. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. KLUG. Briefly, Mr. Chairman.

First of all, Mr. Chairman, as we learned yesterday in the meeting of the Committee on Rules, I should say on Monday, the bulk of this bill already is not authorized as is normally required to be funded, and so I think this amendment certainly should be considered, given the way the rest of the authorization process has been handled; and second, given the fact that the potential for abuse to taxpayers again is in the neighborhood of $400 million, I think the House should have the ability to consider the amendment and to vote on it.

The CHAIRMAN (Mr. STUDDS). The Chair is prepared to rule.

Although drafted in the form of a limitation, the amendment clearly would require determinations with respect to whether guidelines are being followed or determinations with respect to whether or not such activity was a job-related requirement.

Moreover, the amendment applies to the expenditure of funds under other acts as well.

For those reasons, the point of order is sustained.

Are there further amendments?

AMENDMENT OFFERED BY MR. WOLF

Mr. WOLF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLF: Page 95, after line 8, insert the following new section:

"None of the funds made available by this Act shall be available for approval of any certificate of label approval which authorizes the use of the name Crazy Horse on any distilled spirit, wine or malt beverage product."

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

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

There was no objection.

Mr. WOLF. Mr. Chairman, what this language does, it deals with the Crazy Horse issue and it bullets that issue and no other issue.

What the language says is:

None of the funds made available by this Act shall be available for approval of any certificate of * * *

As I said before, Mr. Chairman, this is an important amendment to a number of Indian tribes. Crazy Horse was a tribal chief who was a spiritual leader known for urging his people not to drink alcohol.

This amendment has been supported by a number of groups, and I will just read a few: the Lakota Times of Rapid City, SD; HONOR of Milwaukee, WI; United National Indian Tribal Youth [UNITY] of Oklahoma City, OK; the All Indian Pueblo Council of Albuquerque, NM; the National Congress of American Indians; the First American Prevention Center; the Chippewa Tribe; the Ottawa Indians; the Cheyenne River Sioux Tribe and tribal council; the Oglala Sioux Tribe; the Native American Indian Association of Nashville, TN; Floyd Red Crow Westerman of "Dances with Wolves".

Mr. ROYBAL. Mr. Chairman, I have no objection to the gentleman's amendment.

Mr. CAMPBELL of Colorado. Mr. Chairman, I rise in support of this amendment.

Alcohol has been certainly one of the great tragedies of Indian America. The accessibility and susceptibility both are to a much higher degree than the national average. It is not only a cultural insult to the Indian people throughout this country, but I would point to just one example of the problems we have with Indian America.

There is a problem as everyone in this House knows of the fetal alcohol syndrome. The national statistics are that about 1 out of 750,000 children are born with fetal alcohol syndrome every year, to about 55,000 per year for Americans born with fetal alcohol syndrome from mothers drinking too much. Many of them have to be institutionalized for life.

It is also my understanding that it costs about a million and a half dollars per youngster who is to stay in those institutions throughout life from that tragedy; but that is not how it affects American Indians. It is not 1 out of 750,000 or 750. In some cases, such as Pine Ridge, SD, the fetal alcohol rate is one out of four babies being born.

It is almost suicidal, I think, to encourage people to sell beer anywhere in fact near reservations, but to combine that with the insult to Indians while they are being killed from drinking is an absolute American tragedy.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. WOLF].

The amendment was agreed to.

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

Mr. Chairman, I join with my colleagues in opposing this motion to rise in order to give my friend, the gentleman from Louisiana, the right to offer his amendment concerning the Boy Scouts of America.

The issue at hand goes to the heart and soul of America. Yes, it has much to do with values, but even more it has to do with freedom, and yes, with tolerance and with pluralism. Tolerance and pluralism are words that are often used by a minority to protect their rights; but these words, in the context of America today, relate to the rights of all Americans.

In an era of political correctness, of prayer being banned from our schools and of attacks on religion, severe attacks on religion and the family, it is not only the minority that must call for tolerance and pluralism.

Today the freedom of Americans who devoutly believe in God and more traditional values is being challenged. Nowhere is that attack more clear than the one being conducted on the Boy Scouts of America. Atheists and individuals whose sexual preference is considered to be immoral by the Boy Scouts are taking aim at this valued American institution, this American institution that has done so much for generations of Americans.

Even worse, three major corporations, the Wells Fargo Bank, the Bank of America, and Levi Straus, have joined in the battle against the Boy Scouts of America. They want the Boy Scouts basically to throw out the standards that they have set for Scoutmasters, the boys will be most in contact with these individuals, and these corporations are seeking for the Boy Scouts of America to throw out the standards that they have for who shall be Scoutmasters.

There are also court cases against the Boy Scouts of America trying to force them to take God out of the Scout oath. This is an attack on the freedom of Americans to choose more traditional values for their children.

I applaud the Boy Scouts of America for holding firm to their standards. I back their right to exist and to offer their alternative to the American people with the values that they hold, just as I support other Americans who hold different values to have their right of association.

I believe that we should oppose the motion to rise so that the gentleman from Louisiana [Mr. HOLLOWAY] can offer his bill and that we can stand up for the rights of all Americans to exercise their freedom to choose their values, rather than having values forced upon them, especially when all Americans believe that this is the essence of what freedom is, the right of freedom to choose one's own association.

The CHAIRMAN. Are there further amendments at this point in the bill? If not, the Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Treasury, Postal Service, and General Government Appropriations Act, 1993".

Mr. ROYBAL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. ROYBAL].

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

RECORDED VOTE

Mr. HOLLOWAY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 222, noes 180, not voting 32, as follows:

[Roll No. 261]

AYES—222

Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Atkins
AuCoin
Bacchus
Beilenson
Berman
Bevill
Bilbray
Blackwell
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Eckart
Edwards (CA)
Edwards (TX)
Engel
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hughes
Jacobs
Jefferson
Jenkins
Johnson (SD)
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Price
Rangel
Reed
Roemer
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Shays
Sikorski
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Solarz
Spratt
Stark
Stokes
Studds
Swett
Swift
Synar
Tanner
Tauzin
Thornton
Torricelli
Towns
Traficant
Unsoeld
Vento
Visclosky
Washington
Waters
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—180

Alexander
Allard
Allen
Annunzio
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Bunning
Burton
Byron
Callahan
Camp
Chandler
Clement
Clinger
Coble
Coleman (MO)
Combest
Costello
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
English
Erdreich
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Houghton
Hubbard
Huckaby
Hunter
Hutto
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Jones (NC)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Marlenee
Martin
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Morrison
Myers
Nichols
Nussle
Ortiz
Oxley
Packard
Paxon
Petri
Porter
Poshard
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Regula
Rhodes
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Roth
Roukema
Rowland
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Staggers
Stallings
Stearns
Stenholm
Stump
Sundquist
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Weber
Weldon
Wilson
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—32

Abercrombie
Ackerman
Anthony
Aspin
Barnard
Bonior
Boxer
Broomfield
Bustamante
Dymally
Early
Fish
Hefner
Horton
Hyde
Johnston
Lowery (CA)
McDade
McGrath
McHugh
Richardson
Ridge
Roe
Ros-Lehtinen
Savage
Sharp
Smith (FL)
Tallon
Thomas (GA)
Torres
Traxler
Waxman

□ 2047

Messrs. RAHALL, ROWLAND, WILSON, and STALLINGS changed their vote from "aye" to "no."

So the motion to rise was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) have assumed the Chair, Mr. STUDDS, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5488) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1993, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 2050

MOTION TO RECOMMIT OFFERED BY MR. MYERS OF INDIANA

Mr. MYERS of Indiana. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. MCNULTY). Is the gentleman opposed to the bill?

Mr. MYERS of Indiana. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. MYERS of Indiana moves to recommit the bill, H.R. 5488, to the Committee on Appropriations with instructions to that committee to report the bill back to the House forthwith with the following amendment:

None of the funds appropriated or otherwise made available in this Act shall be made available to an entity when it shall be

made known to the Secretary that such entity has an announced policy of denying funds to the Boy Scouts of America and the activities of the Boy Scouts of America.

POINT OF ORDER

Mr. ROYBAL. Mr. Speaker, I make a point of order on the motion to recommit.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ROYBAL. Mr. Speaker, I make a point of order against the motion to recommit with instructions because it includes a limitation and is not in order under clause 2, rule XXI. Under the precedents of the House, it is not competent for the House to amend the bill in the manner proposed because it is not in order for the House to instruct the committee to do what the House itself could not do.

Mr. Speaker, I quote from the "Precedents of the House of Representatives":

It is not in order to do indirectly by a motion to commit with instructions what may not be done directly by way of amendment. (Hinds': Vol. 5, paragraph 5529)

Also, Mr. Speaker, a point of order was sustained on a motion to recommit with instructions because, and I quote:

It is clear that the amendment offered by way of matter contained in the motion to recommit * * * would not have been in order if offered as an amendment * * * (Cannon's: Vol. VIII, paragraph 2705)

Mr. Speaker, the gentleman's motion to instruct includes a limitation not specifically contained or authorized in existing law and not considered in the Committee of the Whole pursuant to clause 2(d) of rule XXI.

I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does the gentleman from Indiana [Mr. MYERS] desire to be heard on the point of order?

Mr. MYERS of Indiana. Mr. Speaker, I do.

Mr. Speaker, it is clear that instructions may not propose legislation or unauthorized appropriations by way of an amendment. This is strictly a limiting period. On that issue, on August 1, 1989, Speaker FOLEY ruled that in the opinion of the Chair, ruling on this matter of first impression, that the clear language of clause 2(c), cited by the Chairman here, of rule XXI, prohibits limiting amendments from being contained in a motion to recommit since no limitation amendment was permitted by the Committee of the Whole under clause 2(d) of that rule.

Here a number of limitation amendments have been considered and were passed and become part of the law. So clearly limitations have already become part of this law. Likewise, that consideration is past, we have already considered limitations, and this is just one more limitation which the rules clearly understand.

Further, the Chair has ruled in the past, on January 11, 1934, that rules prohibiting certain amendments during consideration of a general appropriation bill would not distinguish them.

But here limitations have already been passed. It is clear that this Chair has ruled on them. The Committee has accepted one or two. So the ruling on limitations has already been considered by this House and passed.

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

Mr. Speaker, as the gentleman from Indiana [Mr. MYERS] has cited, the precedents on this will not hold in this instance where the Committee has in fact adopted funds limitation amendments.

The gentleman from Virginia [Mr. WOLF] offered a funds limitation amendment. It was accepted by the House. It was exactly the same kind of fund limitation that the gentleman from Indiana [Mr. MYERS] now seeks to offer in the motion to recommit. It states that none of these funds amendment may be made available by this act.

That is precisely what the gentleman from Indiana [Mr. MYERS] has in his motion to recommit. The Committee has decided to take such amendments in this particular bill. So, therefore, it is entirely in order for the gentleman from Indiana to offer such an amendment as a part of his motion to recommit.

The SPEAKER pro tempore (Mr. MCNULTY). The Chair is prepared to rule. The gentleman from California [Mr. ROYBAL] correctly cites the ruling on page 600 of the manual as held by Speaker FOLEY on August 1 and 3, 1989. The point of order is sustained. The motion of the gentleman from Indiana [Mr. MYERS] is not in order.

MOTION TO RECOMMIT OFFERED BY MR. MYERS OF INDIANA

Mr. MYERS of Indiana. Mr. Speaker, I offer a motion to recommit.

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

The Clerk read as follows:

Mr. MYERS of Indiana moves to recommit the bill, H.R. 5488, to the Committee on Appropriations with instructions to report the bill back forthwith with the following amendment:

On page 76, line 20, strike "or any successor organization".

The SPEAKER pro tempore. The motion is in order. The gentleman from Indiana is recognized for 5 minutes in support of this motion to recommit.

Mr. MYERS of Indiana. Mr. Speaker, at this late hour I will not take the 5 minutes. However, I wish we had been able to offer the amendment. I think most of the country would certainly be in agreement with it, a limitation I just previously offered. But as the Chair has ruled, I will not push that issue.

This is merely doing what I think the Democrat side has already said. The gentleman from Maryland [Mr. HOYER] earlier said the President's Cabinet could do certain functions that it could not do under the limitations here with the Council on Competitiveness.

What we are doing here is saying that there will be no funds, the $86 million is out, no funds will be available for the President to use his Council on Competitiveness.

But this does not deny the President the right to use his Cabinet as he so chooses. I do not think any of us really want to do this.

So I hope this will stand. The gentleman from Louisiana [Mr. TAUZIN] asked to be heard at this point. I believe the gentleman is not here.

Mr. Speaker, the only thing this provision strikes is, "or any successor organization." There is a serious question I think about who is to make the determination who is the successor organizations, what is that successor organization.

Clearly, the intent of this body was to strike what you called Mr. QUAYLE's Council. But whatever you want to call it, it does strike that no funds are available for the Council on Competitiveness. But I do not think we want to go so far as to tell the President of the United States that he may not use his Cabinet officers to advise him.

Stop and think for a moment: this appropriation bill goes through September 30 of next year. Have you read the recent polls? Governor Clinton is ahead right now. He may be the President. You are tying his hands. So you may be tying your President's hands. I do not think that is going to happen, but there is a possibility.

I can recall a few years ago, I think it was 1972 in this very body here, the House of Representatives late in the session in 1970, and some of the other oldtimers here will remember, it looked like the Republicans might gain that House, might gain control. So we revised a lot of new ideas, new reform, giving the minority more rights.

Guess what? The Democrats won control. What was the second action of that next Congress convening in 1972 and 1973? To reverse all of those. So you may have to reverse this. You may have to put all of that money in that you took out from the White House this year earlier in this bill. You might have to reverse this. But do not do it tonight.

The SPEAKER pro tempore. Does the gentleman from California [Mr. ROYBAL] wish to be heard?

Mr. ROYBAL. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROYBAL. Mr. Speaker, I will not take the 5 minutes, but I just simply want to say that this subject matter has already been thoroughly discussed in the Committee of the Whole, a decision has already been made, and I still

end by opposing the amendment offered by the gentleman from Indiana [Mr. MYERS].

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

□ 2100

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ROYBAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 237, noes 166, not voting 31, as follows:

[Roll No. 262]

AYES—237

Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Applegate
Atkins
AuCoin
Bacchus
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Downey
Durbin
Dwyer
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Huckaby
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murtha
Nagle
Natcher
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Panetta
Parker
Pastor
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Quillen
Rahall
Rangel
Ravenel
Reed
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slaughter
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Thornton
Torricelli
Towns
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NOES—166

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehner
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Coble
Coleman (MO)
Combest
Condit
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gillmor
Gingrich
Glickman
Goodling
Goss
Gradison
Grandy
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Houghton
Hubbard
Hughes
Hunter
Hutto
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Jontz
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Machtley
Marlenee
Martin
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morrison
Murphy
Myers
Neal (NC)
Nichols
Nussle
Oxley
Packard
Pallone
Patterson
Paxon
Penny
Petri
Porter
Pursell
Ramstad
Ray
Regula
Rhodes
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Roth
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Swett
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—31

Abercrombie
Ackerman
Anthony
Aspin
Barnard
Bonior
Boxer
Broomfield
Bustamante
Dymally
Early
Fish
Hefner
Horton
Hyde
Jacobs
Lowery (CA)
McDade
McGrath
Richardson
Ridge
Roe
Ros-Lehtinen
Sanders
Savage
Sharp
Smith (FL)
Tallon
Thomas (GA)
Torres
Traxler

□ 2117

The Clerk announced the following pairs:

On this vote:

Mr. Bustamante for, with Mr. Broomfield against.

Mr. Ackerman for, with Ms. Ros-Lehtinen against.

Mr. HALL of Texas changed his vote from "aye" to "no."

Mr. BOEHLERT changed his vote from "no" to "aye."

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. ROYBAL. 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 material on H.R. 5488, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. TORRES. Mr. Speaker, I was unavoidably absent on official business for rollcall vote Nos. 252 through 262. Had I been present on the House floor I would have cast my votes as follows:

Rollcall No. 252—"Yea" on waiving points of order against S. 1306, the conference report amending Title V of the Public Health Service Act regarding the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA).

Rollcall No. 253—"Yea" on S. 1306 to amend Title V of the Public Health Service Act regarding the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA).

Rollcall No. 254—"Yea" on H. Res. 505, the rule pertaining to consideration of H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 255—"Aye" on Mr. PENNY'S en bloc amendments to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 256—"No" on Mr. MCDADES'S en bloc amendments to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1963.

Rollcall No. 257—"No" on Mr. WOLF'S amendment to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 258—"Aye" on Mr. WISE'S amendment to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 259—"No" on Mr. JACOBS' amendment to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 260—"No" on Mr. BURTON'S amendment to H.R. 5488, the Treasury, Postal Service and General Government Appropriation Act of 1993.

Rollcall No. 261—"Yes" on Mr. ROYBAL'S amendment to H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

Rollcall No. 262—"Aye" on passage of H.R. 5488, the Treasury, Postal Service and General Government Appropriations Act of 1993.

REPORT ON RESOLUTION WAIVING A REQUIREMENT AGAINST CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-646) on the resolution (H. Res. 507) waiving a requirement against consideration of certain resolutions, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST AND DURING CONSIDERATION OF H.R. 5504, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-647) on the resolution (H. Res. 508) waiving certain points of order against and during consideration of the bill (H.R. 5504) making appropriations for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKING IN ORDER ON THURSDAY, JULY 2, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON S. 1150, HIGHER EDUCATION AMENDMENTS OF 1992

Mr. FORD of Michigan. Mr. Speaker, I ask unanimous consent that it be in order on Thursday, July 2, 1992, or any day thereafter to consider the conference report on the Senate bill (S. 1150) to reauthorize the Higher Education Act of 1965, and for other purposes; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as having been read when called up for consideration, and that debate be limited to 1 hour, equally divided between the majority and the minority.

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

There was no objection.

□ 2120

HOUR OF MEETING ON TOMORROW

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 10:30 a.m.

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

There was no objection.

MAKING IN ORDER ON THURSDAY, JULY 2, 1992, MOTIONS TO SUSPEND THE RULES

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that it be in order on the legislative day of Thursday, July 2, 1992, for the Speaker to entertain motions to suspend the rules.

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

There was no objection.

ANNUAL REPORT OF FEDERAL LABOR RELATIONS AUTHORITY FOR FISCAL YEAR 1991—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95-454; 5 U.S.C. 7104(e)), I have the pleasure of transmitting to you the Thirteenth Annual Report of the Federal Labor Relations Authority for Fiscal Year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *July 1, 1992.*

PERSONAL EXPLANATION

Mr. SANDERS. Mr. Speaker, during Rollcall Vote No. 262 on H.R. 5488 I was unavoidably detained. Had I been present I would have voted "yea."

NEW OPPORTUNITY FOR PEACE IN THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, last week a remarkable election was held in Israel. If the new Israeli Government, if Israel's Arab neighbors, and if the leadership of the Palestinians all recognized the unique opportunity that is now available, there is a chance to make history—history that will benefit people rather than cause them more pain.

I serve as chairman of the Foreign Operations Appropriations Subcommittee. I think I have been a friend of the State of Israel, and I think I have been fair to the Palestinians. I am, frankly, proud of the fact that I have worked very closely with President Bush in resisting efforts to fund Israeli loan guarantees without proper assurances from the previous Israeli Government about their willingness to suspend additional settlement activity in the occupied territories. I thought that action was necessary to change the dynamics and give the peace process an opportunity to go forward.

The people of Israel, through their recent election, have indicated that they are open to an effort to make tomorrow different than yesterday in the Middle East. I hope that the new Israeli Government takes advantage of that opportunity, but I think this is the time to take special note of the obligation of Israel's Arab neighbors, and most especially, the Palestinian leadership, to take advantage of that open door. I urge the Palestinian leadership not to repeat past mistakes and not to miss opportunities as they have been so often missed in the past.

Now is the time for any Palestinian leaders who want to see real progress on this issue to be realistic in their demands and in their expectations. I believe the American Government had a right to insist that the Israeli Government demonstrate a sense of realism by suspending settlement activity in the occupied territories. But I think that there is a concurrent obligation on our part to also insist that the Palestinian leadership be sufficiently flexible to make progress possible. They must recognize that the new Israeli Government does not have unlimited room to move, and act accordingly. They must recognize that progress will be made in stages or it will not be made at all.

If realism is not demonstrated on all sides and if political risks are not taken on all sides, history will not be kind in its judgment.

EXTENDING DEDUCTIBILITY FOR HEALTH CARE INSURANCE EXPENSES FOR SELF-EMPLOYED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. JONTZ] is recognized for 5 minutes.

Mr. JONTZ. Mr. Speaker, the House will soon take up H.R. 11, the Revenue Act of 1992. Among the very important provisions included in this legislation is an extension of the deductibility for health insurance expenses for self-employed individuals for 6 months.

I rise this evening to call attention to the need to eliminate one of the inequities in our Tax Code by making this deduction into a 100-percent deduction.

The individuals in our Nation who are self-employed or who are partners

or subchapter S corporations find themselves treated unfairly in our Tax Code because they are only able to deduct 25 percent of the expense of their health insurance. Someone who receives health care insurance through their employer receives those benefits tax-free. But the individual who is self-employed is not able to enjoy the same tax benefits.

In the rural portions of the Nation such as the Fifth District of Indiana which I represent there are a large number of self-employed persons or individuals who are partners or in subchapter S corporations, on the farm and in small businesses and in similar circumstances. It is no accident that in the rural portions of our country the number of individuals who do have some kind of health insurance is smaller than in other portions of the country because of the nature of the employment in rural areas, and also because of this unfair provision in the Tax Code.

Our distinguished colleague from North Dakota [Mr. DORGAN] has had legislation introduced in this House for some time now, H.R. 784, which would phase in 100-percent deductibility of health insurance premiums for self-employed persons over a 5-year period. I am a cosponsor of that legislation and hope that the House will take up a provision like that as soon as possible. Indeed, my understanding is that Chairman ROSTENKOWSKI of the Ways and Means Committee is committed to including such a 100-percent deductibility provision in comprehensive health care legislation that may come out of his committee later this year. I commend the gentleman from North Dakota, Mr. DORGAN, and I commend Chairman ROSTENKOWSKI for their attention to this very important provision.

Mr. Speaker, the self-employed people of this country deserve more fair treatment under our Tax Code.

□ 2130

They deserve 100-percent deductibility of their health insurance costs.

As all Americans know, the cost of health care to the families of our Nation has risen dramatically in recent years. I for one support a national health insurance plan to provide for basic health coverage for all Americans. I believe that until the time that we do have a national health care plan that covers all of the citizens of our Nation, we need to have equity in our Tax Code. We need to pass legislation to provide 100-percent deductibility for the expenses of health insurance, for all of the citizens of our country.

Mr. Speaker, I was privileged recently to be able to accompany a delegation of several representatives of the farm organizations of our Nation, the leading representatives of those individuals who make a living producing the food and fiber for the people of our country and for the world, to visit with the chairman of the Health Subcommittee of the Committee on Ways and Means, the gentleman from California [Mr. STARK].

This delegation presented to the gentleman from California [Mr. STARK] the very compelling reasons why we should have full deductibility of health care premiums for health insurance for those self-employed people of our country.

I believe that the gentleman from California [Mr. STARK], the gentleman from Illinois [Mr. ROSTENKOWSKI], and others on the Committee on Ways and Means understand the importance of this provision.

I know that with the budget requirements being what they are, it is difficult to provide for this tax equity because of the expenses involved. But I believe that the fairness that this request embodies will prevail, and I am encouraged by the commitment that has been made to bring forward legislation that would include a 100-percent deductibility as soon as possible.

The self-employed people of our country deserve this. They are facing rapidly escalating health care costs. At a minimum it should be the case that 100 percent of their costs of their health insurance be deductible on their taxes so that they can be treated fairly like other Americans.

There are very few challenges facing our country more important than providing for the coverage of all Americans for the costs of health care that are so rapidly rising. This is one small step that we can take toward achieving that goal.

Mr. Speaker, I am anxious that the House pass H.R. 11 soon to extend at least the 25-percent deductibility, and that as soon as possible following that date we bring legislation to the floor and send it to the White House that will provide for the complete deductibility of health care expenses.

A TRIBUTE TO OUR NAVY PERSONNEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. PICKETT] is recognized for 15 minutes.

Mr. PICKETT. Mr. Speaker, I rise this evening to speak on behalf of more than 550,000 active duty Navy personnel who do not deserve to be grouped with that small number who demonstrated such poor judgment, such bad behavior, and such reprehensible conduct at the Tailhook Convention that took place in Las Vegas, NV, last September.

I know that I speak for all when I say that those who have engaged in this misconduct deserve to be thoroughly investigated and appropriate sanctions applied to them. But, Mr. Speaker, I think that perhaps the opinion of so many Americans has been misled now because of the way in which the whole incident has been portrayed.

Mr. Speaker, I do not believe that this is indicative in any way of the thoughts and conduct of the majority, of the vast majority of our hard-working and fine naval people.

I think that now to try and tar all of these fine people with the acts of a few is a very bad way in which to react to this incident. We have to remember that despite reduced international tension and decreased defense expenditures, our Navy continues to have a critical responsibility in every corner of this globe; despite the events that we have seen develop in the last couple of years, the Navy is still enforcing the U.N. embargo of merchant ships that would otherwise be carrying contraband to Saddam Hussein.

According to the Navy, one recent week saw the interception of some 14,000 vessels as part of this operation; 11,000 sailors remain on station in the gulf on 17 ships, and they are on duty and on call 24 hours a day.

This evening the Navy stands ready in the eastern Mediterranean to assist U.N. forces in Yugoslavia, and this very day a headline across the top of the local newspaper in Norfolk, VA, the Norfolk Pilot, says it all: "Norfolk Ships Sent To Aid Balkans." It then lists the number of vessels that have departed Norfolk in this deployment.

Worldwide tonight, some 40 percent of the entire Navy force is on station and under way, and that works out to be almost 200 vessels.

I think this speaks for the kind of commitment that our Navy people have, but more important to us is the maintenance of morale for our Navy people at this time when they are under such great strain.

There is no reason that we should move toward activities that send the wrong message to our Navy people, that undermine their morale and lessen their desire and commitment to do the job that they have done and will continue to do so well. It should be clear to all fair-minded people that the image that has emerged out of the Tailhook incident is in no way consistent with the character of the men and women in today's Navy.

I have the good fortune to be the Member of the House of Representatives from a district that some 125,000 Navy and Marine Corps members call home, and I am very proud of this. I have the opportunity perhaps to work more often and closer with members of the Navy and Marines than any other Members in this body, and I know that these members and their families are pillars in our community. They support our churches, our schools, and our other cultural and political institutions.

Sailors and marines are positive role models for thousands of young children in my district. They work as volun-

teers with numerous community organizations including schools and other youth organizations. A good example in my district is the Fleet Combat Training Center, which has established a partnership with Birdneck Elementary School and Ocean Lakes Elementary School, and as a result of this was named a Point of Light by the President as one of the Points of Light winners.

Just last week, our local newspaper reported how dozens of Navy Seabees from Oceana Naval Air Station and Little Creek Amphibious Base went into the community to rebuild and refurbish the homes of disabled senior citizens. Navy shipmates from the frigate U.S.S. *Ainsworth* have provided furniture and other supplies to homeless shelters in Norfolk, and aviators from the Naval Air Station Oceana helped fulfill the dreams of a terminally ill 13-year-old child who had been fascinated by naval aviation.

These are just a few of the activities and programs that, in my view, typify the commitment and the high caliber and strong character of our Navy personnel, not just in southeastern Virginia where I live and where I work, but throughout the world where the Navy is active and deployed.

America's 560,000 naval members work under extremely difficult conditions. Their deployments are long. Their missions are often dangerous, and the stress on their families is high. To see the real face of sacrifice and duty, Mr. Speaker, you need only come along pierside when the Navy vessels are returning from deployment and see the looks on the faces of their families, their wives, their children, their loved ones as they come out to greet these people who have been deployed for long periods of time.

□ 2140

Then you really see and understand and appreciate the sacrifice that these people make and the commitment that they honor when they assume duty as members of the U.S. Navy.

So Mr. Speaker, I would conclude my remarks this evening by saying that it is clear that the unfortunate incidents that have come to light in recent months and particularly the Tailhook Convention in Las Vegas is not indicative of our real Navy. Those hard working, dedicated, and committed people who make up our Navy and enable it to carry out its assigned duties do not deserve to be painted with the same brush as those who have so obviously violated the trust of their office and have shown themselves to be deserving of the appropriate sanctions and are not indeed representative of the fine Navy people that I represent from southeastern Virginia.

THE REPUBLICAN HEALTH CARE REFORM BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. HASTERT] is recognized for 60 minutes.

GENERAL LEAVE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the subject of my special order today.

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

There was no objection.

Mr. HASTERT. Mr. Speaker, House Republicans have introduced a health care reform bill that has the support of more Members of Congress than any other reform bill before this body today. Certainly, I would like to take into consideration the comments of the gentleman from Indiana who spoke previously about 100 percent deductibility in health care. That is one of the provisions that had been included in the health care bill that is the result of many long months, almost a year of hard work, which resulted in the action now of the Health Care Reform Act.

Tomorrow the President of the United States, Mr. Bush, is coming to this building to endorse this commonsense approach. It is certainly time for Congress to put election year politicking aside and pass a bill that the President can sign.

America has the finest health care available anywhere in the world. While some want to scrap our entire system, House Republicans have proposed a responsible approach that targets the specific problems. The Action Now Health Care Reform Act increases the availability of health care services for millions of Americans, while putting on the brakes of skyrocketing health care costs.

The plan which is the product of more than a year of development by the Republican Leader's Task Force on Health incorporates the several ideas that have broad public support. These include reforming the small group insurance market so that small business can afford to buy health insurance and give its members portability so they can bring their insurance policies from job site to job site.

We increase the tax deductibilty for the self-employed to 100 percent, much as the gentleman from Indiana just said that he thinks is important in health care.

We allow employers to establish tax free Medisave accounts so employees have a pool of money to pay for medical expenses and we reform the medical malpractice system and improve community and rural health care systems.

These reforms constitute a comprehensive package that could be implemented immediately and would dramatically improve our health care system. These proposals will enable Americans to continue to enjoy the flexibility and personal choice they have come to expect in their health care system.

These reforms, Mr. Speaker, if instituted, will also help us avoid the massive tax increases and expanded bureaucracy that a Government-run health care system would require.

Under the plan, rising health care costs would be controlled by encouraging Americans to become prudent consumers with the use of the Medisave accounts, by reducing medical malpractice liability premiums and defensive medicine, by lowering administrative and paperwork costs, and by revising antitrust law to encourage greater cooperation in the sharing of facilities among hospitals.

Many components of the legislation, particularly the Medisave plan, were incorporated from health care legislation I introduced this year with the gentleman from Arizona [Mr. RHODES] and the gentleman from Florida [Mr. GOSS] and others.

It is time for Congress to enact these commonsense reforms that will bring immediate relief to millions of Americans.

I urge the leadership of this House to allow this bill to come to the House floor for a vote.

Certainly we are in times, Mr. Speaker, that tend to be very partisan times. This is a good commonsense piece of legislation that had over a year of study and thought put into it that we bring forward to this Congress and hope that we can sit down and forge a health care plan that is good for the American people.

Let us leave the partisan bickering behind. Let us leave the posturing that we see before political conventions behind.

It is time that we start to put together common sense legislation that benefits the people of this country.

Mr. Speaker, I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank my colleague, the distinguished leader of our effort for yielding to me, and of course I associate myself very closely with what the gentleman has said.

It is interesting that all the effort has finally paid off with what I think is a very successful and incremental approach that we are going to be able to bring forward, I believe, to the attention of this body and I hope the formal action of this body.

I think that any of us who are out and about and doing our jobs as Members of Congress, and that is virtually every Member of this body, clearly understands that health care is on the minds of the people of this country. I know in my own office I feel that perhaps as many as four of my staff in district offices spend virtually 80 percent

of their time trying to help people with health care problems, processing claims to the incredible administration and red tape that we have to go through now to make a program, which admittedly is going bankrupt, work at all.

So we have to do something. Doing nothing is no longer an acceptable answer.

I know that it is the Fourth of July coming before us and I know that when we associate with the Fourth of July, we use the word skyrocket. Skyrocket no longer applies in my mind to the Fourth of July. It applies to health care costs. We always say skyrocketing health care costs because they are skyrocketing. They are about to blow up. They have been going up and up and they are going to burst. It may be that they are pretty things to watch on the Fourth of July, but when the health care cost problem bursts in this country, all it is going to do is cause inconvenience and suffering and pain for millions of Americans.

So the approach we are using at this point, as my colleague has outlined, I think it is a brilliant stroke. It basically goes right to the question of cost containment, assessing the problem, using a good promarket solution to those cost problems and providing incentives for individual consumers to be involved and husband properly their health care benefits under our program.

□ 2150

It also is a compassionate program because it adds dollars for those who need to go to health care community centers, who have no other choices, and it also provides a number of other very special points which we will get into as we go along. But among the two most compassionate, I think, are the question of preexisting condition, which is an area that we have so many of really heart-wrenching stories to deal with, and the area of affordability, if I may somewhat misuse that word which I think characterizes the problem of so many Americans who, when they change jobs, suddenly discover their health insurance does not move with them.

It is strange that health insurance is the only kind of insurance that actually is characterized as that which sort of gets left behind.

We have dealt with these programs and these problems. It has not been easy. The point is we now have a solution.

As we go into the description of this, as we must because time will not allow us to delay longer on it, I think we will get into the details. But for now I would like very much to hear what some of our other colleagues have to say and perhaps, if it is possible, we may even be able to get into some anecdotal matter on this before we get through.

Mr. HASTERT. I thank the gentleman from Florida.

Mr. Speaker, I yield to the gentleman from Arizona, who has been instrumental in helping us put some of these ideas together.

Mr. RHODES. I thank the gentleman for yielding this time to me and for all the work he has done which has led us to the point where we are tonight where we can actually come before the House and the country and deal with some specificity about a health care program that we Republicans have introduced here in the House of Representatives and which I think each and every one of us believes offers solutions to the problems that all of us, Republicans or Democrats, have identified and agree on as being basic, fundamental difficulties in the health care system that we can find solutions to and that we can find solutions to now.

Over these past two Congresses we have been able—we have been working, rather, to develop meaningful and responsible, effective incremental reforms in America's health care delivery system. Incremental reform means basically let us take care of the problems that we know exist and that we know we can find solutions to. I think we all agree that if we wait to find consensus on an overall comprehensive national overhaul of the entire health care system, if we wait to do that, we will do nothing. And we know amongst ourselves on both sides of the aisle that we have identified problems, identified areas that can have solutions and that can have solutions now.

We know that our constituents are waiting for us to do that.

I had a series of neighborhood health forums in my district over our Easter break, and it was obvious to me that our constituents want changes, and they identify the areas that they want changes to in access to health care and in controlling costs.

I am convinced, as I know the two of the gentleman tonight are, that we can and we should take action now on an incremental basis to provide meaningful relief for our constituents in terms of those costs and in terms of that access to quality care for our constituents and for their families.

Our bill, H.R. 5325, identifies critical elements that can be implemented and can be implemented now.

Although this country has the finest quality health care system in the world, in a nutshell tells us two critical areas have to be addressed. First, not all Americans have access to health insurance to pay for their care. Second, the cost of health care continues to spiral out of control.

Our bill focuses on these critical areas of reform and provides reforms that will make health care coverage more accessible and affordable. Furthermore, our proposals, and this is extremely important, our proposals will not impose any new financial burdens on the States or on businesses, and they will not impose any new Federal taxes. And most importantly, every provision in our bill could begin to be implemented tomorrow with immediate and positive results.

I want to dwell briefly on three provisions of H.R. 5325. One is the medical savings account tax incentives. The second is medical malpractice reform. The third is small-group insurance market reform.

Under the med-save accounts, this bill will allow employers and employees to contribute to tax-deductible medical savings accounts. These accounts would be portable, tax free, and would accrue to the employee over time. The employee's health insurance deductible would then be higher, and routine medical expenses would be paid for by the employee out of the medical savings account. Mr. HASTERT, Mr. GOSS, and myself were among the first in this Congress to champion this really rather exciting new idea. We are now very pleased that the concept has been picked up in H.R. 5325, the broader Republican health care proposal.

H.R. 5325 also implements medical malpractice tort reform in a very equitable and forthright manner. The responsibility is returned to the State medical boards and national data bank in order to insure medical quality. Among the specific tort reforms that the bill contemplates and that I have supported in the past are caps on noneconomic damages, structured periodic payments of compensatory awards, limits on attorneys' fees, and elimination of joint and several liability.

The bill also reforms the small-group insurance market to make health insurance affordable, accessible and available for the working uninsured and their dependents. This group represents 70 percent of the 35 million Americans who have no health insurance coverage at all. The National Association of Insurance Commissioners would be requested to develop a model benefit package which insurers would be required to offer to small businesses. These basic benefit plans would be more affordable, accessible and dependable, much more so than current small market coverage.

All sections of this bill focus on areas of reform that will be effective in making health care coverage more affordable and accessible and preserve the quality of health care delivery.

None of these proposals will impose new financial burdens for States or for businesses, and they do not impose any new taxes. Most importantly, if these were passed, every provision in this bill could begin to be implemented immediately with positive results for those whom we all serve.

I thank the gentleman for the opportunity to serve here this evening and congratulate him on his special order.

Mr. HASTERT. I thank the gentleman from Arizona, who has been a big player in this for a long time, to sit down and strategically plan some of these ideas.

As we have other speakers, certainly I would appreciate if the gentleman from Arizona [Mr. RHODES] would stay around for a little while so that we could discuss these things almost anecdotally and see what are the real issues and how it affects real people's lives.

Mr. Speaker, I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman. I would like to ask the gentleman a question. I appreciate his contribution to this package. Mr. Speaker, could the gentleman talk about the medi-save account a little more? I understand it is a tax-free account.

Mr. RHODES. The med-save account would permit, through a change in the Tax Code, it would permit an employer to offer a different type of health care benefit to his employees.

Let me just do an anecdote. Generally speaking, it costs on the average an employer $4,000 per year to provide health coverage as a benefit to his employees. The proposal would be that, instead of providing very low deductible or first dollar coverage, which is very expensive for the employees, that the employer would provide for the employee a very high deductible catastrophic type major medical policy. The deductible would be, say, $3,500. The employer would pay roughly $500 for the high-deductible policy and deposit the balance, the $3,500, into a medical savings plan, which would be controlled by the employee.

Then when the employee, he or she, the family, has a medical problem, they would determine how they would solve that problem. They would make the decision as to whether or not go to a very expensive emergency room to deal with an earache or wait until the next day and go to the doctor's office and have the doctor look at the earache, a $300 decision. If they choose the less expensive decision, that $300 accrues to the employee. We put the consumer into the loop in terms of making medical decisions. The consumer is not in the loop now because the consumer is not paying.

If in a particular year the consumer did not use that entire $3,500 in the medical savings account, it would roll over. It would remain in the account, and it would be very similar to an individual retirement account. And at some point in time, upon retirement generally speaking, whatever is left in that medical savings account would belong to the employee.

□ 2200

Mr. HASTERT. Mr. Speaker, if I could stop the gentleman from Arizona [Mr. RHODES] on that for a second, he is saying that, if the family who spends or has this $3,500 in their med-save account, if they do not spend it, they get to keep it.

Mr. RHODES. That is exactly right.

Mr. HASTERT. And all of a sudden we have the old-fashioned American system, the free market system, depending on whether people go out and spend big bucks for health care or take a prudent approach on what they purchase in health care, and, once they reach the $3,500—I mean that their company is given what they have in the med-save account, then their major medical or catastrophic insurance kicks in, so they are covered just like any other employer.

So, the real difference, if I understand the gentleman from Arizona [Mr. RHODES], the real difference in this plan is, instead of having your company buy insurance for you, they buy a limited amount of insurance for you, and then the next thing they do is give you the med-save plan, and what you spend you spend, and what you do not spend you get to keep. And that money rolls over year, after year, after year, and all of a sudden the people are in power of how they spend their money and whether they are going to do it prudently or not prudently, and not some insurance company.

Mr. RHODES. That is precisely right, and we put the consumer, the employee, in the business of making the economic decisions as to how they are going to receive their medical care. Right now they are not in the economic decisionmaking process.

Mr. HASTERT. It makes no difference to them because somebody else is going to pay for it. If they are going to pay for it out of their own resources, they are going to make more careful decisions as to how they access their health care.

At this time I would like to recognize our colleague and somebody who has worked very diligently on the leaders health care task force, and, incidentally, this was led by our leader, the minority leader, the gentleman from Illinois [Mr. MICHEL], and the minority whip, the gentleman from Georgia [Mr. GINGRICH], and certainly the gentlewoman from Connecticut [Mrs. JOHNSON] has made a tremendous contribution to this program, and I would like NANCY to tell us a little bit about the small group plan.

Mrs. JOHNSON of Connecticut. Thanks. I am very pleased to join my colleagues tonight in discussing, not only the need for health care reform and action to reform our health care system now, but also the nature of the plans that we have, because I think that my colleagues know I represent a manufacturing district. There are a lot of small manufacturers up in the northwest corner of Connecticut. Manufacturing represents 20 percent of our GNP. Well health care represents almost 15 percent of our GNP, and nobody in their right mind would recommend price fixing for every manufacturing product throughout our economy as a way of controlling costs in manufacturing, and I certainly cannot be a part of the Congress trying to set prices in health care as a way of controlling costs.

Mr. Speaker, what my colleagues have been talking about here tonight and what I come to join them to talk about is the way the things that we could do right now will begin changing the direction of the costs in health care and addressing both the access and quality problems that our system has, and reform of the insurance market is critical to making insurance available by also controlling costs.

I am very pleased that our insurance reform proposal would mean that nobody would be dropped because someone in their plan got sick. That is one of the real tragedies of today's system. People are insuring their employees. One of them gets sick, or their child gets sick. The costs go up, and they, as an employer, have to drop their plan, and everyone suffers. It is a tragedy. It should not happen in America, and under our plan it would not happen.

Another current problem that plagues people in my district is joining a health care plan and then finding out that they are not covered for preexisting conditions and that preexisting conditions, that phrase, covers an awful lot of things that soneome joined their health care plan to take care of. Our plan would prevent insurers from excluding people for preexisting conditions except on the first time. It would prevent insurers from dropping companies that have high costs. It would limit the rate increases that an insurer could impose on companies buying their health insurance, and it would provide a basic benefit plan, which is what Americans believe everyone ought to have access to, and we do.

Mr. Speaker, it should be a right in America to have access to basic health care coverage at an affordable price, and our insurance reform proposal will provide access for a basic benefit plan at an affordable price because it will give to small business for the first time in many decades in America the same right that larger companies have now that are self-insured, and that is the right to provide a basic plan that is out from under costly State mandates.

So, our insurance reform cuts costs for small business in many ways, one of which is circumventing State mandates, but it is not the only way, and it helps people by protecting them against being dropped, by protecting them from being excluded for preexisting conditions and, most importantly, and I think this is really the big point that one needs to understand and that I want to make about insurance reform, and that is this is not just reform

of a small group market. What we have written into our bill is reform of the health insurance market. The protections of people in this system will apply to people in all plans.

Furthermore, Mr. Speaker, our reforms will have the effect of shifting the entire insurance industry focus from assessing risk, assessing medical risk, to wellness promotion, to early intervention, to curing, to effective use of the extraordinary medical capability that America has developed, and by doing that, by shifting all the resources of the health insurance industry from risk assessment, from making your profit by insuring only the well people to promoting the wellness of the people you insure, funding early intervention, funding prevention, funding outcomes research, using outcomes research, insuring health and getting people involved in their own wellness, that is one of the most profound effects that health insurance reform is going to have, and it is one of the reasons why Congress has to pass this this year, because it will take 2 or 3 years for these effects of the health insurance reform to be felt, for that industry to refocus itself, for the costs to be under control and for those affordable plans to be out there.

This is not something that we pass a law tomorrow and the world changes. This is something we pass a law, we implement it, and in 2 or 3 years there will be affordable policies available to small business, and the entire perspective of the insurance industry and, therefore, the people participating in it, will change, and that is exciting.

Mr. HASTERT. Mr. Speaker, I think that is an important point; however, it is an important point that these are systems or reforms that we can implement and we can start tomorrow if we pass the legislation.

Mr. Speaker, there is one thing that I would like to make an inquiry into in an anecdotal approach, but the gentlewoman from Connecticut [Mrs. JOHNSON] has a district that has a lot of small businesses, and I received a letter from some folks that I have known for 20 years, and they are small representatives of manufacturers, and it is a "mom and pop" organization, and the letter said, "You know we're in despair of our insurance costs. We have some preexisting conditions," in the case of this couple that are both 57 years of age, "and what we have done is put all our assets in a trust, and we don't have insurance. We can't afford the $900 a month that we have to pay for insurance. So, we are virtually without insurance."

It is wrong. The system should not work like that, and we are victims, and that is a part of that growing number of 34 to 37 million people who are not covered, are working people in this country today, but really are not covered by insurance.

So, the small market reform part that the gentlewoman from Connecticut [Mrs. JOHNSON] is talking about, basically what it does is say that small businesses are two things in this package. Small businesses come together, and they can self-insure. They can come together and self-insure, and they are guaranteed by this that some insurance company has to cover them, and the preexisting conditions and the portability is there, and this is something that we hear time and time again, "How can we take these insurance benefits from one job to another, especially in a time in this society today when people retire early for some reason or another at 50 years of age or 55 years of age?"

Mrs. JOHNSON of Connecticut. It is going to be very important to that 55- to 57-year-old man or woman who will get reemployed as the economy picks up who will probably have to work through a 6-month period when he does not qualify but who, after that, will have to be covered regardless of preexisting conditions by his insurance, and so will the spouse, and the insurer will not be able to raise premiums in a rational fashion because one of them gets ill, and so on and so forth. This system will give to those folks in their fifties, in their late forties, and early sixties who are tragically experiencing often quite long stretches of unemployment now as States like Connecticut go through really terrible times of recession.

□ 2210

This kind of legislation will give them the support they need.

I wanted to talk briefly about the cost drivers, but I think the gentleman from Ohio wants to participate.

Mr. HOBSON. Mr. Speaker, I would like to ask the gentlewoman to talk about something else I know is dear to her heart as we have gone through this and we have not discussed yet, and that is the neighborhood clinics. That is a major part of this bill that covers some people that are not generally covered.

Sometimes Republicans are thought not to care about those people. I would like to have the gentlewoman remark about that.

Mrs. JOHNSON of Connecticut. I thank the gentleman for bringing this subject up. I am very proud that this bill put out by the Republican leadership contains the proposals made by the community health centers, Community and Migrant Health Centers of America, their proposal for a pace of expansion that would enable just that infrastructure to serve all of the uninsured.

Now, if we expand those neighborhood clinics, which are very good—in the cities in Connecticut they are very attractive places to go, they are very friendly, they are warm, they are holistic. They look at the whole family. They deal with the whole person. they do not shove you in an impersonal fashion from here to there. They are the kind of community health facility that cannot only deal with recovery from illness, but can identify substance abuse problems, which often lie behind a lot of illness, behind a lot of trouble, and can provide the supportive environment in which those issues can be dealt with as well.

They provide excellent prenatal care and well child care. If we expand those community health centers, as in our proposal we do as they recommend it, then we will have in the neighborhoods of the cities, where so much of our infant mortality is as a result of poor prenatal care, where a lot of young children die as a result of poor young child care, if we expand that infrastructure, we will reach down into those uninsured and uncared for in America and provide them with top quality care.

Furthermore, these centers are in moderate size cities as well. All those folks who find themselves uninsured can go to them and pay according to their income.

In Connecticut our community health centers are providing health care for all the unemployed at $27 a visit, which is full pay for the clinic and therefore a good deal for them, very nice facilities and very high quality personnel and a wonderful facility, health care facility, for the unemployed.

So we not only reach up to the uninsured and uncovered by providing an infrastructure in America that provides that public health service across the board, all outpatient services we believe ought to be provided, but we allow them to reach down through the employer provided insurance sector by making insurance more affordable. So we can see through our plan concretely that we can serve all of those who are uninsured and underinsured, and we can do it at an affordable price, and we can do it now if we pass the legislation now.

That is what is so important, to get this legislation through this Congress so that people can begin benefiting and not be held up by the fractious environment down here.

We cannot deny people access to health care, such a basic benefit, just because of the rather fractious Presidential campaign environment that has come to dominate this body.

Mr. HASTERT. I continue to yield to the gentleman from Ohio, who brings a great deal of experience to this body and has been a very active participant in the health care reform task force, the leader's Health Reform Act.

Mr. HOBSON. I thank the gentleman. I want to thank the gentleman and Mr. MICHEL and Mr. GINGRICH and all of the other Members for working with a freshman and allowing freshmen on this committee.

It was with some trepidation that I got involved in this in the Congress because of the long-term problems we have had in health care and the coming together of people. I was worried we were going to get to a point where we had a comprehensive plan.

But after being on the committee and seeing the well spirit of all of the people and the diverse groups of people represented and the ideas, I was very pleased to be a part of this and to see it come forth.

In my district I have been active in the legislature before I came here on health care, as was noted. Recently, since I came here, we did a health care conference of 600 people in my district. A number of things came out of that, that were very important.

We had speakers like Gail Wilensky and MARY ROSE OAKAR talk about the various types of health plans that are out there.

The things that came through from the people there were that they were tired of politics and the usual dealing with health care. They knew there were problems there and they wanted them solved. They wanted us to get about it without bickering amongst ourselves and just not doing anything.

I think what we as Republicans have done in our task force is to come forth with a plan that is out there that people can talk about. It is not perfect, but we tried to make it as perfect as we can.

We are certainly open to debate and want people to debate with us on this issue. The people said and said in our task force when we looked at it that they like the quality of systems that we have today. They like the access. Those who have it love that access. They love the quality. They love the expertise that is there.

What they are worried about what is driving all the problems today is there are people who are fearful, who have health care coverage, and they are fearful they are going to lose it. There are people who do not have it who are fearful of losing their assets.

We have all had letters where citizens come in absolutely desperate. They are afraid to get off where they will lose everything. They are afraid if they pledge their assets, they do not know what to do, and they are desperate. Their estates are at risk and they are worried.

So we learned all of this and tested it out in our program that we went through, and then came up with our plan.

I think one thing that we have learned is that people are fearful of a so-called national health insurance or socialized plan that is fraught with a lot of bureaucratic problems and supposedly is paid for by the mere doing away with and coming up with a single payer.

Most people fear that any government plan that we have already, does not work. If you want to look at that, our friend BILL GRADISON talked this morning at a meeting that we were at about the VA and the Indian health care programs, which while people are very well meaning and working in those programs, we do not fund them correctly, we do not administer them properly, and that is a good example of what we do not want and do not want to perpetuate in this country and why we come forth with this comprehensive plan.

Mr. HASTERT. If the gentleman would yield, I think the studies that we have done show when you start to fund or cost out the plan, single payer plan or payer plan, it would cost $1,200,000,000, which would literally double the tax liability of every man, woman, child, and corporation in this country. I do not think the American population is ready for that.

Mrs. JOHNSON of Connecticut. Whenever you have a big problem and you look for a solution you try to model your solution on examples that work. It absolutely blows my mind that some in Washington and some in the Nation want to model a solution to our health care problems on those every efforts that we have made, those very experiments of the past that have failed.

Price fixing and Medicaid, the health care program for the poor, drove prices so low that there were no Medicaid providers in whole counties. So while on paper poor people had access to health care, in reality they did not.

That is happening in Medicare. Ask any of your hospitals how would they fare if for every patient they got a Medicare level of reimbursement so they did not have any people being paid for.

Mr. HOBSON. Frankly, that system has driven the private system to a problem of where their costs have gone up because the hospitals and physicians are not getting the appropriate reimbursements, so you have cost shifting. We have done ourselves in in that situation.

One of the things that we have not discussed that I would like to see discussed tonight is in this area of reform. One of the problems that we have is that physicians do a lot of defensive medicine. That is driven by our tort system. One of the things that we have in this program that no other plan that I have seen either the Senate, the House, or other bills seems to do, is to have the practice guidelines that we have promoted in here to give physicians some guidelines, that they have done it all when they follow those guidelines. Those to me seem to be very positive things that will be cost effective, along with the simplification of the payer situation, the paper trail, that we will have a program that will not only be cost effective, but will generate savings throughout the entire system and still keep the quality that everyone seems to like in our system and desire in our system.

□ 2220

I hope as we have some more time we can discuss this.

Mr. HASTERT. I think the gentleman certainly is on target, when you stop to put cost effectiveness with malpractice reform, why it is important that we do malpractice.

Well, malpractice drives costs two ways. If you deliver a baby in my area in the Fox Valley of Illinois, it costs 25 to 30 percent of the cost of delivery is just the malpractice insurance itself. The hospital has to carry it, and the doctor has to carry it. Plus a surgeon in our area may pay up to or charge up to $5,000 for tests that are not tests that you make a prognosis or try to cure somebody with.

It is a test that if you are hauled into court that you have a defense. "I did this procedure, this procedure, this procedure and this procedure."

And therefore, it is an insurance policy that the patient has to pay for because he is charged for it. I think it is very important.

I would like to ask at this time a very active member in our Health Care Task Force, the gentleman from Pennsylvania [Mr. WALKER], the assistant minority whip, to maybe make some comments about his experience.

Mr. WALKER. Mr. Speaker, I thank the gentleman. And I want to say first of all how proud I was to serve on this task force. I hope it serves as a model of how the committees will operate in the next Congress when Republicans are in control, because I think we analyzed an awful lot of very complicated details.

We came to some conclusions and, in fact, came to conclusions that I think ended up being very innovative in terms of the work product that was finally put together.

I think that that is something the American people are looking for. They are looking in large part for the kind of legislating that addresses the real changes they see going on in their lives. They see change of massive natures going on in their lives, and they do not see Congress responding to it or Washington responding to it.

Here is an example, I think, where we have responded. Over and over again, you hear people out across the country who are frustrated with the health care system. And they are frustrated in large part because they see costs soaring out of sight. And yet at the same time costs are going up, access to the health care system seems to be decreasing. That is what I think we have addressed here.

We have come down on the side of some reforms that will deal with the cost increase issue. At the same time what we have done is assured acces-

sibility. But we have done so by backing the Government out a little bit of the system and allowing the people in the health care system and businesses and so on, more participation. I find that very refreshing, and I think the American people will.

In fact, it was my State that kind of put the health care issue on the political map, at least in the present situation, when Senator WOFFORD was elected in kind of an upset election that was said to be related to the health care issue. And it was, in part. But what is interesting is the response now in Pennsylvania to some of the health care reform ideas that have grown out of that and, in fact, have been sponsored by Senator WOFFORD. Because all of a sudden, people began to realize that his solutions to the problem involved things that they did not want to do.

For instance, older Pennsylvanians got very upset when they suddenly figured out that Mr. WOFFORD'S reform plan called for the elimination of medicare. And they found that to be a little different from what they thought he was saying when he talked about health care reform.

Then others took a look at it and understood that the reform plan he was talking about literally imposed a government health care system on them. And they were going to give up the quality that they had seen in the community-based health care systems that they have at the present time. So they are looking for people who are going to say, yes, health care needs to be addressed. Cost and quality have to be addressed. Accessibility has to be addressed. But let us do it without losing the good things that are in the present system.

And at least from my view, what we have managed to do in this particular proposal is, we have managed to keep most of what is good about the present system and at the same time we have addressed those issues that are most on the minds of the American people, I think, in a very responsible, reasonable way. I think as people come to understand what the product of this task force is, I think we will gain a lot of support across the country for it.

Mr. HASTERT. I thank the gentleman for his participation. It certainly was good guidance over the year, almost a year that we have worked on this program to try to bring some sense and semblance of common sense to try to solve the health care problems.

The national health care system that we are talking about, many people would like to take and model a United States system, one-payer system, after the Canadian system. A lot of us have heard that. We have heard it in town meetings. We have talked, many of our labor unions endorsed it.

But when we went to Canada and looked and spent 2 days in the cold January week up in Canada and saw that the Province of Ontario, which is really relatively about the same size of my State of Illinois. Ontario is 10 million people; my State is 11.5 million people. They spent $17 billion, $17.5 billion on health care last year. And in that they have a 38- to 58-percent marginal tax. They have a 15-percent sales tax on goods and services.

They have an employer check-off so that you still have to buy insurance for your employees. And out of that $17.5 billion, they spend in one province, and if you are looking at apples and oranges, the last year that I was in the Illinois General Assembly in 1986, the budget cost about $23 billion for everything, education, health care, everything. This is $17.5 billion just for health care.

They were able to pay, out of that $17.5 billion, $7.5 billion, a shortfall of $10 billion, plus a debt service of $5 billion to pay for health care that they have not been able to afford over the last few years.

I did not find hardly any one Canadian that did not like this system, but hardly any knowledgeable Canadian that said, this could happen and it could stay.

Mr. WALKER. It is interesting that when people take time to really study these issues, they come to precisely that conclusion about the national health care system and even about the Canadian system, which is regarded as one of the better of the systems that has been developed as national systems.

I had a group in my office the other day from the League of Women Voters who have spent some time studying this issue. And I kind of thought that maybe they would come to a conclusion that they ought to go the direction that the Democrats have come up with. They had not.

In fact, they told me directly that they had looked at the Canadian health care system and come to the conclusion it would be a disaster in this country for us to adopt that system. And they were very close in many respects to the kind of things we were coming up with.

As a matter of fact, as I discussed the plan that we were about to evolve, they became very excited because it tracked with the kind of things that they thought we ought to do based upon their study.

Most of the people who immediately jump onto the bandwagon for one of these national health care systems or one of these very comprehensive systems tend to be people who have not looked at the issue.

In fact, to some extent, we have the old adage here, that for every complicated problem there is a simple solution, and it is wrong.

That is very true in health care. The people who jump immediately to the idea that there is some simple solution to health care, we simply nationalize the whole thing and we can run it better, the fact is that that ends up being a wrong solution for virtually anybody who looks at it in detail.

Mr. HASTERT. I thank the gentleman from Pennsylvania.

I would just add one thing. All those groups that would lose their special health care systems, the gentleman did not mention the veterans. They are not really happy with that system either.

I heard a lot from our American Legion Posts and Veterans of Foreign Wars.

Mr. GOSS. I had some opportunity to meet a joint veterans group this week in my district, and we tried this out. And they started out being in favor of this idea of the universal health plan until we applied it to veterans medicine. And that was the end of their support. I think it is a fair representation.

Mr. HASTERT. I would like to yield to the gentlewoman from Connecticut. I think she had some other really pertinent points.

Mrs. JOHNSON of Connecticut. I just wanted to pick up on a point that the gentleman from Pennsylvania made that we have talked about a lot among ourselves. It has been the focus of discussions over 2 years now. And that is the issue of cost control. Because if we do not control costs, I do not care what kind of access we provide today, in a year or two that access will be gone if we do not do something about skyrocketing costs.

There are two ways we can control costs. My Democrat chairman of the Subcommittee on Health of the Committee on Ways and Means says we can control costs by just fixing the price.

□ 2230

If we fix the price low that service is not going to be there, whether we need it or whether we do not. What people tell me all the time when they come to see me is, "Look, I had the x rays done once. Why did I have to have them done again?" "I had this test done. Why did they have to be repeated 2 weeks later when I went to another specialist or when I went in a hospital?

What we try to do in our system is make the kind of changes that will allow us to weed out all those costs for duplication of testing, all those costs for procedures that should not have been done, that were really not necessary, but because of our malpractice system, boy, I will tell the Members, that doctor could not take the risk that maybe this one test or this one procedure might turn up something.

So we are looking at controlling costs by stripping out of the system all of those health care expenses that do not make us well, but we want to preserve our access to all those health care procedures that will make us well. That is the fundamental difference be-

tween the Democrats' global budget approach to cost control. They are going to underprice things until they are just not there, whether we need them or not. We are going to assure that needed care is there and affordable, and that unneeded care is stripped out of the system, no longer paid for, and all those costs will be saved.

The estimate as to how much defensive medicine costs us with our malpractice loss is $20 billion to $40 billion. If we add to that the administrative savings that are possible through our bill, and we are up to another $20 billion or another $30 billion, and we can just peel away the wasted dollars from this system and be left with access, quality, and cost control.

Mr. HASTERT. Will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Illinois.

Mr. HASTERT. If I might interrupt the gentlewoman, I think it is significant what she said, that the malpractice part of this bill can save between $30 billion, around $30 billion or $35 billion, maybe $40 billion, with a "b", billion dollars, and other cost containment things, such as the Medsave plan, just in people making prudent decisions, can save another $50 billion, and by companies not reproducing, and we will talk about this a little later with the Medsave plan, people making good economic choices, and to eliminate the huge amount of paperwork, almost 94 percent of the medical episodes, we could save another $70 billion, almost.

All of a sudden, not only does this plan give people choices but it starts to hold down the cost of health care services, and that is the key, access. People then have health care and yet hold down the costs that have spiraled up on and on and on and upward and upward and upward over the last 15 years.

I would like to entertain some remarks from our good friend, the gentleman from California [Mr. CUNNINGHAM], who is not on the task force but certainly has lived through some of these problems in his district in Southern California.

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

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

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

Mr. Speaker, I feel very, very fortunate to be able to piggyback on the task force. As a matter of fact, it is exciting to see the excitement of the task force itself. The hour is late and I think part of the health care plan might be to get some sleep for our pages, the kids. We will not hold them too much longer.

I would like to give a little perspective from a freshman, not just on the issues which the gentleman has covered, and to give the Members just some other thoughts, that part of the problem that I have seen over the last 18 months of my tenure here in the House of Representatives is that both sides of the aisle agree that we need a health care plan, but when it comes to the issues that the gentleman is discussing in his plan, that is where the division, primarily the cost. But this plan and this task force is just a start, because it is only one part of the puzzle.

I sit on the task force of the defense of this country, I consider that the health of this country, and a task force on education, and also a task force on anti-drugs. We have an equal chore to equal the job that your task force has done on health, because it all ties together for the things that we want to do.

But the cost of the program, one of the problems, that is only one of the problems that I have seen as a freshman, but who pays for it? Is it business? Do we tax the rich? Do we put the burden on business so that we cut jobs? Those arguments go back and forth. People do not care. They want a health care plan, and that is what the gentleman has helped to develop.

Another problem we have had, I see it as a freshman, is who gets credit for this? In an election, who is going to get credit for the health care plan for the November election? And that has really been a stopgap. I want to tell the gentleman, it has been disheartening. But the good news is that his task force has taken the good ideas from all the matrices that have ever been put together, thoughts from constituents, from both Democratic constituents and Republican constituents, and I understand in some cases our pages, on health care issues, and that is the way that this bill was going to finally pass, that no one will necessarily take credit for it, because it is for the betterment of the Nation. I really believe that.

I do have some pessimism, because I have seen all the bills that I have had those same hopes for, and thinking, "We can really do some good for this country," have gone away because of a November election and partisanship and power.

My message for the task force is that November is going to pass before too long. Regardless of what the outcome of that is, we are going to see 130 to 150 new Members on the House floor. The other good news is that if we are not able to put in fruition the gentleman's noble and outstanding job on this health care task force, then the 103d Congress will, with those new Members. But we need to go beyond this package, I think.

I would say to the gentleman from Illinois [Mr. HASTERT], I was a swimming and football coach in his great State. To me physical education is a part of that package, and education itself: Can we give kids enough of an education to get a job so they can go out and be healthy?

When I first thought about health care, I thought about senior citizens, only I do not use that term any more, I use the term chronologically gifted people instead of senior citizens. But that is not where it starts. The day my wife had her first child was right down here in Belvoir Hospital. The lady that was having the baby, the first time she had ever seen a doctor was when her baby was born, so it is even before prenatal care, but the education that that mother and the father go through before having that child, and going on through, education plays a part in that.

The crime bill; how do we prevent our young kids and adults from getting involved in those other things? I do not plan to go through all the bills, but what I am saying, there is a total package. I do not mean this as a political shot, but the balanced budget amendment is very critical so that we could have the funds necessary to put not only a health care plan but all of these other task forces together to benefit this country.

I would thank the gentleman for this opportunity, and I laud his work and efforts in allowing me to piggyback on a very good task force.

Mr. HASTERT. I certainly appreciate the input from the gentleman from California [Mr. CUNNINGHAM]. One of the interesting things when we talk about the fiscal side of this thing, we put together a package that does not tax the American people to death. It is a package that works, because we are cutting costs and we are taking savings that we can accrue, that the Government has to pay out, and because we are doing things better. We are putting together, for instance, administrative and paperwork reform so we do not have to have 37,000 different insurance forms going to every doctor and insurance company, and those types of savings that the system pays for itself.

We do have the best health care system in the world, but it has kind of developed topsy-turvy, and competition has just grown. But here are some ways to streamline some of the things that are not efficient, the inefficient systems that have kind of gone along with that topsy-turvy growth.

I know the gentleman from Florida [Mr. GOSS], a good friend who has worked very diligently on this, has some stories, so to speak, of how this affects people.

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

Mr. HASTERT. I yield to the gentleman from Florida.

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

Mr. Speaker, these are stories we all hear. We all have them in our own districts, and they come up in different ways. I do not think mine are different

than anybody else's, but I think they hit the core that gets action in this body.

The gentleman mentioned the cost of a baby doctor in his district. Now practice is so out of control in my district that we cannot find people sometimes practicing in certain medical skills, because the cost of insurance is so high. Neurosurgery is an area, and ob-gyn is another area, as the gentleman knows. So there is no question that that area we focused on is great. We picked out of the newspaper just a couple of cases.

There is a gentleman who had terminal cancer, which stripped down all of the assets in their family, and they ended up with nothing except a very expensive home which they had in happier times and could not sell because of the depressed market, and they had no place to go. That kind of a situation is out there.

□ 2240

Another case is a lady who is a waitress at one of the local restaurants and followed the advice that is put out about self-examinations, discovered she had a lump on her breast, but did not have money to go to the doctor. She finally scraped up the money and went in for an office visit, and when she got in the office, the doctor, of course, recommended a biopsy. Again, she did not have the money to perform the biopsy. That is another type of case.

We have a case of a family where a youngster with severe asthma moved into the district, new jobs, new opportunities, but they discovered that their new insurance that went with the job at a higher price did not cover preexisting conditions. So there they have a very heavy expense to take care of.

This legislation that we are proposing and talking about here, and we are excited about, addresses all of these problems and provides solutions. They are not total solutions, but they in fact are solutions.

We could do an endless list of these kinds of things I know, but to be able to instead of saying well, we will get to it later, after the election or something, to be able to come up with a plan that says we are going to get to that now, we are going to start working on those solutions now is important.

The gentleman from California talked about the balanced budget amendment. It is true. I do not think there is a Member in this body that would disagree with the proposition that health costs are draining our economy and sapping our Nation's strength. Every numbers cruncher, whether it is OMB, CBO, the Joint Council, anybody else will tell you that health costs are rising fast and threatening our budget even more than it is already threatened. So we do have an economic reason to do it.

But that is not the right reason. The right reason is the compassionate reason, to provide access to affordable insurance for the people who want it, and who cannot get it right now. And this program that we have got, this legislation I honestly believe will do it, and that is why I can get a little excited about it.

There is so much that we have not said about it tonight, the details which we will get into I think in the days ahead. We have not solved all of the problems. We have not got the long-term health care taken care of, for instance, but we know enough about it that we know how to get there from here, and in time we will get there, and I hope that will be in the next session. We did not talk about the possibility of the savings and the proper amortization schedules, and the way we deal with insurance and the way hospitals deliver some of these systems so that not every hospital has the most expensive system or piece of equipment before it amortizes out its other equipment that does the same job. We have not really talked tonight about the tremendous savings that are in the medisave compared to the program we use now where it is somebody else's money, so you go get the procedure done.

Mr. HASTERT. Let us talk about that a minute. I think it is so important that the American people understand that the medi-save program where your employer, if he wishes, and if you negotiate as an employee and an employer, an employer who provides insurance today, as we said, it costs between $4,000 and $4,5000 a year for the employer to provide insurance for an employee family. And when an employer does that, that is tax deductible.

Mr. GUNDERSON. Mr. Speaker, during the last decade, health care spending in the United States has more than doubled from $230 billion in 1980 to $738 billion in 1991. Since 1980, health care costs in Wisconsin have risen 123 percent, but amazingly, this is the second lowest increase in the Nation.

While health care costs have exploded over the past decade, access to primary care services has declined, particularly in the inner city and in rural America. The current estimate for health professional shortage areas in the United States is 2,000. Wisconsin's shortage areas have risen from 27 to 42 in 1992, 9 are located in western Wisconsin.

In addition to the lack of providers in many parts of the United States, another factor affecting declining access is the high cost of health insurance. The number of uninsured has sharply increased from 24.5 million in 1980 to over 35 million in 1992.

At first glance, some may ask the question, if health care access has declined over the last 10 years, why has the cost risen so dramatically? Part of the answer is that the uninsured do not seek cost-effective preventive health care services. Thus, when these individuals seek care, they do so in hospital emergency rooms instead of physicians' offices, which drives up the cost. To cover the costs of such care, hospitals generally raise the rates charged to their privately insured patients. In turn, insurance companies increase their premiums. According to a 1991 report released by the Families USA Foundation, cost-shifting due to uncompensated care and the lack of insurance offered by some employers, accounts for 27 percent of employer health care costs. Other factors that have contributed to astronomical health care spending are the escalating costs of medical education and biomedical research, an aging population, and the high crime, drug abuse, and AIDS rates that plague all of America.

Affordability and accessibility are the key elements to developing health care reform initiatives. They are also the major factors that must be examined when assessing rural health care delivery.

Accessibility to health care services is a primary hardship for many citizens who live in rural America. There are only 97 physicians for every 100,000 rural residents compared to 225 per 100,000 urban resident. An estimated two-thirds of rural counties do not have obstetricians and/or pediatricians. Over 250 rural hospitals have closed within the last decade compared to an estimated 100 during the same time period.

Over the past several years, Congress has played a major role in developing health care programs that are designed to assist rural communities. We have passed several initiatives that are beginning to benefit many rural communities. These include the revitalization of the National Health Service Corps, phase out of the urban-rural differential in the Medicare standardized payment, direct Medicare reimbursement for nurse practitioners and clinical nurse specialists in rural areas, establishment of State offices of rural health, and the Rural Health Transition Grant Program.

As I have illustrated, some progress has been made regarding rural health care access. However, further efforts must be undertaken regarding the coordination and availability of rural health care services. Several weeks ago, I introduced the Farm and Rural Medical Equity Reform Act which I consider the first step in making health care more affordable and accessible to rural Americans. I am delighted that the Action Now Health Care Reform Act has incorporated several of the provisions contained in my initiative. Three key components are:

DEDUCTIBILITY FOR THE SELF-EMPLOYED

All self-employed individuals would be entitled to deduct 100 percent of the cost of their health insurance premiums. This provision will help the 8 million people in the United States who are self-employed, 176,000 are Wisconsin residents.

EMERGENCY MEDICAL SERVICE [EMS]

Three key elements have been included that will enhance the coordination and availability of emergency medical care: First, establishment of a Federal EMS Office which will provide technical assistance to State and local agencies, development and review of EMS guidelines pertaining to health professionals, equipment, training, and examine the unique needs of underserved inner city and rural communities; second, establishment/enhancement of State EMS offices that will improve

the availability and quality of EMS in the States through a Federal/State matching grant program over 3 years. These offices will coordinate all State EMS activities and provide technical assistance; third, development of a telecommunications demonstration program that will enable patients and health professionals in rural communities to link up with medical specialists in larger health facilities for consultations regarding life-saving treatment through telecommunications.

EXTEND MEDICARE DEPENDENT HOSPITAL STATUS

There are approximately 600 hospitals that qualify for Medicare dependent status. Wisconsin has 22 such facilities. Hospitals eligible for this adjustment are rural, have 100 beds or fewer, have 60 percent Medicare patient days or discharges, and are not classified as sole community hospitals. The legislation authorizing Medicare dependent classification expires this year. The Action Now Health Reform Act will enable Medicare dependent hospitals to continue receiving the necessary financial adjustments for 1 additional year.

The Action Now Health Reform Act is a comprehensive initiative that begins laying the foundation for a more accessible and affordable health care delivery system for all Americans.

Mr. MICHEL. Mr. Speaker, on June 4, House Republicans introduced H.R. 5325, the Action Now Health Reform Act of 1992. The proposal now has 94 cosponsors, more than any other health proposal in the House.

The legislative package provides for comprehensive reform of our health care system. It makes health insurance available for the working uninsured, increases access to health care for the underinsured, and puts the brakes on skyrocketing costs.

Most importantly, our bill accomplishes these reforms while preserving values that the American people expect from their health system—choice, quality, and availability. Additionally, the bill will not involve major increases in Federal spending, bureaucracy, or redtape.

These are reforms that can be enacted this year. They have a significant amount of support and can bring people immediate relief from the overwhelming problems our current system engenders.

We House Republicans feel strongly that we should move ahead with these reasonable measures rather than take an all-or-nothing leap toward some ill-defined utopian system that will leave the American people without the relief we can give them now.

Mr. RINALDO. Mr. Speaker, I want to commend the President and the House Republican leadership for their commitment to addressing the health care needs of this Nation. Many hours of hard work and careful consideration went into H.R. 5325, the Republican Action Now Health Reform Act of 1992, which was introduced at the beginning of this month. This bill contains numerous important provisions that will lower health care costs and improve the quality of health care for all Americans.

H.R. 5325 would authorize $300 million annually over the next 5 years for expansion of the Federal community health center program. In talking to the health care providers in my district, I know that these programs are essential to help the medically underserved get the primary care they need, and I strongly support this provision.

This bill also takes action to lower health care costs by attacking the bureaucratic mess that makes it so difficult and expensive for people to get their medical bills paid. The Republican bill would eliminate confusion through administrative reforms and paperwork reduction, so that insurance claims would be simplified. Studies have shown that standardizing forms could reduce administrative costs and thus health care costs by upwards of $10 billion.

The Action Now Health Reform Act of 1992 would get rid of State rules that make it harder for people to get health insurance coverage. It would give insurance companies more flexibility leading to lower premiums for businesses. This would enable employers to better offer health insurance coverage for their employees.

In addition, I strongly support provisions in this measure that would give States greater flexibility in operating their own Medicaid plans, thus eliminating wasteful bureaucratic redtape.

Congress must take up health care reform without delay with a goal of enacting a comprehensive health insurance program that provides qualify affordable health care to individuals, broadens coverage to those who currently are uninsured or underinsured, and also includes long-term nursing home and home health care.

I am proud of the leadership role I have taken on this matter in Congress. I currently serve as the ranking Republican member of the House Select Committee on Aging; I am a member of the Republican Leader's Task Force on Health; and I also serve as a founding member and cochair of the bipartisan congressional caucus on national health reform. I have used these positions to strongly advocate reform of the Nation's health care system so that we have a fair program that reduces rising health care costs and broadens coverage to those who need it most.

As we continue to confront this issue, I believe one of the answers, especially to the pressing issue of long-term care, lies in establishing a national partnership between the Federal Government, the private sector, and individuals. I have introduced a bill, H.R. 2528, the Older Americans Long-Care Insurance Act that would establish just such a system. My bill does not create any new bureaucratic programs. Instead, my proposal would spur long-term care insurance coverage through the private sector. In my view, this is a step in the right direction.

I urge my colleagues to join in this serious effort to enact truly meaningful reform of the Nation's health care system.

The SPEAKER pro tempore (Mr. HOCHBRUECKNER). The time of the gentleman from Illinois [Mr. HASTERT] has expired.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

REPUBLICAN HEALTH CARE PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 60 minutes.

Mr. GOSS. Mr. Speaker, I see we have been joined by the distinguished whip, and I hope we have excited his attention also by this piece of legislation.

Mr. GINGRICH. Mr. Speaker, I want to thank the two gentlemen and the others who have participated for spending time to educate the country about the House Republican action now on health reform plan. I think we have developed a plan which meets the four key values of the American people. It provides access. It has a solution I believe to the problem of cost, or the first steps toward a solution to the problem of cost. It ensures that we continue the highest quality health care service in the world and ensures that individual citizens and families still have a level of choice which is clearly prohibited by the kind of bureaucratic, single-payer system. I just wanted to thank in particular the two of you for the time you have given, and the gentleman from Illinois [Mr. HASTERT] has shown real leadership both in developing the program and in developing the effort to explain it, and to have outreach on it. And the gentleman from Florida [Mr. GOSS] played a major role both from the very particular standpoint of in Florida being concerned about long-term health care problems and the problems of people who are aging, but also of representing I think a commitment to innovation, and reform, and to market principles.

I guess the only comment I want to make is I believe we have in the House Republican task force that Congressman BOB MICHEL established, which brought 23 of us together for a year, and which had us working on a regular basis week after week with the Bush administration, with Health and Human Services, with the Office of Management and Budget, and with Treasury, and the White House Domestic Policy Council, I think we have developed a program which actually has a real chance to begin to improve the access to health care of working Americans, and particularly small business, and of beginning to lower the cost of health care through malpractice reform, through the Medisave accounts, through the antitrust trust reform to help hospitals plan and work together, and through the efforts that we have made to genuinely create a more market-oriented system. I just want to thank the two of you for being here late at night, and for sharing with our colleagues and the country the oppor-

tunity we have to truly develop the building blocks toward health care. And my only hope is that with the support of the President and the effort we are going to put together that we are going to be able to convince the Democratic leadership to make in order a vote on the House Republican action now health reform plan.

Mr. GOSS. I certainly thank the whip for his kind remarks, and I also thank him for his extraordinary leadership in this, because I think perhaps he has been a bit overmodest about his role with all of those agencies and people that he discussed and he rattled off there that have been brought into this process to make it work, because this is not something that is done in a day or without a lot of ingredients. And I know that the role of the gentleman from Georgia has been absolutely vital to getting that done, and I thank him very much for that.

I was in the midst of a dialog and colloquy with the gentleman from Illinois, which I think we were getting close to winding up. But I would be very happy to yield for any further observations.

Mr. HASTERT. I was talking about the medisave plan, and something that really I think has captured the imagination of the American people. And as we were saying, it costs the employer about $4,500 a year to provide health insurance for an employee family. That is an average. If you go to the big cities of the east coast, it is going to cost more, and if you go into some of the small towns in the Midwest it might cost less. But that is the average.

Instead of saying okay, I am buying you a health care plan, we are saying we are going to give an opportunity, we are going to give an opportunity of choice, and that opportunity is we are going to give you a medisave plan, and that plan might be $3,000, that plan might be $3,500, or whatever the agreement is. And we are also going to buy major medical insurance for you, and that kicks in with the deductible of whatever, the $3,000, the $3,500, whatever that they put into the medisave plan.

People whose children get sick, or older people who have heart attacks, they have to make choices on what kind of health care they want. But let us say your kid falls off his bike and bruises his knee. You have two choices. You can go to the emergency room in the hospital and probably, because they are set up for all types of catastrophic health care incidents, they may charge you $175, $200, $250 for that cost or that visit to the emergency room. If you are covered by insurance, the insurance pays for it. Or if you go to the doctor's office and make a call, it costs you maybe $25, maybe $30, maybe $35. If you are covered by insurance people do not make that economic decision. But if they have a chance of saving money on what they do not spend, and putting it into their pocket, all of a sudden those economic decisions come into play.

Mr. GOSS. They do come into play, and I believe the incentive, as the gentleman from Illinois earlier pointed out, to save and to be accountable, and to make your own decision is somehow a very American thing that is waiting to be put back into a position where it can come to the forefront in this matter of health care. And I believe that the medisave plan does that, and I think it is a very exciting proposal.

I happen to think that another very exciting part of the proposal, while it does not relate to the individual, it does relate to all of us as Americans and taxpayers, and that is that it will save tax dollars. And I think anything that saves precious tax dollars at this point is worth looking a lot closer at, because Lord knows we have an awful lot tax dollars to save before we start balancing our budget.

Mr. HASTERT. The way we hold down costs is amazing on this, because statistics tell us that 94 percent of all medical episodes are under $3,000 per year, per family.

□ 2250

Now, if you have your little medisave card and your kid falls off a bicycle and you go to the doctor's office or if you go the hospital and you give them that card and your medisave account is debited, that means the doctor's office does not have to fill out 13 different insurance forms; you do not have to fill out 13 different insurance forms; and the insurance company does not have to process 13 different insurance forms.

As a matter of fact, the cost of filling out the insurance forms for your daughter falling off her bicycle are exactly about the same administrative costs as somebody who has a quadruple heart bypass. The savings in this country by just cutting out the paperwork could be $70 billion to $80 billion, and that is the astounding thing. So you save money myriads of ways with this health save program.

Mr. GOSS. As the gentleman knows, one of our predecessors said a billion here, a billion there, it adds up. We have identified here tonight just in our colloquies, I believe, in the vicinity of $100 billion. Whether those are good numbers or bad numbers or not, we do not know. But it is of that magnitude, I think, that we are talking.

The wonderful part of that is that some of those savings, I think, can be passed on to community health centers, as the gentlewoman from Connecticut [Mrs. JOHNSON] is so interested in and has been such a champion of those for expanding their services and their capabilities.

This legislation also will provide for some additional dollars to be passed back there for those who we have not found a way to get into the affordable, accessible route to their own policies yet, whether through a small business employer, a self-employment situation, or a large-employer situation, all of which we have taken into consideration. But inevitably you miss somebody, and the net, I think, is made to be finer and stronger through this for those who cannot do for themselves which I think is also a hallmark of this legislation.

I think we have got a very propitious time to deal with this matter in the days ahead, and I am very much looking forward to going out and introducing more of it to our colleagues. I know that there is a desire amongst our colleagues to try and come up with some solutions that will work.

I guess if we all had our choices, we would want one wonderful fix that would do it all, but I think we have proven to ourselves after really tearing this apart, analyzing all the aspects of the problem, is that there is no magic that can be brought to bear here. There is no particular one rabbit in the hat that is going to do it all.

Mr. HASTERT. I think the amazing thing is that we have put together the building blocks of reform. It is not one big sweeping cement foundation, but it is building blocks, and that is how you get things done around here. Not only is it workable and is it common sense, but politically, you know, we have the support. The President is going to come down to this Capitol tomorrow, or up to the Capitol tomorrow, and endorse this plan. It is something that we can pass and something that can be signed and something that will benefit the American people immediately, and I think that is the important issue that we have to look at.

Mr. GOSS. I would like to thank the gentleman from Illinois [Mr. HASTERT] for his leadership and kindness in this matter.

Mr. HASTERT. I thank the gentleman from Florida [Mr. GOSS] for yielding his time. I thank the gentleman very much.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KASICH) to revise and extend their remarks and include extraneous material:)

Mr. BILIRAKIS, for 60 minutes, on July 22.

Mr. LEACH, for 5 minutes, today.

Mr. DREIER of California, for 60 minutes each day, on July 7, 8, 9, 21, 22, 23, 24, 27, 28, 29, 30, and 31, and August 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

(The following Members (at the request of Mr. JONTZ) to revise and extend their remarks and include extraneous material:)

Mr. JONTZ, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. PICKETT, for 15 minutes, today.
Mr. JONTZ, for 5 minutes, on July 2.
Mr. CONYERS, for 60 minutes, on July 8.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. KASICH) and to include extraneous matter:)

Mr. OXLEY.
Mr. GRADISON.
Mr. GINGRICH.
Mr. BROOMFIELD.
Mr. SOLOMON in three instances.
Mr. LAGOMARSINO.
Mr. LEACH.

(The following Members (at the request of Mr. JONTZ) and to include extraneous matter:)

Mrs. LLOYD in five instances.
Mr. HAMILTON in 10 instances.
Mr. DE LA GARZA in 10 instances.
Mr. RANGEL.
Mr. MOODY.
Mr. HERTEL.
Mr. DELLUMS.
Mr. SMITH of Florida.
Mr. LEVIN of Michigan.
Mr. BROWN.
Mr. SOLARZ.
Mr. FASCELL in two instances.
Mr. SHARP.
Mr. SKELTON.
Mr. KENNEDY in two instances.
Mr. WEISS.
Mr. KILDEE.
Mr. ORTIZ.
Mr. ROEMER.
Mr. TRAXLER.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 281. Joint resolution designating the week beginning September 14, 1992 and ending on September 20, 1992, as "National Rural Telecommunications Services Week", to the Committee on Post Office and Civil Service.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 499. Joint resolution designating July 2, 1992, as "National Literacy Day."

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following title:

S. 1254. An act to increase the authorized acreage limit for the Assateague Island National Seashore on the Maryland mainland, and for other purposes;

S. 1306. An act to amend the Public Health Service Act to restructure the Alcohol, Drug Abuse, and Mental Health Administration and the authorities of such Administration, including establishing separate block grants to enhance the delivery of services regarding substance abuse and mental health, and for other purposes; and

S. 2901. An Act to direct to Secretary of Health and Human Services to extend the waiver granted to the Tennessee Primary Care Network of the enrollment mix requirement under the Medicaid Program.

ADJOURNMENT

Mr. GOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 2, 1992, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3851. A letter from the President, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Oversight Board on the Resolution Funding Corporation for the calendar year 1991, pursuant to Public Law 101-73, section 511(a) (103 Stat. 404); to the Committee on Banking, Finance and Urban Affairs.

3852. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-233, "District of Columbia Youth Services Act of 1976 Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3853. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-234, "Equal Opportunity for Local Small, and Disadvantaged Business Enterprises Temporary Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3854. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-234, "Funeral Services Regulatory Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3855. A letter from the Chairman, CPB Management Committee, Corporation for Public Broadcasting, transmitting the annual report on the provision of services to minority and diverse audiences by public broadcasting entities and public telecommunications entities, pursuant to Public Law 100-626, section 9(a) (102 Stat. 3211); to the Committee on Energy and Commerce.

3856. A letter from the Chairman, CPB Management Committee, Corporation for Public Broadcasting, transmitting the triennial assessment report of the needs of minority and diverse audiences, and the ways television and radio can be used to help these underrepresented groups, pursuant to Public Law 100-626, section 9(a) (102 Stat. 3211); to the Committee on Energy and Commerce.

3857. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled, "Minority Biomedical Research Construction Act"; to the Committee on Energy and Commerce.

3858. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated solution of the Cyprus problem, including any relevant reports from the Secretary General of the United Nations covering the last 21 days of March, all of April, and the first 15 days of May, 1992, pursuant to 22 U.S.C. 2373(C); to the Committee on Foreign Affairs.

3859. A letter from the Comptroller General, General Accounting Office, transmitting the list of all reports issued or released in May 1992, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

3860. A letter from the Comptroller General, transmitting a copy of the financial audit of the Savings Association Insurance Fund's 1991 and 1990 financial statements (GAO/AFMD-92-72, June 1992); to the Committee on Government Operations.

3861. A letter from the Chairman, Federal Housing Finance Board, transmitting the 1991 management reports of the 12 Federal home loan banks and the Financing Corporation, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3862. A letter from the President, National Railroad Passenger Corporation, transmitting the semiannual report of Amtrak's office of the inspector general for the period October 1, 1991, through March 31, 1992, pursuant to Public Law 95-452, Sec. 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3863. A letter from the Resolution Funding Corporation, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1991, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

3864. A letter from the Secretary of Labor, transmitting the annual report on employment and training programs for veterans during program year 1988 (July 1, 1988-June 30, 1989) and fiscal year 1989 (October 1, 1988-September 30, 1989), pursuant to 38 U.S.C. 2009(b); jointly, to the Committees on Education and Labor and Veterans' Affairs.

3865. A letter from the Comptroller General, transmitting a financial audit report on the Bank Insurance Fund's 1991 and 1990 financial statements (GAO/AFMD-92-73, June 1992); jointly, to the Committees on Government Operations and Banking, Finance and Urban 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. DIXON: Committee on Appropriations. H.R. 5517. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-638). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEHMAN of Florida: Committee on Appropriations. H.R. 5518. A bill making appropriations for the Department of Transportation and related agencies for the fiscal

year ending September 30, 1993, and for other purposes (Rept. 102-639). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAMILTON: Committee on Foreign Affairs. Interim report of the task force of Foreign Affairs Committee Members to investigate certain allegations concerning the holding of American hostages by Iran in 1980 ("October Surprise Task Force") (Rept. 102-640). Referred to the House Calendar.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 450. A bill to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes; with an amendment (Rept. 102-641). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 4370. A bill to provide for the protection of the Bodie Bowl area of the State of California, and for other purposes; with an amendment (Rept. 102-642). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 3724. A bill to amend the Indian Health Care Improvement Act to authorize appropriations for Indian health programs, and for other purposes; with an amendment (Rept. 102-643). Ordered to be printed.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 2782. A bill to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws (Rept. 102-644). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORD of Michigan: Committee on Education and Labor. S. 2759. An act to amend the National School Lunch Act to improve the nutritional well-being of children under the age of 6 living in homeless shelters, and for other purposes; with amendments (Rept. 102-645). Referred to the Committee of the Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 507. Resolution waiving clause 4(b) of rule XI, with respect to the consideration of certain resolutions (Rept. 102-646). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 508. Resolution waiving certain points of order against and during consideration of the bill (H.R. 5504) making appropriations for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-647). Referred to the House Calendar.

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. DIXON:

H.R. 5517. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1993, and for other purposes;

By Mr. LEHMAN of Florida:

H.R. 5518. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1993, and for other purposes;

By Mr. DEFAZIO (for himself and Mr. MILLER of California):

H.R. 5519. A bill to amend the Export Administration Act of 1979 to provide for export restrictions on unprocessed timber, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DELLUMS (for himself and Ms. NORTON):

H.R. 5520. A bill to authorize an additional Federal payment to the District of Columbia for fiscal year 1993 for youth and anticrime initiatives in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LEWIS of Florida (for himself and Mr. MCCURDY):

H.R. 5521. A bill to provide for the establishment of a joint aeronautical research and development program between the National Aeronautics and Space Administration and the Department of Defense, and for other purposes; jointly, to the Committees on Science, Space, and Technology and Armed Services.

By Mrs. MINK:

H.R. 5522. A bill to prevent the introduction of plant and animal pests into Hawaii through the mails, to increase penalties relating to the introduction of plant or animal pests, to authorize cooperative agreements to safeguard Hawaii's environment, and for other purposes; jointly, to the Committees on Post Office and Civil Service, Agriculture, the Judiciary, and Merchant Marine and Fisheries.

By Mr. MOODY:

H.R. 5523. A bill to amend the Internal Revenue Code of 1986 to provide that the credit under section 936 of such Code shall not apply to taxes on income attributable to investments guaranteed by the United States; to the Committee on Ways and Means.

By Mr. OWENS of New York:

H.R. 5524. A bill to establish the Professional Boxing Corporation, and for other purposes; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Ms. PELOSI (for herself and Mr. MILLER of California):

H.R. 5525. A bill to authorize the Secretary of the Interior to use the facilities of the Golden Gate National Recreation Area to develop and implement a program to use drought resistant species of plants in the landscaping of public lands; to the Committee on Interior and Insular Affairs.

By Mr. RITTER:

H.R. 5526. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 to establish the National Commitment to Quality Award with the objective of encouraging American universities to teach total quality management and to emphasize the importance of manufacturing process technology, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SHARP:

H.R. 5527. A bill to extend the authorization of appropriations of the National Historical Publications and Records Commission for 6 years; to the Committee on Governmental Operations.

By Mr. SIKORSKI:

H.R. 5528. A bill to amend title 5, United States Code, to implement measures to facilitate the placement of Federal employees who are separated from teaching positions in the schools for overseas defense dependents; to provide that DODDS teachers recruited abroad be entitled to the same benefits as those recruited in the United States; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALKER (for himself, Mr. BROWN, Mr. PACKARD, and Mr. KOLTER):

H.R. 5529. A bill to establish a Department of Science, Space, Energy, and Technology; to the Committee on Government Operations.

By Mr. WELDON (for himself, Mr. ANDREWS of New Jersey, and Mr. SARPALIUS):

H.R. 5530. A bill to amend title IV of the Social Security Act to establish a new comprehensive child welfare services program under part E, to make other amendments to the programs under parts B and E, and for other purposes; to the Committee on Ways and Means.

By Mr. ORTIZ (for himself, Mr. DE LA GARZA, Mr. MARTINEZ, Mr. COLORADO, Mr. ROYBAL, Mr. DE LUGO, Mr. RICHARDSON, Mr. TORRES, Mr. BLAZ, Mr. BUSTAMANTE, Ms. ROS-LEHTINEN, Mr. SERRANO, Mr. PASTOR, and Mr. GONZALEZ):

H.R. 5531. A bill to provide surveillance, research, and services aimed at prevention of birth defects; to the Committee on Energy and Commerce.

By Mr. ORTIZ:

H.R. 5532. A bill to provide for the continuation of epidemiologic activities being conducted in the State of Texas with respect to the elevated rate in certain areas of the State of a lethal birth defect, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PENNY:

H.J. Res. 521. Joint resolution proposing an amendment to the Constitution of the United States to extend the right to vote to citizens who are 16 years of age or older, and to repeal the 26th article of amendment to the Constitution; to the Committee on the Judiciary.

By Mr. TAYLOR of North Carolina:

H.J. Res. 522. Joint resolution proposing an amendment to the Constitution of the United States to provide that each political party shall be represented on each committee of the House of Representatives, and each subcommittee thereof, equally or in the same proportion that such party is represented in the House of Representatives; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

492. By the SPEAKER: Memorial of the Legislature of Guam, relative to pest control fees; to the Committee on Agriculture.

493. Also, memorial of the Senate of the State of Michigan, relative to regulating solid waste; to the Committee on Energy and Commerce.

494. Also, memorial of the Senate of the State of Illinois, relative to collection of use taxes for sales made out-of-State; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KENNEDY:

H.R. 5533. A bill for the relief of Anindya Bhattacharyya; 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. 371: Mr. ANDREWS of Texas and Mr. ZELIFF.
H.R. 384: Mr. HUGHES.
H.R. 492: Mr. TORRICELLI.
H.R. 918: Mr. RAVENEL.
H.R. 1311: Mr. BOEHLERT.
H.R. 1312: Mr. BOEHLERT and Mr. COLORADO.
H.R. 1502: Mr. HENRY and Mr. ENGLISH.
H.R. 1633: Mr. GLICKMAN.
H.R. 2070: Mr. TRAFICANT.
H.R. 2390: Mr. BROWN.
H.R. 3063: Mr. BUSTAMANTE.
H.R. 3142: Mr. HUGHES.
H.R. 3236: Mr. JONES of Georgia, Mr. WYDEN, Ms. WATERS, and Mr. STAGGERS.
H.R. 3299: Ms. MOLINARI.
H.R. 3360: Mr. TORRICELLI, Mr. WOLF, and Mr. CARPER.
H.R. 3441: Mr. RAMSTAD.
H.R. 3552: Mr. KOPETSKI.
H.R. 3561: Mr. HUGHES and Mr. BUNNING.
H.R. 4034: Mr. GREEN of New York.
H.R. 4109: Mr. SABO.
H.R. 4178: Mrs. MEYERS of Kansas.
H.R. 4207: Mr. CAMPBELL of Colorado.
H.R. 4399: Mr. SANDERS.
H.R. 4706: Mr. DURBIN.
H.R. 4764: Mr. JOHNSON of South Dakota, Mr. PASTOR, Mr. CLINGER, Mr. MCCANDLESS, Mr. GILLMOR, and Mr. SKEEN.
H.R. 4790: Mr. ANDREWS of Maine, Mr. DOOLITTLE, Mr. SWIFT, and Mr. GILLMOR.
H.R. 4899: Mr. BLACKWELL, Mr. ATKINS, Mr. GEREN of Texas, and Mrs. BOXER.
H.R. 5124: Mr. SCHEUER and Mr. MACHTLEY.
H.R. 5193: Mrs. JOHNSON of Connecticut.
H.R. 5237: Mr. VANDER JAGT and Mr. LANCASTER.
H.R. 5263: Mrs. JOHNSON of Connecticut.
H.R. 5307: Mr. RANGEL, Mr. DE LUGO, Mr. HUTTO, Mr. MFUME, Mr. JEFFERSON, and Mr. LAFALCE.
H.R. 5325: Mr. SMITH of Oregon, Mr. IRELAND, Mr. NUSSLE, and Mr. CUNNINGHAM.
H.R. 5370: Mr. EVANS.
H.R. 5377: Mr. BURTON of Indiana, Mr. MCEWEN, Mr. BROWDER, Mr. HAYES of Louisiana, Ms. NORTON, Mr. THOMAS of Wyoming, Mr. LANCASTER, Mr. EDWARDS of Oklahoma, Mr. CRAMER, Mr. MCCLOSKEY, Mr. MYERS of Indiana, Mr. FAZIO, Mr. COX of California, Mr. GINGRICH, Mr. JEFFERSON, Mr. INHOFE, Mr. HUBBARD, and Mr. ATKINS.
H.R. 5378: Mr. ANDERSON.
H.R. 5401: Mr. LIPINSKI.
H.R. 5437: Mr. BONIOR, Mr. CRAMER, Mr. DANNEMEYER, Mr. FASCELL, Mr. HERTEL, Mr. KOPETSKI, and Mr. RANGEL.
H.R. 5507: Mr. MCDERMOTT, Mr. HAYES of Illinois, and Mr. FOGLIETTA.
H.J. Res. 81: Mr. SAXTON.
H.J. Res. 399: Mr. LEVINE of California, Mr. CLINGER, and Mr. ANTHONY.
H.J. Res. 411: Mr. RAMSTAD, Mrs. COLLINS of Illinois, Mr. BORSKI, Mr. LEWIS of California, Mr. SCHULZE, Mr. RIDGE, Mr. RITTER, Mr. GAYDOS, and Mr. SHUSTER.
H.J. Res. 474: Mr. COX of California, Mr. HALL of Ohio, and Mr. FASCELL.
H.J. Res. 479: Mr. GILMAN.
H.J. Res. 486: Mr. NEAL of Massachusetts.
H. Con. Res. 160: Mr. BUSTAMANTE.
H. Con. Res. 298: Mr. FOGLIETTA, Mr. MACHTLEY, Mr. RICHARDSON, Mrs. KENNELLY, Mr. RAVENEL, Mr. HOCHBRUECKNER, Mr. MILLER of California, Mr. STARK, and Mrs. LLOYD.
H. Con. Res. 328: Mr. PANETTA, Mr. THORNTON, Mr. JENKINS, and Mr. QUILLEN.
H. Res. 478: Mr. PAXON.
H. Res. 490: Mr. JEFFERSON, Mr. MCNULTY, Mr. SANTORUM, Mr. ARMEY, Mr. GORDON, Mr. BARRETT, Mr. DORGAN of North Dakota, Mr. NEAL of North Carolina, Mr. SWIFT, Mr. GILLMOR, Mr. TOWNS, Mr. WILSON, Mr. BAKER, Mr. APPLEGATE, Mr. GUNDERSON, Mr. LAGOMARSINO, Mr. KANJORSKI, Mrs. LLOYD, Mr. HUNTER, MR. MACHTLEY, AND MR. SHAYS.

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. 917: Ms. HORN.

PETITIONS, ETC.

Under clause 1 of rule XXII,

165. The Speaker presented a petition of the Council of the District of Columbia, Washington, D.C., relative to national voter registration.

Referred to the Committee on the District of Columbia, July 1, 1992.